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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 12, 2008.

I hereby appoint the Honorable JOHN F. TIERNEY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Reverend W. James Thomas, II, Shiloh Church of Memphis, Memphis, Tennessee, offered the following prayer:

Gracious God, we come before You today to praise You for Your goodness to our Nation and for blessing us in ways we do not deserve. We celebrate the diversity of languages and cultures that have shaped and enriched our national life. With the many problems we face in our Nation, we thank You for leaders who are passionate about our Nation's future.

And now, dear God, give us Your light and Your truth to guide us. Keep our faces toward You and our feet in paths of righteousness. Give our Nation's leaders the fortitude to stand strong for what is right. Keep us, sustain us, and do not allow us to lose sight of You. Deliver us from sin, pardon our offenses, and absolve us from all wickedness. Grant us the highest joy, that of glorifying and enjoying You.

This we pray in Your holy name. 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.

Mr. WESTMORELAND. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

Mr. WESTMORELAND. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. CUELLAR led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1593. An act to reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

The message also announced that the Senate has agreed to without amendment in which the concurrence of the House is requested, concurrent resolutions of the House of the following titles:

H. Con. Res. 270. Concurrent resolution to make corrections in the enrollment of the bill H.R. 1593.

H. Con. Res. 306. Concurrent resolution permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2516. An act to assist members of the Armed forces in obtaining United States citizenship, and for other purposes.

WELCOMING REV. W. JAMES THOMAS, II

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

There was no objection.

Mr. COHEN. Mr. Speaker, our pastor today was Pastor W. James Thomas, II.

Pastor Thomas is God's visionary for Shiloh Church of Memphis, located in Memphis, Tennessee. Serving as pastor since 1994, his consistent obedience to God has taken the Shiloh congregation from glory to glory. The membership has grown from 75 to 600 and counting. During these years, Pastor Thomas has been preaching and teaching God's uncompromising Word with a boldness that has changed the lives of the people at Shiloh and throughout the country.

To accommodate the vision and growth of the church membership, Pastor Thomas led the congregation in the acquisition of a 19,000 square foot worship and educational facility in 1998. In

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2003, the sanctuary was completely renovated and office complex expanded.

Spiritually, Pastor Thomas was saved and received much of his spiritual development in the Church of God in Christ. He was called to the ministry at the age of 14 and began pastoring at the age of 18 in Knoxville, Tennessee. He graduated cum laude from Crichton College in Memphis with a bachelor of science degree in Biblical studies and is currently a candidate for the master of divinity degree. He has also attended and received degrees from Harvard University and Yale University, where he had completed the first Graduate School of Theological Studies' special intensive course at Harvard Divinity School in Cambridge and the Yale School of Divinity in September 2006.

He's very active in our community in Memphis, Tennessee. He is married to Minister Antonia R. Thomas, who serves alongside him in the ministry. And even possibly as important or more important than this congregation, he has two children. One is Private First Class Reginald Cleveland, who is an officer and security person for this Chamber, from Memphis, Tennessee, who is here today; and he has a daughter in middle school.

I appreciate Pastor Thomas serving the United States House of Representatives as our pastor this morning.

CALENDAR WEDNESDAY

The SPEAKER pro tempore (Mr. KIND). Today is the day of Calendar Wednesday. The Clerk will call the roll of committees.

The Clerk called the committees.

PARLIAMENTARY INQUIRY

Mr. SESSIONS (during the call). I have a point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas may state his inquiry.

Mr. SESSIONS. I understand that the procedure that the Chair just went through is known as Calendar Wednesday. Is it correct that any bill reported by a committee and placed on the Union or House Calendar could have been called up by the chairman as the committee name was read?

The SPEAKER pro tempore. Calendar Wednesday business may be called up only on formal authorization by the reporting committee.

Mr. SESSIONS. A further point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SESSIONS. On February 12, a bipartisan majority in the Senate passed S. 2248, a responsible bill to provide long-term authority for our intelligence community to help detect and prevent acts of terrorism. For a month now, it has been sitting at the desk in the House awaiting action. Would it have been in order for the chairman of the House Permanent Select Committee on Intelligence or the chairman of the Judiciary Committee or their designee to call up S. 2248 at this time?

The SPEAKER pro tempore. No.

Mr. SESSIONS. Further point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SESSIONS. H.R. 5440, the House counterpart to this bipartisan Senate legislation, was introduced by Congressman FOSSELLA on February 14. Would it be possible for Mr. HOEKSTRA, the ranking member of the Permanent Select Committee on Intelligence, to call up this bill under his committee's jurisdiction or for any of the 21 members of the Democrat majority who signed a letter to Speaker PELOSI on January 28 asking her to move this legislation to ''ensure a strong national security apparatus that can thwart terrorist attacks across the globe and to save American lives here in this country,'' for them to call up this bill?

The SPEAKER pro tempore. A committee member other than the chairman must have specific authorization of the committee to call up a bill on Calendar Wednesday.

Mr. SESSIONS. Further point of inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SESSIONS. Is it in order for any member of the minority to call up a long-term FISA modernization bill that would strengthen the Nation's intelligence capacities while protecting the civil liberties of Americans during the call of the committees?

The SPEAKER pro tempore. Again, a committee member other than the chairman must have specific authorization of the committee to call up a bill on Calendar Wednesday.

Mr. SESSIONS. I thank the gentleman for letting us know that it's up to the chairman or the Speaker.

The SPEAKER pro tempore. The Clerk will continue.

The Clerk called the committees.

□ 1015

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TIERNEY). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

MOTION TO ADJOURN

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

Mr. DREIER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 5, nays 375, not voting 49, as follows:

[Roll No. 124]

YEAS—5

Davis, Lincoln
Honda
Johnson (IL)
Kingston
Miller, George

NAYS—375

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)

Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Yarmuth
Young (FL)

NOT VOTING—49

Bachus
Baird
Bishop (UT)
Boucher
Brown, Corrine
Burgess
Cardoza
Carnahan
Clay
Costello
Cubin
Culberson
Cummings
Dicks
Doolittle
Fossella
Gilchrest
Gingrey
Gordon
Grijalva
Hall (TX)
Hinchey
Hooley
Jefferson
Johnson (GA)
Jones (OH)
Kaptur
Marchant
Markey
McCaul (TX)
Meek (FL)
Murtha
Oberstar
Peterson (PA)
Pryce (OH)
Rangel
Renzi
Rush
Ryan (OH)
Sali
Simpson
Sutton
Tancredo
Thompson (MS)
Udall (CO)
Wexler
Woolsey
Wynn
Young (AK)

□ 1040

Ms. KILPATRICK, Mrs. GILLIBRAND and Messrs. DUNCAN, PENCE, LINDER, PASTOR, BARTON of Texas, LEWIS of Georgia and SESTAK changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

FURTHER MESSAGE FROM THE SENATE

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

S. 2745. An act to extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes.

QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Mr. Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 1039

Whereas on January 5, 2007, the House of Representatives adopted a rule of the House amending clause 2(a) of rule XX to include that, ''A record vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.'';

Whereas on the evening of March 11, 2008, the Speaker pro tempore repeated an annoucement regarding enforcement of such rule, stating ''An alleged violation of clause 2(a) of rule XX may subject the vote to collateral challenge in the form of a question of the privileges of the House pursuant to rule IX.'';

Whereas a press release dated October 7, 2005 from then Minority Leader Nancy Pelosi stated, ''Democrats have proposed guidelines for how we think the House of Representatives should operate, a Minority Bill of Rights.'' Included in this document is the declaration that ''No vote shall be held open in order to manipulate the outcome. When we take back the People's House, we will heed that declaration.'',

Whereas H. Res. 1031 provided that ''House Resolution 895, amended by the amendment printed in the report of the Committee on Rules accompanying this resolution, is hereby adopted.''

Whereas on March 11, 2008 the publication Roll Call reported, ''Republicans nearly defeated the measure on a procedural maneuver, but House leaders held the vote open for at least 10 additional minutes to turn a handful of Democrats—sealing the win with the votes of Reps. Emanuel Cleaver (D–Mo.), Sanford Bishop (D–Ga.), G.K. Butterfield (D–N.C.) and Bart Stupak (D–Mich.). With their support, the bill was allowed to come to the floor.'' (''House Passes Ethics Bill; Pelosi Hails Victory,'' Roll Call, March 11, 2008.);

Whereas on March 11, 2008 the publication The Politico reported, ''Republicans, backed by 18 Democrats, thought they had won a parliamentary vote prior to consideration of the new ethics office, a victory that would have derailed [sic] But Speaker Nancy Pelosi (D–Calif.) and the Democratic leadership held the vote open for 16 minutes beyond the alloted 15-minute deadline, and in that period, convinced several Democrats to switch their votes.'' (''New Ethics Office Approved by House After Controversial Quote,'' The Politico, March 11, 2008.);

Whereas on March 11, 2008 The Politico further reported, ''In response to GOP manipulation of votes during their years of control, Pelosi promised at the beginning of the 110th Congress that floor votes would only last 15 minutes, and 'no vote shall be held open to manipulate the outcome.' Pelosi, however, appeared to go back on that promise during the previous question vote, which was open for a total of 31 minutes before it was gaveled closed.'' (''New Ethics Office Approved by House After Controversial Quote,'' The Politico, March 11, 2008);

Whereas on March 11, 2008 The Politico further reported, ''The most vocal Democratic opponent of the OCE, Rep. Neil Abercrombie (D–Hawaii), who made an impassioned speech on the floor urging his colleagues to vote against the measure, insisted that the opposition had actually won the parliamentary vote, regardless of the final outcome. 'We did win,' Abercrombie declared afterwards. 'This thing is totally discredited.' '' (''New Ethics Office Approved by House After Controversial Quote,'' The Politico, March 11, 2008.);

Whereas on March 12, 2008 Associated Press reported, ''Republicans yelled in protest as Democrats held the 15-minute vote open for 27 minutes while Democratic leaders urged holdouts in the party to support the party position.'' (''House Approves Ethics Panel,'' Associated Press, March 12, 2008.);

Whereas on March 11, 2008, Roll Call reported, '' 'There are still plenty of people trying to keep it from coming to the floor,' said one Democratic lawmaker, who spoke in advance of the vote on the condition of anonymity, fearing reprisals from party leadership. The Member added that colleagues expressed a 'lot of unhappiness', as many acknowledged they would have to vote for the bill once it reached the floor.'';

Whereas at 9:31 p.m. the vote on Ordering the Previous Question on H. Res. 1031, was ordered and was to be a 15-minute vote;

Whereas that vote was held open for 27 total minutes;

Whereas 413 Members of the House, which was the total number of Members present and voting, had registered their votes after 21 minutes had elapsed;

Whereas no new Member of the House voted after 21 minutes into the vote who had not previously recorded their vote;

Whereas at 21 minutes elapsed, the vote was 204 yeas and 209 nays, the motion failing;

Whereas for approximately the next 5 minutes, no further votes were cast or changed and the previous question vote was held open for the sole purpose of changing the outcome of the vote;

Whereas during the final moments of Roll Call Vote 121, after conversing with Democratic leaders in full view of the House, three Democratic Members changed their votes from Nay to Aye;

Whereas Speaker Nancy Pelosi left the floor during this time and returned with Representative Bart Stupak who changed his vote from a no to a yes;

Whereas Speaker Nancy Pelosi and Majority Whip James Clyburn approached Representatives Sanford Bishop and Emanuel Cleaver on the Democratic side of the aisle and had them change their votes from a no to a yes;

Whereas according to Speaker Nancy Pelosi's document entitled ''A New Direction for America,'' page 24 states that ''floor votes should be completed within 15 minutes with the customary 2 minute extension to accommodate members' ability to reach the House Chamber to cast their votes. No vote shall be held open in order to manipulate the outcome.'';

Whereas the result of the 3 Democratic vote changes, after 12 minutes of extended vote time and pressure from Democratic leadership, manipulated the outcome and changed the result from 204 yeas and 209 nays, the motion failing, to 207 yeas and 206 nays, the motion passing; and

Whereas a Democratic Member approached Members and staff of the minority following the announced outcome of the vote and revealed that, ''Deals were made to get Cleaver and Bishop;'': Now, therefore, be it

Resolved, That

(1) the House denounces this action in the strongest terms possible, rejects the practice of holding votes open beyond a reasonable period of time for the sole purpose of circumventing the will of the House, and directs the Speaker to take such steps as necessary to prevent any further abuse;

(2) The votes on ordering the previous question and adoption of House Resolution 1031 are hereby vacated;

(3) the Committee on Standards of Official Conduct is directed to investigate without further delay violations of House rules by Speaker Nancy Pelosi and other Members of the Democratic leadership and report its findings and recommendations to the House, including a recommendation regarding the appropriate actions for the Speaker's activities; and,

(4) The Select Committee to Investigate the Voting Irregularities of August 2, 2007, is hereby directed to investigate and include in the report its findings and resulting recommendations concerning the actions of the Speaker, concerning the time the vote was held open and the changes in votes cast by

members, resulting in passage of the previous question vote to H. Res. 1031 on March 11, 2008.

□ 1045

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. MCGOVERN

Mr. McGOVERN. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

PARLIAMENTARY INQUIRY

Mr. BOEHNER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. BOEHNER. As the gentleman called the vote, I couldn't hear, Mr. Speaker.

The SPEAKER pro tempore. The Chair noted that the ayes had it.

Mr. BOEHNER. Mr. 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 215, nays 193, not voting 21, as follows:

[Roll No. 125]

YEAS—215

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Wynn
Yarmuth

NAYS—193

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—21

Boswell
Cardoza
Costello
Cubin
Ehlers
Engel
Gingrey
Gordon
Hooley
Johnson (GA)
Maloney (NY)
Oberstar
Rangel
Renzi
Rothman
Rush
Tancredo
Taylor
Thompson (MS)
Woolsey
Young (AK)

□ 1122

Mr. McCAUL of Texas changed his vote from ''yea'' to ''nay.''

Messrs. ALTMIRE, WEXLER, BERMAN, COHEN and HILL changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRIES

Mr. DANIEL E. LUNGREN of California. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. Please state your inquiry.

Mr. DANIEL E. LUNGREN of California. Is it true that the rule that was the subject of the motion of the gentleman from Ohio with respect to not holding a vote open for the purpose of changing votes was adopted by this Congress at the beginning of this Congress?

The SPEAKER pro tempore. That is correct.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, further parliamentary inquiry. Is it true that that rule was, in fact, a separate title and voted separately by this House by a vote of 430–0?

The SPEAKER pro tempore. The Chair is not currently aware of the exact vote on that.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, further parliamentary inquiry. Consistent with the rulings of the Chair last night, is it true that the only enforcement mechanism of that rule adopted by this House is a privileged resolution such as offered by the gentleman from Ohio?

The SPEAKER pro tempore. That is correct.

Mr. DANIEL E. LUNGREN of California. Further parliamentary inquiry, Mr. Speaker. If such a privileged resolution is tabled, as was just done by this body, is it true that there is no alternative enforcement mechanism?

The SPEAKER pro tempore. The minority leader's resolution, House Resolution 1039, was held to present a question of privilege and was considered as such. The will of the House was that it be laid on the table.

Mr. DANIEL E. LUNGREN of California. Further parliamentary inquiry, Mr. Speaker. Is it available to other Members of this House who feel aggrieved by the vote last night to bring a privileged resolution similar to that brought by the gentleman from Ohio?

The SPEAKER pro tempore. Yes, it is.

Mr. DANIEL E. LUNGREN of California. Is it true, Mr. Speaker, that if individual Members brought such motion seriatim that that would not be considered dilatory but, rather, within the authority of each Member of this House as a separate and individual Member of this House?

The SPEAKER pro tempore. The Chair cannot render such an advisory opinion.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, further parliamentary inquiry. Is the enforcement mechanism referred to previously, exercised by the gentleman from Ohio, also available to other individual Members of this House?

The SPEAKER pro tempore. Rule IX may be invoked by any Member of the House.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman.

Mr. SHADEGG. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. SHADEGG. Is it correct that the motion just brought by the gentleman from Ohio was brought pursuant to rule IX and was on a question of the privileges of the House?

The SPEAKER pro tempore. That is correct.

Mr. SHADEGG. And is it correct that that motion was then tabled and that was the action the House just took?

The SPEAKER pro tempore. The minority leader's resolution (H. Res. 1039) was held to present a question of privilege and was considered as such. The will of the House was that it be laid on the table.

Mr. SHADEGG. Further parliamentary inquiry. If it had not been tabled, then it would have been debatable for 1 hour, is that correct?

The SPEAKER pro tempore. The Chair will not answer a hypothetical question. The majority leader's resolution was held to present a question of privilege and was considered as such. The will of the House was that it be laid on the table.

Mr. SHADEGG. Is it not true that earlier this year there have been questions of the privileges of the House where they have not been tabled and they have been debated for an hour?

The SPEAKER pro tempore. The Chair cannot serve as historian for the House, but the gentleman is correct that a question of privilege could be considered by the House.

Mr. SHADEGG. And could be debated for an hour?

The SPEAKER pro tempore. And could be debated.

Mr. SHADEGG. Is it not true that in the last Congress, the then minority leader and the now Speaker raised a similar question of the privileges of the House pursuant to rule IX after a vote was held open and that on that question of privileges of the House, in fact, the majority, the then majority, now minority, allowed a debate of an hour and that the conduct of the House in holding a vote open to change the result of the vote was debated for an hour?

The SPEAKER pro tempore. It is not the function of the Chair to render historical perspectives. The Member will have to look to the RECORD for that.

Mr. SHADEGG. I'm sorry. The gentleman is correct?

The SPEAKER pro tempore. The Chair is not prepared to render historical perspectives. The Member will have to look at the RECORD for that answer.

Mr. SHADEGG. So the effect of immediately tabling the question of privileges raised by the gentleman from Ohio was to deny the minority the ability to debate that issue for an hour as was done when the same thing happened last Congress, is that correct?

The SPEAKER pro tempore. It is a summary, adverse disposition.

Mr. SHADEGG. I thank the gentleman.

Mr. WESTMORELAND. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. Please state your inquiry.

Mr. WESTMORELAND. Mr. Speaker, is it not true that the last vote was called at 10:52?

The SPEAKER pro tempore. The Chair is not prepared to give exact figures. The gentleman can look at the RECORD for that.

Mr. WESTMORELAND. Further parliamentary inquiry.

The SPEAKER pro tempore. Please state your inquiry.

Mr. WESTMORELAND. Is it not true that the vote was closed at 11:22, which is approximately 30 minutes?

The SPEAKER pro tempore. The Chair is not prepared to render an historical perspective. The gentleman can look to the RECORD for that.

Mr. WESTMORELAND. Further parliamentary inquiry. According to the Democrats' election manifesto, floor votes should be completed within 15 minutes with a customary 2-minute extension to accommodate Members' ability to reach the House Chamber to cast a vote. No vote shall be held open in order to manipulate the outcome.

Was that the rule that we passed on January 5, 2007?

The SPEAKER pro tempore. It is not appropriate for the Chair to render an opinion on a document of the nature cited by the Member.

MOTION TO ADJOURN

Mr. SHADEGG. Mr. Speaker, I move the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

RECORDED VOTE

Mr. SHADEGG. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 14, noes 384, not voting 31, as follows:

[Roll No. 126]

AYES—14

Campbell (CA)
Carter
Cole (OK)
Hulshof
Johnson (IL)
Lewis (CA)
Lewis (KY)
Linder
Marchant
Regula
Sessions
Shadegg
Sullivan
Whitfield (KY)

NOES—384

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Castle
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)

Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rehberg
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Westmoreland
Wexler
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—31

Abercrombie
Bachus
Baird
Blumenauer
Cardoza
Castor
Cohen
Costello
Cubin
Dicks
Engel
Frank (MA)
Gingrey
Gordon
Hooley
Israel
Johnson (GA)
McCollum (MN)
Miller, George
Oberstar
Pascrell
Peterson (PA)
Rangel
Renzi
Rothman
Rush
Tancredo
Thompson (MS)
Weldon (FL)
Woolsey
Young (AK)

□ 1150

Ms. SHEA-PORTER changed her vote from ''aye'' to ''no.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

QUESTION OF PERSONAL PRIVILEGE

Mr. HASTINGS of Washington. Mr. Speaker, pursuant to clause 1 of rule IX, I rise to a question of personal privilege.

The SPEAKER pro tempore. The Chair has been made aware of a valid basis for the gentleman's point of personal privilege.

The gentleman from Washington is recognized for 1 hour.

Mr. HASTINGS of Washington. Thank you, Mr. Speaker.

Mr. Speaker, no one in this House takes more seriously than I do the rules governing confidentiality of matters before the House Ethics Committee.

Each of us privileged to serve on the committee signs an oath pledging not to disclose information related to our work in the committee except as authorized under our committee rules.

During nearly 8 years of service on the Ethics Committee, including 2 years as the chairman, I have never found it necessary to disclose committee documents or any other privileged information. Mr. Speaker, that changed yesterday when it became clear that the Democrat leadership would, indeed, force Members to vote on a proposed independent ethics entity.

You see, I knew, and Chairwoman STEPHANIE TUBBS JONES knew, something that the other Members of this House did not know. Several months ago, we had been advised by the nonpartisan, professional attorneys at the Ethics Committee that they believed the proposed independent ethics entity would infringe upon Members' due process protections under the rules of the House and that it would seriously hamper the Ethics Committee's ability to carry out its important responsibilities.

When the ranking member of the bipartisan task force, Mr. SMITH of Texas, sent a letter asking for our committee's official comments on Representative CAPUANO's proposal, I took his request to Chairwoman TUBBS JONES and asked her to prepare a formal response with me to the ranking member of that task force. I did so because I felt strongly that the proposed entity would so greatly impact the work of the Ethics Committee that it would be irresponsible, Mr. Speaker, irresponsible not to share with task force members our official views of this plan.

Last night, in a Dear Colleague letter to every Member of this House, that was printed in the CONGRESSIONAL RECORD, it was printed in Roll Call, it was printed in other publications, Representative TUBBS JONES has attempted to rewrite the history on this issue.

For reasons that I have trouble fathoming, she now claims, and I quote, Mr. Speaker, ''Both Representative HASTINGS and I agreed that the Ethics Committee could not and should not give advice to the committee charged by House leadership with reviewing the ethics process itself.''

Mr. Speaker, nothing could be further from the truth. I could not possibly have stated more clearly to Mrs. TUBBS JONES my desire to respond fully and jointly to Ranking Member SMITH's request for guidance on how the task force proposal would affect our committee.

Now I recognize the difficulty that she must have explaining to her colleagues why she did not believe that they should be made aware of the concerns expressed by our nonpartisan attorneys on the committee. But, Mr. Speaker, those attorneys don't work for her and they don't work for me. They work for every Member of this House. So, I don't understand, I didn't understand then and I don't understand now, why my distinguished colleague, the gentlelady from Ohio, sought to keep that information from every Member of the House, but she did. And I do not stand by and permit her to call into question my integrity on setting that record straight, as I did so with a letter I sent out to every Member, along with the e-mail of the attorneys on their advice on that issue.

Now, Mr. Speaker, Members should be advised that this is not the first time that I have had to set the record straight following ill-considered public comments by Representative TUBBS JONES. Last June, she issued a press release declaring that the Ethics Committee would empanel an investigative subcommittee into the matter of Representative WILLIAM JEFFERSON. Under the committee's rules, Representative TUBBS JONES had no authority to issue such a statement and lacked the authority to establish such a subcommittee. She not only knew that such an action would require a bipartisan vote of the committee, but she also knew that the committee had never voted on the matter. And she knew, Mr. Speaker, that I had pressed her for months to reestablish the Jefferson subcommittee which had lapsed at the end of the last Congress before it completed its work. And I said so, Mr. Speaker, when she issued that because she did not consult with me and ask me to give permission for her to release that statement. She simply did not do so. So, once again, I cannot fathom her reason for making such an inaccurate and irresponsible statement as I mentioned earlier.

Mr. Speaker, I make no apology to this House for insisting that Members benefit from the advice and counsel of the skilled attorneys at the Ethics Committee before voting on a proposed independent entity. After all, Mr. Speaker, this affects them. I'm a Member, also, of the Rules Committee. And at the Rules Committee 2 weeks ago, when we had testimony on this issue, I expressed my concern then as to what would come of this outside entity.

So, Mr. Speaker, I resent the claim by Representative TUBBS JONES that I have violated the rules of the House and the Ethics Committee in this manner. As she no doubt intended, Representative TUBBS JONES' false allegations have now made their way into the news, bringing further discredit to the House. But most disturbing, Mr. Speaker, is her public threat to use her position as chairman of the House Ethics Committee to bring sanctions against me. Such a threat can only be motivated by a desire to intimidate and embarrass, while distracting attention from her decision to keep every Member of this House from receiving information that I think every Member deserved to have before we voted on that proposal last night.

Mr. Speaker, I think her action in calling into question and impugning my reputation, and what she did last night, is wrong, and I think she failed in her effort of trying to do that.

So I rise today, point of personal privilege, to point out the history of this, and my position, and the reason why I felt that every Member of this House had to have this important information, notwithstanding the fact that we had a very short time frame to even debate the matter at hand.

So, Mr. Speaker, with that, I appreciate your indulgence. And I would like to yield time to my friend from Missouri (Mr. HULSHOF).

Mr. HULSHOF. I thank the gentleman for yielding.

I haven't had the privilege of meeting the newest Member of this body who took the oath of office yesterday, Mr. FOSTER, but I, as everyone did, rose to my feet and applauded as he swore to protect this country. And I'm mindful of what was said last night on the floor of the House, that I wonder what's passing through his mind as the first vote he cast as we all became caught up in this maelstrom of ethics discussion. And I would say to him, I know he's not in the Chamber, but perhaps as he reviews the RECORD, as an incoming freshman in January of 1997, as we commenced the 105th Congress, and I see some of my classmates here on the floor, I remember the first vote I cast was for the Speaker of the House, Newt Gingrich, who was then under a cloud of ethics. And I remember the last vote I cast as a freshman Member was whether or not to impeach a sitting President of the United States.

□ 1200

So my freshman term began and ended with this issue of ethics.

Ironically, as my days in this Chamber wind down, we are embroiled once again in a partisan struggle about the integrity of this institution. I was on the floor last night during the debate, and many who spoke don't even know where the Ethics Committee is located in the Capitol. That's a good thing. That means, then, that you've never had the occasion to be called in front of the committee or to render testimony or to provide some information. And yet it is so vitally important to the integrity of this institution.

My bona fides, again, I listened with some interest to incoming freshmen Members who debated this last night, that the Ethics Committee has been broken, hasn't worked for however many years, and yet I beg to differ in the sense that I was tapped as a noncommittee member to sit on an investigative subcommittee, and we sat and we resolved, appropriately, I think, the matter with a former Member from Alabama. I don't need to name his party. It's irrelevant. The House rules apply to everyone equally. Whether you're a backbencher or whether you're one of the most powerful members of leadership, it doesn't matter. But I participated in that investigative subcommittee and then was actually appointed to the committee itself.

I remember standing right here in this very spot as this body voted to expel a Member from Ohio, that extraordinary remedy of substituting the will of this House for the will of the voters of then the 17th District of Ohio. And we did that. And the process worked.

The Ethics Committee continued to handle many sensitive matters, many of those never seeing the light of day, appropriately, because when a baseless or meritless claim is brought against one of the number of this House, it shouldn't be debated or discussed on the front pages of the newspaper but should be dealt with down in the basement and, as appropriate, then brought to the attention of the American public. So those confidentiality rules are important and necessary.

I objected to the rules changes that were made, my friend from Tennessee mentioned that as well last night, that unilaterally forced upon then the minority, and I objected to those. And let me point out again, as my friend from Tennessee did, that we changed those rules because it was a unilateral action, and that was appropriate for our majority at the time then to say we should redo this in a bipartisan fashion.

And then, of course, may I claim, the ''infamous'' vote on Medicare part D and allegations that were made. And then suddenly in my time on the committee, I was the chairman of the investigative subcommittee to investigate allegations. We didn't know where the allegations were going to lead us. I issued the report and admonished publicly the then-majority leader on our side of the aisle. I was removed from the committee because of that. More disturbing was the fact that there were professional staff that were fired as a result of that, good, decent, honorable professionals who were fired as a result of that report. Certainly not our finest hour. And there are still some relationships on our side of the aisle that have been strained personally to this day because of those actions.

But the wisest man I ever knew, my father, he never finished college. May he rest in peace. He had a single mantra that I remember from a kid growing up on the farm to those hallowed Halls, and that mantra was simply: The only thing worth keeping in life is keeping your good name, and you keep your good name by standing up and doing what's right. And I will leave this body with that name intact.

I used to believe that an outside entity had no place in the ethics process. But after this renewed partisanship on a committee that should not be partisan, I came to a different conclusion, and I voted with the majority last night as one of the handful on our side that believed that perhaps this might be the way out. And as I leave this august body, I hope and pray that I have not damaged the institution by my vote, but that will be for a future Congress and future Congresses to determine.

The former chairman of the committee, my friend from Washington's predecessor, Mr. Hefley of Colorado, he and I used to believe that if we simply provided the resources for the committee to reward staff, not punish them for doing their jobs, to provide some subpoena power, that the committee itself could continue to hold up the integrity of this institution. But again, seemingly, that is not the way forward as far as it relates to ethics, and so last night I crossed the aisle and voted for this.

But we are here today for a further purpose. A good and decent, honorable man who has the integrity of this institution at stake has been impugned, in my view; so, unfortunately, we then come to this point of personal privilege.

I have reviewed the letter from my friend, and she is my friend, the March 11 letter that suggests that rules have been violated by the disclosure of a professional opinion about the merits or lack of merits of the proposal we voted on last night. And I will say again for the purpose of the RECORD that, in my view, rule 7, subparagraph d, and the subparagraphs beneath that rule, that there has been no violation of those matters as it relates to the disclosure. This was not the disclosure of any fact or nature of a complaint. This was not the disclosure of any executive session proceedings. It was not the disclosure of any report, study, or document that expresses views, findings, or recommendations in connection with activities of ethics investigation. So as I go through those subparagraphs, those words are important, as we know, not just legally but ethically to determine whether or not this disclosure by Mr. Kellner, who I know personally, having worked with him on the committee, is a very professional, capable individual. I do not find as a sitting Member that anything of the disclosure of Mr. Kellner's letter has violated House rules.

Having said that, I am mindful again of what the gentleman from Illinois (Mr. FOSTER) had to remind us of, and it, hopefully, was a reminder, that we have a privilege to serve here. This is a privilege granted to us. Each of us has taken the same oath of office that Mr. FOSTER took in the well yesterday. And inherent in that oath of office is the belief that the integrity of this institution is more important than any single Member serving here. To think that these same feet that used to walk barefoot down our cotton rows have had the privilege of walking the marble Halls of Congress for the last, now, 12 years, this is something that the integrity of the institution is more important than a single Member. And I can only wonder about those who are here witnessing today, as they excitedly have come to Washington, DC, maybe for their first-ever visit, and they come to the House Gallery, and there must be thrust upon them this discussion about whether Members of Congress are ethical or not, and it saddens me.

So I implore simply all that are here and those that aren't here and for those that are going to come to this body, in order to bring about and reinforce the trust that the 300 million people across the country from sea to shining sea have in this institution, we must have a functioning ethics process.

We don't. And when there are charges and countercharges that, unfortunately, necessitate bringing a point of personal privilege, we do not serve this institution well.

And so I tell the gentleman, with whom I have occasionally disagreed as it relates to ethics, that I think you are an honorable, decent man who has the integrity of this institution deeply in your heart, and I support you and urge all colleagues to consider the institution and the damage that we perhaps are doing by this partisan warfare.

Mr. HASTINGS of Washington. Mr. Speaker, I yield to the gentleman from Ohio (Mr. LATOURETTE), one of my classmates.

Mr. LATOURETTE. I thank Mr. HASTINGS for yielding.

Mr. Speaker, I am not happy to have the opportunity to speak today. The gentleman from Washington is my classmate. We were both elected in 1994. The distinguished chairwoman of the Ethics Committee I've known for 25 years. I served on the Ethics Committee for 4 years, had some of the same circumstances that Mr. HULSHOF was previously talking about at the time. Mr. HASTINGS and Mrs. TUBBS JONES were also members of the Ethics Committee.

And there's a reason that we take that oath of secrecy, and it's why, unlike Mr. HULSHOF, I voted ''no'' last night. My belief has always been that the ethics process here has worked when left to its own devices, and by ''left to its own devices,'' when leadership on either side stays out of it and permits five good Democrats and five good Republicans to consider what is sometimes a messy business. But it needs to be not aired in public as, sadly, this new whatever we did last night will do, because, and I used to be a prosecuting attorney, as did the chairwoman of the committee, there are many times when a case is brought to you and there are no facts to support that case, but you will be accused on page 1 and the case will be dismissed on page 45, and when you're in public life, by the time you get to the retraction on page 45, your career is ruined.

So every Member that embarks upon the ethics process takes the oath that we will hold close to us and not discuss with our colleagues, not discuss with the press, not discuss with others if we have a Member under investigation, if allegations are made against a Member, not to protect a Member, not to shield that Member from scrutiny, but so that we don't shoot the Member until there has been an adjudication that he or she has done something wrong. I took that oath. Every member of the committee takes that oath. We take that seriously.

Now, yesterday evening when I was preparing to make a determination as to how to vote, I received a memo from DOC HASTINGS, Representative HASTINGS, that had included in it the opinion of the nonpartisan, bipartisan professional staff of the Ethics Committee where they opined on how, if at all, what was being done last night would impact upon the ethics process of this House. I have to tell you that the memorandum wasn't written for Republicans. It wasn't written for Democrats. It was nonpartisan, bipartisan, and I found a lot in it that I thought that's an interesting point and I hadn't actually thought about it. I was grateful to receive that memorandum from DOC HASTINGS, not knowing how it came to my possession or attention other than DOC HASTINGS provided it.

I'm dismayed on this point of personal privilege, however, to then be in receipt of a letter written by my friend the chairwoman of the committee that, in my opinion, has a tortured construction of rule 7 of the committee. It correctly indicates that we take the oath of secrecy and matters should only be discussed in accordance with the rules of the House. Mr. HULSHOF, I think, has adequately talked about 7(d), and what that indicates is that we're not supposed to talk about if Representative Y is under investigation until that matter moves to the public phase, that being the adjudicatory hearing, which we achieved against the gentleman from Ohio a number of years ago and which we were all involved in.

□ 1215

It does not, in my opinion, indicate that when a memorandum that might be instructive to the other Members of the House on a matter before the House should remain secret. And I would just say that we would then read paragraph 7(g) that indicates that, ''Unless otherwise determined by a vote of the committee, only the chairman or ranking minority member of the committee, after consultation with each other, may make public statements regarding matters before the committee of any subcommittee.''

The gentleman from Washington says that is what he did. And if the gentleman from Washington did that, I find no violation of the committee rules. I find no violation of the House rules. And I think what is most unfortunate, and it really goes into why the matters before the Ethics Committee need to remain secret, the letter suggests, it doesn't suggest, it says that Representative HASTINGS has broken the rules of the House, and if he does it again, there is going to be a complaint. Well, if someone feels that way, then file a complaint. But it is entitled to the confidentiality which it is now indicated has somehow been broken.

And I want to indicate that besides my disappointment, that what is roiling this House, and I think those of us that are centrists, moderates, those of us that are institutionalists, we now are roiled in the House because the rules don't seem to be the rules. The rules apply when people think they should apply. And if the rules don't apply, well, then we will make a new rule.

And last night's example, and it ties in directly to this point of personal privilege, couldn't be any clearer. The new majority, because of the Medicare part D vote that Representative HULSHOF talked about that we wrongly held open for 3 hours to achieve a certain result, in outrage in response to the culture of corruption that permeated this place until 2007, led to a rule change. And the rule change was that we will hold no vote open in this House for the sole purpose of affecting the outcome or changing the outcome.

Well, that is just what we did last night, sadly, Mr. Speaker. For 12 minutes, 12 minutes after the final vote was cast, the vote was held open. It was 204–209. And during those 12 minutes, four Members of the majority party were persuaded to switch their votes. There is no other explanation. But where we find ourselves, and why this point of personal privilege is so important, where we find ourselves is that the rule is written in such a way that says you can't hold the vote open for the sole purpose of affecting or changing the outcome.

Now, we are going to have to bring in Kreskin. We are going to have to have ESP to climb into the mind of the presiding officer. And unless the presiding officer says, do you know what, I know what the rule is, I know what clause 9 of rule XX says, but I kept the vote open to affect the outcome. Short of that, there is no way to enforce the rule. And it puts us in a very difficult place. And I would ask my friends that are today in the majority to remember the 12 years that they were in the minority that they felt so oppressed, and in many cases had the right to feel oppressed, by some of the heavy-handed tactics that were employed on the conduct of this floor.

When you have a rule that can never be enforced, when you have rules that you don't pay attention to, it leads to discontent. It destroys the fabric of the institution. The minority serves an important purpose in the House of Representatives. It is the loyal dissent. It is to make sure that the majority just can't run roughshod and do what they choose to do in violation of rules, practices, precedents and procedures.

I fear, Mr. Speaker, that last night the rules were once again broken. I believe that the totality of the circumstances will demonstrate that. But what I do not find is that my friend and classmate from the State of Washington violated rule 7 of the Ethics Committee.

Mr. HASTINGS of Washington. I thank the gentleman.

Mr. Speaker, I want to yield now to the minority Republican whip, Mr. BLUNT of Missouri.

Mr. BLUNT. I thank the gentleman for yielding.

I come today to express my great appreciation for him, the work he has done in this and past Congresses, the work he has done as part of our whip team, the consistent good judgment I

think he shows as a Member of this body. And I was surprised last night with the letter that appeared on the floor. I was surprised yesterday, frankly, that there could have been information available to the Members of this House from the staff of the Ethics Committee that deals with the proper work of the internal committee that has overseen the ethics of this House for a long time that that information would be out there and not made available to us, and frankly pleased that Mr. HASTINGS followed the procedure that the rules call for and let that information be available to Members.

And then, on the floor of the House last night, I received a letter from the chairman of the committee. And I appreciate her work too. The Ethics Committee is not an easy committee to serve on. Being the chairman is not an easy role to fill in this Congress, and I think Members of the House should be and are grateful to their colleagues who are willing to serve on the Ethics Committee.

But when I saw this letter last night, I was particularly taken by a paragraph, the third paragraph from the end which says, ''Representative Hastings' reliance on rule 7(g) which states 'Unless otherwise determined by a vote of the committee, only the chairman or ranking minority member of the committee, after consultation with each other, may make public statements regarding matters before the committee of any subcommittee.' '' And then it went on to say after it quotes that rule, that that rule ''does not relieve him of the obligation to comply with the rules of confidentiality.''

First of all, I don't know what purpose that rule would serve if it doesn't allow the ranking member and the chairman to tell the other person, as the rule says, here is something that I have decided is important to the Members of the House to understand or important for others to understand. That is what the rule is for. The rules of confidentiality as I read them, appear to clearly be talking about investigation, not opinions of outside ethics efforts that may or may not impede the work of the Ethics Committee. And that was important for us to have. It went on in the last sentence to say, the last two sentences to say, ''I do however want to make it clear that if he continues to release confidential communication, I will seek to have him sanctioned for violations of the Code of Official Conduct.''

The relationship here may be such that this is not intimidating, but it certainly seems intimidating to me. And I join my good friend in rising to this moment of personal privilege to explain how he was working within the rules, how he is a long-term member of this committee, understood the rules, and how he properly, in my opinion, arrived at the conclusion that if we are voting on the floor on something that is likely to impede the efforts of the internal Ethics Committee as the bipartisan, nonpartisan staff of the committee said it would, that that is something that Members had a right to know, and I rise in support of my friend and the actions he has taken.

Mrs. JONES of Ohio. Would the gentleman yield?

Mr. HASTINGS of Washington. I have other Members that wish to speak, and I will call on them at this point.

Mrs. JONES of Ohio. My question is will the gentleman yield at some point?

Mr. HASTINGS of Washington. I will not yield at this point.

Mrs. JONES of Ohio. At any time during the hour?

Mr. HASTINGS of Washington. Mr. Speaker, it is my time, and I will decide.

The SPEAKER pro tempore (Mr. PASTOR). The gentleman from Washington controls the time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield to Mr. LAHOOD from Illinois, another one of my classmates.

Mr. LAHOOD. I thank my friend for yielding.

Congressman DOC HASTINGS is one of the most respected Members of the House of Representatives. And RAY LAHOOD doesn't have to say that. I am saying it. But the people of his district have said it on seven different occasions. It is called an election. An election is a referendum on one's service. And no one has served for the last 14 years in his district better than he has. And the people have said that.

When a letter like this from the chairman of the Ethics Committee is disclosed publicly, it gets on the front page of DOC HASTINGS' hometown newspaper. And it plants a seed in the minds of the people who have sent him here on seven different occasions that he may have done something wrong, that he may have violated the rules.

And the truth is DOC HASTINGS has violated no rules. He has done nothing wrong. He hasn't violated any rules of the House. He has been on the Ethics Committee, when I asked him how long he has been on, he said too long, but I believe he has been on 6 years. It's the hardest committee to serve on. It's the hardest committee to find Members to serve on, because of decisions you have to make against your colleagues.

And for one member, particularly the Chair of the committee, to try and impugn his motives or to suggest that he violated the rules is simply wrong. And hopefully that wrong can be righted today during this 1 hour of his opportunity to try and regain his reputation in the House of Representatives.

There's a saying where I come from, once you tar and feather someone, you can never get the tar off. What happened here with the disclosure of this letter, made public in DOC's district, is that he will always have a little bit of this tar on him, that somehow he might have violated the rules. That's wrong, folks. What good is it for us to trash one another? What good is it for the institution to try and criticize someone for no other good than to try and make a point on a piece of legislation that your side of the aisle wanted to pass.

I believe that the chairwoman of the Ethics Committee owes DOC HASTINGS an apology for trying to besmirch and impugn his integrity and his honesty and his service on the Ethics Committee and in the House of Representatives. If the chairwoman, Mr. Speaker, would be willing to do that, it might get on page 40 of his local newspaper. It won't be on page 1 the way the headlines read today. We owe it to DOC HASTINGS, to the people that sent him here, to do this for him.

And if I can be so bold, Mr. Speaker, I would also suggest that because of the threat that was made in the last paragraph of the letter, that perhaps the chairwoman, in the event that Representative HASTINGS would do this again that she might file charges against him, that we need a new chairperson of the Ethics Committee. Because I think when you use your position as the Chair of the Ethics Committee to threaten a member of the committee, you not only owe that member an apology, you need to take a different place on that committee. You can't use that kind of power against a member of the committee. That is wrong, Mr. Speaker. That hurts the whole House. It hurts Congressman HASTINGS. It hurts the people that sent him here. We need to do better in this House. We do no good by trashing one another, by besmirching and trying to discredit people who come here to serve honestly, with integrity, by the rules. The rules have not been broken. There is nothing in the memo that was disclosed that has anything to do with another Member, anything to do with any investigation. It was information to be shared with Members about a piece of legislation that some of us thought was pretty bad. And apparently people on that side of the aisle didn't want your Members to have it. So you put out a letter discrediting the ranking member of the committee. That is wrong.

And so I encourage, Mr. Speaker, the Speaker of the House to find a different place for the Chair of the Committee on Ethics and to ask the Chair of the Committee on Ethics to apologize to Mr. HASTINGS so he can have some semblance of his reputation, one of honesty and integrity and hard work for 14 years on behalf of the people of the State of Washington.

Mr. HASTINGS of Washington. I thank the gentleman very much for his sentiments.

I yield to the gentleman from California (Mr. DANIEL E. LUNGREN), the former attorney general.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

I've served in this body for 14 years stretched over 30. Twenty-nine years

ago, I think it was the first official action I took on this floor, was to bring a resolution to expel a Member. It was not something I wanted to do as a freshman. But we had a true ethics problem at the time. And frankly, I didn't think we were dealing with it in the appropriate way. That was sort of my baptism of fire here.

Since I returned to Congress 4 years ago after an absence of 16 years, I have applauded the work of the Ethics Committee because often I and my staff consult with the staff of the Ethics Committee to ensure that we are acting within the rules of this House. And I must say the return that we have received in terms of information, advice and counsel from the Ethics Committee staff has been professional, exceptional and helpful. And so, when I see memos or letters that are addressed to the membership from the Ethics Committee, I pay attention to it.

□ 1230

I try and incorporate that information in my decisionmaking. So when I received the letter from Congressman HASTINGS with the memo enclosed, I thought it was a benefit to me as an individual Member of this House in making my decision.

I came to the floor, frankly, not knowing what I was going to do on that ethics package. I sat with the gentleman from Missouri and went over it. We, in fact, went over the memo that was given to us by DOC HASTINGS, not just because it was given to us by DOC HASTINGS, but because it was a professional opinion of those on the staff of the Ethics Committee that I have learned to trust. It doesn't mean that I follow blindly their opinion, but it does mean that I am educated by that information.

For the life of me, I could not understand any rule adopted by this House or the committee that would deny me, as an individual Member, the benefit of that information when, in the judgment of the ranking member, he thought it might help me and others make a decision. And when you review the rules cited by the gentlewoman in the letter that contained the threat of a complaint to be filed against the gentleman from Washington, I cannot find the basis for a complaint.

Now, I have not served on the Ethics Committee, I will admit. I have practiced law for 30-some years. I have been the attorney general of the State of California. I have prosecuted people. I have put people in prison. I have done investigations of other elected officials.

I have had to compartmentalize, and understand that when you do a criminal investigation and it doesn't rise to the level of a complaint or an indictment, you cannot, as a matter of honor, as a matter of ethics, use that information in debate, in informing the public, even though you may find that the individual that was under investigation happened to be stupid, happened to be unethical, because you got that information by way of an investigation of a criminal matter.

So, while I haven't served on the Ethics Committee, I believe I have over the course of my political and legal career been able to read legislation, read rules, and not only find out what the spirit of the law is, but the letter of the law. And I cannot find in the citation by the gentlelady from Ohio any basis for making a claim against the gentleman from Washington.

Now, we can disagree on that. I am not on that committee. She is the Chair. However, the thing that troubles me perhaps the most is that this was made public. A complaint about the gentleman breaching confidentiality about a matter that was not of interest to an individual Member, that is, was not directed at a Member in terms of an investigation, that alleged breach is revealed by a breach of confidentiality that gives the gentleman from Washington very little opportunity to defend himself. And that is part of the crux of the debate last night.

Yes, as the Speaker said, we all are subject to criticism, some fair, some unfair. That is part of the business of being in politics. But the fact of the matter is, we here should not enhance that kind of platform for irresponsible allegations against one another. And one of the ways we ensure that we don't do that is the confidentiality with respect to complaints against somebody.

So, I would just hope that the people of the gentleman's district in Washington would understand that in the judgment of many, I would say most in this body, virtually universal, there is no basis for a claim of complaint against the gentleman from Washington. He did nothing to reveal anything with respect to an investigation, anything with respect to the business of the Ethics Committee. What he did was give us the benefit of judgment of professionals on that committee pertaining to an upcoming legislative debate.

Have we gone so far in this House that we deny ourselves of information that would inform the debate? Is that what we are talking about? Talk about turning the first amendment on its head, saying that the House of Representatives, which is supposed to be the great debating society of this institution, ought to be denied an opportunity to debate when informed.

I love this House. I came back to this House. I may die in this House. I love the institution, this House. And I think we who believe this institution is important to the American people believe it is also important to those who have been privileged to serve here. If we do not have respect for ourselves, how can we ask the public to have respect for us? If we do not have respect for ourselves, how can we have respect for this institution?

So, Mr. Speaker, I rise in sorrow about the accusations made against my friend from Washington and want to stand here and say I have found him in every way to be an honorable man, and that his actions over this last week were anything but dishonorable, were in fact efforts to inform this House, which is what we all ought to be about when we vote.

I thank the gentleman.

Mr. HASTINGS of Washington. I would like to yield to my friend from the neighboring State of Idaho, Mr. SIMPSON.

Mr. SIMPSON. I thank the gentleman from Washington for yielding.

I have known DOC HASTINGS since I came here in 1999. He has always been kind of a mentor of mine, because we come from adjacent States, and a lot of the issues we deal with are similar. So I have consulted with him and sought his advice on many of the issues that affect our two States. We have done things together. I have known that he has served on the Ethics Committee, has been an honorable member of the Ethics Committee.

In fact, at times, we have been out doing a variety of things, whether it is out to dinner or out playing golf or something together, and there is always a case before the Ethics Committee which sometimes is of interest to other Members of the House. And I have inquired of him, how is that going, what is going on there in that case, or whatever. DOC has never failed to look at me and say, I can't talk about that. He has always kept the confidentiality of that committee on everything that has proceeded before it, and I respect him for that, even though many of us would like to know what is going on behind the closed doors.

Now, I am not an attorney, but I will tell you, I have been, when I served in the Idaho legislature as Speaker of the House, I care an awful lot about the institution. That is some of the debates we are currently having between the administration and the legislative branch and the rights and privileges of the institution in maintaining the rights and privileges of this institution.

So I care deeply about this institution and its future. It is one of the reasons that I had a problem with the legislation that was proposed last night on the ethics reform. As I said, I am not an attorney. What I rely on, and all of us become specialists in some areas when we come here, things that interest us, but what I rely on is the advice of other people.

When it comes to the advice of the Ethics Committee and what they do and the role they play and the impact that the legislation that was presented to us last night has, the impact that would have on the way our Ethics Committee works and the ethics of the House, I thought the information that was presented by DOC HASTINGS was not only important, it was vital to me being able to make a decision. And I think that type of information, as the

gentleman from California (Mr. DANIEL E. LUNGREN) said, is vital to the debate on any issue that comes before the House.

How can we deny Members opinions from people who are experts in the area, whether we agree with them or not? I might have read all that and said, you know, that is interesting; I hadn't thought about that, but I disagree with that. But Members rely on other people's and experts' opinions on issues that come before the House. We have not only a right, we have an obligation to have that information if we are going to make informed decisions about issues that come before us. And certainly the ethics of this House and how we proceed is an issue for this House to deal with.

So, to suggest that somehow the information that DOC HASTINGS gave to the Members of this House so that they could weigh it in making a decision on the legislation presented to us last night was vital.

I was very, very disappointed to read what I took to be a threatening letter from the chairwoman of the Ethics Committee suggesting that Mr. HASTINGS had done something improper. I can find nothing improper that he did. In fact, what he did I thought was advance the debate. We happened to lose that debate last night. That is okay. That is the way the process worked. But to suggest that Members shouldn't have that information is a joke. And to then put out a letter saying that Congressman HASTINGS did something wrong, as has been mentioned several times, stains the reputation of this good man, and he deserves an apology from the Chair. And to suggest that if this happened again the chairwoman would sanction him brings into question her objectivity in judging him in the future, particularly if an ethics charge were charged against him. I agree with those who suggest that it may have placed in jeopardy her position as chairwoman of the committee.

So, I think at the very least she owes this good man from Washington, who has served us and those Members that serve on the Ethics Committee, an apology, and I hope that she would be big enough to apologize.

I thank the gentleman for yielding, and I thank him for the time that he has served on the Ethics Committee. It is kind of a standard joke around here that, yes, I am on the Ethics Committee. Do you want to be on it, because it is not one of those thankful positions to serve on in this House.

I thank you for the time you have served on that committee. It is a service to all of us and to this institution.

Mr. HASTINGS of Washington. I thank the gentleman very much for his very kind remarks.

I am happy to yield to the distinguished chairwoman of the Ethics Committee, if she would acknowledge that I did consult with her on this matter.

Mrs. JONES of Ohio. Thank you, but I won't.

Mr. HASTINGS of Washington. Mr. Speaker, I am disappointed that that was the response, because let me go back and again review this, at least chronologically on the issue that we debated last night and my involvement with that and my involvement with the professional attorneys that wrote their opinion on the impact this would have on the ethics process.

I was sent a letter by the ranking member, Mr. SMITH of Texas, the first part of November. It was addressed to me. It was also addressed to the committee. We had our regularly scheduled meetings at that time, and I asked the chairwoman that I think that we should respond to this in a way, and in further fact, would you be interested, and she said no. I said okay, I respect that. But the attorneys went about their business, as was asked, and rendered their thoughts on what this would do to the whole committee process.

Now, this was in November, Mr. Speaker. That plan of this outside group was not made public until the end of December. There was time, I am not sure of the exact time frame, when those attorneys went down and consulted with the task force. There is a bipartisan group there, at least from a staff standpoint, I am not sure, because I wasn't a member of that task force, but I was advised that they went down and shared their concerns. So there was some involvement from our staff attorneys with the task force on the issue and the policy, and I want to emphasize this, Mr. Speaker, on the policy that would confront the House later on.

Now, two weeks ago when I was in the Rules Committee, I am a member of the Rules Committee, we had what I thought was a very, very good discussion when Mr. CAPUANO and Mr. SMITH came up and testified on the merits or demerits of this outside bill. There was a lot of angst on the other side, I have to say. The distinguished chairwoman of the Rules Committee expressed her displeasure at that time, and my other colleagues on the Rules Committee did too. But we had a very, very open discussion. And I expressed at that time, Mr. Speaker, what I thought would be at least a partial remedy for the ethics process.

□ 1245

I felt that there needs to be more transparency some way while still keeping and not violating confidentiality. I thought that Mr. SMITH's position was a very, very good position the way it was set up, and I felt that should have at least been debated on the floor. That's probably another issue.

But as this process moved forward, and the fact that, I believe it was 2 weeks ago the issue was pulled from the floor, the distinguished majority leader said new information has come to us. That information came in Mr. SMITH's proposal. He said it deserves looking into.

At that time, if my memory serves me correctly, Mr. WAMP and Mr. HILL, Republican and Democrat, both stood up and announced that they too had a bipartisan suggestion that should be looked at. So I thought, well, okay, maybe this will go in a way that I think is very beneficial.

I have long felt, and I said at that Rules Committee meeting before, that when you do ethics you need to do it in a bipartisan way. It has been alluded to. My friend, Mr. HULSHOF, made this observation earlier on.

I am absolutely convinced in this body you cannot, you cannot make ethics legislation unilaterally. It comes back to bite you because of the nature, I guess, of the issue. We painfully learned that, as Mr. HULSHOF pointed out in his remarks. I have stated this a number of times upstairs in the Rules Committee when this issue has come up.

I thought this task force, frankly, moving forward, would be a way to settle that. But as we know, we had a great deal of problems on our side of the aisle with an outside group. It apparently couldn't come to an agreement on that. As a result it went forward unilaterally.

At that time, I felt that the information, the information that our professional attorneys downstairs had come up with the proposal, was worthy to be shared by everybody in this House so that we could make a determination as to what is the best course for the institution. Sometimes I truly believe that we think too much in 2-year cycles, which coincides with our term. I think we ought to think longer term. I really think that the rules change that we made last night was the wrong rules change, but that will be judged, I suppose in the future.

I came to the conclusion, knowing that this memo was there, and so I went, had a meeting with the distinguished chairwoman and, again, consulted with her. She, of course, disagreed with my position, and I said that I was going to do so, and I did. Now, before I released that, I might say, I asked my staff to contact the chairwoman's staff to let her know that I was going to go forward with this, which, of course, I did.

I was very surprised when I came to the floor and saw this letter that was sent out. Thus I felt that I needed to rise today on a point of personal privilege to explain my position.

I suppose, like all positions that we have, and positions that we take in this body, there is always more than what is on the surface. I felt that needed to be explained as fully as I possibly could. But I have to say if I am guilty of anything, that my motivation was to allow the Members of this body to get as much information as possible. I have had Members from the other side of the aisle last night and this morning

who came up to me and said I wonder why this information didn't want to be shared. Well, I don't know that. I don't have the answer to that.

But I felt absolutely within my rights, without violating the rules of the committee or the House, to share that with all of my colleagues. I did so, and I did so in a way that I think is in the best tradition of this House for as much openness as we can possibly have.

Mr. Speaker, I have no more requests for time. I thank the House for its indulgence, and I yield back the balance of my time.

MOTION TO ADJOURN

Mr. LAHOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

Mr. LAHOOD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 3, nays 382, not voting 44, as follows:

[Roll No. 127]

YEAS—3

Johnson (IL) McNerney Paul

NAYS—382

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Cleaver
Clyburn
Coble
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Tom
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNulty
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Peterson (MN)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—44

Bachus
Barton (TX)
Boucher
Brown, Corrine
Clay
Cole (OK)
Cubin
Davis, Lincoln
Deal (GA)
DeGette
Doyle
Emanuel
Frank (MA)
Herger
Hinchey
Hinojosa
Hooley
Hunter
Issa
Manzullo
Marchant
Melancon
Mollohan
Moran (VA)
Oberstar
Perlmutter
Peterson (PA)
Pickering
Rangel
Renzi
Rush
Schakowsky
Shimkus
Smith (NJ)
Stupak
Sullivan
Tancredo
Thompson (MS)
Towns
Udall (CO)
Weldon (FL)
Westmoreland
Woolsey
Young (AK)

□ 1313

Messrs. INSLEE, KUCINICH, and LATHAM changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Mr. Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 1040

Whereas on June 13, 2007, the publication The Politico reported, "Democratic leaders gave in to Republican demands that lawmakers be allowed to challenge individual member-requested projects from the final version of each appropriations bill."

Whereas on November 15, 2007, Representatives Jack Kingston and Frank Wolf introduced H. Con. Res. 263, to establish a Joint Select Committee on Earmark Reform, and for other purposes;

Whereas on March 6, 2008, The Hill reports in "Obey Criticizes Kingston on earmarks" that "Kingston said Obey has been 'very irritated' with his push for reform.";

Whereas on March 5, 2008, House Appropriations Chairman David Obey sent a Dear Colleague to Republican Members stating "In light of the continuing discussion on earmarks in the Republican Conference, the Appropriations Committee needs to determine how it would proceed."

Whereas on March 6, 2008, The Hill reports in "Task Force Looking Beyond Earmarks" that "Obey issued a memo to Republicans in multiple-choice format asking them to check one of two boxes, stating whether they believed in a one-year moratorium and therefore would not be submitting earmark requests, or did not believe in a moratorium and would be submitting requests. Obey spokeswoman Kristin Brost said Obey called the memo his 'anti-hypocrisy memo, aimed at House Minority Leader John Boehner's (R–Ohio) repeated calls for a moratorium.'";

Whereas the Chairman of the Appropriations Committee Dave Obey stated in said letter: "Because it is important for the Committee to move ahead with bills in a timely fashion, I will assume that any Member not returning this form by March 19, 2008 wishes to see Congressional earmarks discontinued and will therefore be submitting no request for fiscal year 2009."

Whereas House Rule XXIII Clause 16, states that a Member may not condition the inclusion of language to provide funding for a congressional earmark on any vote cast by another Member.

Whereas the Chairman of the Appropriations Committee, Dave Obey, has conditioned the receipt of an earmark from the Committee on Appropriations on a Member's opposition to a moratorium on earmarks: Now, therefore, be it

Resolved, That the Committee on Standards of Official Conduct is directed to investigate without further delay violations of House rules by Representative Dave Obey and report its findings and recommendations to the House, including a recommendation

regarding the appropriate action for Representative Obey's violations.

The SPEAKER pro tempore. The resolution presents a question of privilege.

MOTION TO TABLE OFFERED BY MR. MCGOVERN

Mr. McGOVERN. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

Mr. McGOVERN. Mr. 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 219, nays 193, not voting 17, as follows:

[Roll No. 128]

YEAS—219

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Wynn
Yarmuth

NAYS—193

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—17

Bachus
Boucher
Clyburn
Gutierrez
Hall (TX)
Hinchey
Hooley
Oberstar
Rangel
Renzi
Rothman
Rush
Spratt
Tancredo
Thompson (MS)
Woolsey
Young (AK)

□ 1342

Ms. MOORE of Wisconsin, Messrs. PAYNE, MARKEY, Ms. LINDA T. SÁNCHEZ of California, Messrs. CLEAVER, MELANCON, Ms. KAPTUR, Mr. ENGEL, Ms. RICHARDSON, Messrs. HOLT, LYNCH, SKELTON and McNERNEY changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H. CON. RES. 312, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

Mr. McGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1036 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1036

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 concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall not exceed four hours, with three hours confined to the congressional budget equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget and one hour on the subject of economic goals and policies equally divided and controlled by Representative Maloney of New York and Representative Saxton of New Jersey or their designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each 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 a proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. After a motion that the Committee rise has been rejected on a legislative day, the Chair may entertain another such motion on that day only if offered by the chairman of the Committee on the Budget or the Majority Leader or a designee. After a motion to strike out the resolving words of the concurrent resolution (as described in clause 9 of rule XVIII) has been rejected, the Chair may not entertain another such motion during further consideration of the concurrent resolution.

SEC. 3. During consideration in the House of House Concurrent Resolution 312 pursuant

to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the concurrent resolution to such time as may be designated by the Speaker.

SEC. 4. After adoption of House Concurrent Resolution 312, it shall be in order to take from the Speaker's table Senate Concurrent Resolution 70 and to consider the Senate concurrent resolution in the House. All points of order against the Senate concurrent resolution and against its consideration are waived. It shall be in order to move to strike all after the resolving clause of the Senate concurrent resolution and to insert in lieu thereof the provisions of House Concurrent Resolution 312 as adopted by the House. All points of order against that motion are waived.

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

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

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

GENERAL LEAVE

Mr. MCGOVERN. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1036.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, House Resolution 1036 provides for consideration of House Concurrent Resolution 312, the Concurrent Resolution on the Budget for FY 2009, under a structured rule.

The rule provides a total of 4 hours of general debate, 3 hours to be controlled by the chairman and ranking minority member of the Committee on the Budget and 1 hour on the subject of economic goals and policies to be controlled by Representative MALONEY of New York and Representative SAXTON of New Jersey.

The rule makes in order the three substitute amendments: one by Representative KILPATRICK of Michigan; one by Representative LEE of California; and a final substitute by Representative RYAN of Wisconsin. Each amendment is debatable for 60 minutes. The rule also permits the chairman of the Budget Committee to offer amendments in the House to achieve mathematical consistency. Finally, the rule provides that the concurrent resolution shall not be subject to a demand for division of the question of its adoption.

Mr. Speaker, this is the traditional rule for consideration of the budget resolution, and I welcome today's debate on the alternative budgets that will be presented by the Republican leadership, the Congressional Black Caucus and the Congressional Progressive Caucus.

Mr. Speaker, I want to begin by expressing my thanks and appreciation to Budget Committee Chairman SPRATT and Ranking Member RYAN for their leadership and hard work on the House Budget Committee. Although they hold very different points of view, the committee always operates in a cordial and collegial manner. I have served on the Budget Committee for 2 years, and it has been a privilege to learn from two such distinguished Members how to work in a bipartisan way despite sharp philosophical differences. And all of us are supported, Mr. Speaker, by a superb and dedicated committee staff.

Mr. Speaker, budgets are moral documents. They reflect our priorities. And for too long, this Congress passed budgets with the wrong priorities. For too long, our budgets put the desires of the powerful before the needs of the poor. For too long, our budgets pretended that people who were struggling didn't even exist, let alone matter. That has begun to change. The Democratic budget before us today is a budget with a conscience.

Today, we continue the new direction set last year to bring the Federal budget back to fiscal health and responsibility. As we begin this debate, our country faces major challenges: a looming recession, a crisis in the credit markets, a plunging housing market, rising unemployment, declining family income, skyrocketing costs in health care, aging infrastructure, and a safety net struggling to keep up with the growing number of Americans unable to meet their basic needs.

Faced with these challenges, President Bush proposed the same tired, worn-out, failed fiscal and economic policies. After 7 years, the Bush legacy is the highest deficits in our Nation's history. Let us remember, Mr. Speaker, when President Bush took office, when the Republicans had total control over the White House, the Senate and this House, they were welcomed with a $5.6 trillion projected 10-year budget surplus, the financial gift of the last Democrat to sit in the White House. That has been completely squandered, resulting in the largest fiscal deterioration in American history. And the President's FY 2009 budget proposed only more of the same.

The national debt exploded under President Bush and his Republican rubber-stamp Congress. At the end of 2008, CBO projects a $9.6 trillion debt, an increase of nearly $4 trillion, brought to you courtesy of George Bush. Future generations, our children and our grandchildren, will be forced to pay the price for this unprecedented rise in debt thanks to the Republicans' fiscally reckless and irresponsible policies.

And to top it off, the President's budget continues the Bush legacy of deep cuts in many of the most important programs and services for the American people:

$500 billion in cuts to Medicare.

$100 billion in cuts to Medicaid, which serves the poorest Americans, including families with children.

The elimination of the Community Services Block Grant and the Social Services Block Grant, and deep cuts in the Community Development Block Grant, which provides nearly every city and town in America with Federal support for basic services.

Elimination of the Community Oriented Policing grants, the COPS grants, and deep cuts for State and local law enforcement at a time when States and local communities are finding it hard to meet the needs of their first responders.

And deep cuts in many other vital programs that provide health care, infrastructure, environmental protection, and other services to our States and to our neighborhoods.

Let me give but one example, Mr. Speaker, the Low-Income Home Energy Assistance Program, or LIHEAP. Last week, the worst snow storm in a century hit the people of Ohio and the Midwest. Two weeks ago, the people of central Massachusetts were facing over three feet of snow. Across the country, people are suffering in the cold. Home heating costs have gone up by 80 percent under George Bush. A barrel of oil now costs $108. But President Bush decided to cut $570 million out of the LIHEAP program. The President decided to turn off the heat for 1.2 million households, forcing families to choose either to heat or to eat. And why? So we could continue tax cuts for the wealthiest, most fortunate billionaires in America.

Mr. Speaker, the Democratic budget rejects the President's priorities. It rejects the callous view of the Republican Party that tens of millions of American families are expendable, that our communities can manage without basic services, that our roads, bridges and water systems should be allowed to crumble and fail, and that we can run up America's credit card without costs or consequences.

Instead, the Democratic budget restores fiscal responsibility to the Federal budget, returning it to balance in the year 2012. It rejects the President's harmful cuts to basic services, and invests in proven programs that boost economic growth, create jobs, and make America safer.

The Democratic budget helps families struggling to make ends meet in this economic downturn, and provides fiscally responsible tax relief to millions and millions of households.

Finally, the Democratic budget remembers those who serve at home and abroad. It provides strong and substantial funding for national defense, including quality of life for our troops and our families.

It provides more funding for homeland security programs, including first responders, than the President would. And finally, it takes care of our veterans and rejects President Bush's cynical new fees for veterans health care.

Instead, the Democratic budget increases health care funding for our veterans well above current services, enough to allow the VA to treat 5.8 million patients in 2009, including over 333,000 Iraq and Afghanistan war veterans.

Mr. Speaker, the underlying legislation, House Concurrent Resolution 312, the fiscal year 2009 budget resolution, is a budget all Americans who believe in fiscal responsibility and the common good can support.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, there are only two ways to balance a budget, whether it's your family budget or the Federal budget. You can either spend less, or you can increase the amount of money coming in. The majority, as reflected in their budget, have flat out rejected option one and have chosen higher spending, higher taxes, and an ever-growing Federal Government.

The Republicans have chosen what I believe is a more responsible approach by committing to spending less and letting workers, families and small businesses keep more of their hard-earned income to save, invest, and spend as they see fit.

While Republicans have faith in the ability of families and workers to decide how best to use their paychecks, the majority budget reflects their belief that the Federal Government can make better choices at spending money than individual Americans. And that's really a fundamental difference between Democrats and Republicans.

In order for the majority to fund their government spending, their budget raises taxes, Mr. Speaker, by two-thirds of a trillion dollars over the next 5 years. Let me repeat that, two-thirds of a trillion dollars.

Now, you can call this a tax increase or you can call it letting tax cuts expire, but the bottom line is that under the Democrats' budget every American will pay more of their paycheck to the Federal Government.

Although the majority will try to claim otherwise, the numbers in their own budget document show that taxes will increase nearly three times more under their budget than the largest enacted tax increase to date in history, making this the largest tax increase in American history.

While the majority claims that their budget will protect middle-class families, their budget numbers tell a different story. Under the massive tax increases in the majority's budget, the average taxpayer in the State of Florida, for example, will see their annual tax bill rise over $3,000.

The majority's budget does not extend tax relief from the marriage tax penalty. This means approximately 48 million married couples will face an average tax increase of $3,000 a year. It does not extend the $1,000 tax credit that many young families use. The majority's budget would cut that credit in half. It doesn't extend the State sales tax deductibility fairness. The majority's budget, Mr. Speaker, even manages to resurrect the death tax. It doesn't fix the alternative minimum tax for middle-class families. It does not protect those who pay the lowest tax rate either. It would again impose taxes on six million lower income Americans who now pay no taxes thanks to the 2001 tax relief law passed by Congress.

Mr. Speaker, in order to boost our economy to incentivize growth, increase investment in the United States and create jobs, Congress should not be raising taxes by the largest amount in history. This critically important tax relief should not be repealed or allowed to expire to pay for the majority's spending plan. It should be made permanent.

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

□ 1400

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

I will insert into the RECORD letters from The Hamilton Project and the Center on Budget and Policy Priorities, which state clearly and unequivocally that the Democratic budget resolution does not raise taxes.

THE HAMILTON PROJECT,
Washington, DC, March 7, 2008.

Congressman JOHN SPRATT,
Longworth Bldg.,
Washington, DC.

DEAR CONGRESSMAN SPRATT: Per your request, I have analyzed the House Budget Committee's budget resolution. The budget would not raise taxes. The revenue levels in the budget are, in net total, the same as the baseline revenue levels projected by the Congressional Budget Office. These revenue levels are consistent with continuing current law, not with changes to the law that would raise or lower taxes.

The purpose of a budget baseline is to establish a neutral starting point to debate and evaluate alternative priorities for spending, taxes, and the debt. The budget resolution adopts the baseline recommended by several respected, non-partisan groups including the Concord Coalition, the Committee for a Responsible Federal Budget, the Center on Budget and Policy Priorities, and the Committee for Economic Development.

But the choice of a baseline does not commit policymakers to any specific tax or spending policy. Instead a baseline, in conjunction with the restoration of the pay-as-you-go rules, would provide a framework for making tradeoffs between different priorities. Indeed, your budget indicates that one of your priorities is making up-front cuts in taxes for alternative minimum tax relief that would ultimately be paid for without increasing the budget deficit.

The founding strategy paper of The Hamilton Project states that one of the greatest economic risks our nation faces today is our country's large fiscal imbalance. The papers notes that "the decisions necessary to restore fiscal balance might be easier to enact and to enforce if policymakers reinstated credible budget rules governing both spending and taxes." The pay-as-you-go proposal in the budget resolution will hopefully help policymakers make the tough choices required to put America on a path to a balanced budget.

I hope this analysis is helpful and please do not hesitate if you have any follow-up questions.

Thank you,

JASON FURMAN.

CENTER ON BUDGET AND POLICY PRIORITIES,
Washington, DC, March 7, 2008.

CLAIM THAT CONGRESSIONAL BUDGET PLANS CALL FOR "LARGEST TAX INCREASE IN HISTORY" IS INACCURATE

Some are claiming that the budget plans adopted this week by the House and Senate Budget Committees—the full House and Senate are scheduled to consider their respective committee's plan next week—would constitute "the largest tax increase in history." This claim is inaccurate, just as the same claim was inaccurate with regard to the budget resolution the Congress adopted last year. Neither of the plans recommended this week by the budget committees include a tax increase. The House plan simply assumes the same level of revenues over the 2008–2013 period as projected by the Congressional Budget Office under its current policy baseline, which essentially assumes no change in current laws governing taxes. The Senate plan actually calls for a small reduction in revenues, reflecting its assumption that Alternative Minimum Tax relief will be extended for one year without any offset of the revenues that will be lost as a result of that extension and that a second stimulus bill this year may include a small tax cut.

The charge that the budget plans proposed by the House and Senate Budget Committees include a large tax increase arises not from any policy changes proposed in those plans, but instead from policies enacted in 2001 and 2003. Legislation enacted in those years put in place tax cuts proposed by President Bush but provided for those tax cuts to expire at the end of 2010, unless current law is changed. Both the House and Senate Budget Committee plans assume that current law will be amended to extend some of the expiring tax cuts (especially those affecting middle-class families) and make other changes in tax policy, but they assume (except in the case of temporary AMT relief and stimulus legislation in the Senate plan) that the cost of such changes will he offset by other changes in policy. They do not assume that total revenues will be increased above what is expected to be collected under current policies.

It should be recalled that the President's tax cuts expire in 2010 because their supporters deliberately designed them that way, in order to fit the tax cuts within the cost constraints imposed by the Congressional budget resolutions adopted in 2001 and 2003. While acknowledging that their real goal was to make the tax cuts permanent, supporters of those measures opted to "sunset" the tax cuts before the end of the ten-year budget window, partly in order to avoid recognizing the cost of permanent tax cuts. Now, a few years from the tax cuts' expiration, some of these same supporters are trying to act as though the tax cuts are already permanent and any proposal to offset the cost of extending them is a "tax increase."

To extend the tax cuts without paying for them—and to attack those who simply seek to require that any extension of the tax cuts

be paid for—further heightens the irresponsible fiscal nature of the original actions.

Mr. Speaker, I'd also like to point out to the gentleman that in the budget resolution it is specifically mentioned that we endorse the extension of the middle class tax cuts, including things like the marriage penalty relief, the child tax credit, and the 10 percent tax bracket. Our budget also provides paid-for relief from the alternative minimum tax.

I think the difference between the Democrats and Republicans is we believe in paying for these tax cuts so that we don't add to the debt and further burden our kids and our grandkids.

At this point, Mr. Speaker, I would like to yield 4 minutes to the gentleman from Texas, a member of the Budget Committee, (Mr. DOGGETT).

Mr. DOGGETT. I thank the gentleman for yielding.

Mr. Speaker, some folks think that President Bush's term ends on January 20, 2009. Many Americans have a big red circle or a happy face on their calendar already on that date, or perhaps on their key chains, and their watches that tick down ever so slowly, backwards toward that happy time.

But while President Bush may be gone from the White House in 314 days, this administration and its congressional enablers have done so much damage that generations of American families will be footing the bill for their fiscal recklessness, with compounded interest, long, long after President Bush retires to Texas. This administration has consistently chosen to sacrifice long-term fiscal stability on the altar of political expediency. They have offered the ''free lunch'' plan, the ''pain-free'' solution to almost every challenge that our country has encountered. And the greatest sacrifice that they have demanded at a time of national peril for most Americans is to tell them to ''go shopping''.

Well, this administration has now created a record $3 trillion of additional national debt on its own during the Bush years. What would even just one of those trillions of dollars of debt have accomplished had it been expended in a more appropriate manner?

One trillion, that's millions of public school teachers; that's health care for hundreds of million children; that's university scholarships for millions of students. And in Iraq, this administration this week, every week, week after week, month after month, year after year, $3 billion. With the cost of the war in Iraq in 2 weeks, we could pay for the entire cancer budget of the National Institutes of Health for a year. Showering tax breaks on the richest, the most privileged few, while hemorrhaging $12 billion every month in Iraq, this administration has created more than a Federal deficit; it has created deficits, opportunity deficits, for millions of American families.

The administration's failure to address our educational needs means that there's an opportunity deficit, that millions of young people are not able to achieve their full God-given potential because of the lack of support at both the public education level and for student financial assistance.

The failure of the Bush administration to address our health care problems means a health care deficit for millions of American families, the largest single cause of personal bankruptcy in America today, the health care crisis.

And the failure of the Bush administration to address our energy deficit, that is a deficit that every American feels at the pump when they get all their money taken out of their pocket and shifted over to some tyrant in an oil-producing area. The cost of the Bush administration's budget approach, their fiscal failure, is felt the most by those, who are least able to bear it: our students, our uninsured, our minimum wage workers, the elderly, and small business owners.

This Democratic budget attempts to bail out, to bail us all out. But it's mighty hard to keep this country afloat and keep our families afloat when the administration is still so busy drilling holes in the bottom of the boat.

I urge support for the rule and support for the Democratic budget as the best hope we have to do that in this difficult time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield 7 minutes to the distinguished gentleman from Wisconsin, ranking member of the Budget Committee, in my view, the premier economic mind in the Congress of the United States (Mr. RYAN).

Mr. RYAN of Wisconsin. I thank the gentleman for yielding.

Mr. Speaker, we are about to decide which path we want to take in America. We are about to decide what budget is right for Americans. Well, let's think about what Americans are facing today as we consider their budget for the next 5 years. What's happening in America today?

Well, joblessness is up. The economy is in a downturn. It may be going into a recession. Prices are up. People are having a hard time to afford the cost of living. Gas prices are at an all-time high. Health care costs are at an all-time high and growing very fast. Home heating costs are very high. And it's a lot more expensive just to pay for food today because food prices are up. So the question is, as we debate the values that are underneath this budget, can the American people afford this Democratic budget?

Now, my friends on the other side of the aisle are going to try to say all day today they're not raising taxes. We really aren't, believe us, trust us.

Well, my friends, numbers don't lie. And this budget is a series of numbers. And the numbers they're bringing before this House in their budget resolution requires, assumes, banks, plans on the largest tax increase in American history.

When we looked at the 1993 budget that passed last decade, even then Senator Patrick Moynihan, a Democrat, a very, very wise man, a statesman, adored by both sides, said at that time that that was the largest tax increase in history. That tax increase was $241 billion. Under the same logic, under the same math, under the same process that we have here today, the tax increase in this budget is $683 billion.

But let's look at what kinds of taxes we're talking about. And this begs the question, can the American people afford this budget? This increases the marriage penalty in 2½ years. Can the American people afford that? It cuts the $1,000 child tax credit in half. It eliminates the marriage penalty tax relief and increases marginal tax rates. It eliminates capital gains and dividends relief, and it brings back the death tax.

Let's take a look at what the numbers are. Income tax rates go up across the board to the top rate of almost 40 percent. Capital gains and dividends, which are the taxes on our pensions and our savings and our 401(k)s, go up across the board as high as 40 percent. The death tax comes back in to 55 percent. The marriage penalty comes and hits an average of $1,400 per couple. The child tax credit goes from $1,000 down to $500. And the lowest tax bracket goes from 10 percent up to 15 percent.

Let me just give you some numbers of what this will mean to average Americans. Roughly 116 million taxpayers will see their taxes increase, on average, by $1,833. An estimated 84 million women would sustain, on average, a tax increase of $2,121. Approximately 48 million married couples would incur an average tax increase of over $3,000. Taxes would increase by an average of $2,323 for 43 million families with children. Some 12 million single women with children would see their taxes increase, on average, by $1,091. For 18 million elderly individuals, taxes would increase, on average, $2,181. And the tax bills for 27 million small business owners would rise, on average, by more than $4,000. More than 6 million taxpayers who previously owed no taxes at all would become subject to the individual income tax as a consequence of the tax increase in this budget.

These aren't rich people. These are ordinary Americans working paycheck to paycheck trying to get by. The problem we have today is our paychecks aren't going as far as they did before because we have rising gas prices, high home heating costs, high health care costs.

So the question is, can the American people afford this budget?

I ask people watching this to send us your e-mail. Give us a call. Call your Member of Congress and tell us, is that what you want us to do?

And the more important question is, should we balance the budget? Yes.

Both Republicans and Democrats say we ought to balance the budget. Here's the difference: We believe we ought to balance the budget by controlling spending, not by raising taxes. And, unfortunately, what the Democrats choose to do is increase spending and taxes.

So their budget will show, by the Congressional Budget Office in their numbers, they will achieve balance. The way they achieve balance is they spend an extra $280 billion over 5 years, but they increase taxes a whole lot more than that to get to a balanced budget.

What's more important about this budget for our children and grandchildren is not the economic damage that would be done by this budget with these huge tax increases for every income taxpayer, for married people, for people with children, for small businesses, for farmers, for investors. What really is troubling about this budget is not as much as what is in this budget, the largest tax increase in history. What's really almost the most troubling about this budget is doing nothing, doing nothing to save money, doing nothing to reform our entitlement programs. We just heard my friend from Texas. I'm on two committees with the gentleman. He said a $3 trillion increase in debt over the last 5 years. This budget proposes, in just two programs, to increase the debt by $14 trillion.

Let me go through that again. By doing nothing to rescue and save Social Security and Medicare, this budget proposes, by its own virtue, to increase the debt to those two programs by $14 trillion.

We have an obligation to the next generation to be good stewards of taxpayer dollars. We have an obligation to the next generation to leave them with a better fiscal state.

Our friends on the other side of the aisle have chosen to walk away from that responsibility. They have chosen to have more money to spend today, to raise taxes, and to make matters worse for the next generation.

We think that's the wrong way to go. We don't think the American people at this time of economic downturn, at this time of high prices, we can afford a tax increase of all times. We don't think there ever should be a time where we increase taxes, because you know what, Mr. Speaker? Washington doesn't have a tax revenue problem; Washington has a spending problem. And our friends on the other side of the aisle are making it worse by not only increasing spending but even increasing taxes.

That's the wrong recipe for this Congress. That's the wrong message to send our children and grandchildren. And that's the dead wrong thing to do at a time of high prices and economic downturn.

I think we should vote this budget down and do so on behalf of our children and our grandchildren and the American taxpayer so we can give a chance to our economy to actually grow. You're not going to grow an economy by giving us the largest tax increase in American history. That's for certain.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ROSS). Members are reminded to address their remarks to the Chair.

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

The gentleman asked the right question: What are American families facing? What are American families facing after 7 years of Bush budgets and Republican budgets? What they're facing are challenges like never before.

According to the U.S. Census Bureau, the real income of a typical family has fallen by almost $1,000 since George Bush became President. The Democratic budget provides funds to keep up with rising food, housing, and heating and transportation costs.

In the area of education, the Democratic budget provides $7.1 billion more for education and job training than the Bush budget. It increases funding for Head Start, special education, No Child Left Behind, and title I. Under George Bush, only four out of 10 children eligible for Head Start received services. The Democratic budget increases funding for Head Start so that more children will enter school ready to learn.

And, again, let me repeat, Mr. Speaker. The Hamilton Project of the Brookings Institution, the Center on Budget and Policy Priorities, and the Concord Coalition have all sent Members of Congress letters stating emphatically that the Democratic budget does not increase taxes.

Let me say one thing the Democratic budget does do, and that is it relieves the burden of debt that has been thrust upon our kids and our grandkids. The Republicans, during these last several years, have increased the debt to historic highs, and in doing so, they have created a debt tax on our kids and our grandkids. We want to remove that tax burden from future generations.

With that, Mr. Speaker, I yield 2 minutes to the gentleman from Virginia, a member of the Budget Committee (Mr. SCOTT).

□ 1415

Mr. SCOTT of Virginia. Mr. Speaker, I rise in support of the rule because it makes in order the Congressional Black Caucus alternative. The Congressional Black Caucus budget offers this Congress and the American people the choice between fiscal and moral responsibility and tax cuts for the wealthy. Under the stewardship of the Congressional Black Caucus alternative, the Federal budget returns to balance, as this chart show, in the fourth year and the fifth year. The President's budget is in red, in deficit, all the way through. It even returns to deficit in the fifth year.

If compared to the President's budget, we save $564 billion better on the bottom line. In fact, we save so much that we save $48 billion in interest compared to the President's budget. At the same time, we provide significant funding for essential priorities, for example, education, health care, veterans, justice programs, all much better funded under the Congressional Black Caucus budget than the President's budget.

Mr. Speaker, we have heard that we do this by canceling the tax cuts that got us in the fiscal mess that we are in today, except for those tax cuts that primarily affect that portion of your income under $200,000. Now, canceling those tax cuts has been called the greatest tax increase or whatever they want to call it. Mr. Speaker, all we are doing is canceling the tax cuts that got us in the ditch. When these tax cuts first passed, we had a projected surplus of $5.5 trillion for a 10-year budget. Those 10 years look like they are going to come in at a $3 trillion deficit.

We haven't created jobs at the same time. We have a choice. We can have fiscal responsibility and address our important needs, or we can fund those tax cuts for the wealthy. The Congressional Black Caucus chooses fiscal responsibility and a morally supportable budget addressing our priorities. And therefore, I support the rule that makes the Congressional Black Caucus budget in order.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would ask Mr. MCGOVERN if he has any additional speakers.

Mr. MCGOVERN. I am the last speaker.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself the balance of my time.

On February 14, the majority decided to leave Washington to take a Presidents Day recess and allowed the Protect America Act to expire 2 days later, rendering U.S. intelligence officials unable to begin new terrorist surveillance without cumbersome bureaucratic hurdles. At the end of this week, the House and Senate plan to adjourn for a 2-week district work period. Therefore, we only have a few days left to address one very important issue, and that is taking action on permanently modernizing the Foreign Intelligence Surveillance Act.

This didn't have to happen, Mr. Speaker. In February, the Senate passed, by a bipartisan vote of 68–29, legislation updating the Foreign Intelligence Surveillance Act, FISA, a bill that the chairman of the Senate Intelligence Committee said ''is the right way to go, in terms of the security of the Nation.''

We could have easily considered that legislation. But the majority, instead, decided to head home. And they may just do that again this week. The House should vote on the Senate measure, and we should do it now. We must always stay one step ahead of those who wish harm on Americans. Now is not the time to, in any way, tie the

hands of our intelligence community. The modernization of foreign intelligence surveillance into the 21st century is a critical national security priority.

I am pleased that several of my colleagues on the other side of the aisle agree. On January 28, 21 members of the Blue Dog Coalition sent a letter to the Speaker in support of the Senate FISA legislation. The letter states, ''The Rockefeller-Bond FISA legislation contains satisfactory language addressing all these issues and we would fully support that measure should it reach the House floor without substantial change. We believe these components will ensure a strong national security apparatus that can thwart terrorism around the globe and save American lives here in our country.''

Today, I will give all Members of the House an opportunity to vote on the bipartisan, long-term modernization of FISA. I call on all my colleagues, including members of the Blue Dog Coalition that signed the letter to the Speaker, to join with me in defeating the previous question so that we can immediately move to concur in the Senate amendment and send the bill to the President to be signed into law.

I will remind my colleagues that defeating the previous question will not prohibit consideration of the budget, but would merely require that we first take a vote on FISA.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. I urge my colleagues to vote ''no'' on the previous question and in favor of a bipartisan permanent solution that helps protect American lives from international terrorism.

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

Mr. MCGOVERN. Mr. Speaker, let me say to my colleagues that security also means the economic well-being of our citizens. And because of Republican priorities over the last 7 years, record numbers of our citizens are struggling like never before. The very rich have done very well. And the rest have not. Those are the facts.

The Democratic budget that has been put forward restores fiscal responsibility. It rejects the President's harmful cuts in programs like Medicare and Medicaid. It rejects the President's proposal to impose new fees for our veterans and our military retirees. It strengthens our economy. It invests more in innovation. It invests more in energy, renewable and clean energy. It invests more in education and in our infrastructure. It also provides tax relief to help struggling families. It accommodates the tax relief from the alternative minimum tax for more than 20 million households, as well as middle income tax cuts and other tax relief so long as they comply with the pay-as-you-go rule.

It invests more in children's health. It provides more funding for safety net programs. Record numbers of our citizens are literally falling through the cracks in our country. It invests in defense, in veterans, and in homeland security.

The facts are, Mr. Speaker, that for years we have been forced to accept the priorities of George Bush and his Republican colleagues who have controlled the Congress. That is now changing. For nearly 7 years, we have watched as they have accumulated huge debt, historical debt. We have watched as they have chipped away at some of the most important programs that help some of the most desperate people in our country. The American people have had enough. That is what the last election was about. They have had their chance. They have shown us their priorities. And the American people have rejected them. It is now time to create a budget that has a conscience that responds to the needs of the struggling middle class in this country. The Democratic budget that will be offered today will do that and change the course of this country.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 1036, the Concurrent Resolution on the Budget for FY 2009, introduced by my distinguished colleague from South Carolina, Chairman SPRATT.

This Rule will allow this body to debate the economic goals and policies of this great Nation. At a time, when this country is on the verge of a recession and the housing market is at one of its worst points in history, there is little else that is as important as our Nation's fiscal security.

A quality education continues to be the best pathway to social and economic mobility in this country. As a Member and Senior Whip of the Congressional Black Caucus, I have consistently advocated for the maintenance of historically Black Colleges and Universities. This budget provides greater funding to our Nation's schools and colleges.

We must not only be economically healthy, but assist in the physical health of our citizens. This budget will properly fund SCHIP, to help one of our most vulnerable populations—children. Our President proclaims his support for securing our Nation's current and future economic success. However, it is our children that will bring forth a successful future. We need to invest in tomorrow by investing in them today. This starts with their physical well-being. Children, who cannot see the doctor when they are sick, will not be in anyone's classroom.

For African Americans, health and education concerns spill beyond budgetary issues into the criminal justice consequences. In Texas, over 87,000 African-Americans are incarcerated compared to approximately 48,000 African-Americans attending college or university.

The disparity between the percentages of our youth in prison versus the number of young people in college, particularly in the African-American community, is disturbing to say the least. Higher education continues to be one of the main pathways to social and economic mobility, particularly in the African-American and Hispanic communities.

Under the Republican Budget the national debt continues to explode. The gross federal debt reached $9.0 trillion at the end of 2007. The CBO projects that the debt will rise by a total of $3.9 trillion at the end of 2008. This unprecedented rise in debt puts our President in the history books. During the seven years of the current Administration, the government has posted the highest deficits in this Nation's history.The President's 2009 Budget continues the failed policies that brought us to this point.

The amount of foreign debt has doubled since 2001, with most of this increased debt purchased by foreign lenders. Since 2001, the increases in foreign holdings of Treasury securities account for over 80 percent of the newly accumulated public debt—a trend that has more than doubled foreign holding of Treasury securities.

This high level of indebtedness to foreign investors heightens the economy's exposure to potential instability with additional burdens on our children and grandchildren.

Our colleagues on the other side of the aisle continue to claim that the budget resolution being considered on the floor this week raises taxes, when in fact, the budget resolution does not raise taxes by one penny. The budget resolution accommodates tax cuts and indeed prioritizes tax cuts that would benefit middle-income families, while ensuring that the burden of paying for the tax cuts will not fall undeservedly on our future generations.

Section 501 of the budget resolution specifically calls for additional middle-income tax relief subject to the pay-as-you-go rule, including but not limited to:

AMT relief (both immediate/temporary, and more permanent reform measures);

Extension of ''middle-class'' elements of 2001 tax cuts: child tax credit, marriage penalty relief, and 10 percent bracket;

Eliminating the estate tax on all but a minute fraction of estates;

Extension of the research and experimentation tax credit;

Extension of the deduction for state and local taxes;

Extension of small business expensing;

Enactment of a tax credit for school construction bonds; and

Tax incentives for energy efficiency and renewable energy which are accommodated in a separate deficit-neutral reserve fund.

The budget resolution honors PAYGO and the new House rules on using reconciliation in a fiscally responsible way. By abiding by the pay-as-you-go principle, we immediately begin digging our way out of the mountains of debt that have accumulated as a result of the Bush Administration's fiscal policies.

The President's budget and the Republican alternatives violate PAYGO and the fiscal responsibility that reconciliation is intended to achieve, by proposing tax cuts that are not offset.

The sunsets for the 2001 and 2003 tax cuts were part of the tax legislation which Republicans voted for and passed. The expiration of the tax cuts is their policy. The Democratic budget actually calls for the extension of many of these tax cuts, but responsibly requires that tax cut extensions, like other policies, must be fiscally sound, and not make the deficit worse.

This important piece of legislation gives us a budget that is balanced fiscally and morally.

It does not sacrifice the many programs and services that this Nation needs for a war that the President seems never to end.

Defense of our Nation is important; however, we must not support only one portion of the budget to the detriment of everything else. I urge my colleagues to join me in supporting H. Res. 1036 and the Democratic Budget for FY2009.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1036 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 5. ''That upon adoption of this resolution, before consideration of any order of business other than one motion that the House adjourn, the bill (H.R. 3773) to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes, with Senate amendment thereto, shall be considered to have been taken from the Speaker's table. A motion that the House concur in the Senate amendment shall be considered as pending in the House without intervention of any point of order. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.''

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the previous question will be followed by 5-minute votes on adoption, if ordered; and the motion to suspend the rules on H.R. 5563.

The vote was taken by electronic device, and there were—yeas 222, nays 196, not voting 11, as follows:

[Roll No. 129]

YEAS—222

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Wynn
Yarmuth

NAYS—196

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering

Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—11

Cannon
Gutierrez
Hooley
Oberstar
Rangel
Renzi
Rush
Tancredo
Terry
Woolsey
Young (AK)

□ 1448

Mr. PICKERING changed his vote from ''yea'' to ''nay.''

Ms. CORRINE BROWN of Florida, Ms. ESHOO, and Messrs. HILL, JOHNSON of Georgia and DELAHUNT changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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.

Mr. LINCOLN DIAZ-BALART of Florida. 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 223, nays 195, not voting 11, as follows:

[Roll No. 130]

YEAS—223

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Wynn
Yarmuth

NAYS—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—11

Gutierrez
Hastings (FL)
Hooley
Linder
Oberstar
Rangel
Renzi
Rush
Tancredo
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1458

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.

GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 5563, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and pass the bill, H.R. 5563.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 277, nays 140, not voting 12, as follows:

[Roll No. 131]

YEAS—277

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson

Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth

NAYS—140

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Latta
Lewis (CA)
Lewis (KY)
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCotter
McCrery
McHenry
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Young (FL)

NOT VOTING—12

Gutierrez
Hooley
Linder
McKeon
Oberstar
Rangel
Renzi
Rush
Tancredo
Waters
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain on this vote.

□ 1507

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. SPRATT. Mr. Speaker, before we resolve into the Committee of the Whole, I ask unanimous consent that Members have 5 legislative days to revise and extend their remarks, and submit matters relevant to consideration of H. Con. Res. 312, Concurrent Resolution on the Budget for Fiscal Year 2009.

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

There was no objection.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

The SPEAKER pro tempore. Pursuant to House Resolution 1036 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 concurrent resolution, H. Con. Res. 312.

□ 1511

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 concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, with Mrs. TAUSCHER in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIRMAN. Pursuant to the rule, the concurrent resolution is considered read the first time.

General debate shall not exceed 4 hours, with 3 hours confined to the congressional budget, equally divided and controlled by the chairman and ranking member of the Committee on the Budget, and 1 hour on the subject of economic goals and policies, equally divided and controlled by the gentlewoman from New York (Mrs. MALONEY) and the gentleman from New Jersey (Mr. SAXTON). The gentleman from South Carolina (Mr. SPRATT) and the gentleman from Wisconsin (Mr. RYAN) each will control 90 minutes on the congressional budget.

The Chair recognizes the gentleman from South Carolina.

Mr. SPRATT. Madam Chairman, I yield myself 14 minutes.

Madam Chairman, today we take up the budget resolution. Passing it, like many things in this House, is never easy, and sometimes contentious. But it is crucially important if we care about fiscal soundness and the future of our country.

Our country faces right now a host of different challenges: the specter of recession, a crunch in the credit markets, rising unemployment, declining family income, constant inflation in the cost of health care, aging infrastructure, and a porous safety net. And that is not to mention the wars in Iraq and Afghanistan, costing us close to $200 billion this year, and even more dearly in human lives and wounded.

The President's budget for 2009 does little to turn this tide. In fact, the policies of the last 7 years have created some of these problems and compounded others. Eight short years ago, in 2000, our budget was in surplus, big-time surplus. In that year, we had a surplus of $236 billion. Having worked for years to bring the budget to this status, we warned the President and our colleagues across the aisle not to bet it all on a blue-sky forecast; but it was to no avail.

The President's economists looked out 10 years and saw nothing but surpluses, $5.6 trillion in all. We worried that if these rosy projections didn't pan out, we would be right back where we had been, deep in deficit.

□ 1515

Well, the President told the country, in effect, that we could have it all, guns, butter and tax cuts, too, and never mind the deficits.

I'll have to admit it looked as though we were sitting on an island of surpluses, but, in truth, we were surrounded by a sea of debt, of long-term unfunded liabilities for Social Security and Medicare, coming due just over the horizon.

Seven years later, under this administration's policies, those surpluses are history. They're gone, vanished, replaced with record deficits and mounting debt.

This one chart here which shows in tabular form the increase in the debt over the last 8 years, says it as simply as we can on one piece of paper. When the President came to office, the debt of this country was $5.7 trillion. When he leaves in a few months, it will probably be close to $10 trillion, more than $4 trillion in debt accumulation on the watch of the Bush administration.

The budget we take up today is no grand solution, I'll grant you that, but it moves us in the right direction. It restores fiscal responsibility, but not to the exclusion of other values that

we hold dear such as our children's education and their good health care. And that's why, right off the bat, we part company with the President's budget and with Mr. RYAN's substitute.

We think Medicare is one of our country's crowning achievements, so we reject his cuts that would emasculate Medicare, in the President's budget, $556 billion over 10 years, and we reject his cuts in Medicaid, $118 billion over 10 years.

The Ryan substitute over 5 years would cut Medicare by $253 billion by our calculation, and Medicaid by $116 billion. We can't vote for that.

We would not wipe out the Social Services Block Grant or cripple the Community Services Block Grants as the President proposes, because we have seen in our own communities the roles they play. They hold up the safety net in an economy where it's sorely needed. And with fuel prices at record highs, the last thing we would slash is LIHEAP and low-income home weatherization. These are minimum benefits for Americans with maximum needs.

Ten years ago when we first ran a surplus, we resolved in both Houses to use some of that surplus each year to double the resources of the National Institutes of Health, the NIH, over a period of 5 years. We reached that goal in a bipartisan way, only to backslide year by year in this administration. In our budget this year we stop the backsliding at NIH, and we restore the President's cuts at the equally important Centers For Disease Control.

Our budget targets other resources to strengthen our economy and our society. We invest more in innovation, more in energy, more in infrastructure, and we provide $7.1 billion more than the President for education.

To move our country one step closer to health care for all, we facilitate up to $50 billion to expand SCHIP, the children's health insurance program, consistent with PAYGO, requiring that the costs be fully offset. We also accommodate fiscally responsible relief from the alternative minimum tax in order to shelter those middle-income taxpayers for whom it was never intended.

To make America safe, we fully fund defense, and we keep our promises to those who have fought for our defense, providing $3.6 billion above current services for veterans health care.

Now Mr. RYAN puts another billion on top of that in his budget, but he also puts in function 920, this is budget esoterica, but he puts in function 920 a call for $400 billion in undistributed cuts. One of those cuts would likely be that apparent increase in veterans health care.

Although we fix the AMT for another year, providing a tax cut of $70 billion to middle-income Americans, our Republican colleagues will accuse us of raising taxes. You've already heard it. The fact is, our budget doesn't raise taxes by one penny. But don't take my word for it. Stop by the manager's table right here on the House floor and read the letters that we've received from groups like the Concord Coalition, or look at the posters that we just posted here.

Here's what the Concord Coalition says: ''Allowing some or all of the tax cuts to expire would not be the result of Congress raising taxes; it would be the result of sunsets that were included when these tax cuts were originally enacted to avoid the level of fiscal scrutiny that PAYGO is designed to ensure.'' That's what the Concord Coalition has to say about our resolution.

If you want to see more, turn to section 501 in our budget resolution, title 5, section 501, and we enumerate, from item A through H, child tax credit, marital penalty relief, the 10 percent bracket, estate taxes, extension of research experimentation tax credit, extension of the State and local sales tax deduction, extension of the deduction for small business expenses and it goes on. These are the tax cuts that we embrace and commit ourselves to seeing renewed when they do eventually expire.

We believe that tax relief can come in a deficit-neutral tax bill in some cases, and we offer the AMT as an example. On more than one occasion, high-ranking officials in the Bush administration have testified before our committee, and when they're asked about the AMT and its impact on middle-income taxpayers, they've insisted that they could fix the AMT with changes in the Tax Code so that there would be no net loss of revenues.

For example, in February 2006 Josh Bolten was the director of OMB. He told our committee that the AMT could be corrected in the context of overall deficit-neutral tax reform, his words.

In February 2007, his successor, Rob Portman, told the Budget Committee, ''Our budget assumes it will have a revenue-neutral correction to the AMT.''

The chairman of the Ways and Means Committee, Mr. RANGEL, has taken the same stance, but Mr. RANGEL has delivered. He's put a revenue-neutral bill on the table to kindle the debate. The Bush administration asserts it too has a plan, but has failed to follow through by disclosing any plan of its own.

One of the first steps that we took in the 110th Congress was to restore the pay-as-you-go rules that had helped us in the 1990s turn record deficits into record surpluses. This resolution fully complies with the PAYGO rule.

Partly because we've held mandatory spending in check with PAYGO and, at the same time, kept domestic discretionary spending close to the rate of inflation, this budget returns to surplus in 2012. Our bottom line beats the President's budget going away. Between 2009 and 2013, our net deficits are $262 billion. Over the same period the President's net deficits are $674 billion. And using CBO's latest forecast, our budget should be in surplus by 2012 in the amount of $178 billion. And from 2012 through 2018 our cumulative surplus should reach $1.4 trillion, all told.

Now we could have used the lion's share of those surpluses to offset the revenues lost to renewal of expiring tax cuts, and surpluses of $1.4 trillion would indeed offset a huge amount of revenues forgone. We chose instead to leave those decisions to a time closer to December 31, 2010, when the 2001 and 2003 tax cuts expire. But when the time is right, if those surpluses materialize, they can be used to offset the renewal of numerous expiring tax cuts, disproving our opponents' claim that we don't intend to renew and extend any of the expiring cuts.

In our resolution we also provide $940 million for program integrity, much of it going to the Internal Revenue Service for audits and compliance. The Commissioner told us not so many months ago that there's a huge tax gap, maybe $500 billion, between taxes owed and taxes paid, the so-called tax gap. If we can close that gap just a bit, we can raise tax revenues without raising tax rates. These funds can likewise be used as offsets.

So there are many ways to look at tax cuts in the code. And what we are saying here is that we should use the next several years, before the tax cuts expire, to do all of the above so that we will have the revenues to renew many of these tax cuts and restructure the AMT in keeping with PAYGO principles. That's simply what we are proposing.

Our budget parallels the President's budget with respect to national defense. It funds the basic defense budget at the levels the President requested for 5 years, but does not include supplemental funds beyond the $700 billion sought by the President. The President's budget for 2009 does include a $70 billion item which the Pentagon calls a placeholder. To compare our budget to the President's budget, apples to apples, our resolution includes a $70 billion placeholder equal to the President's request for overseas deployments and activities in theaters that include Afghanistan and Iraq. This budget resolution is not an authorization bill. It's not an appropriations bill, and therefore, it cannot prescribe how much should be spent for these activities or specify where the funds should be spent. Those decisions are left to the authorization and appropriation process, in committee and on this floor. These funds, however, can be used for whatever purpose the Congress eventually chooses in authorizing and appropriating legislation.

When we set out to do this budget, our overriding objective, Madam Chairman, was a balanced budget, because we're appalled at the amount of debt being left our children, and at our stature in the world as the greatest debtor nation. But we want more than arithmetic balance; we want our priorities balanced; we want a budget that does more for our children's education and their health care as well, a budget that

makes our workers more competitive and our scientists more innovative.

We want to revive America, restore our fiscal soundness, reclaim our future. This budget is just one step, but it's one step in the right direction.

Madam Chairman, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Madam Chairman, I yield myself 12½ minutes.

Madam Chairman, in many ways I believe our two parties agree on many things. We both agree on the need to balance the budget. We agree on the need for solid, sustained economic growth that produces an abundance of good-paying American jobs. And we agree that the looming entitlement crisis is the greatest threat to our Nation's economic and budgetary future.

But as this budget makes clear, there is a glaring disagreement on how best to achieve these goals, or as in the case of entitlements, even to address this challenge.

Republicans believe that the best America is an America free from the burden of Big Government. We believe that the nucleus of our society, the engine of economic growth in this country, is the individual, the family, the entrepreneur, not the government. And we believe that the more the Federal Government expands demands and takes from these citizens, the less freedom they will have and the less opportunity to realize their own potential.

Clearly, the Democrats have a much different philosophy. They believe that bigger government is better government, and they believe that the best way, the only way to meet our Nation's myriad challenges is with an ever larger Federal Government fueled by even higher spending, financed by ever higher taxes. With this budget, the Democrats have proven their commitment to this philosophy. And as it did last year, the first thing this budget does is tout a whole lot of new spending for, as we heard in last week's speeches and press conferences and as we heard today, for everyone and everything.

But right next to this budget's much hyped new spending priorities and promises are somewhat less advertised big new tax hikes on American workers, families and small businesses, many of whom are already struggling to make ends meet.

In recent months, we've seen a whole host of legitimate concerns in the economy. Growth and job creation are slowing, and many Americans are seeing their home values falling. At the same time their food, energy and health care bills are going up. The worst thing we could do to these families or the struggling economy is raise taxes. But if we pass this budget, that's exactly what we will be doing. Passing this budget means imposing on the economy and on our constituents the largest tax increase in American history.

One of the most ironic things about the Democrats' tax increase is that it comes on the heels of this bipartisan economic stimulus plan. Just last month, Congress passed a stimulus package to give struggling families some of their tax dollars back and provide incentives for businesses to expand and create jobs. But before we could even get these checks out the door, the Democrats unveiled this budget that will take all that money back plus demand hundreds of billions more new higher taxes. Far from consistent tax policy, that's not even coherent tax policy. Is $600 really going to make a difference to somebody in Janesville, Wisconsin with a tax increase of nearly $3,000 per year looming on the horizon? Does a one-time check of $1,200 really make up for later raising taxes on that same family of four by $6,000 each and every year?

This budget will raise marginal tax rates on all income taxpayers, including low-income individuals who are benefiting from the 10 percent bracket. This budget will slash the $1,000 per child tax credit in half. It will reinstate the marriage tax penalty. It will make it that much harder for families to pay their mortgages, pay their grocery bills and send their kids to college.

□ 1530

Unlike the Democrats' rhetoric would have you believe, we are not just talking about hurting rich people. I know a whole lot of people back in Wisconsin who paid taxes, who are married and who have kids who do not consider themselves anything close to rich. But this budget's tax cuts will hit every single American taxpayer, whether or not they checked some imaginary ''rich'' box on their tax form.

Now, again, my friends on the other side of the aisle insist this isn't their plan, that they're really not going to raise your taxes. They've got all of these groups from the left saying that's not happening. But yet they keep writing those tax hikes in their budget. Why? Because their numbers would never work. Their budget would never show balance. And without those massive tax hikes, this budget requires, includes, assumes, mandates a $683 billion tax increase over just 5 years.

First, because it exhumes the complete expiration of the 2001 and 2003 tax laws. And because of their own PAYGO rule, just to continue those same laws which are already in place, they're required to offset those current provisions with an equal tax increase of $683 billion. So whatever way you cut it, you can't avoid it. It is a tax increase, a big one, the biggest we've ever seen.

And second, because they're already committed, every one of those tax dollars, to pay for their new spending. Beyond admitting the burden these tax hikes will put on our constituents and the economy, this Congress has got to understand that we will never rid our government of deficits and debt by simply raising taxes.

Our problem has never been that Americans aren't sending enough of their taxpayer dollars to Washington. Our problem has always been, and is clearly today, that Washington is spending too much money and far too quickly to be sustained.

But for all of the Democrats' purported concern about the deficit, all they've chosen to do since they came into the majority is spend more and more money. This year's budget would certainly continue that trend. The Democrats' budget proposes to increase entitlement spending by untold amounts of the use of numerous reserve funds. At the same time, they want to increase nonsecurity discretionary spending by more than $22 billion over the President's request.

But even while demanding billings and new spending, they fail to do anything to reduce the wasteful spending already included in these budgets. In fact, last year, the majority's appropriations bill included over 11,000 earmarks at a cost of nearly $15 billion to taxpayers.

This year, the majority has already rejected Republican calls for an earmark moratorium or even earmark reform to reduce the wasteful, self-serving spending. In this regard, we can expect more of the same: another year and another choice by the majority of pork over paychecks. But for all of the additional spending, the worst thing that is not in this budget is not what it does, but the many things it fails to do.

First, I think it's fair to note that if we apply the Democrats' own standards, this budget doesn't even achieve balance. That's because this budget suffers from the same shortcomings that the Democrats criticized the President's budget for doing just weeks ago.

This budget doesn't pay for the AMT fix and it doesn't pay for the war, as the chairman so eloquently criticized the Bush budget just a couple weeks ago. As a result, this chart shows that this budget doesn't really balance in 2012; instead, it remains in the red for as far as the eye can see.

Finally, for the second straight year, the majority budget fails to include even one meaningful reform to address our entitlement crisis. This means that even if this budget were to balance in 2012, it would be quickly driven right back into deficit by these programs' current path of growth. By ignoring this problem, this budget ignores every one of the witnesses we've called before the Budget Committee who have warned that our largest entitlement programs, particularly Medicare and Medicaid and Social Security, simply cannot be sustained as currently structured.

These experts have told us unequivocally that if we fail to reform these programs, not only will they grow themselves right into extinction, they will impose a crushing burden on our debt, on our budget, and all but eliminate our Nation's ability to compete in the global marketplace.

Our Nation's chief accountant, GAO Comptroller General Walker, recently

testified that the long-term fiscal obligation of the U.S. Government is $53 trillion, or about $180,000 in unfunded liability for every man, woman, and child in the United States. It is $180,000 per person. You can buy really nice homes in Wisconsin for $180,000.

And we know that this problem, once dismissed as somewhere off in the future, is already upon us. On February 12 of this year, last month, the first baby boomer, a retired teacher from Maryland, received her first Social Security check. And right on her heels are over 80 million other baby boomers who will qualify for both Social Security and Medicare right after her. And just last month, the Medicare trigger was set off sending a clear warning shot to Congress that we must act immediately to get this program on a sustainable path.

In fact, by doing nothing, by ignoring this problem for another 5 years, the Democrats' budget will add another $14 trillion in unfunded liability for future generations. And this is just in the next 5 years. Over the long run, the problem will grow much worse than that.

As this chart shows, by the year 2040, our three largest entitlement programs alone will consume 20 percent of our economy, equivalent to the cost of the entire Federal Government today. By this time, the overall size of government will consume 40 percent of our Nation's GDP, more than double the historic average of 18.3 percent.

What that means in real life is my three children, who are 3, 4, and 6 years old, by the time they are exactly my age, they will have to pay twice the level of taxes we pay today just to keep today's Federal Government afloat for them at that time. Add no new programs and take none away, for my three kids, when they are my age, they will have to bear twice the burden we bear today just to pay the bills of the Federal Government before they can keep any money left in their own paychecks.

The only choice we would leave them would be to pay the crippling tax burden or simply accept the fact that their Nation can no longer afford health care, education, or even defense or national security. I can't imagine any one of us who finds that kind of future acceptable, but this is exactly what this budget confines them to do.

Everyone talks about this common entitlement as our greatest challenge, and rightfully so, but it is also our greatest opportunity. Today, with this budget, we have an opportunity to save our largest retirement and health safety net programs from financial ruin. We can make these programs better, stronger, more responsive, more resilient, more sustainable, and more in line with the way our economy works today.

And if we act now, we have the opportunity to make these reforms in a rational, well-thought-out way. We don't have to wait for the crisis to hit. But regrettably, that's exactly what the Democratic majority would have us do. With this budget, they are simply accepting that we are going to continue to pile up massive amounts of debt for our children and we are going to force them to pay double what we do in taxes to keep these programs afloat in the future.

In closing, let me say that I have come to know and respect many of my colleagues on the other side of the aisle. In particular, I think the gentleman from South Carolina is the definition of a true Southern gentlemen. He's a class-act man, and I don't have any doubt in my mind that every one of them on the other side of the aisle are just as well intentioned and just as concerned about our Nation's future as anyone is on this side of the aisle.

Every one of us wants our Nation to remain strong, safe, prosperous, and free today and well into the future. Every one of us wants to pass on to the next generation a world that is even better than the one our parents gave us. By giving us these jobs, by sending us to Congress, that's exactly what our constituents entrusted us to do.

With that great responsibility in mind, I will be opposing this budget that we are considering today. This budget misses an historic opportunity to put our Nation on a better path. Instead, they choose the path of Big Government, higher spending, higher taxes, higher debt. I can only hope that this Congress will choose to change its course before it's too late, because if we fail, we may be the first generation to sever that precious, fragile American legacy of leaving a better standard of living for future generations.

With that, Madam Chairman, I reserve the balance of my time.

Mr. SPRATT. Madam Chairman, I yield 14 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Madam Chairman, before I talk about how this budget will help keep America secure, let me just respond by saying I'm glad we live in a country where speech is free. But when I hear my Republican colleagues talk about the burden of crushing debt as they try to attack our budget this year, I would remind the American people that these were the architects of $4 trillion in national debt over the last 8 years; $4 trillion of national debt that will lead to an annual tax of $188 billion on my children until the day they die just to pay interest on the debt they created in the last 4 years with their partisan budgets.

Madam Chairman, keeping America safe and secure should always be a top national priority. That's why, with this budget, House Democrats provide for a strong national defense and invest billions more on homeland security, veterans health care than the President's budget request.

Here are 10 reasons why this budget helps keep America safe and secure:

First, it increases the national defense budget by $37.5 billion over last year to a 7.5 percent increase, excluding costs for wars in Iraq and Afghanistan;

Second, this budget will improve military readiness, especially for the National Guard and Reserves;

Third, we say ''no'' to the administration's ill-advised cuts of $430 million in programs to protect Americans from the threat of nuclear terrorism;

Fourth, this budget provides funds to implement the 9/11 Commission recommendations, such as better screening of cargo and passenger aircraft and ship containers coming from foreign seaports;

Fifth, we say ''no'' to the administration's proposed billion dollars in cuts for first responders such as firefighters and police officers;

Sixth, the Democratic budget rejects the administration's proposal to cut $705 million from the State's Homeland Security grant program;

Seventh, we actually fund the State Criminal Alien Assistance Program, in contrast to the administration, which zeroes out this program which helps communities incarcerate illegal criminal aliens;

Eighth, the Democratic budget increases veterans health care and benefits by $3.2 billion above the President's request. We believe our Nation should keep its promises to those who've kept their promise to serve. The fact is, with this budget, in 2 years, the Democratic-led Congress will have increased veterans funding by more than the Republican-led Congress did in 12 years;

Ninth, the Military Officers Association of America, MOAA, applauds this bill for honoring our military troops and retirees by replacing the administration's $1.2 billion shortfall in defense health care and for rejecting massive fee increases to the military TRICARE health program;

Tenth, and finally, the DAV, American Legion, AMVETS, Paralyzed Veterans of America, and numerous other veterans organizations respected across our land have applauded what this bill does for veterans. Listen to what the executive director of the Veterans for Foreign Wars said about the budget bill we passed last year and this one: It is an unparalleled commitment to veterans service and sacrifice.

Madam Chairman, I think that says it well.

At this time, I would like to recognize and yield to the chairman of the Veterans' Affairs Committee, the gentleman from California (Mr. FILNER), who's been a tireless champion of America's veterans.

Mr. FILNER. Madam Chairman, we have an administration that says support the troops, support the troops, support the troops. Then they give us the budget that cuts support for veterans over the next 5 years, year by year by year, and with a modest increase for health care that barely covers inflation. It cut every single account in the veterans budget, including

construction, including research, all of the way through. So we restore, if I'm correct, Mr. EDWARDS, we restore all of those cuts.

And for the seventh year in a row, the President said, Let's increase enrollment fees. Let's double the pharmaceutical copays, and we, for the seventh year in a row are saying ''no.'' But not only did they increase the fees, they made a calculation that several hundred thousand veterans would not be able to pay those fees and be thrown out of the health care system. That, in a time of war where we got our troops fighting, they're going to throw veterans out of the VA health care system. That is disgraceful, and we said ''no'' to that.

And I thank the gentleman for making sure that we respected these warriors. It's part of the cost of war to treat the veterans correctly. Mr. EDWARDS and Mr. SPRATT, you provided for those veterans. The whole country thanks you.

Mr. EDWARDS. Madam Chairman, at this point, for engaging in a colloquy, I would like to yield to the gentleman from Pennsylvania (Mr. ALTMIRE.)

Mr. ALTMIRE. Madam Chairman, I'm proud of this budget because it continues on the great work that we did last year after years and years of chronic underfunding of the veterans health care system. We added $13 billion in funding for the VA, which is the largest increase in the 77-year history of the VA, and that was great work. And we are following that up this year by adding $4.9 billion in increased funding and including steady increases over each of the next 5 years.

□ 1545

This budget is true to our American veterans.

In contrast, the President's budget, which does include a modest $1.7 billion increase this year, it decreases funding in real dollars over the next 4 years, and over the 5-year period, contains a cut in veterans health care spending. And there are 120,000 new veterans entering the system this year. Is there anyone in this body that thinks that health care costs aren't going to go up, that the number of veterans isn't going to go up, people entering the VA health care system? And instead of following the President's lead and cutting veterans health care spending, we're increasing spending to the largest levels in history.

It's endorsed by the VFW, the American Legion, the Vietnam Veterans of America, just to name a few. And this funding means that we're going to clear up the 500,000 case backlog that currently exists in the VA due to that chronic underfunding that took place over the past several years before we increased funding last year. It's going to make improvements at VA clinics, help keep up with growing populations of veterans, including in my home district a $180 million expansion of the VA health care facility.

It's going to increase research on traumatic brain injury and prosthetics to help our wounded warriors and our wounded veterans. It's going to help us recruit and retain the highest quality health care professionals to ensure that our veterans get nothing less than the highest quality health care available anywhere in the country right at our VA centers.

So, lastly I would say to the gentleman, we have stepped up to the plate. We are going to support our veterans not just with our words, but with our actions. We're going to continue the great work we did last year with a $4.9 billion increase this year.

I thank the gentleman for his leadership.

Mr. EDWARDS. I thank the gentleman for his words and his actions in this Congress on behalf of our Nation's veterans and veterans in your district.

It is now my privilege to yield to Congresswoman BOYDA, the gentlelady from Kansas, for purposes of a colloquy. And I want to thank her for working so hard on behalf of our troops, their families, and our veterans and their families.

Mrs. BOYDA of Kansas. Thank you very much, Mr. Chairman. It has been a pleasure to work with you on behalf of our active duty military and the two VA hospitals that we have in the Second District of Kansas. It's such an important issue for so many people in my district, and they want to know that somebody is fighting for them.

I would just say that it's almost laughable if it weren't so sad to hear the gentleman from Wisconsin talk about this debt as if for the last 7 years we haven't seen a tremendous increase in our national debt.

I, too, am absolutely worried sick about the fact that my children are going to have to pay the $4 trillion of debt that we've incurred since they've been in the majority, or actually, in the last 7 years. But Mr. Chairman, let me just say that what makes me feel so good about this new majority and this budget that we've brought forward, in those years since we've seen that increase in debt that's going to be so devastating to us, what have we gotten for it? In 12 years, we've seen the debt double, and yet we only saw $16 billion go into veterans benefits at a time when they needed them so badly. In the last year, with our fiscally responsible budget, we will have added in the last 2 years $17 billion. It's just a matter of priorities.

We all are very concerned about the budget deficit that the Republicans have just escalated beyond control. You and I are working together to make sure that we have priorities that reflect the priorities of the American people. Since 2003, the backlog has increased by 50 percent. We have cut so much funding out. And so, thank God that we have put some of this money back in.

And I know the people of Kansas want to make sure that the money they are sending to Washington, D.C. is used well and is used for the veterans that have gone out and fought so bravely for our country.

Mr. Chairman, I am so pleased to be a strong supporter of this budget and a strong supporter of the veterans. It's easy, very easy to put a yellow ribbon on your car. And I agree with the gentleman from Pennsylvania who just spoke, we need to have action, not just words.

Mr. EDWARDS. I thank the gentlelady from Kansas for your powerful advocacy on behalf of our veterans and our military.

I would now like to recognize and yield for the purpose of engaging in a colloquy to the gentleman from Pennsylvania (Mr. CARNEY).

Mr. CARNEY. I would like to thank the gentleman from Texas for the opportunity to engage in this colloquy. Thank you, Mr. EDWARDS.

It is sort of ironic that under the previous Congresses, their idea of fiscal discipline was to raise the debt ceiling to $9 trillion, I find that interesting, while at the same time we have seen homeland security funding only being paid lip service to and not really being taken care of.

As you know, nine out of 10 Americans live in areas that are prone to natural disasters, and of course we're not prepared to take care of them. The Coast Guard itself said that we are only 25 percent along the way to meeting the needs to protect our ports, that 75 percent of those needs have gone unmet in homeland security.

We can fulfill the 9/11 Commission requests here, H.R. 1, take care of those funding priorities that make us all safer.

The cuts to first responders I can't believe. I worked my way through college, actually, as a paramedic/EMT back in Cedar Rapids, Iowa. It's unconscionable the kinds of cuts that have been done. The State Homeland Security grants, I just want to make a quick list here, the administration cut it by $705 million. The Urban Area Security Initiative, cut by $9 million. Fire grants, the very grants that protect us in the rural areas, cut by $463 million by the administration. The Byrne Justice Assistance Grants, zeroed out, eliminated entirely. The COPS program, cut by $599 million. We make sure we put $417 million back into the State Criminal Alien Assistance Program, the administration zeroed that out, the very program that enables local communities to handle undocumented criminals that they capture.

Finally, the President's budget only funds $210 million of the $400 million authorized to make sure the Coast Guard takes care of our ports. This is irresponsible, never mind unconscionable.

I'm proud of this budget. This budget goes a long way towards protecting this country, a lot further than previous budgets.

Thank you, Mr. EDWARDS.

Mr. EDWARDS. I thank the gentleman for pointing out that it takes budgets to defend our Nation, our communities and our families, not just rhetoric.

At this time I would like to recognize the gentleman from Texas (Mr. RODRIGUEZ) for a colloquy. And I want to thank the gentleman for his year-in, year-out work on behalf of our servicemen and -women, their families and our veterans.

Mr. RODRIGUEZ. I want to personally thank you, Mr. Chairman, for your leadership throughout the country and your efforts in providing for our veterans.

I know I had the pleasure of serving on the Veterans Committee, and nothing was more frustrating than during the period of time that I served to just give nothing but lip service, and at the same time see the major cuts of the administration when it came to our veterans after having served our country. When I saw the budgets of the administration continuously bring forth additional fees and copayments on our veterans when both sides were saying that that was not appropriate, he continues to do that with this present budget. And if that was not enough, I know that he cut priority 8 veterans. And I'm glad to see that this budget includes that on there, so I want to personally thank you for that.

In addition, the Democratic budget calls for advance pay and benefits to improve the quality of life of our troops and their families, including the emphasis on providing support and assistance to our troops and their families while they are deployed. And that is essential. It's unfortunate, and we cannot even comprehend how this has come about.

Let me just say, this budget also calls for a $15.9 billion cut for the next 5 years on our soldiers, on TRICARE. As it is, the reimbursements on TRICARE are real low, to the point that some of our doctors are not going to take some of those soldiers and provide access to health care that they need.

But I want to take this opportunity to thank the chairman and the leadership on this budget effort for making sure that our troops have the resources that are necessary, and to make sure that our veterans, after they come back, have the services that they're entitled to. We need to push forth on making sure those polytrauma centers get built so that access to health care is essential.

Thank you very much for this colloquy.

Madam Chairman, I rise in strong support of this Budget resolution. This budget provides for among many other elements the much needed resources for our country's defense needs.

As you know, I represent a very large district that spans from San Antonio in the east to El Paso County in the west and south to the Mexico border. The U.S. military is very important to my district as evidenced by the BRAC decisions that centralize military medical training in San Antonio and bring soldiers from Europe back to Fort Bliss in El Paso. While the defense budget is important to the Nation as a whole, it has a particularly strong significance to my constituents.

EXCELLENT AND AFFORDABLE HEALTHCARE

San Antonio is poised to be the military center of excellence for medical issues with the completion of the current BRAC construction.

The President's budget calls for increases in Tri-care fees for military retirees under the age of 65 by $15.9 billion over five years.

The military's own have opposed these fees as evidenced by the Military Offices' Association of America's rejection of the fee increases.

MOAA supports the Democratic budget that avoids Tri-care fee hikes and places a continued emphasis on addressing problems such as those identified at Walter Reed Medical Center.

READINESS

The Commission on the Guard and Reserve issued a report on January 30, 2008 citing a lack of readiness to respond to a catastrophic attack on the United States.

A major reason for this is the Administration budget that continually prioritizes funding wars in Iraq and Afghanistan while leaving the defense of our homeland at risk.

The Democratic Budget provides greater attention to improving military readiness, in particular for the National Guard and Reserve.

ADDITIONAL PAY AND BENEFITS TO THE TROOPS

The Democratic Budget calls for advanced pay and benefits to improve the quality of life of the troops and their families, including an emphasis on providing support and assistance to troops and their families while they are deployed and when they return from deployments to readjust to civilian life.

This is what we owe the Soldiers, Sailors, Airmen, and Marines who have so selflessly fought for our Nation's freedom.

Mr. EDWARDS. I thank the gentleman.

I will conclude by saying that this is a solid budget that defends our Nation, supports a strong national defense, and just as importantly, honors in a meaningful way those who have risked their lives to defend our Nation, our veterans and our military retirees.

Mr. RYAN of Wisconsin. Madam Chairman, I yield myself 10 seconds only to say that this budget that's before us raises the national debt by $646 billion this year, the largest annual increase ever. And that's $14 trillion of unfunded debt to just two programs, Medicare and Social Security.

With that, I would like to yield 2 minutes to the distinguished gentleman from South Carolina, the vice ranking member of the Budget Committee, Mr. BARRETT.

Mr. BARRETT of South Carolina. I thank the gentleman for yielding.

Madam Chairman, our friends on the other side of the aisle have spent a great deal of time over the past few years railing against deficits and railing against the debt. And last year, their first time in the majority in over a decade, the Democrats finally got their chance to show their version of what a fiscally responsible Congress should actually look like. But all they've done since they've come into power is mismanage the fiscal situation.

The key to managing and to budgeting is to set priorities, and everyone who has ever had a family or run a business knows this. You have to make difficult choices, and you can't always have everything you want right when you want it.

But the Democrats have refused to set priorities. They simply want to spend more on everything and everyone within the reach of the Federal Government. And we've even seen things that they spend money on that the Federal Government has absolutely nothing to do with.

And to pay for all this new spending? Well, they're simply going to raise taxes, this time by $683 billion. That tax hike lets them show balance, at least on paper, for this round of spending. But their plan to chase ever-higher spending with ever-higher taxes can only work for so long. Pretty soon, as their spending continues to spiral out of control without any priorities, without any effort to cut waste, and without any effort to reform entitlements, they're simply going to run out of people to pay for it all. Then what?

Again, budgeting is about setting priorities and making decisions. But the decisions this budget makes, and perhaps more importantly, those that it fails to make, sets up a vicious cycle of tax and spend that neither the budget nor the American taxpayer can sustain for long.

Mr. RYAN of Wisconsin. At this time, Madam Chairman, I will yield 2 minutes to the gentleman from Texas (Mr. CONAWAY), a member of the Budget Committee.

Mr. CONAWAY. I thank the ranking member.

The Democrats' budget clearly shows, and depends on collecting, the largest increase in taxes in our Nation's history.

Most tax experts agree that one of the hallmarks of good tax policy is consistency and stability in that code. A high degree of uncertainty about future tax policy makes long-term planning difficult for both families and businesses, and that uncertainty can have a negative impact on economic growth, yet this majority continues to actively foster that uncertainty, again producing a budget that depends on the collection of the largest increase in taxes in American history.

Congress recently passed a bipartisan stimulus package that will give struggling families some of their tax dollars back with the hopes that they will spend this money and bolster our economy. But before they can even get these checks out the door, the Democrats have unveiled a budget that will take back all of that money, plus billions of dollars more. Do we really expect families to go out and spend

money when they've got a host of new income taxes that will dramatically decrease their discretionary income hanging over their heads?

Last year, the new Congress waited until the 11th hour to pass a 1-year AMT patch, in effect threatening more than 20 million Americans with an average tax hike of $2,000. This AMT slow walk, according to the Treasury, has now forced 3 million taxpayers to delay filing their tax returns to collect child care, education, and energy credits.

If, as the Democrats claim, they actually intend to stick to their PAYGO rule from now on, and as an aside, last night's ethics bill completely ignored the PAYGO impact, Americans can expect to see their tax burdens rise to a level never seen before in our Nation. But just whose tax bills are going to explode, and when, we're not sure.

My point here is that, beyond the damage they will do when taxes actually go up in 2011, 2012 and 2013, the majority is doing a great disservice to American workers and businesses and our economy as a whole by maintaining this tax uncertainty. As a result, we have a whole Nation of workers and businesses with no idea of what their tax burden will look like in the future, let alone in this coming year. And I can't imagine too many folks going out and buying new refrigerators, or too many businesses investing, expanding and the creating new jobs necessary to get our economy back on track with that kind of uncertainty hanging over their heads.

Mr. RYAN of Wisconsin. At this time, Madam Chairman, I would like to yield 4 minutes to the distinguished gentleman from Texas, a member of the Budget Committee, Mr. HENSARLING.

Mr. HENSARLING. I thank the gentleman for yielding.

Madam Chairman, for as many shortcomings as this budget has for what it contains, the largest single tax increase in American history threatening, over the next few years, an increase in family taxes of over $3,000 a year, an explosion of new government spending in bureaucracy, the largest Federal budget ever, earmarks as far as the eye can see, taking money out of paychecks so some Member of Congress can keep their paycheck, for as bad as this budget is for what it contains, it's even worse for what it doesn't contain.

□ 1600

There is nothing, nothing in this budget that will reform out-of-control entitlement spending. This budget, this Democrat budget, threatens the retirement security of future generations.

And don't take my word for it. Go to the Social Security and Medicare Trustees Report. It's going broke. It is going broke. The Nation can't afford all of the spending that the Democrats are putting forth. Already these programs are threatening future generations with an unconscionable tax hike. We are looking at a fiscal fork in the road already so that future generations are either, A, going to have to have their taxes doubled, or there will be no Federal Government to speak of except Medicare, Medicaid, and Social Security.

Now, our friends on the other side of the aisle say, well, give us a few years and maybe we'll get around to doing something about it. Well, we don't have a few years. We don't have a few years, Mr. Chairman, because every single year that the Democrats choose to kick the can down the road, every single year they choose to ignore the problem, an extra $2 trillion of debt that they decry is put on our children and our grandchildren.

Mr. Chairman, I got into the parent business 6 years ago. I have a 6-year-old daughter and a 4-year-old son. I know many on that side of the aisle have children and grandchildren. So I'm so perplexed that they don't care about this problem. Every year they ignore it, it's an extra $8,000 of debt or taxes that are going to be placed on our children and our grandchildren.

But don't take my word for it. Listen to the Federal Reserve: ''Without early and meaningful action to address the rapid growth of entitlements, the U.S. economy could be seriously weakened with future generations bearing much of the cost.''

Comptroller General Walker: ''The rising cost of government entitlements are a fiscal cancer, a fiscal cancer that threatens catastrophic consequences for our country and could bankrupt America.''

Those aren't my words, Mr. Chairman. Those are the words of the Comptroller General. Those are the words of the Chairman of the Federal Reserve.

So right now already as the Democrats decry the current debt, do they not believe that Medicare is a debt of the government? Do they not believe Medicaid is a debt of the government? Do they not believe Social Security is a debt of the government? And if so, it is their budget, their budget that is increasing debt and heaping it upon future generations.

This $8,000 a year that they are putting on future generations, that's enough money for every family in my district to send two children to Texas A&M University for 4 years. It will pay an average mortgage for 2 years. And yet, again, the Democrats know about this problem, Mr. Chairman; they just don't do anything about it.

Now, somebody who grew up listening to a lot of rock and roll, there's a song that I'm very fond of called ''Ohio'' by Neil Young, and there's a line in that song that says, ''How can you run when you know?'' And that's what I ask about this budget. How can the Democrats run when they know what they are doing to future generations?

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I would like to yield 2 minutes to the distinguished gentleman from California, the ranking member of the Appropriations Committee (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, our friends on the other side of the aisle are fond of saying that a budget is a moral document. It shows what we care about. I couldn't agree more.

The majority's bloated budget blueprint is a clear demonstration to families across America that the Democratic majority in Congress is intently focused on dipping its fingers into their pockets to take more and more of their hard-earned money. It shows that the Democratic majority will raise taxes, without hesitation, to support its addiction to spending. And it shows that Democrats in Congress are not interested in making difficult choices, setting priorities, or rooting out waste in government spending.

What we are considering today is the Democrat majority's ''more, more, more resolution.'' More spending, more budget gimmicks, and more taxes.

As my colleagues well remember, we held the line on spending last year thanks solely to the President and Republicans in Congress. The President's budget requested this year $59 billion, or a 6.3 percent increase, in discretionary spending over the present fiscal year. Most people would think $59 billion is plenty, but it's not enough for the ''more, more, more budget.''

We hear our Democrat colleagues pay a great deal of lip service to the poor. But here's what failing to extend these tax cuts in the years ahead will do to the poor:

Six million low-income American families will no longer qualify for earned income tax credits;

Low-income families with one or two children will no longer be eligible for the refundable child tax credit;

Roughly 12 million single women with children will see their taxes increase by $1,100 a year.

As disconcerting as all of this may be, the real 800-pound gorilla sitting in the corner of the room is the problem, and that is entitlement spending. Presently, mandatory spending and interest on the national debt consumes nearly two-thirds of the Federal budget, and it is rising at an alarming and unsustainable pace.

If we ignore the 800-pound gorilla, we are walking away from the dire needs, desperate needs, of the American public.

Mr. Chairman, our friends on the other side of the aisle are fond of saying that a budget is a moral document—it shows what we care about. I couldn't agree more.

The majority's bloated budget blueprint is a clear demonstration to families across America that the Democrat majority in Congress is intently focused on dipping its fingers into their pockets to take more and more of their hard-earned money. It shows that the Democrat majority will raise taxes—without hesitation—to support its addiction to spending. And, it shows that Democrats in Congress are not interested in making difficult choices, setting priorities, or rooting out waste in government spending.

What we are considering today is the Democrat majority's ''More, More, More Budget Resolution''—more spending, more budget gimmicks, more taxes. For the first time in history, the discretionary budget that is being proposed by this majority will exceed one trillion dollars.

As my colleagues well remember, we held the line on spending last year thanks solely to the President and Republicans in Congress. In spite of the desire of our Democrat colleagues to spend far more, this Congress passed appropriations bills that totaled roughly $933 billion in discretionary funding.

The President's budget requested a $59 billion, or 6.3 percent, increase in discretionary spending over the present fiscal year. Most people would think that a $59 billion increase in spending would be enough. But not this majority. They are proposing a whopping $82 billion, or nine percent, increase over current year levels.

In addition to the tens of billions of additional taxpayer funds they're proposing to spend next year, this majority intends to play budget games and increase advance appropriations by another $2 billion above what was provided this year.

The notion of advance appropriations is arcane budget talk so I'll try to break it down into real English. The majority is committing an additional $2 billion in funding for next year—remember, we don't pay for it this year, we pay for it next year.

My colleague from New York, Mr. WALSH, correctly pointed out during consideration of the fiscal year 2008 Labor/HHS bill that advance funding is a dangerous proposition because if Congress does not keep providing at least the same level of advance funding year after year, drastic cuts will be needed to live within the allocations each appropriations subcommittee receives.

I want to address another troubling aspect of this budget proposal. We have heard—and will continue to hear—our friends on the other side of the aisle talk about how this budget cuts taxes. Nothing could be further from the truth. By failing to make permanent the 2001 and 2003 tax cuts, this budget actually increases the tax burden on American citizens by $683 billion over the next five years.

That's a pretty big number, but let me break this number down in a manner that makes sense to the average family sitting around their kitchen table. Under this budget, the average American family of four that earns $50,000 per year will send an additional $2,100 to Washington in 2011.

We hear our Democratic colleagues pay a great deal of lip service to the poor, but here's what failing to extend these tax cuts does to low-income Americans: 6 million low-income Americans will no longer qualify for the Earned Income Tax Credit; low-income families with one or two children will no longer be eligible for the refundable child tax credit; roughly 12 million single women with children will see their taxes increase by $1,100 per year; and about 18 million seniors living on fixed incomes will be subjected to tax increases of more than $2,100 per year.

As disconcerting as the rampant spending is, let's not lose sight of the fact that this budget ignores the 800–pound gorilla sitting in the corner of the room—entitlement spending. Presently, mandatory spending and interest on the national debt consumes nearly two-thirds of the Federal budget and it is rising at an alarming, unsustainable pace.

In 1990, we spent the equivalent of $893 billion of today's dollars on entitlement programs—mostly Social Security, Medicare and Medicaid. Today we are poised to spend $1.6 trillion on those same entitlements. For those who like to talk in percentages, that represents a 74 percent increase in inflation adjusted dollars. We ignore this sleeping giant at our own peril.

So my friends, let's ask ourselves this question: who will pay for this budget? The simple answer is our children and our grandchildren.

They will pay for it in the form of higher taxes because this budget refuses to make permanent the tax cuts enacted in 2001 and 2003 that spurred roughly 6 years of economic growth.

They will pay for it in the form of reduced future prosperity because Government will continue to spend and spend and spend.

They will pay for it because their Government would consume more and more of what they earn rather than allowing them to invest, create jobs, and improve their quality of life.

In short, Mr. Chairman, this ''big government, Washington-knows-best'' budget suggests that politicians and bureaucrats in Washington are better stewards of the public's money than the very families who send it here.

My advice to the American taxpayer is this: Hold onto your wallet because the big spenders in Congress are coming to take more of what you can earn.

Mr. Speaker, I strongly urge my colleagues to reject the majority's bloated budget resolution. It's time to put Uncle Sam on a diet.

Mr. RYAN of Wisconsin. At this time, Mr. Chairman, I would like to yield 2 minutes to the newest member of the Budget Committee, the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN of Ohio. I thank the gentleman for yielding.

Mr. Chairman, for those Americans brave enough to be watching this proceeding right now on TV, I'd ask them to sit down because I have some shocking news to share with them. And here it is: The Federal Government spends a lot of money.

Big surprise; right?

How much money are we talking here? How about $23,000 per year per household.

My guess is that with the exception of our military, it's tough for the average American to name one thing the Federal Government does well.

This budget proposes to spend more than $3.1 trillion. That, Mr. Chairman, is not an easy thing to do. To reach $3.1 trillion, the Federal Government will have to spend $100,000 a second, 6 million bucks a minute, over 350 million bucks an hour every day for the next year. Whoever thought that Senator Dirksen's line about ''a billion here, a billion there'' would become outdated?

Mr. Chairman, we've heard of tax-and-spend politicians, but I believe it's spending that drives taxes. And reckless out-of-control spending has put us on a path for economic disaster.

And don't take my word for it. Ask outgoing Comptroller General David Walker, who is sounding the alarm across the country about the unsustainable rate at which Congress is spending.

The American people instinctively know that Congress has an insatiable appetite for spending. They can see it. In terms of real dollars, Congress has quadrupled spending over my lifetime.

The question is, for what? Why do we need four times more Federal Government today than we did in 1964? It's not the military. Defense spending's impact on the budget has decreased by almost two-thirds in real dollars. This, while earmarks have skyrocketed and mandatory spending has grown tenfold.

The real change has been in the mindset. Simply put, Congress has grown to accept the ''nanny state.'' Some Members of this body have grown accustomed to the numbers in this budget. But believe me, they are staggering to the American people, and the people of the Fourth District of Ohio. How staggering? What if, instead of spending $23,000 per family, the Federal Government spent only $20,000 per family? We could jump-start this economy with $400 billion in tax cuts, and we could balance our budget virtually in 1 year.

Mr. Chairman, the sirens are blaring. The alarms are ringing. We need to answer the call and put our fiscal house in order. And we can start by voting ''no'' on the Democrat budget.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I would like to yield 3 minutes to the distinguished gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, 25 years ago I stood on this floor and didn't quote rock and roll but quoted a country singer called Johnny Paycheck and his famous song ''Take This Job and Shove It.'' It was the lament of the working man imposed upon by many outside forces but predominantly the government's telling him what to do and taking his money. And here I am 25 years later, now a member of the Budget Committee, once again in the minority, and I hear the same thing from my good friends across the aisle: tax and spend, tax and spend, tax and spend, and pretend you're not doing it.

Let's be very clear about this budget. You can talk about everything else, but I would like to talk about one thing: taxes. Taxes. I didn't think you would be able to do it.

Mr. Chairman, last year we had the largest tax increase in the history of the United States, which means the largest tax increase in the history of the world, by the way. But they did themselves one better. This is even larger. This tax increase is $683 billion. Now, that's not the total tax. That's the tax increase we're talking about. I really thought last year we would never see that topped, but we almost double it this year.

Now, what does this mean? When we were debating in the committee, I said,

and I must apologize for this to my constituents in California, that if adopted and implemented, the Democratic budget would impose on my California constituents an increase, average tax hike, of $3,000. Well, I am corrected. I am corrected. It will actually give an increase, average tax hike, to Californians of $3,331.

Luckily, my constituents don't live in Connecticut, because there they would get an average tax hike of $4,311. This is the gift that keeps on giving, or I guess we should say keeps on taking.

So if you want to know if you can stand on the floor of the House and set a record, if you want to be the Olympic champion on steroids of taxes, vote for this budget. Vote for this budget.

Now, I understand if you're an adherent of Big Government, you need big taxes. So if you do believe that we don't have a large enough government, then vote for this budget, because it will increase the size of the Federal Government relative to local government, relative to State government, relative to the average taxpayer, relative to the rest of the world. It will break all records. The largest single tax increase in the history of the world, $683 billion. Remember that number: $683 billion.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I would like to yield 2 minutes to the distinguished gentleman from California, a member of the Budget Committee (Mr. CAMPBELL).

Mr. CAMPBELL of California. I thank the gentleman from Wisconsin for yielding.

Mr. Chairman, we have heard and we know this budget has the largest tax increase in American history and it also doubles the deficit from what the last Republican budget was. But somehow the majority seems to want to convince us all that this is good for America.

Well, in considering that, I'm reminded of this commercial I see on TV, this guy named Matthew Lesko. Have you seen it? He wears this funny suit with these symbols on it, and they film it right out here on the west side of the Capitol. And he clearly makes a great living. He publishes books to tell people how to get their hands on government money. He says in the commercial: ''Let Matthew Lesko be your guide to join the millions each year who get free money, grants, loans, giant contracts, and free assistance from the Federal Government.''

Here are some of his book titles: ''Free Money for Business''; ''Free Money for a Better Home''; ''Free Money to Pay Your Bills''; and, my personal favorite, ''Free Money to Quit Your Job.''

Now, the Democrats would have you believe that they're perpetuating with this budget the concept put forward in this commercial, that government money is free. But you know what? It's not. Because every dollar that the government sends out in free money to somebody is a dollar they took, this government took, from some American who earned it or that this government borrowed from some American who has yet to earn it but will have to pay it back, plus interest, in the future.

The majority in this budget has refused to set priorities and, instead, is just spending everybody's money on everything and demanding more and more of that money that they would like to think of as free. But we all know every single dollar will eventually come from us.

□ 1615

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, let me first thank Chairman SPRATT for his leadership and for his work on this budget. And I want to also thank his staff and my staff for really helping us put together I think a very good budget that we support.

This is a budget that, as compared to the Bush budget, I think the Bush budget is really the worst that we have seen in his long line of bad budgets. And with the staggering $12 billion a month with regard to the cost of the occupation of Iraq, I think it is about $3 trillion being projected, this is dragging our economy further into what we are calling an ''Iraq recession.''

It is particularly shameful that the administration would cut programs at this point in health care, in food assistance and in education which would help so many people who desperately need it right now.

That is why I am pleased that the Democratic budget before us rejects those draconian cuts. And I am also pleased that this budget is really war neutral. In fact, as the chairman stated earlier, the $70 billion placeholder in this budget can be used for whatever policy the Congress eventually chooses in authorizing and appropriating legislation, including redeployment of our troops. Now, over 90 Members of Congress signed a letter to President Bush and said that we would not vote for one more dime for combat operations. Only we will vote for money to redeploy our young men and women and bring them home. So as we approach this fifth anniversary of the invasion and occupation of Iraq, it is far past time that we act on the will of the American people by doing exactly that.

So I want to thank the chairman for this budget. And I urge my colleagues to support this budget and to work quickly toward redeploying our troops, toward addressing the waste, fraud and abuse in the Pentagon budget and begin to bring our troops and our military contractors out of Iraq and refocus our efforts and our budget on the many domestic needs here at home, which this budget does.

Mr. RYAN of Wisconsin. May I inquire how much time remains between the two sides.

The Acting CHAIRMAN (Mr. WEINER). The gentleman from Wisconsin has 60½ minutes remaining.

The gentleman from South Carolina has 62 minutes remaining.

Mr. RYAN of Wisconsin. I will reserve.

Mr. SPRATT. Mr. Chairman, I yield 12½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in support of this budget, which represents a down payment on our commitment to restore middle class prosperity. It offers a clear and practical approach to strengthen our economy in a way that helps our workforce thrive. It allows families to reach for that American Dream.

Today, the Bush economy continues to weigh heavily on America's families and businesses. Our Republican colleagues call for fiscal responsibility. That call is a sham. George Bush has added more to the Federal debt than every single President from George Washington to Ronald Reagan. And at the same time, median household income has dropped $1,000. In the Clinton years, median income rose to $6,100. Poor economic growth has left nearly 1.6 million more workers unemployed, and long-term unemployment is up by 62 percent. There are over 3.3 million fewer manufacturing jobs today than at the start of this administration. Incomes are flat while everything else goes up, gas prices, food prices, the cost of health care and education.

This is a budget that is strong. It gets us back to basics. It maintains fiscal discipline while making strong economic growth possible, benefiting all American families. It means crucial funding for the Democratic Innovation Agenda and reforms for our tax policy to reduce burdens on middle class families. It means rejecting the President's cuts to critical unemployment programs. Now is not the time to undermine already vulnerable communities. We can act to rebuild crumbling bridges, fix our roads, reduce congestion and make a serious investment in our infrastructure, paving the way for new growth and opportunity.

This budget makes real investments to help workers and create jobs in a fiscally responsible way. It is a budget that reaches balance in 2012. It reflects our priorities as a Nation and our belief that government has a commitment to its citizens to make critical investments in efficient and renewable energy sources, education, job training and health care, the foundation of a strong economy and future growth. It is about making our workforce more productive and making opportunity real. It is about staying competitive. And we share a mutual obligation to get it right.

Now, Mr. Chairman, I would like to yield to the gentleman from North Carolina (Mr. ETHERIDGE) for the purposes of engaging in a colloquy.

Mr. ETHERIDGE. I thank the gentlewoman for yielding.

Mr. Chairman, I am pleased to note that this budget resolution rejects the many proposed cuts in public education

by the President. The President proposes in his budget to eliminate a total of 47 programs. They are vocational education programs. They are programs for people who repair our plumbing in our homes, who build our houses, who build our roads, who supply the electrical work that gets done, programs like the Perkins Loan cancellations, Even Start, mentoring efforts, and the Reading is Fundamental initiative.

The Spratt budget would also restore initiatives designed to improve teacher quality like Teachers for a Competitive Tomorrow, Advanced Credentialing, and the Teacher Quality Enhancement initiative. If we are going to teach our children, let's have qualified people in the classroom. And it doesn't just automatically happen. It takes money. Industry will tell you that for every person they have, they spend a lot of money in investing in those people. And as the only former State school chief serving in this body, I am particularly pleased about the provision for education initiatives and innovations that have been included in the Spratt resolution.

I thank you, Mr. Chairman.

This resolution provides greater investment in our Nation's schools, including school construction bonds. I have been working on this with Congressman RANGEL for almost 10 years. We need quality places for our children to go to school. And there's important investments in things like Head Start, special education for those who really have needs, and to provide more money to fully fund secondary education.

The chairman's mark also provides for funding for America COMPETES Act. What is this? It expands math and science education at the secondary level. That is in high school. We can't get them in the universities if we can't them get them through high school. And Lord knows that in this economy, we need them. Education is the single most important investment that we can make in our future.

I support this budget resolution. I urge my colleagues to vote for it and support it.

I thank the gentlelady for this opportunity to speak.

Ms. DELAURO. I thank the gentleman. You are right in terms of the resolution and its reflection on our priorities. Nothing could be more important than access to education and ensuring that our schools and our students have the resources to succeed.

I would now like to yield to the gentleman from New York (Mr. BISHOP) for engaging in a colloquy.

Mr. BISHOP of New York. I thank the gentlelady for yielding.

The chairman's mark is $6.9 billion above the fiscal year 2008 enacted level for education and $7.1 billion above the President's request for education. And as a member of both the Budget Committee and the Education Committee, I am proud of that. And I think all of our colleagues should be proud of that. Mr. ETHERIDGE just talked about the 47 programs that the President's budget cuts but that this budget resolution restores. I want to talk about just three of them.

The President's budget resolution or proposal cuts $750 million out of the SEOG program, the Supplemental Education Opportunity Grant, fully eliminating the program. And it also eliminates the Perkins Loan revolving fund another $750 million. That is $1.5 billion on an annual basis taken out of the student loan delivery system. And that completely undercuts what this Congress, on a bipartisan basis, passed and enacted into law this fall when we passed the College Cost Reduction Act. So the Congress has gone on record as saying that the Federal Government needs to take a larger role in supporting student financial aid programs. And the President is ignoring that and, in fact, pushing us in the opposite direction. We need to push back and continue to fund those programs.

And the other is the Perkins Vocational Education program, $1.2 billion, that the President again recommends be eliminated. These are job training programs. And at a time when we are hemorrhaging jobs, and at a time when we need to remain competitive globally, to take away job training programs makes absolutely no sense.

So I am proud that the budget resolution addresses these three vital areas. I am hopeful we will be able to appropriate the moneys to keep these funds going. And I thank the chairman for his leadership on this and many other important issues.

Ms. DELAURO. I thank the gentleman from New York, and I thank him for his commitment.

You've said it well when you talk about investing in the next generation and you talk about our children being in a competitive marketplace and in a global economy. And what this budget does, as you actually stated, is it gives them the skills to compete in that competitive world. And again I thank the gentleman.

Mr. Chairman, I would like to yield now to the gentleman from Washington (Mr. BAIRD) for the purposes of engaging in a colloquy.

Mr. BAIRD. I thank the gentlelady.

One of the things I am most proud of about this budget, and I want to commend Chairman SPRATT for his work on, is his emphasis on keeping America competitive. And I want to talk about two ways it does that.

First of all, as my colleagues have mentioned, it fully funds the America COMPETES Act. It provides funding allowances to make sure that we have adequately trained teachers in science and mathematics to make sure that we have research investments.

This morning, on the 50th anniversary of the creation of the Science Committee, we heard from Bill Gates, the CEO of Microsoft. Chairman Gates spoke about the absolutely essential importance of training the next generation of scientists and engineers and of funding critical basic research in applied sciences. If we want our economies to be strong, we must invest in science. This budget provides for that.

The other side, which my colleagues have also mentioned, is career and technical education. I am proud to have cofounded the Career and Technical Education Caucus in this Congress. And I can tell you if you talk to business people throughout this country, they will tell you they desperately need trained and skilled workers. The President's budget would zero out the Perkins grant program, which provides essential resources for our career and technical education programs. Our Democratic budget restores that funding. If you or your child want a job in a highly skilled profession, career and technical education can provide that. Our budget makes sure those programs have the resources needed.

I am proud to support this budget.

Ms. DELAURO. I thank the gentleman.

And I just will reiterate that I think Mr. Gates has it right, and you have it right. It is about an innovation agenda, innovation and what our future is. We can't be stuck where we are. We need to deal with the resources that allow us to compete in a global economy, to have a competitive edge and look at the technology for the future, as well.

Mr. Chairman, I would now like to yield to the gentleman from Oregon (Mr. BLUMENAUER) for the purposes of engaging in a colloquy.

Mr. BLUMENAUER. Thank you. I appreciate the gentlelady's courtesy.

It is a little frustrating to listen to our friends repudiate the legacy of Ronald Reagan and Dick Darman who believed in the PAYGO philosophy. These people feel that they cannot balance revenue and spending, and they don't even want to try. We heard them in our committee propose adjustments that would have added over $1 trillion to the deficit.

This budget demonstrates the Democratic commitment to the environment, public health and livable communities in a fiscally sustainable fashion. This budget addresses the 7 years of cutting environmental programs and failing to address our energy needs and challenges of this country.

We reject the President's cuts to these programs and begin to reinvest in our public lands and domestic economy. This President's budget severely cuts important core environmental programs at a time when a third of our Nation's waters don't meet water quality standards and 150 million people live in areas that exceed EPA's air pollution standards. And the President's budget would provide some of the lowest levels of funding for clean water and drinking water revolving funds in their history, hurting communities' ability to meet their water infrastructure needs, which the EPA of the administration has estimated to be over a quarter of a billion dollars.

Finally, the President's budget cuts the USDA farm bill conservation programs which provide farmers with critical technical and financial assistance to reduce erosion, protect wildlife habitat and limit adverse impacts from agriculture on land and water.

Our budget rejects those cuts to natural resources environmental program. This provides 10 percent more to discretionary funding than the President's budget.

On the environment, over 5 years the chairman's mark is more than $26 billion higher than the President's budget.

This budget accommodates the legislation that the House has passed three times to increase tax incentives for renewable energy and conservation. It rejects the President's cuts to research as well as weatherization assistance for low-income families to cut down on energy bills. Instead, this bill increases funding for energy efficient and renewable energy programs and vehicle technologies that move our economies forward.

□ 1630

Ms. DELAURO. Just to conclude, I do want to say a thank you to the gentleman from Oregon. The real progress that we can make in this budget does require the critical long-term investments in our local communities in energy and in infrastructure, in which the gentleman has been a leader, and that is all contained in this budget proposed by Chairman JOHN SPRATT. I thank the gentleman, and I urge my colleagues to vote for the Spratt budget.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to a senior member of the Budget Committee, the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, the Democrats' leadership may not want to admit that they are going to impose on our Nation's workers, on our taxpayers, on the small and mid-sized businesses of this country the largest tax increase in American history. But, regrettably, as this Democratic budget again proves, raising taxes is exactly not only what they have planned, but what they are doing in this budget, and it is important that taxpayers know what these massive tax hikes will mean to them, to you, to the American people. So, let's take a look at how this budget impacts the American people, the American family, the American taxpayer.

A family of four with $50,000 in annual income would see a tax increase of over $2,100, $2,100 by 2011, as a result of this budget. That is a tax increase of 191 percent.

Forty-eight million married couples. So listen up, if you are one of those 48 million. Chances are you are. Forty-eight million married couples will see their tax bills rise by an average of $3,000.

Twelve million single women with dependents will face a tax increase of nearly $1,100.

Eighteen million seniors, 18 million seniors, will see a tax increase of more than $2,100 by 2011.

Twenty-seven million small business owners, who are the backbone of our national economy that create the jobs, will see their taxes increase by over $4,000.

More than 6 million low-income taxpayers, yes, 6 million low-income taxpayers who previously paid no Federal income tax, because of the changes in the Tax Code due to the elimination of the 10 percent tax rate, will see a huge tax increase.

These are just a few of the examples of what this budget does. I respectfully ask Members to oppose this budget.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. MCHENRY), a member of the budget committee.

Mr. MCHENRY. I thank my colleague for yielding.

Last year our friends on the other side of the aisle declared that they were going to ''clean up the swamp'' and get rid of the budget and its rampant waste, fraud, and abuse. In December of 2005, Speaker PELOSI proudly said, ''The budget is a statement of national priorities and our values as a Nation.''

Well, sadly, the Democrat values represented in this budget are waste, fraud, and abuse. It is very sad. But for my district, Mr. Chairman, this budget represents an average tax increase per taxpayer of $2,631 per year. Additional loss of income in a number of studies, because rising taxes will curb economic growth, an additional loss of $1,600. This budget is harmful to American values and American families.

I asked my Democrat colleagues to justify this for me. Why must we raise taxes by this rate? And yet nothing. I would be happy to yield to my colleagues to answer that question, why rising taxes are good for the American people. I hear nothing. I am willing to yield, but they have nothing. And what for? Waste, fraud, and abuse. Rising taxes. A government that is so large, and yet nothing is done to reform.

There are thousands of ways that we can eliminate this rampant growth of government. There are 91 programs that the administration targeted for elimination; 85 of them continue to be funded. In fact, half of them had increased funding last year under this Democratic Congress.

But what else is egregious, if you look at a Treasury Department report, you will find a section called ''Unreconciled Transactions.'' Well, they account for $25 billion worth of taxpayer funding that they know it was spent, but they don't know who, what, when, where, how, or why it was spent. This is rather disturbing.

We have the opportunity to right-size government, to reform government. When the U.S. Department of Education bureaucrats in these beautiful buildings down the street here, when they have an average wage of $93,000 a year, yet our average teacher in America only makes $47,000 a year, we know these values are wrong in this Democrat budget. I asked my Democrat colleagues to justify this. Yet nothing. I hear nothing.

Mr. SPRATT. If the gentleman wants to yield, I will gladly respond to his question. The gentleman keeps throwing these rhetorical questions.

The Acting CHAIRMAN. The gentleman from North Carolina controls the time.

Mr. MCHENRY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman has 30 seconds remaining.

Mr. MCHENRY. Instead of making the government bigger, we need to right-size government and reform government. Rather, this Democrat budget represents the efficiency and effectiveness of FEMA, the customer service of the IRS, and the real thoughtful approach of our immigration policy. And they want to expand these things. We need immigration reform. We need to reform government. We need to make sure we right-size government rather than expand this and grow it, which is what this Democrat budget does.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 3 minutes to the distinguished ranking member of the Veterans' Affairs Committee, the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, I rise today in support of the Republican alternative budget for fiscal year 2009. Overall, the Republican budget is $95.6 billion, the Democratic budget is $94.6 billion, and the President's mark is $93.6 billion.

Our budget will provide $49.2 billion in discretionary funding for veterans health care and programs. This is $2 billion above the administration's overall request and it is $1 billion over the Democrats' budget, and we do all of this without a $683 billion tax hike.

Out of the $49.2 billion in discretionary, $44.2 billion is medical care for FY 09. The House Republicans would provide nearly $1 billion more than the President's request. Included in that: We have about $213 million for mental health care; we increase $200 million more for improving health care to rural veterans; $150 million more on long-term care; $50 million more on medical care for veterans for OEF and OIF; we have $50 million more on dental care, which we also ought to be billing the Army for providing a lot of this. We also have $50 million more than the administration for polytrauma care and for caring for veterans with brain injury, i.e., traumatic or mild.

Republicans would also provide nearly $100 million more than the administration's request for medical and prosthetic research. We also add an additional $300 million for medical facilities and nonrecurring maintenance.

Mr. Chairman, to assist in the decreasing of the claims backlog and increased cybersecurity, we increase $200

million for the Office of Information Technology. Part of this money we are investing in funding to create rules-based adjudication systems for the veterans disability compensation claims.

The alternative also includes increases over the President's level in all funding categories, including the Office of Inspector General, grants for State cemeteries and extended care facilities and the National Cemetery Administration, among others.

Now, when we look at what the Democrat budget is doing, we have got a tax increase. This tax increase would hit middle-income veterans and their families, veterans who are low-income earners, and veterans who own small businesses. However, the Republican alternative would increase spending for veterans by $1 billion more than the Democrat budget, and we do this without increasing taxes on veterans.

I also would like everyone to note that I noticed, when I was back in my office watching the floor debate, there was a lot of waving going around of VSO letters. Well, the VSO letters, I think they would also love this Republican budget, because we increased veterans spending $1 billion more than the Democrats.

We also need to remember this: The very same Democrat majority this past year in the committee voted to cut $1 billion in veterans benefits. They did this on a party-line vote. They voted to cut $1 billion of veterans benefits, from who? From wartime disabled, elderly, and indigent veterans. So if you want to talk about who is going to stand for veterans, just go look at the vote in the House Veterans' Affairs Committee. They cut $1 billion.

Chet, that hurts. I know it is tough for you to defend. You didn't do it, and I know you will not stand for it.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair will remind all Members to address their remarks to the Chair.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 3 minutes to a senior Member of the Budget Committee, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Chairman, I rise today to voice my strong opposition to this, the largest tax increase on the American family in history. The average New Jersey taxpayer under this plan will see their tax increase by over $3,700. That is the second highest increase of any State in the Union under this budget. With property taxes in my State soaring out of control and the high cost of living in New Jersey, the last thing any member from the New Jersey delegation should want to do is to drastically increase the Federal taxes on New Jersey families, as the Democrat budget now does.

What about jobs? In an independent analysis by the Heritage Foundation for the Fifth District that I represent, we will lose 2,000 jobs due to this tax increase.

So I hope that everyone who is watching this debate will pay attention very closely to see how their Member from their State will vote, because if they vote in favor of this, they will see their taxes go up by around four grand in the future.

Last week, the day this budget was passed in committee, we had one of those late nights. It began around 10:30 in the morning; it ended a little after midnight. During that time, almost 30 amendments were tried by our side of the aisle, and almost every one of them was voted ''no'' and defeated by the Democrat side of the aisle.

Now, because that debate went so late in the evening, let me recap some of those, which I think was an intriguing debate that we had. I would like to go through and highlight a number of commonsense, good government initiatives that the Democrats voted against on every one.

One, Democrats unanimously voted against totally repealing the AMT.

Two, Democrats unanimously voted against all attempts to rescue Social Security and Medicare and make these and other programs sustainable for future generations.

Third, Democrats unanimously voted against eliminating air-drop earmarks and dedicating $1 billion, that was just indicated, for veterans programs.

Democrats also remain committed, apparently, to eliminating the 10 percent bracket for low-income individuals and raising taxes on families by $500 per child and reinstating the marriage penalty and reimposing the death tax.

The Democrats also unanimously voted against protecting the Social Security surplus. Instead, what they did, they chose to raid that fund simply to pay for more of their earmarks.

Democrats also unanimously voted against strengthening PAYGO. Instead, they preserved gaping holes that allow them to scam the system with the rules that maintain the guise of fiscal responsibility.

Democrats also unanimously voted against putting the House Members on record every time they vote to increase the debt.

Even more astoundingly, Democrats unanimously voted against their own legislation, a leading Blue Dog reform bill that would have required greater transparency and accountability in the budget process. Instead, what do they do, as with so many other good things, they put this commonsense idea off to another day.

Mr. Chairman, in conclusion, I want the American people to realize and understand that the Democrat members of the committee unanimously voted against all the proposals I just mentioned. They had the chance to improve this legislation. They refused to do so. And I encourage all of my colleagues to vote against this terrible budget and the largest tax increase burden on the American family.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I would like to yield 3 minutes to the distinguished gentleman from Texas, a senior member of the Ways and Means Committee, Mr. JOHNSON.

Mr. SAM JOHNSON of Texas. Thank you, Mr. Chairman. I support the priorities of the Republican budget to control spending and keep taxes low. I commend the Budget Committee ranking member, PAUL RYAN, for putting together a budget alternative that prevents expansion of the alternative minimum tax for 3 years and then achieves repeal of this tax system in 2013.

This is a huge step in modernizing the Tax Code, and it will give Americans certainty about their tax situation. The Democrat budget only puts the AMT on a leash for 1 year before allowing it to ravage more American families.

□ 1645

Our Republican budget would also ensure that American families continue to be free of the stupidity of the marriage penalty and that families get to keep tax credits for children. Finally, our budget would continue to help make sure that investment in American capitalism and jobs will continue to thrive by allowing the tax rate on dividends and long-term capital gains to stay at the 15 percent rate.

The Democrat budget would raise taxes on my constituents by $2,669. I don't see how we can support that. We balance the budget by 2012 by putting spending under control. It's important to know that total government spending does rise every year of the American budget, but there will be a lot of people claiming that we are actually cutting spending. Only in Washington can more spending be translated as a cut.

We pick and choose programs to cut by millions of dollars, and there are spending priorities that would get more money. That's what we are paid to do here in the Capitol, set priorities for what's important to the Nation.

Republicans in our budget take on the big issue of entitlement reform. I am very disappointed that the Democrat budget fails to seriously address the pending crisis in our country's entitlement programs. Congress has been warned many times that an entitlement reform is needed now. You would think the countless reports, testimonies and letters sent to Congress would get the attention of the majority. But if you look at their budget, you will see only the real action on reforming Social Security, Medicare or Medicaid is to kick the can down the road.

The cost is roughly $14 trillion. By refusing to make the tough decisions on how to resolve the serious financial trouble these programs are facing, the Democrats have decided to leave those decisions to someone else.

Medicare and Medicaid need real reform to stop the slippery slope these programs are currently on. We cannot tweak the edges and make small changes and expect dramatic results.

We need to take a look at some real success stories in Medicare and Medicaid and see how we can apply the lessons.

For example, independent actuaries again this year have announced that the projected costs for Medicare part D will be lower than expected. Beneficiaries have enjoyed premiums that are 40 percent lower than original estimates. Compare that to the fact that part B premiums have doubled in price over the last 6 years.

The Republican budget is a better proposal. I suggest you vote for it.

Mr. SPRATT. 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. LORETTA SANCHEZ of California) having assumed the chair, Mr. WEINER, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, had come to no resolution thereon.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. SPRATT. Madam Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration in the House.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 316

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, March 13, 2008, or Friday, March 14, 2008, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, March 31, 2008, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, March 13, 2008, through Friday, March 28, 2008, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, March 31, 2008, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

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

Mr. RYAN of Wisconsin. Madam 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, this 15-minute vote on adoption of the concurrent resolution will be followed by 5-minute votes on motions to suspend the rules with regard to House Resolution 936 and S. 2733.

The vote was taken by electronic device, and there were—yeas 211, nays 204, not voting 14, as follows:

[Roll No. 132]

YEAS—211

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Wynn
Yarmuth

NAYS—204

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—14

Carnahan
Gutierrez
Hooley
Issa
Kennedy
Marshall
Oberstar
Rangel
Renzi
Rush
Tancredo
Udall (CO)
Woolsey
Young (AK)

□ 1715

Messrs. DOOLITTLE and KIRK changed their vote from ''yea'' to ''nay.''

Messrs. WYNN, CARDOZA, JONES of North Carolina and GENE GREEN of Texas changed their vote from ''nay'' to ''yea.''

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING 200TH ANNIVERSARY OF GALLATIN REPORT ON ROADS AND CANALS, AND RECOGNIZING THE VAST CONTRIBUTIONS NATIONAL PLANNING EFFORTS HAVE PROVIDED

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 936, 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 Oregon (Mr. DEFAZIO) that the House suspend the rules and agree to the resolution, H. Res. 936, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 18, as follows:

[Roll No. 133]

YEAS—411

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—18

Becerra
Bono Mack
Courtney
Frelinghuysen
Gutierrez
Hooley
Hunter
Issa
Kennedy
Mack
Oberstar
Rangel
Renzi
Rush
Tancredo
Udall (CO)
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1723

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.

The title of the resolution was amended so as to read: ''Resolution reaffirming the goals and ideals that formed the impetus for Albert Gallatin's national plan for transportation improvements 200 years ago, and for other purposes.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. KENNEDY. Madam Speaker, on rollcall Nos. 132 and 133, I was speaking at the National Press Club on the National Neurotechnology Initiative Act. Had I been present, I would have voted "yea."

HIGHER EDUCATION EXTENSION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the Senate bill, S. 2733, on which the yeas and nays were ordered.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and pass the Senate bill, S. 2733.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 4, not voting 14, as follows:

[Roll No. 134]

YEAS—411

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney

Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (FL)

NAYS—4

Doolittle
Flake
Linder
Paul

NOT VOTING—14

Davis, Tom
Gutierrez
Hooley
Issa
Oberstar
Rangel
Renzi
Roskam
Rush
Sestak
Tancredo
Udall (CO)
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1730

So (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

The SPEAKER pro tempore (Mr. JACKSON of Illinois). Pursuant to House Resolution 1036 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 concurrent resolution, H. Con. Res. 312.

□ 1730

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 concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, with Ms. LORETTA SANCHEZ (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, 96 minutes of debate remained on the concurrent resolution.

The gentleman from South Carolina (Mr. SPRATT) has 49½ minutes remaining and the gentleman from Wisconsin (Mr. RYAN) has 46½ minutes remaining.

Sixty minutes remain on the subject of economic goals and policies.

Who yields time?

Mr. SPRATT. Madam Chairman, I yield 17 minutes to the gentleman from Florida (Mr. BOYD).

Mr. BOYD of Florida. Madam Chairman, I appreciate the gentleman, my friend, Chairman SPRATT, for yielding the time.

I rise today to speak in support of the budget resolution that Chairman SPRATT and his committee have crafted and brought to the House floor. Madam Chairman, in 2001, January of 2001, when this Republican administration came into office, and since that time, the 47-strong Blue Dog Coalition, fiscally conservative Blue Dog Coalition, has been sounding the alarm about the terrible financial management of our country's resources and financial resources, and we have been calling for fiscal sanity in terms of how we perform our duties as a government and how we pay for those duties.

Unfortunately, for the first 6 years of this administration, those calls fell on deaf ears of this Republican administration and in the Republican Congress. Since last January, a year ago, there has been a change in course in how this country, this government, this Congress does its business as it relates to managing the fiscal resources that our citizens here in the United States of America give to us to perform our community functions and our government functions.

And so we have before us today a budget resolution which meets the guiding principles that the Blue Dogs have laid out over the last 2 years in how we should manage ourselves fiscally.

And so I am extremely delighted to be here today to support the budget resolution that Chairman SPRATT brings and tell you that those guiding principles of having a balanced budget by 2012, an AMT fix that's paid for, abide by PAYGO rules, which is a very important tool, providing for the resources for the defense of our country. As a matter of fact, we used the President's defense number. All of those principles have been met in this budget, and I'm delighted to support that budget.

At this time, I would like to recognize the gentleman from Tennessee (Mr. TANNER) to address the budget resolution.

Mr. TANNER. Madam Chairman, we have seen, as Mr. BOYD pointed out, an unprecedented amount of borrowing take place since 2001. No political leadership in this country has borrowed as much money as quickly as we have seen over the last 80 months or so. That's just part of the story. Let me tell you the other part of the story.

This administration has borrowed more money from foreign sources than all 42 administrations before it put together. And apparently, some here on the floor want to keep doing what we've been doing.

This budget resolution is like an aircraft carrier. It takes seven miles to turn an aircraft carrier. This starts the turn back toward some degree of fiscal sanity. Let me tell you what the consequences of what we have witnessed are with this foreign borrowing.

Today, because of these practices, we are borrowing. Remember, now, we are in war in Iraq and Afghanistan. We are borrowing from foreign sources $505 million a day, $21 million an hour, which means we've borrowed probably close to $80 million since we started this debate, $351,000 a minute, $5,852 a second, for a total a year of $182 billion a year that everybody around the world is letting us have so that we can maintain, as some would suggest, our standard of living.

All of you know that when you degrade your financial base to the extent that we have and that we are continuing to do unless we begin to change courses, as this budget does, this country is going to wind up in the trash bin of history. No country can continue to do this. You would be interested to know that we owe China almost half a billion dollars. We owe Mexico $35 billion. We owe Taiwan $38 billion. Maybe Taiwan will give us a loan so we can defend them against China if that ever occurs. We owe Switzerland $39 billion, Japan over a half a trillion, the UK, Brazil, Caribbean Banking. We owe Luxembourg $70 billion, and it's going up every day to the tune of $500 million a year.

This budget starts to turn back toward some degree of fiscal sanity. Everybody in this country knows we can't continue to do what these people want to continue to do without bankrupting ourselves and our children.

Mr. BOYD of Florida. Madam Chairman, I thank the gentleman from Tennessee. He's been a leader on this issue for a long time and the leader of the Blue Dogs.

And at this time, I would like to recognize another one of our leaders from Arkansas (Mr. ROSS).

Mr. ROSS. Madam Chairman, earlier today my Blue Dog colleagues and I stood together to offer our official endorsement of Chairman SPRATT's budget because it is clear that we share the common goal of eliminating wasteful government spending, adhering to strict PAYGO principles, and finally addressing the long-term fiscal challenges facing this country. Not only does this budget resolution begin to address our long-term fiscal challenges, it also includes measures that crack down on wasteful government spending so that no tax dollar is wasted.

This budget continues to take steps to reverse the reckless fiscal policies of the past 7 years of Republican rule by incorporating strict PAYGO rules. It does this in two ways: First, it provides for fiscally responsible tax relief for 23 million middle-income Americans by including a fully offset fix to the alternative minimum tax; second, Chairman SPRATT's budget resolution includes a commitment to the extension of the same statutory PAYGO requirements which proved instrumental in turning the large deficits of the early 1990s under a Republican into record-budget surpluses under a Democrat for the first time in over 40 years.

The Blue Dogs are committed to addressing the serious long-term fiscal challenges facing the United States, and we should confront these challenges earlier rather than later so that we do not pass the burden of unmanageable debt on to our children and grandchildren.

This administration, this Republican administration, has borrowed more money from foreigners in the past 7 years than the previous 42 Presidents combined. It is time to restore common sense and fiscal discipline and accountability to our government. That's what this budget resolution does, and I'm pleased to stand and speak in support of it.

Mr. BOYD of Florida. Madam Chairman, it's my privilege to recognize at this time one of what we call our ''Blue Puppies,'' the gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Madam Chairman, I rise today to enter into this colloquy with Mr. BOYD to express my support for the House budget resolution for fiscal year 2009. A budget is a reflection of our national priorities. For far too long, the administration's priorities have been misplaced. In fact, the budget submitted by the President earlier this year makes cuts to Medicaid, Medicare, and the environment. In addition, it taxes our veterans by requiring them to pay new fees for health care.

As a result of this administration's misplaced priorities, the $5.6 trillion projected 10-year surplus that they have inherited has been squandered. As a result, our children and grandchildren are confronted with the challenge of paying back a $9.3 trillion debt.

This budget before us today, however, is a good budget for Florida and the Nation. The House budget protects our homeland by rejecting the President's cuts to first responder programs, reinstates funding for the COPS program, and that will put 247 more police on the street in Florida. This budget helps Florida's kids. It provides substantially more money for schools and education than the President's budget. It will allow our schools to hire the highly skilled teachers that over 25,000 Florida children need desperately to help them grow up and compete in the global economy. It rejects the President's irresponsible new fees that he wants to put on the backs of our veterans. It increases health care funding to allow our Veterans Administration to treat the 5.8 million more patients, including 333,000 from the Iraq and Afghanistan wars.

I support this budget because it is fiscally responsible, it balances the budget by 2012, and it adheres to all of the PAYGO rules. Finally, I support this budget because it protects the most vulnerable among us: our Nation's seniors. Specifically, the budget resolution improves support of housing for the elderly.

I would like to thank Chairman SPRATT for working with me to ensure that the Section 202 Housing for the Elderly program is adequately funded. I urge my colleagues to support this bill.

Mr. BOYD of Florida. Madam Chairman, I thank the gentleman from Florida (Mr. MAHONEY). He's been a great leader, and he's been successful before he got here, and he's going to be a successful Member of Congress.

I will call at this time on really the fiscal conscience of this House of Representatives, the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Madam Chairman, I'm happy to support this budget. One of the reasons is the extraordinary leadership of the chairman of the House Budget Committee, JOHN SPRATT from South Carolina. A true gentleman, a man of wisdom, he has done the difficult work of pulling a very diverse caucus together, and we appreciate his listening to Blue Dog concerns.

We are proud of our role as Blue Dogs as having pulled the Democratic Caucus towards the middle. That's a good thing and help make the Democratic Party the party of fiscal responsibility in America.

People who know me know that I am not a very partisan person. I admire greatly the ranking member, Mr. RYAN. I think he has done a great job in his conference of pulling the many diverse elements together. It is a tough job. My primary concern is actually the long-term, reforming entitlement programs. Sadly, there's very little of that in either of the budgets. There needs to be a lot more.

I'm championing a bill right now called H.R. 3654, the Cooper-Wolf bill, and I appreciate very much Chairman SPRATT allowing us to have hearings on that measure. I'm hoping those hearings will allow this Congress to focus attention on the need to have an expert bipartisan commission that will advise the new President, because problems of this dimension will take Presidential leadership to help work on making sure that Medicare and Social Security and Medicaid are solvent for the next generation.

So I'm excited about the prospect of those hearings. I think it is a real opportunity for this Congress to take a long-term view and to make sure that the next President is successful in addressing these problems. My friend from Wisconsin knows the dimension of these things. These are not easily tackled, but they can and must be addressed in a prompt fashion.

So I think that slowly but surely we are turning the ship of state here in the right direction. The statistics that my colleague from Tennessee mentioned about President George W. Bush having borrowed more money from foreign nations than every previous President in American history, that's an amazing thing. That's George Washington through Bill Clinton. To have borrowed more money from foreigners, all of them put together, is truly an astonishing fact.

□ 1745

We've got to change the course of this Nation. The American people are demanding change. I'm hoping that we'll get change in this election. And this budget is one way to start demonstrating that change.

I thank my friend from Florida for yielding and for his important work in leading the Blue Dog Coalition in this Congress.

Mr. BOYD of Florida. I thank the gentleman from Tennessee.

May I inquire of the Chair how much time we have left.

The Acting CHAIRMAN. The gentleman from Florida has 3½ minutes left.

Mr. BOYD of Florida. Let me simply close, Madam Chairman, by saying that there is always a lot of rhetoric and accusations flying around at budget time in the House of Representatives, and you will hear much talk about this budget raising taxes. Let me tell you, this budget does not raise taxes. The independent, nonpartisan groups outside of this body say that. Listen to them. They certainly would come at this in an objective manner.

What this budget does do is it sticks to the principles that the Blue Dogs have laid out. It adheres strictly to the PAYGO principle, a principle that helped us get the Federal Government budget back in balance in the nineties that this Congress in 2002 allowed to expire, the PAYGO principle.

This budget also provides for a fully offset AMT fix, fully offset. What does that mean? It's paid for. You either find spending cuts or other revenue sources to do it.

This budget also provides for adequate defense funding. One of the things that we said is let's not have the debate in this budget about the war. We know what the policy is now of this administration; let's provide the funds for our troops overseas and not have that debate here. This budget does that.

And most importantly, Madam Chairman, it provides a glide path for balance, gets this Nation's fiscal issues back into balance by 2012.

If I could, Madam Chairman, the gentlelady from South Dakota (Ms. HERSETH SANDLIN) has just arrived and I would like to yield to her.

Ms. HERSETH SANDLIN. I thank the gentleman. And I thank Chairman SPRATT and Mr. BOYD for their leadership on the Budget Committee in fashioning a budget resolution for fiscal year 2009 that is putting our fiscal condition on a course toward far better health than we've seen in the first 6 years of the Bush administration and the continued proposals that we've seen from the administration in the substantial cuts, but also the imbalance that we've been experiencing and adding to the national debt.

I am proud, as a member of the Blue Dog Coalition, to support this resolution because of so many of the core principles of our organization and fiscal responsibility that Mr. BOYD and Mr. COOPER and others have identified here in our endorsement, our strong and enthusiastic endorsement of this budget resolution that will bring us to balance by 2012, that will include in reconciliation instructions in light of what happened to us last year, the full offsets to pay for alternative minimum tax relief for middle-class families across the country, and that also maintains the principle of PAYGO, but also recognizes the importance of a strong national defense in accepting the President's number, as well as increasing the amount of money we are spending on veterans health care, because ongoing costs of national security include taking care of our Nation's fighting men and women.

I applaud Chairman SPRATT for his great work and encourage my colleagues to support this important budget resolution.

Mr. RYAN of Wisconsin. Madam Chairman, I yield myself 2 minutes, 2 minutes to say, ''wow.'' We just heard from the sort of self-proclaimed fiscal conservative wing of the Democratic Party talking about, while it's wrong to increase debt, it's bad to send this to future generations, and then to have all of them come here and say how great it is that they're spending so much more money on all these new programs in their budget.

We've also heard another claim, that there are no tax increases in this budget. Well, I've got the budget right here. The budget is a series of numbers, and the numbers are crystal clear. The numbers raise taxes.

We heard from two gentlemen from Florida, two gentlemen from Tennessee and the gentlelady from South Dakota. The average annual tax increase on the average taxpayer in Arkansas is $2,462 per year. The average tax increase for the taxpayer under this budget in Florida is $3,040. The average annual tax increase for the average taxpayer in South Dakota is $2,596. And the average tax increase for the average taxpayer in Tennessee is $2,611.

Now there is this thing at the end of this budget resolution in section 5, and it's a policy title. And it says, basically, we don't want to raise these taxes, we hope not to do it, but this resolution, Madam Chairman, is worth no more than the paper it's printed on. It's simply a sense of the Congress resolution. It's the legislative equivalent of passing a bill and saying, ''Have a nice day.''

This budget unequivocally, extremely clearly, relies on, depends on the largest tax increase in American history. Repealing the marriage tax penalty relief, raising income tax rates across the board, cutting in half the marriage tax penalty, bringing back the death tax in full force, raising the dividends in the capital gains tax. Real taxpayers paying really high taxes, about $3,000 on average: $2,400 in Arkansas, $3,000 in Florida, $2,600 in South Dakota, $2,600 in Tennessee. That's real money.

With that, Madam Chairman, I yield 2 minutes to the distinguished gentleman from Louisiana, the ranking member of the Ways and Means Committee, Mr. MCCRERY.

Mr. MCCRERY. Madam Chairman, the speakers from the majority side for the last 15 minutes or so are among the Members of the House that I have the most respect for, Mr. COOPER, Mr. TANNER, Mr. BOYD. I have watched them over the last few years show courage when it comes to fiscal discipline, when it comes to entitlement reform and suggesting a need for entitlement reform. So it was with some surprise that I heard them today endorse the majority's budget as crafted by the majority on the Budget Committee.

And the reason I say I was somewhat surprised is that I believe those gentlemen over the years have talked about the need to constrain spending at the Federal level, to restrain spending. That's the whole point of talking about entitlement reform. They know that the entitlement programs, Social Security, Medicare, Medicaid, are unsustainable as currently structured. And with some courage, they have talked over the last few years about the need to tackle those problems and get this spending under control.

And so when my friend, Mr. TANNER, talked about turning this ship, and it takes so many miles and so long to turn a ship and this budget starts the turn and that's a great thing, well, the minority budget does the same thing. It starts to turn that ship in the right direction, also, toward a balanced budget. The difference is the majority's budget turns that ship with the energy source of higher taxes, whereas our ship, the minority ship, is being turned with the energy source of restrained spending.

So I hope, Madam Chairman, that my good friends, for whom I have much respect, will see the light before the vote comes and join us in supporting a budget that does what they want to do, that gets the ship of state turned in the right direction, but does it through what they have advocated very soundly over the last few years, which is spending restraint, not increases in taxes.

Mr. RYAN of Wisconsin. Madam Chairman, at this time, I yield 2 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Madam Chairman, we are now in year two of the Democrat majority. For the second year in a row they're proposing a budget that calls for the largest tax increase in American history, $683 billion significantly more than last year's budget. For our constituents, this means eliminating the lower marginal tax rates, a new penalty on marriage, a lower child tax credit, and new taxes on investment and retirement savings.

In California, taxpayers can look forward to an additional $3,331 in taxes. Meanwhile, anticipating a tax hike, our Nation's employers would think twice before hiring that next worker or

investing in new infrastructure. Madam Chairman, we need permanent tax relief, not higher taxes. What's more, this Democrat budget fails to address the long-term solvency of Social Security and Medicare.

Every year we do nothing, as prescribed in the budget before us, our future debt goes up by another $2 trillion. Without reform, our three largest entitlement programs will keep growing until they crowd out everything else in the Federal budget, from national defense to transportation, to assistance for the poor. Ignoring the problem will not make it go away.

I urge my colleagues to vote ''no'' on this budget and support our more responsible Republican alternative.

Mr. RYAN of Wisconsin. Madam Chairman, at this time, I yield 2 minutes to a senior member of the Ways and Means Committee, the ranking member of the Health Subcommittee, Mr. CAMP from Michigan.

Mr. CAMP of Michigan. I thank the gentleman for yielding.

Under the budget resolution put forth by the majority, every American should be aware that their wallets are going to get a lot lighter. As the economy softens and we lose jobs, the Democrat budget resolution prescribes an overpowering combination of tax hikes and wasteful spending that will have our economy reeling.

The one positive thing I will say about this budget resolution is that it provides Americans with an excellent glimpse into the future under a Democrat majority; more spending, more taxes, and more of Washington telling you what to do.

The majority has written a budget blueprint that imposes a massive, unheard of $3.9 trillion tax hike that will cause the average American household to pay $3,000 extra in Federal taxes next year. Washington doesn't need this money. Washington doesn't need to spend an extra $3.9 trillion of the American people's money on redundant wasteful government programs.

The bureaucracy is far from being starved of revenue. Especially under these economic circumstances, it is wrong for this House, for this Congress, for this government to raise taxes.

Under the Democrats' budget resolution Washington spending will increase because 44 million children will no longer qualify for the $1,000 child tax credit. It will increase because American couples will be hit by the marriage penalty.

Don't believe these taxes will just be on the rich. Under this budget, low-income Americans will be forced into a higher tax bracket. Worse yet, Federal spending will increase because Americans will no longer be able to pass on a lifetime of dedication, devotion and hard work to the next generation. Instead, Uncle Sam will reap a whopping 55 percent death tax. Taxing the living isn't enough for the Democrats; under this budget resolution, they even go after the dearly departed.

We should be cutting spending to balance our budget, not raising taxes. With rising food prices, energy costs, health care spending and other everyday bills going up, this is no time for Congress to ask Americans to pay more and make do with less.

I urge my colleagues to reject this massive tax hike and vote ''no'' on the budget resolution.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I yield 2 minutes to the gentlelady from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I thank the gentleman from Wisconsin, who is doing a wonderful job presenting this today on the budget.

Mr. Chairman, it was about this time last year that we came to the House floor, I was a brand new freshman, and I have to say my jaw dropped when I looked at the budget proposal. Being a mom of five kids, 23 foster kids, just an average family, we know what it is to balance a budget just in our own home. And I saw the Democrats lay out their budget proposal which was the largest tax increase in American history.

And here we are, it's deja vu all over again because we see the Democrats are now having a tax increase that's even higher than last year, $683 billion. It's hard to count that high, Mr. Chairman, $683 billion in tax increases, hitting Americans at the most inauspicious time when we're in an uncertain economy, when families clearly across the Nation are paying more for health care, for education, certainly for gas, certainly for groceries.

□ 1800

And in Minnesota in particular, this means an average individual tax increase of $3,088.

Yes, Minnesotans, this means an average tax increase for you of $3,088. I know you have many other places where you could use $3,088.

And it's an average loss in income for people in my district, Mr. Chairman, of $1,609.

Unfortunately, it gets worse. It means over 2,665 fewer jobs for people in Minnesota, $292 million less in our local economy.

Those are real people's lives that are impacted by those figures. They aren't just numbers. They're real people's lives. And it's pain and it's suffering that this Congress does not have to deliver to normal average American taxpayers. In total, this budget increases our Federal tax burden, unbelievably, from 18 percent of GDP to over 20 percent of GDP in 2013.

Mr. RYAN of Wisconsin. I thank the gentlewoman for her comments.

At this time, Mr. Chairman, I would like to yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Chairman, I rise in support of fiscal responsibility, and, therefore, conscience demands that I rise in opposition to the budget of the liberal Democratic majority in Congress.

The American people deserve to know. We have a $9.3 trillion national debt. They also deserve to know that there are some $53 trillion in unfunded obligations that this government has committed to in Social Security, Medicare, and Medicaid that our children and grandchildren will have to find some way to resolve and to fund. Frankly, if this government was a business back in Indiana, we'd have to file bankruptcy.

Now, tomorrow Republicans will offer a budget to deal with this fiscal crisis at the national level that's based on spending restraint, entitlement reform. It balances the Federal budget without taxes and without earmarks.

But the answer from the Democrat majority in Congress: The largest budget in American history, $3.1 trillion. The largest 1-year increase in public debt in American history, some $646 billion. More earmarks, higher taxes, and nothing to reform the entitlement spending that threatens the vitality of our economy and the very future of our children and grandchildren.

In 2006, the American people voted for change in Washington, D.C., but they weren't referring to what would be left in their pockets after the Democrats took control. We must balance the Federal budget with fiscal discipline and reform, not with more spending and more taxes. We must reject the policies of the new liberal Democrat majority in Congress and reject this budget.

I urge my colleagues to vote for fiscal discipline and reform and join me in voting against the budget priorities of the liberal Democrat majority in Congress.

Mr. RYAN of Wisconsin. At this time, Mr. Chairman, I would like to yield 2 minutes to the distinguished ranking member of the Agriculture Committee, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the ranking member for yielding me this time.

Mr. Chairman, I rise today in opposition to this bloated budget resolution.

Facing a slowing economy and an increased cost of living, Americans have to tighten their belts and carefully budget their hard-earned money. It's time the Federal Government did the same.

Instead, the budget proposed by the majority exceeds the President's spending levels by $276 billion over 5 years. This budget increases discretionary spending and fails to touch entitlement reform.

To pay for the massive spending increases, the bill passes the cost on to lower and middle class American taxpayers. This budget resolution calls for the largest tax increase in American history, $683 billion over the next 5 years, which means 116 million taxpayers will face an average tax hike of more than $1,800. Worst of all, it raises the debt by $646 billion.

Mr. Chairman, Washington has a spending problem, not a revenue problem. This budget makes no attempt to rein in wasteful government spending or balance our Federal budget. I believe it should be the highest priority in this House to balance the budget, which is why, on the first day of this Congress, I introduced House Joint Resolution 1, a constitutional amendment to require that the Federal budget be balanced, with 160 bipartisan cosponsors.

When families across the country are preparing their budget, they know that they can't spend more than they take in. It's a simple concept but one that Congress has not adhered to for far too long. We must balance the budget and cut the national debt, not by raising taxes but by being good stewards of taxpayer money.

Mr. Chairman, I urge my colleagues to join me in rejecting this fiscally irresponsible budget and rein in wasteful spending.

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

Mr. SPRATT. Mr. Chairman, I yield 17 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank the chairman for yielding.

Mr. Chairman, I'd first like to begin by sincerely congratulating the chairman of the committee and the ranking member from Wisconsin for, I think, a very thoughtful and substantive approach to a very serious set of problems. I think that the tone and quality of the debate on the House floor this afternoon has served the country well and has served the institution well, and it is entirely owing to the leadership of the chairman and ranking member and the men and women who serve the Members' committee so well, and I appreciate that.

I strongly support the gentleman from South Carolina's (Mr. SPRATT) budget. I think it's the right thing for the country based upon an analysis of facts, choices, and consequences. The most important factual reason that the gentleman from South Carolina's (Mr. SPRATT) budget benefits and strengthens families in our country is it operates on the principle that American families operate under, which is you can't live on borrowed money forever. You can't run your credit card up forever and hope that you win the lottery someday to get yourself out of that mess. The gentleman from South Carolina's (Mr. SPRATT) budget, just as American families do across this country, recognizes the reality that you have to make choices.

Now, the other fact that I think is very important that Members realize is that this budget does not have a tax increase for anyone this year or anyone next year or anyone last year. One of our friends on the other side, Mr. Chairman, said that this was deja vu, this budget. She was exactly right because most of us were here almost exactly a year ago and heard a ritualistic incantation from the minority side that this was the largest tax increase in American history, the largest tax increase in the history of the world, the largest tax increase in the history of the universe, the largest tax increase in whatever's larger than the universe.

Mr. Chairman, I'd just invite the people of this country to evaluate the validity of that claim. When they sit down and fill out their tax return this year, they should ask themselves the question, did my income tax rates go up? No, they didn't. Did the capital gains tax rates go up? No, they didn't. Did the excise taxes go up? No, they didn't. And the same answer would be true for this year and the year after that.

Now, I am sure, Mr. Chairman, that people listen to this debate and they say, how can this be that the Democrats get up and say there are no tax increases in this budget and the Republicans get up and say it's the largest tax increase in the history of civilization or whatever the latest version of it is? Here's the answer:

In 2010 the tax cuts enacted earlier in this decade expire, and the Congress will have to make a choice. Until then, there is no tax raised on anyone for anything. When that day occurs, this budget contemplates that we will do what families across the country do and make an intelligent decision. If the economy bounces back and grows, there's a very good chance there will be plenty of revenue to renew all of those tax cuts. If it doesn't, then the Congress has the choice of reducing spending in given areas to finance tax cuts for all or some of the people who would be affected.

But what we will not do is what the erstwhile majority elevated to an art form during its reign, which is to borrow the money to pay the bills. We won't indebt the children of this country to the People's Republic of China and our other creditors because we don't have the discipline to make a decision here.

There's a big choice. Our budget believes that the economy grows and American families prosper by stopping the practice of borrowing money to run the government, by investing in the education and health care and development of our people, and by expanding economic opportunity. We believe that works.

The other side, with great sincerity, believes that massive tax breaks for the wealthiest people will trickle down to the rest of us and that will work.

This is the big choice we have to make, but there is a record for this choice. We do not have to make this choice in the empty vacuum of political theory. You see, because we tried their way for 6 years when they had control of both Chambers and the White House, and our strategy of stopping the practice of borrowing money, investing in people, expanding economic opportunity is what we tried for most of the 1990s, and there's a record. They created some jobs through their strategy. But for every one job they created, we created five. There was some economic growth under their strategy, but for every dollar of economic growth they created or facilitated, we created a dollar and a half.

What was the impact of their strategy on the American families that this budget supports? Well, over a 6-year period, the purchasing power of a typical middle class American family shrunk by $1,100. During the years in which our strategy was the policy of this country, the purchasing power of a middle class family increased by $6,000.

Mr. RYAN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield briefly to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Isn't it the case that the Republicans controlled Congress from 1995 on?

Mr. ANDREWS. Yes.

Reclaiming my time, it's also the case that every single Republican there in 1993 voted against the plan that put that into effect and, therefore, they have no ownership.

So I would say the record is very, very clear, that I think our friend from Wisconsin and his fellow colleagues on the committee are very well intentioned about the policy they followed to help American families. I just think they're wrong, and I think the record shows that they're wrong.

Now, what are some of the consequences in this budget between their way and our way? Well, one of them is the issue of middle class tax cuts. Now, they are going to say that all these middle class taxes are going to go up.

Here's the reality: The budget contains what we call a reserve fund for the purpose of financing middle class tax cuts. And, again, when we reach that point, we will make a decision as to how best to preserve those, either based upon growth in the economy, which we certainly hope will occur, in offsets in spending, which we are prepared to make, or in other sources of revenue which we have brought to this floor before.

□ 1815

Look at the issue of children's health care. Last year, we attempted to provide health insurance for 5 million additional children. These are the children of people that work in convenience stores, gas stations and retail stores. These are very hardworking people who are struggling to get ahead. And there is a program that has worked very well since 1997 to help those families and their children. Now, we wanted to expand that coverage to 5 million more children, and we paid for it. A great number of Members on their side voted for this, and a great number of Members of the other body on their side voted for this, but not quite enough, because we ran into a Presidential veto, and we couldn't quite override it here.

Our budget will do the same thing. It will say let's find health insurance for

5 million more children who do not have it, and let's pay for it. Let's not pay for it by borrowed money.

For those who are trying to live by collecting child support enforcement, there are more resources for it. For those women who are pregnant or have small children and want to promote their well-being, there is more money for it. For Americans struggling to deal with getting by and paying the grocery bills on food stamps, there is more resources for this. Public health issues, whether it is the spread of disease or the prevention of disease, there is more resources for this, as well.

This budget proceeds on the powerful principle on which American families proceed. Don't try to survive on borrowed money forever. It puts us in position to make difficult and sometimes unpopular choices. It does not raise taxes on anyone in the fiscal year that is in front of us, and it makes investments in the strategy for economic growth that has worked in the past and we believe will work again.

I know that the gentlelady from Massachusetts (Ms. TSONGAS) who is new to the institution, but in no way new to serving her constituents, has a special concern about block grants. I would like to encourage her to engage in a colloquy at this time.

Ms. TSONGAS. I would like to thank the gentleman from New Jersey.

Like my colleagues, I was disappointed that the President's budget made such a poor investment in the health of our Nation's cities and communities at a time when strong action is necessary to stave off economic ruin for many hardworking Americans. Our cities are our Nation's economic engines, providing vital infrastructure, the foundation for an educated workforce, and for the health of our communities.

For any of us who represents a city of any size, we know what a challenge it is, and yet how important it is that the Federal Government be a strategic partner with them. When I asked leaders in the cities of my district how the Federal Government could best help, the answer was unhesitating and unequivocal: Community Development Block Grant funding. CDBG funding has improved the quality of life in the cities of the Merrimack Valley in my district and in thousands of other cities across the country by helping to improve parks, add green space, and create affordable housing.

In Lowell, CDBG funds were used to reclaim a contaminated site creating the potential to attract new companies to employ city residents. And they are not alone in putting these funds to such good use. Most recently, the City of Lawrence suffered a devastating fire which destroyed businesses and homes downtown. CDBG funding has been critical for razing and rebuilding these destroyed properties.

If CDBG funding is not adequately in place, communities like this, faced with disaster, would have few alternatives to help finance their recovery effort, not to mention the loss of support for vital housing and community and economic development activities that States and local governments have come to rely on.

I would like to confirm with the gentleman from New Jersey that the budget resolution before us today thankfully rejects the President's cuts to the grant programs that have proven so critical to helping our communities and provide additional funding for CBDG and other economic development and affordable housing priorities.

I would also like to confirm that the budget before us today rejects the President's proposal to eliminate the Social Services Block Grant. Cities in my district rely on social service and community service grants to carry out programs ranging from parenting classes and consumer and tax counseling to child enrichment and adult literacy classes. Without these funds, critical elements of our social safety net will be lost exactly when American families need them most.

I thank the gentleman for engaging in a colloquy and for presenting us with a budget that makes both a moral statement about our priorities and a reality-driven investment in the continued growth and vitality of our communities.

Mr. SPRATT. I can assure the gentlelady that the programs that are of concern to her from the Community Development Block Grant, the Social Services Block Grant and the Community Services Block Grant are all accommodated in this budget resolution, and we definitely oppose certainly the repeal of the Social Services Block Grant.

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. ALTMIRE, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3773, FISA AMENDMENTS ACT OF 2008

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110–549) on the resolution (H. Res. 1041) providing for the consideration of the Senate amendment to the bill (H.R. 3773) to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

The SPEAKER pro tempore. Pursuant to House Resolution 1036 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 concurrent resolution, H. Con. Res. 312.

□ 1822

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 concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, with Mr. ALTMIRE (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the gentleman from South Carolina (Mr. SPRATT) had 23 minutes remaining and the gentleman from Wisconsin (Mr. RYAN) had 32½ minutes remaining.

Mr. SPRATT. Could the Chair please inform us of the time allotted to the gentleman from New Jersey (Mr. ANDREWS), how much remains available.

The Acting CHAIRMAN. The gentleman from New Jersey has 4½ minutes remaining.

Mr. SPRATT. I yield to the gentleman the balance of his time.

Mr. ANDREWS. At this time I am pleased to yield to the gentlewoman who has been a leader on child support efforts for purpose of a colloquy, the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. I thank the gentleman from New Jersey.

The Democratic budget resolution is a lifeline to families during this economic downturn. One aspect of the chairman's mark before us calls on Congress to restore the harmful cuts made to the Child Support Enforcement program, and as a result of the only bipartisan amendment brought forth by the ranking member and me, it restores the ability of States to pass along every cent of child support collected to families rather than nickeling and diming them out of this child support to make repayments to government bureaucracies.

Since we have demanded that parents move off welfare and take financial responsibility for their families, child

support has become the premier safety net for children. Therefore, Congress should make every effort to ensure that child support is collected and that all of it goes to families.

The Child Support Enforcement program collected more than $24 billion for 17 million children participating in the program in 2006. The Child Support Enforcement program doubled its collection rate in the past 10 years and is consistently among the Office of Management and Budget's top-rated government programs. Why? Because research has shown that it is a very cost-effective program, that for every $1 spent on child support enforcement, $6.50 of child support is collected.

With this budget resolution, which restores the Child Support Enforcement cuts, the Congressional Budget Office estimates that $11 billion in child support payments would go uncollected over the next 10 years, even if States backfilled half of the lost Federal funds.

Additionally, Child Support Enforcement supports domestic violence services and initiatives to help fathers work, support their children and stay out of prison. Families need their child support payments to pay for their children's basic needs because children represent a disproportionate share of the poor in the United States. While they are only 25 percent of the population, they represent 35 percent of the poor. Loss of child support income could not come at a worse time for families. Their ability to make ends meet has already been battered by unemployment, rising gas and home energy costs and rising food costs.

Mr. RYAN of Wisconsin. If the gentleman would yield, I simply wanted to chime in and compliment the gentlelady as well, my friend from Wisconsin. She and I coauthored an amendment to this budget resolution on this issue.

It makes no sense for child support payments not to go to the children. That is unfortunately what is happening today. And I would very much like to work with the gentlelady and anybody who is interested in coming up with the offsets in the Ways and Means Committee, from which this jurisdiction derives, to find a way to fix this problem. I think this is an area that has wide bipartisan support. And this is one of those areas where I surely would like to think we can come up with the savings to fix this injustice.

I appreciate the gentleman yielding.

Mr. SPRATT. That was one amendment that was agreed to in the markup, and I think it would behoove us all, the gentlelady particularly, if we get together and see if we couldn't move the legislation. That would be great.

Mr. ANDREWS. I thank the gentlelady for her contribution.

Ms. MOORE of Wisconsin. And I thank the ranking member, the chairman and all of the members of the Budget Committee for looking at this very serious issue.

Mr. ANDREWS. At this time I would like to engage in colloquy the gentlelady from New Hampshire who has seen firsthand the ravages of neglect of people out in the community when you don't fund important programs, and I know she supports this budget because it does, Ms. SHEA-PORTER.

Ms. SHEA-PORTER. Thank you for the time, and I thank Chairman SPRATT and the Budget Committee for producing a fair and responsible budget, a moral document that is fiscally responsible.

Mr. Chairman, I have been deeply concerned about the President's proposed cuts to the Low-Income Home Energy Assistance Program known as LIHEAP. LIHEAP provides critical assistance to millions of families in America. Every winter, tens of thousands of families in New Hampshire rely on this program to heat their homes. Over 40,000 members each year for the past 2 years have applied to the fuel assistance program for help with heating bills. This winter, the average cost of heating a home with heating oil is expected to climb to over $2,000 per family, more than three times the $627 that it cost just 6 years ago. But LIHEAP has not failed to keep pace with the dramatic cost. It has actually dropped.

The Acting CHAIRMAN. The gentleman from New Jersey's time has expired.

The gentleman from South Carolina has 18½ minutes remaining.

Mr. SPRATT. Does the gentlewoman require further time?

Ms. SHEA-PORTER. Yes.

Mr. SPRATT. I yield to the gentlewoman 1 additional minute.

Ms. SHEA-PORTER. For fiscal year 2009, the President proposed just $2 billion for LIHEAP, a $570 million painful cut from what Congress provided for 2008. This irresponsible cut could force New Hampshire to lose over $2.5 million in funding next year.

I applaud the committee for rejecting these proposed cuts and for increasing funding for LIHEAP and other programs that will help the middle-income and lower-income families in New Hampshire and across the country. And I thank you.

Mr. RYAN of Wisconsin. Mr. Chairman, may I inquire as to how much time remains between the two sides.

The Acting CHAIRMAN. The gentleman from South Carolina has 17½ minutes remaining. The gentleman from Wisconsin has 32½ minutes remaining.

Mr. RYAN of Wisconsin. At this time, Mr. Chairman, I would like to yield 6 minutes to the gentleman from Texas (Mr. HENSARLING), a senior member of the Budget Committee.

□ 1830

Mr. HENSARLING. I thank the ranking member for yielding, and I am sorry that my friend from New Jersey has apparently left the floor. No, I see him there. We had the occasion to debate this budget earlier today. I believe that he just said every Republican voted against OBRA in 1993 and that is what unleashed economic growth, but if I did my homework correctly, I think the gentleman from New Jersey voted against it as well. I would be happy to yield to the gentleman if I was incorrect in my assertion.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from New Jersey.

Mr. ANDREWS. I mostly certainly did, and I am about to say something that I think the chairman can confirm we very rarely hear around here. I was wrong. You see, I thought what you guys now think. I thought that an increase in the top marginal rates would, as the former Speaker at the time said, cause a recession in the country, and the evidence showed it didn't happen. And I am willing to admit that that is a vote I should have cast the other way, and I was wrong to do it, and so were all your guys.

Mr. RYAN of Wisconsin. If the gentleman would yield, it is also interesting that after that tax increase, from that tax bracket, the Federal Government actually brought in less money under those higher tax rates.

Mr. HENSARLING. Well, I thank the gentleman once again for yielding.

There is a big question again about tax increases, and I have heard many of my friends on the other side of the aisle argue that there is no tax increase included in their budget; yet, Mr. Chairman, they claim that they are going to balance the budget in 2012. Well, the only way they can do that is by capturing all these tax revenues.

Now, some of them use very clever Washington language. They say, well, we are not raising taxes on working men and women in America. We are just letting tax relief expire.

Well, that is a very fine distinction that is lost upon the working men and women of America. I mean, there is this odd quirk in Washington that somehow spending is forever and it grows exponentially at the expense of the family budget, and yet tax relief somehow is temporary.

The bottom line is that very soon, within two budget years, there is going to be a massive tax increase upon the American people. There will be, again, the largest single tax increase in American history. Now, we were just talking about the earlier record when the Democrats were in control of Congress of $241 billion. The tax increase they are proposing now will dwarf that, $683 billion, the largest tax increase in American history.

Again, they want to claim credit for balancing the budget, and I certainly salute their goal. The Republican budget, it balances the budget without tax increases. But if you look and actually read the numbers, and ultimately the numbers are the only thing you can count on in a budget, well, Mr. Chairman, this is their budget right here.

That is them taking in all of these tax increases. That is how they claim to balance the budget. So, again, there is going to be huge, massive tax increases, scheduled, automatic tax increases. The Republican budget prevents those tax increases from coming into fruition.

Now, I have heard our chairman, and I have the greatest amount of respect for the chairman, say on many occasions, well, you know, this is the way the law was written. But, Mr. Chairman, if I did my homework correctly, there have been at least 21 different occasions over the last 5 years to make sure that these automatic tax increases on hardworking American people didn't take place. And as I look at the voting record, the overwhelming majority of Democrats voted to make sure that these tax increases do take place, so I am sure they don't want to admit to the American people that they are raising taxes. But they are.

So, Mr. Chairman, what is going to happen? Well, let me tell you what is going to happen under this Democrat budget.

Number one, 116 million taxpayers will see an average tax increase of more than $1,800 per year.

More than 6 million low-income individuals and couples who currently pay no taxes, no taxes, will no longer be exempt and will have to start paying income taxes.

A family of four earning $50,000 will see their taxes increase by $2,100.

Low-income families with one or two children will no longer be eligible for the refundable child tax credit in 2011.

Tax bills for an estimated 27 million small business owners will increase by more than $4,000 each.

Mr. Chairman, I was a small businessman before I came to Congress, and let me tell you, excess taxation prevents small businesses from creating jobs. A job is the greatest housing program, nutritional program, and educational program in the history of mankind. It is a paycheck, not a welfare check. Yet the Democrat tax increase is a dagger aimed at the heart of small business throughout our Nation.

The capital gains tax is going to go up 33 percent, the capital of capitalism. If you want to be able to have job growth, you have to have capital. Taxes on dividends go up 164 percent under their plan.

Mr. Chairman, the death tax, that is a tax that is immoral. It ought to be illegal. It goes away, and under this Democrat budget, it comes back as high as 55 percent.

The child tax credit is cut in half. The lowest tax bracket is increased 50 percent.

These are just the tax increases that have been passed into law. How about the others that the Democrats attempted to pass? H.R. 6 attempted to increase taxes $7.7 billion. H.R. 976 attempted to raise taxes $1.4 billion; H.R. 3963 tried to raise taxes $71.5 billion.

Now we have Chairman RANGEL of the Ways and Means Committee wanting to raise taxes trillions of dollars in the years to come for the AMT. We have a 50 cent increase in gasoline tax recommended by the Energy and Commerce chairman, Mr. DINGELL of Michigan, and an additional 5 cent increase per gallon gas hike proposed by Representative JAMES OBERSTAR, chairman of the Transportation and Infrastructure Committee.

There is no getting around it. This is the largest single tax increase on American history. It is going to cost American families an average of $3,000 a year as they try to educate their children, as they try to keep a roof over their head, as they try to realize their American Dream.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I would like to yield 4 minutes to the gentleman from Michigan (Mr. MCCOTTER), the chairman of the Republican Policy Committee.

Mr. MCCOTTER. Mr. Chairman, I come from Michigan, a State that respects honesty, even when one is in error, so I must admit that I was pleasantly surprised by the integrity, if not the ultimate decision, that we heard from the gentleman from New Jersey.

We heard a lot about change over the course of a year or two, and I too must be honest. We have seen change in how Washington budgets. We have seen change. We have gone from bad to worse.

Now, as I recall sitting in Michigan, living there with my wife and children, I have seen a similar instance out of my State government which, in a one-State depression, faced the choice of allowing working families to keep their money and protect their budgets or raising taxes and protecting the State budget.

They started with the smokers. They went after them. They took their money. Nobody likes smokers. Who cares? Then they had a one-time-only property tax advance. They never did tell us when the property tax relief comes, but I am sure one day it will. It is only once. And then they raised our income taxes. They raised our income taxes because by then it was for the greater good. And whose family budget wants to stay in the way of the greater good? Certainly not somebody like me, somebody whose children are looking at college, somebody whose mother may be getting older and may need care, somebody who worries that their dreams of their future for their children might go up in ashes in a State that is mismanaged by a government that cares more about itself than it cares about the sovereign citizens who elected it.

And then I come out here to do their work as their servant and I see the same thing. I see the same thing. I hear the same talk. I see the change that was promised and delivered. The sad part is the promise was implied.

I remember hearing the government spent too much. Got to stop. The government spent too much. We are going to change that. I didn't hear the part where you said the government spends too much. We are going to spend more.

I heard people talk about working families struggling, and we are only going to tax the rich. We are only going to tax the rich. Evidently we must not be doing too well. There is not enough rich to back up the promises. So what do we do? The largest tax increase in American history on everybody. Well, that is a change. I concede the point. It is a change.

But I was shocked again with both the honor and the erroneous conclusion of the gentleman from New Jersey. I never in my life expected to see a Member of Congress apologize for not raising taxes on the American people. That is a change. I grant you that.

The question is then, if the American people need to have their taxes raised to come into prosperity, surely you know what the ultimate number is. How high, how fast until we get to prosperity? How much more of my money has to go the Federal Government before I can dream for my family and feed them? Surely somebody must know that number.

Is this largest tax increase in American history going to be the last? Are we then going to reach the American Dream? Are we going to have our liberty and economics to pursue that dream through our own works, or will government have to do that for us? Are we going to get bureaucrats as life coaches? What is going to be necessary? Give me a number. I haven't heard that number. I haven't heard that percent.

I think the one thing that we do need to change immediately right now in rejecting this budget scheme to bloat, to soak your family budget, to bloat the Federal Government's budget, is I want to hear somebody admit that America's economic prosperity comes from our free people, not from the growth of government, for that is a truth to hear that would be a refreshing change of late.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 3½ minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Mr. Chairman, I rise today in opposition to the budget resolution. We have received repeated warnings about Medicare and Social Security, that they are on their way to insolvency. I think we all know that. In fact, CBO recently projected that Social Security will begin to pay out more than it takes in by the year 2020, and at the same time Medicare spending will likely double over the next 10 years.

But inexplicably, this budget does nothing. It contains no action over the next 5 years to change this course. Instead, it would allow the unfunded liabilities of both of these programs to grow from almost $39 trillion today to about $52 trillion by 2013. That is a 2 to $3 trillion increase every year. This means that over the next 5 years alone,

every American household will be responsible for more than $450,000 to keep these programs functioning as is.

We can't ignore this ever-increasing, this massive problem. I have seen reports, press reports, that Medicare and Social Security aren't the priorities anymore. I would submit that, if we don't start working on a real solution, the taxpayers will quickly see either drastic cuts to their benefits or a spike in their taxes, unless we change the trend that we have.

Mr. Chairman, I am disappointed that instead of confronting this issue, we are again burying our heads in the sand. It is not realistic. We can't continue to do this. It is a huge disservice to everyone in this country. I must oppose this budget.

Also let me say, it is not just the level of spending that is problematic; it is the type of spending. We have had a lot of arguments lately about earmarking. This budget, the Democratic budget, does nothing to change the practice. Last year we had some $15 billion spent on earmarks, and a lot of those earmarks were never vetted on the House floor. In fact, the vast majority of them, 99 percent of them, were never given a thorough vetting on the House floor, and, in fact, about a billion dollars, just under a billion dollars was spent on earmarks that were airdropped into the conference reports that never got any vetting at all, that was never subject to any House decision. That is nearly $1 billion. But what do we have in this budget to prevent that? Nothing. Nothing. We are on track to do it again or perhaps even worse.

We have got to do better, both on the level of spending and the type of spending that we are doing. In Congress, we have had a process for centuries called authorization, appropriation, and oversight, and over the past several years we have gotten away from that. Instead, we do very little authorizing, a lot of appropriating, and very, very little oversight.

There is nothing in this budget to change that process. We are doing the same. And the Democrats will say, hey, over the past several years you Republicans have done wrong as well. And we have. That is the biggest reason we are here in the minority today. But at least you could say it took Republicans awhile to get to this point. In the meantime, there were balanced budgets. There was the reformation of welfare. There were some good things that happened. Then we got fiscally lazy and we started having budgets much like this, and the voters turned us out, as I would suggest they will do to the majority party, who got into this much more quickly than Republicans did.

I hope that they change. I would like nothing more than to support a good budget here, but this is not, and I would urge my colleagues to reject it.

□ 1845

Mr. RYAN of Wisconsin. Mr. Chairman, I would like to yield 3 minutes to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Thank you, Mr. RYAN.

Mr. Chairman, the American people face the greatest financial challenge we have ever encountered in the history of the Nation. The free people of Great Britain overcame the greatest challenge they ever faced in their history during the early days of the Second World War because Winston Churchill told them the truth.

They won the Battle of Britain because they were told by their leaders the truth, and they could deal with the truth as Americans can deal with the truth, but we have got to be told the truth. Today at 5 o'clock, unfortunately, one of our great public servants retired, the Comptroller General of the United States. David Walker, when he left work today, has moved on to the private sector.

David Walker is a great public servant who has told the truth, and I want to reiterate it here on this House floor, how urgently important it is for the majority that now that controls this House to step up and accept responsibility for dealing with this great financial challenge that David Walker has laid out for us that we in the old Republican majority lost the majority because we did not deal with it.

That's why you saw conservatives like me and many of my colleagues here today vote against Medicare prescription drugs, vote against the farm bill, vote against all the expansions of the government that took place over the last 7 years because we saw this challenge.

Mr. Chairman, I have a letter from David Walker, Comptroller General of the United States, dated March 13, 2008, which I would enter into the RECORD.

U.S. GOVERNMENT
ACCOUNTABILITY OFFICE,
Washington, DC, March 13, 2008.

Hon. JOHN CULBERSON,
House of Representatives.

DEAR MR. CULBERSON: Per our conversation, this letter discusses our nation's deteriorating financial condition and the need for timely action to turn things around.

Our real fiscal problem is not our current deficit and debt levels but where we are headed absent meaningful reforms. Given the retirement of the baby boomers and soaring health care costs, government outlays are set to rise dramatically. The federal government's liabilities and current unfunded commitments for future spending on Social Security and Medicare are now estimated at $53 trillion and are growing by $2 to $3 trillion a year. This effectively translates into an IOU of around $455,000 per American household. Clearly, our government has already made a range of promises that it is unlikely to be able to keep.

Because the personal savings rate in this country is so low, we have been turning to overseas investors to finance our nation's debt. Foreign investors, particularly foreign governments, have greatly increased their holdings of U.S. Treasury securities, and some of these government lenders may, either today or over time, have political and economic interests that diverge from our own. The risk is that some of them may eventually use their U.S. financial holdings as leverage against us.

If we continue as we have, policymakers will eventually have two options: slash government programs and services that the American people depend upon or raise taxes to levels that would seriously harm America's economic growth and competitiveness. In my view, we probably have at most a 5- to 10-year window of opportunity to act. Inaction comes with a steep price tag. Recent projections from Moody's and an analyst at Standard & Poor's suggest that, absent policy changes, our nation is heading toward ''junk bond'' status as early as 2020. By 2030, without reforms to entitlement programs and spending or tax policies, income tax rates would have to more than double to prevent a continued erosion of our financial position.

Fortunately, by facing facts and making meaningful changes to the budgetary process, entitlement programs, other spending, and tax policies, we can avoid this fiscal train wreck and ensure that America's future is better than its past. Our fiscal clock is ticking, however, and the time for action is now.

I appreciate the opportunity to express my thoughts on this important subject.

Sincerely yours,

DAVID M. WALKER,
Comptroller General of the United States.

David Walker wrote me a letter explaining in a one-pager the financial challenge facing America. David Walker points out that America's real financial challenge is not our current deficit and debt levels, but where we are headed without meaningful reform.

Given the retirement of the baby boomers and soaring health care costs, David Walker has certified that the Federal Government's liabilities, the current financial obligations that all of us must pay, are so massive that we are now in a $53-trillion hole, America. That means every household needs to write a check today to pay this off. Every household would have to write a $455,000 check to pay off that financial obligation, $175,000 a head.

Every American would have to write a check today for $175,000 to pay off this liability. It's unsupportable, it's inexcusable. We have got to deal with it because David Walker also points out that we have about 5 to 10 years to deal with it.

Now that's critically important information. Everyone says this election is the most important in our lifetime. We can say that truly this year. We know we will need a conservative anchor in Congress here to restrain spending. We need to get these entitlement programs, Federal spending under control, which David Walker estimates is 5 to 10 years, a window of opportunity to act, or he points out that Moody's and Standard & Poor's have already warned the U.S. Treasury that by the year 2020, U.S. Treasury bonds will be rated as junk bonds.

Let me reiterate that, folks. If we don't get our financial house in order, the Comptroller of the United States has already pointed out that Moody's and Standard & Poor's have already warned us that our Nation is heading toward junk bond status for Treasury bills.

It's outrageous. It's unacceptable. We need to reject this budget. We need to

stop spending money and stop raising taxes on Americans by rejecting this irresponsible Democrat budget.

Mr. RYAN of Wisconsin. Mr. Chairman, let me inquire as to how much time is remaining for each side.

The Acting CHAIRMAN. The gentleman from Wisconsin has 16 minutes remaining. The gentleman from South Carolina has 17 minutes remaining.

Mr. SPRATT. Mr. Chairman, I have sat here all afternoon, and last week through the markup, listening to this mantra about tax increases, all of which is a fabricated argument, and could not and cannot avoid the conclusion that to some extent this is a red herring.

It's a way of distracting attention from the real problems at hand, a way of avoiding discussion of a $236-billion surplus, which is where our economy and our budget stood in the year 2000, the year before Mr. Bush came to office, the $4 trillion in debt added by the Bush administration over the last 7 years, over median family income which has fallen under the Bush administration, avoiding discussion about a debt-burdened economy, which is losing steam near a recession and a dollar, a mighty dollar, which is plummeting, avoiding all of that so that we can talk about something that is not going to happen.

First of all, we made it as clear as we possibly could that we have endorsed, embraced and pledged to see continued the middle-income tax cuts which are included in the 2001–2003 tax cuts. They add up for the renewal over a 5-year period of time to $230 billion. If we follow our budget resolutions we have laid out, we will have a surplus in 2012 of $178 billion.

By 2018 the cumulative surfaces will be at $1.4 trillion. If we choose then, and we are not making the decision now, but if we choose then that will offset the extension of most of the taxes, most of the tax cuts that were adopted in 2001 and 2003.

We have put that in black and white, title V policy, policy on middle income tax relief, and we have laid out from item A through item H the different tax cuts that we support and are pledged or seeing renewed and extended. We can't make it any clearer than this.

Let me say something else for anybody listening wondering whether or not his taxes are about to shoot up and whether he should go cash in some stocks and bonds and get ready for this huge tax increase, it's not coming. Even if we adopted something that called for it to happen, it would have to go through Ways and Means. It would have to go through Senate Finance. It's a long way from ever being passed.

We simply say in our budget resolution, as we get ready for 2010, let's see if we can't have a conservative budget that will move us toward surplus so that some of that surplus, at least, can be used to offset some of these tax cuts. Let's see if we can't put some money into program integrity with the Internal Revenue Service and shrink the tax gap so we can use some of the money there, raise tax revenues without raising tax rates, use some of the money thus gained to offset some of these tax cuts when they come up for renewal.

Go through the code as we did in 1986, give it a good closet cleaning. It needs a scrub down as an accretion of the deductions and credits and exemptions and preferences, all of these things. If we muster our efforts, if we marshal our efforts, we can do and lay the basis for the renewal of many of these tax cuts in 2010.

But we primarily delayed the decision about those tax cuts in 2010 on the basis that we need to know more. What will be the state of the economy? Will we still be in two different theaters, Afghanistan and Iraq, fighting a war that is costing $12 billion a month? Will we still have an enormous deficit or will we be in surplus?

Better that we determine it than guess at it now. We are simply saying we would lay the basis. First of all, we would lay down the principle that we would protect these middle income tax cuts. Second, we will put the budget in place to begin generating surpluses so that they can afford the renewal of some of these tax cuts.

That can be done in this budget resolution. We are not pushing the biggest tax increase in American history. I don't know even where the numbers arrived from in the first place. I don't think it's supportable, but it is totally fantastic. It's an argument that is a complete red herring and a complete deviation from what we are all about today.

We should be talking about the savings rate in this country, about what deficits are doing to our economy, our country, and our standing in the world. There is plenty to talk about that is relevant. This subject is not because it's not about something that is about to happen.

Mr. Chairman, I now yield 3½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Chairman, I believe you spoke for all of us on our side in putting in context the basis of this budget and the arguments of our friends on the other side.

I want to just add a few things about what this budget really is ultimately about. It's about real people, with real lives and real challenges, and the fundamental responsibilities of a governing body are to meet a budget and present a budget that meets the needs of its people. I want to tell a couple of stories about folks from Vermont.

Scott West, a veteran, of the National Guard, he lives in the town of Albany, in the Northeast Kingdom of Vermont. He used to drive a truck for a living before he went to Iraq. While he was deployed over in Kuwait in support of Operation Iraqi Freedom he suffered very serious injuries to his shoulder, back and wrist.

In May the pain from his injuries got so bad he was no longer able to do his job as a truck driver. Nearly 9 months ago, Mr. West filed a claim for increased disability compensation from the VA. As of today, he has yet to have a hearing.

Now, the budget that we presented last year and passed, because you had foresight, has finally put in place new people to adjust these claims. We have got 1,800 new claims processors who are now going to help ensure that veterans like Scott will receive the support that they deserve in a timely manner.

I thank you for your leadership. That's the meaning of this budget to a man from Albany, and it's going to make a real difference to his family.

Peter and Irma McShane, they live in the southern Vermont town of Pownal. They are senior citizens. They live on $1,452 a month, so you can imagine how hard it is for them to make ends meet. Now it turns out that's $22 more than would be available if they were going to be eligible for food stamps.

So they have to scrimp and save every way they can. They get hit with this huge fuel bill. We have had a cold winter in Vermont. The budget presented by the administration cut low-income heating assistance. The budget that the committee is presenting tries to protect that, and it is absolutely indispensable to families like Peter and Irma McShane that they have the ability to heat their homes and not have to make a choice between medication and heat, between food and heat. This budget recognizes that.

I want to also share a letter I received from a couple from Fletcher, Vermont, in northern Vermont. Margaret Kinne and her husband. They are talking about the rising cost of health care.

They have worked in a woodworking business for 13 years, often 6 or 7 days a week. They don't complain about that. They like to work hard. But their insurance has gotten increasingly expensive and now their deductibles have gone from $5,000 to $10,000 to $25,000. What they wrote to me is this, this translates to me to no insurance. The administration budget would cause over a half a trillion dollars in cuts to Medicare and Medicaid that would increase the cost shift and make that unaffordable insurance even more out of reach of this family.

I thank you, Mr. Chairman, for the tremendous work that you have done in putting together a very good budget in very tough times.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington, Dr. MCDERMOTT.

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

Mr. MCDERMOTT. Mr. Chairman, the President's proposed budget can mean only one thing, the lights are on down at the White House but nobody's home. He has the House Republicans carrying the water, but their budget is his will,

make no mistake about it. If the President gets his way, lights will go off across America and people will suffer because of the President's complete disregard of the state of the economy, the plight of the American middle class and the domestic casualty from his irresponsible war in Iraq, that is, meeting the critical, unmet social needs of this country.

For instance, the President proposes slashing the Social Services Block Grant Program by $500 million this year and eliminating it altogether next year. In my home State of Washington, these funds are critical for providing child care for vulnerable families, Meals On Wheels and services to prevent child abuse.

But the President is more interested in helping the rich get richer and leaving the rest of America down and out. The President is willing to feed their greed by starving the U.S. economy and hurting the American people.

The American people deserve a budget that recognizes reality, and that's what the Democrats have offered. We provide tax relief to the middle class by demanding tax fairness for everyone. We include extended unemployment benefits, but I proposed a separate legislation this year because the American people expect their government to respond when an economic downturn hits and hurts them. They don't want any more New Orleans experiences.

We provide a budget based on reality, meeting the defense needs of the Nation, and meeting the unmet social needs of the American people.

In other words, the lights are on here, and the Democrats are home working for the American people.

The President has offered a budget that shouts it's all about funding a hopeless Iraq war while the Democrats have offered a budget that says it's about the economy and hope and help for the American people.

Vote for the American people and vote for the Democratic budget.

□ 1900

Mr. SPRATT. Mr. Chairman, I yield 3½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from South Carolina, and I particularly thank him for his work and for the work of the Budget Committee and I look forward to a bipartisan, cooperative effort towards the agenda that all of us are committed to, and that is a budget that responds to the needs of the American people.

And so I think it is important to at least address what I think as a member of the Homeland Security Committee and the committees dealing with our judiciary issues in this Nation and foreign affairs to be able to at least assess what I think the Budget Committee attempted to do, and that is to cure the ills here in America.

One of the ills is to highlight where we are today with this number one issue that I hear about in my district in Houston and all over America which is the loss of jobs. And 63,000 jobs were lost last month. When we look at the analysis, we can see that, unfortunately, the present administration is number two in the infusion into the job market. And that is the testimony that Americans will make about when they think the economy is churning. This administration falls as number two in the lack of job creation. So this budget attempts to be a job creator, and I think it does it very well. How does it do that? It does it by giving relief to the middle class, so even as they are struggling with loss of jobs, we are recognizing there is a value to giving tax relief.

So someone got up on the floor and talked about we are, in essence, spending dollars. I must say that I hope we can find a way to bring our troops home. That is $120 billion. But this budget is the kind of tax cut that I want to endorse. It is, of course, AMT relief. Let me find out my friends on the other side of the aisle that want to get rid of the alternative minimum tax relief that is given and don't want to give it to those middle class, hardworking Americans.

An extension of the child tax credit which benefits, again, working Americans. The marriage penalty relief, 10 percent bracket, estate tax relief, research and experimentation tax credit. I believe that today Bill Gates was indicating how many jobs are generated as we promote R&D research.

Deduction for State and local sales tax. States like the State of Texas, how many of you want to reject that kind of relief for hardworking Texans and others who have State and local sales tax and cannot get deductions? This is what the Democratic budget stands for.

Small business expensing. I consider small businesses the backbone of America. They create jobs. They created jobs in Houston. They created jobs in Jackson, Mississippi. They created jobs in Utah and South Carolina and New York and California. That is the crux of what this budget stands for.

At the same time, of course, let me suggest to my colleagues that it does not ignore the relief that we need in education and infrastructure. It invests in highways, water, and other infrastructure. It protects concerns that I have like NASA and the Children's Health Insurance Program and like the relief for education and many of the programs that provide relief for poor and minority children.

Let me conclude by saying this is the kind of budget that I want to affirm, a working America budget, a middle class budget. This is a good budget. I know we can do this in a bipartisan way. Support this budget and support America.

Mr. Chairman, I rise today in support of H. Con. Res. 312, the Concurrent Resolution on the Budget for FY 2009, introduced by my distinguished colleague from South Carolina, Chairman SPRATT.

I wish to thank our great Speaker, Ms. PELOSI, for never letting us forget that we are here for one reason only, and that is to address the real needs and priorities of Americans.

Finally, let me thank the remarkable leadership team which has worked long, hard, and tireless to keep us informed, cooperative, and united in our resolve to do the necessary work to make America better.

Our Republican colleagues ask if we can afford the Democratic budget . . . and I ask—How we can afford to continue to cheat the American people? What we can not afford is to continue with the Bush Administration's fiscal irresponsibility which has led us to almost $9.6 trillion dollar deficit. What we can not afford is to hear rhetoric from the other side of the aisle about balancing the debt and curbing taxes while the administration they support continues to dig deeper and deeper into the deficit. Let's not ask how we can afford to support the Democratic budget, let's ask how we can not afford to support it.

EDUCATION

A quality education continues to be the best pathway to social and economic mobility in this country. As a Member and Senior Whip of the Congressional Black Caucus, I have consistently advocated for the maintenance of Historically Black Colleges and Universities. This budget provides greater funding to our nation's schools and colleges. The increased spending can and should be used for several purposes, including Head Start, Title I Compensatory Education program, and job training and national service programs. It could also be used to increase the Federal share of the cost for educating handicapped children, and to help improve access to colleges, and broadening access to Hispanic Serving and Historically Black Colleges and Universities.

SCHIP

We must not only be economically healthy, but assist in the physical health of our citizens. This budget will properly fund SCHIP, to help one of our most vulnerable populations—children. Our President proclaims his support for securing our nation's current and future economic success. However, it is our children that will bring forth a successful future. We need to invest in tomorrow by investing in them today. This starts with their physical well-being. Children, who cannot see the doctor when they are sick, will not be in anyone's classroom.

AFRICAN-AMERICANS—HEALTH AND EDUCATION IN TEXAS

For African Americans, health and education concerns spill beyond budgetary issues into the criminal justice consequences. In Texas, over 87,000 African-Americans are incarcerated compared to approximately 48,000 African-Americans attending college or university.

The disparity between the percentages of our youth in prison versus the number of young people in college, particularly in the African-American community, is disturbing to say the least. Higher education continues to be one of the main pathways to social and economic mobility, particularly in the African-American and Hispanic communities.

REPUBLICAN BUDGET ALTERNATIVE

Under the Republican Budget the national debt continues to explode. The gross federal debt reached $9.0 trillion at the end of 2007. The CBO projects that the debt will rise by a total of $3.9 trillion at the end of 2008. This unprecedented rise in debt puts our President

in the history books. During the seven years of the current Administration, the government has posted the highest deficits in this nation's history. The President's 2009 Budget continues the failed policies that brought us to this point.

Our colleagues on the other side of the aisle continue to claim that the budget resolution being considered on the floor this week raises taxes. In fact, the budget resolution does not raise taxes by one penny. The budget resolution accommodates tax cuts and indeed prioritizes tax cuts that would benefit middle-income families, while ensuring that the burden of paying for the tax cuts will not fall undeservedly on our future generations.

FOREIGN DEBT

The amount of foreign debt has doubled since 2001, with most of this increased debt purchased by foreign lenders. Since 2001, the increases in foreign holdings of Treasury securities account for over 80 percent of the newly accumulated public debt—a trend that has more than doubled foreign holding of Treasury securities.

This high level of indebtedness to foreign investors heightens the economy's exposure to potential instability with additional burdens on our children and grandchildren.

SECTION 501—STATISTICS

Section 501 of the budget resolution specifically calls for additional middle-income tax relief subject to the pay-as-you-go rule, including but not limited to: AMT relief (both immediate/temporary, and more permanent reform measures); Extension of ''middle-class'' elements of 2001 tax cuts: child tax credit, marriage penalty relief, and 10 percent bracket; Eliminating the estate tax on all but a minute fraction of estates; Extension of the research and experimentation tax credit; Extension of the deduction for State and local taxes; Extension of small business expensing; Enactment of a tax credit for school construction bonds; and tax incentives for energy efficiency and renewable energy which are accommodated in a separate deficit-neutral reserve fund.

The budget resolution honors PAYGO and the new House rules on using reconciliation in a fiscally responsible way. By abiding by the pay as you go principle, we immediately begin digging our way out of the mountains of debt that has accumulated as a result of the Bush Administration's fiscal policies.

REPUBLICANS AND TAXES

The President's budget and the Republican alternatives violate pay-go and the fiscal responsibility that reconciliation is intended to achieve, by proposing tax cuts that are not offset.

The sunsets for the 2001 and 2003 tax cuts were part of the tax legislation which Republicans voted for and passed. The expiration of the tax cuts is their policy. The Democratic budget actually calls for the extension of many of these tax cuts, but responsibly requires that tax cut extensions, like other policies, must be fiscally sound, and not make the deficit worse.

SUPPORT FOR THE DEMOCRATIC BUDGET BASED ON THE AMERICAN VALUES

This important piece of legislation gives us a budget that is balanced fiscally and morally. It does not sacrifice the many programs and services that this nation needs for a War that the President seems never to end.

Mr. Chairman, this budget better reflects the priorities and values of the American people. After all, a budget is much more than a balance sheet, an income statement, a financial scorecard. Rather, it the expression in fiscal terms of who we are and what we believe. In short, a budget is a financial reflection of our national character. And as it is by a person's character that you know her, so too it is with a nation.

Look at a nation's budget and you will see how it treats its children in the dawn of life; its elderly in the twilight of life; its poor and disabled and helpless in the shadows of life; and the earth, the sustainer of life. Look closely at the choices it makes regarding the neediest and most vulnerable of its people, and you will know the true character of a nation.

Mr. Chairman, America and the world can be proud of the choices we make in this budget resolution. Unlike the budgets of the last seven years, the budget brought to the floor by the new House majority reflects the best angels of our nature. This budget expands health care for our children. It provides our soldiers and veterans with the care worthy of their sacrifice; it is faithful to President Lincoln's injunction ''to care for him who has borne the battle and for his widow and his orphan.''

This budget resolution supports education for a 21st century workforce and a growing economy. It invests in renewable energy for an energy independent America that faces up to the challenge of global warming.

Equally important, Mr. Chairman, the majority's budget resolution represents a return to fiscal responsibility and budgetary accountability. I am proud to support a budget that reflects the care and fidelity of a wise steward of the taxpayers' hard-earned money. The American people can be assured that the new majority in Congress will not be profligate with the public treasury.

Mr. Chairman, this budget resolution correctly assumes that substantial savings can be realized from more vigorous efforts by Defense Department (with increased Congressional oversight) to root out fraud, abuse, and wasteful spending. It is totally unacceptable that unlike the typical taxpayer, small business, or large corporation, the Defense Department still cannot pass a standard audit. The Pentagon cannot adequately track what it owns or spends. We just know that it's a lot.

Mr. Chairman, the new House majority pledged that we would work together to restore our economic health, reclaim our leadership position in the world, advance our national security, and invest in the future. We promised to restore fiscal responsibility and began by instituting tough pay-as-you-go rules. And we have been delivering.

For example, in the first 100 hours of the 110th Congress, we passed with bipartisan support procedures imposing discipline and transparency in congressional spending. With bipartisan support, we also passed legislation to implement recommendations of the 9/11 Commission, increased the minimum wage, paved the way for lower prescription drug costs, cut student loan costs, and redirected oil subsidies towards investments in renewable energy. We did all of this while maintaining our commitment to fiscal discipline.

The 2009 budget resolution advances these priorities. It begins to reverse seven years of disinvestment in education, infrastructure, and innovation. The budget resolution is the crucial next step to realizing the initiatives we have developed to move the country forward and to set us on a course to build the future we want for our children and grandchildren.

Mr. Chairman, we reject the President's proposed cuts to education programs, including rejection of his proposals to eliminate many education programs. We also reject the president's proposed steep cuts in job training and social service programs, including the Community Services Block Grant and the Social Services Block Grant.

COMMUNITY AND REGIONAL DEVELOPMENT

The community and regional development function includes programs that provide Federal funding for economic and community development in both urban and rural areas, including Community Development Block Grants, CDBG, and the non-power-related activities of the Tennessee Valley Authority, TVA.

INTERNATIONAL AFFAIRS

The international affairs function includes international development and humanitarian assistance, international security assistance, the conduct of foreign affairs, foreign information and exchange activities, and international financial programs.

CONCLUSION

Mr. Chairman, correcting the fiscal course of the country cannot be achieved overnight. The fiscal outlook we are confronting has deteriorated dramatically over the past seven years. In 2001, the Administration inherited a projected ten-year, 2002–2011, budget surplus of $5.6 trillion. Within two years, that surplus was gone and the United States began accumulating a mountain of national debt. Most of this debt has been purchased by foreign investors, making the U.S. economy more susceptible to economic and political pressure from abroad.

Mr. Chairman, we have a responsibility to clean up the fiscal mess that we have inherited. The choice to live beyond our means comes at the expense of future generations, who will bear the weight of the fiscal irresponsibility of our current administration.

Large deficits also hurt economic growth by depressing national saving, generating less capital for investment for the future. This leads to lower productivity and wages.

The President's budget continues the fiscal approach that has brought us large deficits and growing debt. In comparison, our budget resolution takes the necessary steps toward eliminating our long-term budget deficit by adhering to the pay-as-you-go principle.

But a balanced budget must be accompanied by balanced priorities. While regaining control over our economic future is critical, we must do so within the context of honoring our obligations. This budget is a critical first step toward fulfilling our commitments to the American people. We will balance the budget. We will be fiscally responsible. We will defend our country. We will put children and families first. We will grow the economy. We will cherish and protect our environment. We will conduct the Nation's affairs in an accountable and efficient manner.

Mr. Chairman, the people have asked for change. They have asked for greater accountability, they have asked for a balance of defense and sustaining programs. The American people entrusted us with the responsibility of leading our country in a new direction. The part we have charted in this budget resolution will lead to a brighter future for children and

better America for generations to come. It reflects very well on our national character. For all these reasons, I stand in strong support of H. Con. Res. 312. I urge all members to support the resolution.

Mr. SPRATT. Mr. Chairman, I reserve the balance of my time to close.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. HENSARLING), a senior member of the Budget Committee.

Mr. HENSARLING. Mr. Chairman, I thank the ranking member for yielding to me. I have listened with great interest as my friends from the other side of the aisle, the Democrats, attempted to do everything they could to distance themselves from their single largest tax increase in American history contained in their budget.

Again, Mr. Chairman, here are $683 billion worth of tax increases. This is what we call the CBO baseline, the Congressional Budget Office, which assumes that, as current law says, we are going to have huge automatic tax increases, most of which kick in in 2011. That is this red line.

Well, our friends on the other side of the aisle claim they are balancing the budget in 2012, but they can only do it through these huge, automatic tax increases. And this isn't my baseline. They appointed the Director of the Congressional Budget Office, so if they have some problem with this particular revenue curve, they need to take it up with him. You can't have it both ways. You can't claim you are not increasing taxes and at the same time claim, claim that you are balancing the budget in 2012.

Now, I listened very carefully when my distinguished chairman said that he wants to prevent these tax increases. I know he wants to prevent it. And I listened to the gentlelady from Texas saying that she endorses middle income tax relief. But they just don't seem willing to vote that way, Mr. Chairman.

If I did the math correctly, there have been at least 21 occasions over the last 6 years when Democrats could have voted to prevent these huge, automatic tax increases, which will amount to an average tax increase on the American family of $3,000 a year. So the rhetoric is nice. The language is comforting. But when will somebody on that side of the aisle put their vote where their rhetoric is? I don't see it, Mr. Chairman. It reminds me of the old adage that your actions are so loud I can hardly hear your words.

Now I hear a lot of talk on the other side of the aisle about how compassionate their budget is and somehow our budget is not compassionate. I'm not sure what is really compassionate about raising taxes on hardworking American families because, Mr. Chairman, every time you plus-up the Federal budget, guess what, it comes out of some family budget. And I hear from those families. I hear from the families in the Fifth Congressional District of Texas that I have the honor of representing.

I heard from the White family of Mesquite, Texas: ''Regarding the news that the average Texas family may soon be burdened with extra taxes, it is not good news to a family with $24,000 a year in income and two expensive stroke-prevention medications, among other critical medications to maintain.'' Their $3,000 a year tax increase, the largest tax increase in American history, is going to decimate the family health care budget.

Now, I heard from the Sessions family in Quitman, Texas, also in my district: ''Any increase in income taxes would cut into my Social Security money so much, to such an extent I would not be able to purchase my medications.'' Again, their single largest tax increase in American history is going to decimate the family health care budget.

Mr. Chairman, I heard from the Swanson family from Wills Point, Texas: ''A tax increase of that size will prevent me from receiving the medications necessary to prolong my life.''

Once again, the single largest tax increase in American history are decimating, will decimate families, not just in the Fifth Congressional District of Texas, but all over America. I wish that my friends on the other side of the aisle would just take a moment and think about who has to pay all of these taxes while Americans are struggling to pay for their health care bills and to make sure that they keep a roof over their head, to send their children to college, to fill up their cars and pickup trucks, to try to start small businesses. How are they going to be able to afford the single largest tax increase in history? Where is the compassion in taking money away from these hardworking families?

What does it do to their housing? Well, I heard from the Stevens family in Mesquite, Texas: ''I wanted to let you know that I am a single mom that does not receive any type of child support, and an increase of this amount would break me. I would be at risk of losing my home with this type of increase.''

The single largest tax increase in American history, an average of $3,000 per American family, most of it due to hit right there, 2011, coming very soon to a neighborhood near you. It is going to decimate the housing budget. It is going to decimate the health care budget. It is going to decimate the education budget of hardworking American families all across the Nation.

Where is the compassion there? There is no compassion there.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the balance of my time to close.

Mr. Chairman, I first want to start off by congratulating the chairman of the Budget Committee, a good man, a man I have a lot of respect for who has a hardworking staff and a diligent staff. I want to compliment them. These budget resolutions are not easy to write.

He has a tough job because he has to defend this budget. This is a budget I wouldn't want to come to the floor to defend. I just have to bring one point to bear, and I do so respectfully. You cannot say that you are balancing the budget and not raising taxes. It is illogical and axiomatically impossible. Let me explain why.

This red line is the baseline that the Democrats are using for their budget. It is what we also refer to as the CBO baseline. This green line is the baseline minus the tax increases. They are using the red line, not the green line. This means in order for them to achieve a balanced budget, what must happen, what is required to happen, what has to happen, all of these taxes have to be raised, specifically by $683 billion over the next 5 years.

Now, my friend from New Jersey, another very conscientious, skillful Member, said that was a tax vote he regretted not taking. And the Senator from New York at that time, Senator Moynihan, said that was the largest tax increase in American history. That was $240 billion. This one is $683 billion. This is the largest tax increase in American history.

The point is this: You cannot claim you are balancing the budget and not raising taxes because you are relying on these very tax increases to balance the budget. That is what this budget does. Now, no amount of reserve funds, no amount of senses of Congress, no amounts of ''we have delayed the decision on the tax cuts for now'' gets them out of this bind. They can't. It is impossible. You have to have it one way or the other. Either you are not balancing the budget or you are not raising these taxes because, Mr. Chairman, they are not saving any money. There is no savings in this budget.

The piece of paper I have in my hand is more valuable than the amount of savings they have in this budget. This paper, may it cost 1, 2 pennies. That is more money than they are saving in this budget over the next 5 years. In fact, they are expanding spending. They are increasing discretionary spending by $280 billion. What is worse is they are going to add, in just two programs, an unfunded liability of $14 trillion, to just two programs, Medicare and Social Security.

Let's look at the Medicare program. Today, the Medicare unfunded liability, according to David Walker, our GAO Comptroller General, is at $34 trillion. That is an average per household bill of $300,050. Every household in America right now, if we want to make Medicare whole for my children when they need it, 300 grand.

Under this budget, because they do nothing, they are adding $11 trillion to that liability. That is $395,650, almost $400,000 for one household to cover Medicare so my children can maybe get it. That's for our kids. That is wrong.

□ 1915

We have got to address these issues.

Now, Mr. Chairman, surely, there's waste in government. Surely, there's efficiencies we can get. But this budget concludes that there is not. This budget is basically saying, Washington's not wasting any money. All of these earmarks, the 11,000 we passed last year, are perfect, they're justified; we should do 11,000 more. And there's no waste, fraud or abuse anywhere in the Federal Government. In fact, they're doing such a good job in Washington spending our tax dollars, let's give them $280 billion more to spend. And on top of it, given the fact that our entitlements are going bankrupt, given the fact that we have an unsustainable course, let's just add more to the debt; and we're going to raise taxes while we do it. But we won't tell people. We'll pass this kind of cute reserve fund, sense of the Congress that says we really don't want to raise those taxes, but we're balancing the budget. That means you're raising taxes if you're going to balance the budget.

But let's look at the brass tacks. And this is what I want to ask the American people. Can you afford this budget?

People are struggling right now. People are losing jobs. We just finished 52 consecutive months of positive job growth, very impressive growth. Finished, I said. The last couple of months they've been bad months.

Also, prices; the cost of living is going up to America, the cost of health insurance, the cost of food, the cost of filling your gas tank when you take your kids to school, the cost of sending your kids to college. The cost of living is higher and higher, and people's pay checks are not getting as far along as they used to.

And so what does this budget do? It raises their taxes. It says you're going to have to send, on average, three more grand per person to Washington because we don't think Washington has enough of your money. We think Washington's great. There's no waste, there's no inefficiency, no fraud. We, in fact, need more of your taxpayer dollars, you, American men and women of America.

So I'd like to know, is that what America wants? Tell us. Call us, e-mail us. Call your Congressman. Because here's what this bill will do specifically. 116 million taxpayers will see their taxes on average go up $1,800; 84 million women will sustain, on average, a tax increase of $2,121; 48 million married couples will incur an average tax increase of over $3,000. Taxes will increase by an average of $2,323 for 43 million families with children. Some 12 million single women with children will see their taxes increase on average by $1,091. For 18 million elderly individuals taxes will increase by an average of $2,181. Tax bills for 27 million small business owners will rise on average by more than $4,000. And more than 6 million taxpayers who previously owed no taxes at all will become subject to the individual income tax as consequence of these tax increases.

Mr. Chairman, we had an opportunity here. We had an opportunity to do something that I felt would be good and bipartisan. I've heard my colleagues on the other side talk about the need to do this.

We had all these witnesses come to the Budget Committee, saying we've got to get our fiscal house in order, that we owe the next generation a debt-free Nation, that we owe them the mission of health and retirement being fulfilled, which means reforming our entitlement programs.

This budget says for the next 5 years, let's not do any of it. Let's make sure that we're on the glide path so that our kids will pay literally twice what we pay today in taxes, just for our Federal Government today to be there for them when they're our age.

This is a lost opportunity. Under this budget, the unfunded obligation that are Medicare and Social Security themselves go up 37 percent, $14 trillion. I'm upset at the debt that was racked up lately, but it pales in comparison to the debt that this budget proposes to rack up.

So what we really ought to be doing, Mr. Chairman, is we ought to be fixing this budget process, having real budget discipline, real spending caps. We ought to be making reform decisions. And the last thing we ought to be doing in this time of high prices, a tough standard of living to maintain, in this time of economic downturn which quite possibly could come into recession, the last thing we ought to be doing is raising taxes. That is what this budget does.

We will propose a different alternative tomorrow. We will propose a budget that balances the budget without raising taxes by controlling spending. And even in doing that, spending will still go up one year after the other. Instead of spending $15.8 trillion over the next 5 years, we're going to propose to spend $15.3 trillion. And by simply doing that, by simply exerting a little bit of discipline, we're going to make sure that we're not raising these taxes, and we're going to repeal the alternative minimum tax.

One more thing, Mr. Chairman. This earmark problem is getting out of control. Earmarks are an abuse. Some are worthy, some are right, but a lot of them aren't. We've got to control this. We are proposing a real earmark moratorium.

More importantly, we are saying let's take a timeout from earmarks and let's save that money. Our proposal tomorrow will not only have an earmark moratorium, it will save the money from an earmark moratorium. And if Congress just says no to earmarks for 1 year, you know what we can do? We can make permanent the child tax credit and the repeal of the marriage tax penalty. We can say, pass up your earmarks for a year in Congress and don't tax people for getting married. Pass up your earmarks for a year in Congress and don't cut the child tax credit in half.

These are the choices we are being confronted with. These are the choices that we must make. These are the values that we believe. We believe we owe our children a growing economy, a future of a higher prosperity, of a higher standard of living, and one in which the promise of health and retirement security is actually sustainable, is actually made good upon.

That's not what this budget does. There's no way you can split these hairs with the reserve funds, senses of Congress, flowery Washington rhetoric. This budget contains the largest tax increase in American history, not just on wealthy people, on all people. That's wrong. It's not right. We shouldn't do it because Washington doesn't have a tax revenue problem, Washington has a spending problem. Unfortunately, the Democrat budget makes it worse by spending even more money.

There is waste in Washington. There is waste in earmarks. There are entitlements that are out of control. We should confront those, instead of just throwing more money at Washington, because you know where that money comes from? It comes from the hard working men and women of America. It comes from families, it comes from entrepreneurs, it comes from small businesses, it comes from the individual of this country. That's wrong. They should be able to keep more of their own money and we should be able to clean up government.

I urge a ''no'' vote on this budget.

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

Mr. SPRATT. Mr. Chairman, I can return all the compliments that Mr. RYAN paid to me. He's a pleasure to work with, and I have great respect for him.

But there's one thing he didn't mention at all in his presentation all afternoon and that is his budget substitute. And I think one of the reasons he didn't do it is that it won't bear scrutiny.

If you look at the Ryan substitute, the Republican minority substitute, you'll find, if you look very closely and know where to look, something called function 920. Now, function 920 is the catch-all. When you can't assign some expenditure or revenue raiser somewhere else, you put it in function 920. It means really we haven't yet completed the job.

When you look at 920 in this case, the minority has assigned $817 billion in undefined savings or at least $405 billion in discretionary spending cuts which are undistributed. They haven't been assigned to the Veterans Administration or to the Defense Department or to the Transportation Department. They are undistributed cuts, $405 billion. I've never seen in all my years in the Budget Committee, anything that has a function 920, this catch-all in cuts of $405 billion.

But in addition to that, it calls for $412 billion in mandatory savings. Now, we don't know for sure where mandatory savings are coming from, which

programs are in jeopardy. But when Ways and Means is directed to reconcile $253 billion over 5 years, the Energy and Commerce Committee is directed to reconcile $116 billion over 5 years, we know the resolution has Medicare and Medicaid in its bore sights and the likely cuts are substantial. $368 billion. We've never done anything that approaches that magnitude at Medicaid and Medicare cost reduction. Indeed, during the Gingrich era, Republicans were pushing something of that size. It never got off the ground, and it wouldn't here either, let me tell you. So that's unrealistic. And the 405 is unrealistic because the work hasn't been done.

And then finally Mr. RYAN calls for, in his resolution, $1.2 trillion in tax cuts over the next 5 years. If you extend these tax cuts out, and you consider what he's doing, he wants to extend all the expiring tax cuts and, on top of that, also repeal the alternative minimum tax, just repeal it. The likely impact on revenues is about $2.5 trillion over 10 years, which blows a big hole in the bottom of the budget. And I don't think that's realistic either. It certainly isn't realistic if we're in earnest about seeking a budget that will balance. And so here, buried in the budget resolution, which he's not mentioned all afternoon, are three major problems with his budget resolution. He hasn't done his work. He hasn't distributed the cuts. And I'll tell you what that does. When you have $405 billion in function 920 undistributed, you can say to the veterans who come to you, we've got $1 billion covered for you. You can say to others, with plausible deniability, oh, you won't be cut, you won't be cut. But in truth, $405 billion is 20 percent of nondefense discretionary spending. That's where the cuts are going to fall every year at 20 percent. I don't believe it's going to happen. I don't think therefore that what he's presented is a valid, reasonable, defensible alternative to the budget resolution, and it strikes me as passing strange that we haven't discussed it all afternoon.

Now one final shot across the bow, one final statement about the mantra we've heard all afternoon. We do not propose to implement, in this budget resolution, any tax cuts whatsoever. We're laying down the policy as clearly as we know how in title V on middle-income tax relief, and specifying very clearly and pledging ourselves very, very committedly to the enactment, preservation and extension of these tax cuts. That's the policy of this budget resolution. Everyone should bear it in mind.

The Acting CHAIRMAN (Mr. WALZ of Minnesota). The gentlewoman from New York (Mrs. MALONEY) and the gentleman from Texas (Mr. BRADY) each will control 30 minutes on the subject of economic goals and policies.

The Chair recognizes the gentlewoman from New York.

Mrs. MALONEY of New York. Mr. Chairman, as Vice Chair of the Joint Economic Committee, I am pleased to speak in the time reserved by the Budget Act for a discussion of economic goals.

America has the strongest and wealthiest economy in the world. When government makes the right choices, economic growth helps all Americans live a better life today and provides a good future for our children tomorrow. Unfortunately, the Bush administration has not been making responsible choices over the past 7 years. We must chart a more sensible course for economic policy than has been pursued by this administration. Our Democratic majority has made important progress, but there is still much more to do.

President Bush was once fond of saying that his policies were working to make the economy strong. But the economy is now teetering on the brink of what may be the second recession of the Bush Presidency.

It is now clear that even the relatively weak economic growth experienced earlier in this administration was built on an unstable foundation.

The soaring housing prices that helped fuel our economic recovery now appear to have been a classic asset bubble. The collapse of that bubble is spreading throughout our entire financial and credit system.

American families are optimistic, by nature, but they are understandably worried about the future. Most American families have struggled just to hold their economic ground.

Under President Bush's management, our economy has set record after record, but they have been the wrong kinds of records, historically, poor levels of job growth, the greatest gap between the haves and the have not since the 1920s, record numbers of uninsured Americans. Over 47 million Americans lack health insurance.

□ 1930

A record $9 trillion Federal debt, the largest in our history, and the largest single-year deficit in U.S. history. Record oil prices, record declines in the value of the dollar, record trade deficits that are the largest in history, record declines in housing prices and home equity that are leaving families owing more than their homes are worth.

Bush's job growth record is among the worst of any President since Hoover. As this chart shows, since the Great Depression, only his father has presided over a slower rate of job growth. As you see, the rate of job growth under President Clinton was four times higher than President Bush or Bush's father.

Wage growth has been even slower. Wages are up less than 4 percent in real terms since President Bush came into office. This chart shows the contrast between sluggish wage growth and soaring prices for such basic needs as education, health care, and gasoline. These basic costs of living have grown over 10 times faster than wages.

Look at this chart. The average wages are up 3.8 percent; public university tuition, 40 percent. Family health insurance premiums are up 46 percent, and a gallon of gas is up 87 percent. Middle class workers are being left behind because their hard work has not translated into bigger paychecks.

This chart shows the divergence between strong productivity growth, shown on the top blue line, and much weaker growth in real compensation for ordinary workers, shown in the bottom red line.

Workers' productivity and their compensation used to grow together, but now they grow apart, as this chart shows. This was still true as recently as the late 1990s, but it is not true today. So here you see that for decades the productivity per hour and real compensation per hour basically grew together at the same time, at the same rate. But now look at the great difference between the productivity per hour, the output per an average worker, and the real compensation that the average worker takes home.

If our increased wealth has not gone to ordinary workers, then where has it gone? One answer is that it has gone to a very few at the top of our economy. The divide between the haves and the have-nots is reaching yet another record, a poor record level. We have the largest gap between the haves and the have-nots in many a long time. This chart shows that the share of income held by the top 1 percent of taxpayers is not at the highest level, 19.4 percent, since the Roaring 20s.

The compensation growth that the middle class has received came much more from benefits than from wages. Benefit costs have been increasing because health insurance costs are increasing, are rising up 47 percent in inflation-adjusted terms since 2007.

As this chart shows, rising health costs have driven the number and percentage of uninsured Americans to record levels; 47 million Americans are uninsured today, up 8.6 million since President Bush took office. Yet again another unfortunate record from this administration.

Slow job growth and stagnant wages during much of the Bush administration have depressed families' real incomes. The typical American family is earning almost $1,000 less than they did when the President took office and after taking inflation into account. As families struggle to make ends meet, they borrowed more and more from their major source of wealth and savings: the equity in their homes.

Under the Bush administration, families' equities stake in their homes has declined to the lowest level ever recorded. As housing prices drop, families will no longer be able to draw on this source of income to make up for slow wage and job growth. Yet, the President and his supporters react to these disturbing trends by pressing tax cuts that largely benefit our most fortunate families.

This chart shows the distribution of the benefits received from the tax cuts. The tall bar on the right shows that households earning $1 million or more in 2007 income received over 100 times more money in these tax cuts than middle income families did. Incredibly, one-fifth of tax benefits went to these few families who make up just three-tenths of 1 percent of taxpayers.

The Bush administration claimed that these tax cuts would drive investment creating growth in wages and employment, but these claims have proven to be false.

To make matters worse, the tax cuts have been funded using borrowed money. According to the Brookings Institution, the Federal Government has already borrowed some $1.6 trillion to fund the tax cuts.

When President Bush came into office in 2001, he inherited a projected 10-year budget surplus of $5.6 trillion. He inherited a government in good financial shape prepared to deal with the budget challenges posed by the retirement of the baby boomer generation and prepared to invest in improving the future standard of living of all of our children and our grandchildren. But this administration has presided over a stunning reversal of fortune.

This year our gross Federal debt will top $9.6 trillion, the largest in history, or more. That means that every American owes $30,000 per person to pay off this staggering debt. As a share of our economy, that's the highest level since 1955 when we were paying off debts from World War II. This is the financial mess that we have to clean up.

Thanks to the President's policies, we are now a nation of debtors relying on the rest of the world to finance our budget deficits and the cost of the war in Iraq. As former Secretary of the Treasury Larry Summers has said: There is something very odd about the world's greatest power being the world's greatest debtor.

Our current account deficit, which is the broadest measure of our trade deficit with the rest of the world, rose to yet another record, a record smashing $857 billion in 2006. And last year was likely even worse. The amount of Federal debt owned by foreigners has more than doubled under Bush's watch, rising to nearly $2.4 trillion, with Japan and China alone holding more than $1 trillion of our debt.

How does the administration address our financial problems? They turn to cuts and benefits from middle and working-class families. The President's proposed some $30 billion in cuts to the Medicaid program. That's a program that provides health care for some 27 percent of our Nation's children. These cuts couldn't come at a worse time. A recent study by the staff of the Joint Economic Committee estimated that should the economy enter into even a mild recession, some 1 million additional children per year would require Medicaid benefits. So these cuts are especially cruel.

Even while proposing these cuts and benefits, the administration wishes to continue massive levels of spending on the misguided priorities that landed us in this fiscal mess. The President's budget calls for all of the 2001 and 2006 tax cuts to be made permanent. But Democrats are not about to mortgage anymore of our children's future for all of these irresponsible tax breaks.

What is more, we have heard no plans for lessening the enormous fiscal and economic drain created by the mismanaged war in Iraq. This chart shows the steady upward march in the administration's requested spending for the war. That's over $600 billion just so far, with no end in sight. In fact, in this year's 2009 budget, the administration even refuses to tell us what the full-year cost for the war might be. Future costs will be truly massive if the Nation does not change course.

The Joint Economic Committee has submitted that over the next decade, a continued presence in Iraq will cost us a total of $1.9 trillion in Federal spending and $2.8 trillion in total impacts on the economy. You can find this report on my Web site.

But the good news is that we have a choice. We don't have to continue spending on the misguided priorities of the last 7 years. If we make responsible choices, our government can once again help middle class families improve their quality of life while saving and investing to improve the lives of future generations.

Our Democratic Congress has made important progress on this agenda. We have worked with the President to increase the minimum wage, expand Head Start, assist struggling homeowners, and increase opportunities in higher education. We've expanded investments in energy independence, green technology, and America's future competitiveness in science and technology.

What is more, we have paid for it all in a fiscally responsible manner. We've also worked with the President to pass an economic stimulus package that was truly targeted to middle class families who needed the assistance most.

Unfortunately, the President has blocked progress on many other initiatives. He has vetoed health insurance for America's uninsured kids, a change of course in Iraq he vetoed, and dozens of other bills. We must turn away from the failed policies of the past which has given us record levels of debt, trade deficit, and deficits of the highest records in history and an order to fully deliver on what the economy can do for all Americans.

Mr. Chairman, I reserve my time.

Mr. BRADY of Texas. Mr. Chairman, as a member of the Joint Economic Committee on behalf of our senior ranking Republican, the Honorable JIM SAXTON, I rise today to oppose the Democrats' irresponsible budget resolution that will only pave the way for major tax increases and hurt the economy.

You may recall that 15 months ago, Democrats took over the control of the House and the Senate vowing a new direction for America, and in truth, we've experienced that. Since Democrats took control of both Chambers, food prices are up, college tuition is up, health care costs are up, fuel prices are way up, unemployment is up, the deficit is up.

They vowed that they would do three things: They would pay every dime of this war, not mortgage the future. How much have they paid? Zero. They vowed they would not raise the debt limit. In fact, they called it immoral when we did it. So they did it very quietly without a vote in the first 60 days they were in control. And they vowed that they would pay as you go, that they would not allow any tax increases or relief to go forward without paying for them, and, of course, they failed at that as well.

And now we are at a time when the economy is on the brink of a severe downturn. The last thing we should be doing is telling Americans to expect to pay billions more in taxes in just 2 short years; $683 billion worth, the largest single tax increase in American history. That averages out to almost $3,000 per family every year. And I know $3,000 doesn't sound like a lot in Washington, DC, where we squander billions, but for families back in Texas, and I think most middle class families, that is far too much to bear, especially with prices being what they are.

I guess the question we always have, those of us who believe we ought to have lower taxes and less spending, is why does the Democrat budget insist that families tighten their belt but they don't do anything to tighten the belt up here in Washington?

Our public wants us to spend more wisely, not more. And they believe tax is too high. This budget is just the opposite.

□ 1945

I don't know of any economist that thinks tax increases are good for an economy in an economic slowdown, and the timing now is particularly bad. Our economy has suffered some serious shocks: Skyrocketing oil prices, the housing meltdown and mortgage crisis. We certainly don't need another one from here in the Halls of Congress.

And I have to tell you, too, I enjoy hearing about all the class warfare issues. So, we just asked an independent source, the Congressional Budget Office, are the rich getting richer under President Bush? They say the facts are just the opposite. Quoting from them, the period between 2000 and 2005 has not been a time of surging income inequality. Instead, the income gains of the top wealthy 1 percent actually slowed during this period. In contrast, between 1992 and 2000, President Clinton's years, the average income of the top 1 percent skyrocketed by 84 percent. So the king of inequality is President Clinton. They just want to try to hang it on President Bush.

And if you look at the charts, again by the independent Congressional Budget Office, it shows that for middle-class America, aftertax household income actually increased, the highest level since they've been recording these values.

And if you take a look at the total effective tax rate, what we've seen as well is that the tax rates and the cost for middle-class Americans has gone down to a historic rate as well. So, they are earning a record amount of income. They are paying a record fewer amount of taxes. And so middle-class families in America are trying to battle these high prices that this new Democratic Congress is bringing us by trying to keep just a little more of what they earn.

A major tax increase now, when Americans are planning for the future, will only add fuel to the fire and threaten to throw us deep into a recession. You only have to take out a history book to remember the tax increases imposed during the 1930s worked to worsen economic conditions during that time. And the economic growth in the 1990s came about because of spending restraint, and then what turned out to be an artificial economy. But Democrats, as I've said, would like the American public to believe that these tax hikes will only affect the wealthy. Let me tell you, it's going to affect middle-class America. They are dead wrong.

These tax increases the Democrats propose, the largest tax increase in American history, will affect real working families. Any individual that gets married, that has children, that receives maybe a nest egg from their small business or the family farm, maybe makes a good investment, saves for retirement, all of them, all of you will pay more in taxes. Is this what the American people want or deserve? And the answer is no.

Today, while we have Democrats say they are shooting at the wealthy 1 percent, what they are really hitting is middle class America because, as I said before, the rate of taxes paid for by the wealthy 1 percent is actually growing. What we need to do is keep taxes low for middle-class America. Those tax hikes will hurt workers and small businesses, the very people we need investing and growing, by taxing them an average of 12 percent more than we do now. That's 12 percent less money that they can keep to grow their business or invest in their company or maybe create another new job here in America. And unfortunately, raising those taxes is a big incentive for companies to move investments overseas instead of here at home. It's bad enough this Congress has tried to outsource U.S. energy jobs, now we're trying to outsource the rest of America's jobs as well.

And this Democrat budget, I can tell you, does not provide funding to keep the State and local sales tax deduction in place. They don't have any money for the research and development tax credit. They don't even have any money for the college tuition tax credit. What they say is, we endorse this tax relief. We endorse it. That's like having your son come to you and ask for allowance and you tell him, I don't have any money, but I endorse your idea of an allowance.

The Republican budget actually budgets for that tax relief to make sure that families aren't punished, middle-class families aren't hurt by $3,000 more every year of new taxes. And what we say is Washington ought to tighten its belt before we ask American families to tighten theirs.

And I'll tell you, too, not only does the Democrat budget raise the deficit, but this budget fails greatly and does not address serious entitlement reform, which is critically needed if we are to sustain Medicare and Social Security for future generations.

It ignores the inevitable and punts the problem down the road. Instead of making the tough choices today, which is what the American public wants, their budget is long on words, but short on action. They call on experts to develop ''options'' and saying that action is ''needed.'' More words, no action, and the problem gets bigger.

In just 7 short years, entitlement spending on Medicare, Medicaid and Social Security will consume nearly two-thirds of our entire Federal budget, and then it gets worse. These programs will grow to such a size that they will be equal to the cost of the entire Federal Government today, and Americans will have to pay twice the taxes just to keep it in place.

Our economic growth is at risk in this Democrat budget. It makes it more unfair for middle class America; it ignores Social Security and Medicare, which we need to make solvent and preserve once and for all; it raises the deficit; and it basically turns a blind eye to American families who are struggling to make ends meet with rising costs the way they are.

And they all say, well, we endorse the tax relief you have today. Well, Republicans don't endorse it, we embrace it. We include it. We pay for it. And we do balance the budget. And you know what we do? We make a huge sacrifice. We ask Washington to just slow spending by 3 percent. That's all we do. We're not asking to cut major programs. We're not asking for major sacrifices. We're saying, before you force our families to pay $3,000 more a year, why don't you just tighten your belt just a little, just 3 percent over the next 5 years. That's all we do to balance this budget. That's the smart way to balance the budget. That's the fair way, especially for middle class families. And for our economy, it's the smart way to revive jobs, to create a strong economy, and keep jobs growing in America.

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

Mrs. MALONEY of New York. I thank the gentleman for his testimony, but I want to point out that you have to remember that the Republican Congress and President Bush have been in charge of this economy for 7 years. And when President Bush came into office in 2001, he inherited a projected 10-year budget surplus of $5.6 trillion. And he inherited a government in good financial shape, prepared to deal with the budget challenges that the country confronts. And yet under his tenure, under his leadership and a Republican Congress, they turned this surplus into an $8.8 trillion hole, the biggest reversal in history.

And we have to remember that President Bush gave us a series of records, but they're the wrong kinds of records. This country now has the largest debt in the history of our country, $9.6 trillion. Each American owes $30,000 of this debt. And we have the largest trade deficit. They have dug us into an $8.8 trillion reversal, and this was given to us by the Bush administration and the Republican Congress.

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

Mr. BRADY of Texas. Mr. Chairman, I yield 6 minutes to the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. Mr. Chairman, I am pleased to address the House tonight about the budget because there has been a lot of concern expressed here today on both sides of the aisle about the kind of financial trouble we're in. And there's no doubt about that. But sometimes I think we go back and forth spending more time blaming each other rather than dealing with the real problem.

One of the contentions I've had about the budget is that we look at it as an accounting problem rather than a philosophy problem because the spending occurs because of what we accept as the proper role of government. And right now, it's assumed by the country as well as the Congress that the proper role of government is to run our lives, run the economy, run the welfare state, and police the world. And all of a sudden, it puts a lot of pressure on the budget.

Today, the national debt is going up almost $600 billion. And the economy is getting weaker, there's no doubt about it. We're in a recession, it's going to get much worse, which means that the deficit is going to get a lot worse. And I'm predicting within a couple of years, it will not surprise me one bit to see the national debt, the national obligation for future generations to rise in 1 year three-quarters of $1 trillion. And that is a very possible number.

And like it has been expressed so often today, we need to do something about it. The question is, what are we going to do about it? One side, it seems like, well, if we just raise taxes, we're going to solve the problem. The other side says, well, all we have to do is get rid of the earmarks. Well, that argument, I think, falls short, too, because

you can vote to cut all the earmarks, but it doesn't cut any spending, it just delivers the authority to spend the money to the executive branch. I think the job of the Congress is to earmark the money. It's our obligation to tell people how the money is spent.

And those who think that we can solve this problem by just getting rid of earmarks, they never talk about the earmarks overseas, the hundreds of millions, if not billions, of dollars we spend overseas. We earmark them to certain countries, into building military buildings overseas. What about the earmark for the embassy in Iraq? It has cost $1 billion. That's an earmark. But the side that said that we can solve this problem by cutting earmarks never talks about these earmarks.

Just think of the earmarks in the military budget. I mean, billions. And what do we do? We finally elect a different Congress to deal with some of these supplementals and emergency spending that we don't have the guts to put on the budget, so we elect a new Congress. And what do we do? We have the continuation, in all the budgets presented today, we're still going to finance the war as an off-budget emergency item. We're not being honest with ourselves. And we pretend that the problem is there, and that if you talk about it, it's going to go away.

The way I see it is there's only one way that we're going to attack this, and that is, decide what our government ought to be doing. And the Constitution is very clear, the government ought to preserve our liberties and give us a strong national defense. It shouldn't run our lives, it shouldn't run the economy, it shouldn't police the world. We're not supposed to be the policemen of the world. But everybody talks about it.

And both sides of the aisle have no hesitation to spend every cent the executive branch asked for to run a war that was never declared. We now spend $1 trillion a year going up, this year it's going to go over $1 trillion to run the operations overseas. That means all the foreign aid and all the military, $1 trillion to do things we shouldn't be doing.

They interviewed 3,400 military personnel just recently, military leaders, and 82 percent of them said our military is weaker today than it was 5 years ago. So, all of this money spent and all this policing in the world, and all this deficit.

And financially we're coming down. I mean, just today the dollar went down 1.2 percent in one day, after this steady erosion. It comes from the fact of deficits. And why does that hurt the dollar? Because we don't have enough money. We don't tax enough. We can't tax anymore. People are overtaxed. We can't borrow anymore because interest rates will go up. So, we print the money. And the more money you print, the further the dollar goes down, and then everything goes up in price. So it's a cycle that's coming to an end.

The value of the dollar is really telling the whole story. We've overextended ourselves because we do not challenge the whole notion of what we ought to be doing here and what our government ought to be all about because we have drifted so far from the original intent of the Constitution. There is no hesitation, there are debates that go on here endlessly. One side of the aisle says, well, we need more and more money for the military; we can't cut one single cent on overseas expenditure. And the other side says, oh, no, we can't cut the entitlements. And then there's an agreement, we raise both.

My idea is to have a strong national defense and to get this budget under control. Reject the notion that we need to run an empire; we can't afford it, it's going to come down, it always comes down. It has come down all throughout history because eventually the currency is destroyed.

□ 2000

We're in 130 countries. We have 700 bases. Our military now is in worse shape than it was 5 years ago, according to our military. So it's time we look at the strategic, the philosophic problems. And I will say, unless we do this, this will end badly. It's going to end with a major economic crisis. It's going to be worldwide, and we here at home will suffer, not only economically but inevitably. Under these conditions the people lose their liberty, and our liberties are being eroded every single day that we're here.

So, yes, we take an oath to obey and uphold the Constitution against foreign and domestic. But we're domestic, and we should protect our rights and our budget and the greatness of this country.

Mr. BRADY of Texas. Mr. Chairman, I would yield 4 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), one of our leaders in this conference and one of our most distinguished leaders.

Mr. KNOLLENBERG. Mr. BRADY, thank you very kindly for yielding. I appreciate that very much.

Mr. Chairman, I rise tonight on behalf of the hardworking men and women of Michigan and particularly of my Ninth District.

It will come as no surprise to most to hear me say that Michigan has been struggling mightily of late. For the past 6 years, we have suffered from incomparable job losses throughout Michigan. In fact, Michigan was the only State in the Union to have lost jobs in each and every year of that time frame. Our unemployment rate has been the Nation's highest, or close to it, for longer than anyone can remember. Home foreclosures are up. Wages are down. Costs seem to be rising at every turn. To put it lightly, the people of Michigan are facing some tough times.

Not too long ago, the Governor of Michigan proposed an income tax increase. The citizens were on the verge of revolt. The State government actually shut down for a bit. As Michigan families struggled, the last thing they thought they deserved from their government was a bigger tax bill. But, sadly, they got one anyway.

Now the leadership of this body wants to send the good people of Michigan and the people across the country another tax increase. In fact, they want to send, as has been said before, the biggest tax increase in American history.

Well, I'm here to say, and to say strongly, enough is enough. Enough with higher taxes. Enough with wasteful spending. Enough.

Analysts have calculated that the average family in my district would see their taxes go up by more than $4,100 if this budget were to be enacted. That's $4,100 that families in Oakland County simply cannot afford. Worse yet, we know that a tax increase this big would do serious harm to the economy, costing even more jobs and putting more people out of work.

The other problem is, and some have told me that my district alone would lose some 2,000 jobs in the wake of this scale of tax increase. I do not want to let that happen.

Many are concerned that the national economy is showing signs of weakness. I submit to my colleagues the weakness you may be seeing is just a common cold compared to the prolonged pneumonia Michigan has suffered from during its single-State recession.

I'm going to fight and fight hard to protect Michigan's families, as every Member here I know would protect the people from their own States, protect them from higher taxes. Taking more of their hard-earned money from their pockets will only lead to more problems, more job losses, and more hardships.

So I repeat: Enough with higher taxes. Enough with wasteful spending. Simply, enough.

If you're thinking of voting for a tax increase this big, I'd invite you to come to see me in Michigan. There you can see firsthand what higher taxes do to an economy. Higher taxes shutter factory doors. They close small businesses, and they hurt families right to the core. This budget, and the $4,000 increase that comes with it for Oakland County's families, is simply unacceptable.

Instead of raising taxes, we should be focused on solutions that will strengthen the economy, create jobs, encourage investment, and foster innovation. Raising taxes would do the exact polar opposite.

So I strongly urge my colleagues, Mr. Chairman, to reject this massive tax increase on average Americans. I know firsthand how much harm it would do to Michigan's families, and I have every reason to believe it would do the same to families across America.

Mrs. MALONEY of New York. May I inquire of the Chair how much time remains on the Democratic side and how much remains on the Republican side.

The Acting CHAIRMAN. The gentlewoman from New York has 13½ minutes. The gentleman from Texas (Mr. BRADY) has 10½ minutes.

Mrs. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

To respond to some of the points made by the gentleman from Texas on the high cost of the war, the gentleman from Texas has pointed out that the war is not paid for, that it's off budget, and I support his recommendation that it should not be in a supplemental emergency spending bill.

This chart here shows the Federal spending on the Iraq war versus other priorities in the 2008 budget authorization. The Iraq war is costing, the request, twice as much as is in the Federal budget for transportation for the entire country, and it is five times more than what is in the budget now for the National Institutes of Health. It is seven times more than the college tuition assistance. So this is really costing Americans a great deal of money that could be spent on other priorities.

This chart here shows that the administration wants to spend $435 million on Iraq every day. And each year that money could be used to enroll for an entire year 57,000 children in Head Start, fund an additional 150,000 Pell Grants for low-income students for an entire year, save 290,000 families from losing their homes. It could hire for an entire year an additional 10,000 Border Patrol agents. It could hire more than 9,000 police officers for a year, and provide health insurance for 330,000 low-income children through the SCHIP program. So, for $435 million that they are requesting for Iraq every day, you could provide for an entire year health insurance for over 330,000 low-income children.

So I really want to join my colleague from Texas in his comments on the spending on the war.

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

Mr. BRADY of Texas. Mr. Chairman, I yield myself 20 seconds.

I would make the point that this new Democrat leadership promised to pay for this war. They vowed riding into office that's what they would do. They had three opportunities last year and this year to fund that war. The budget of last year, the emergency spending, and the budget again for this year. Guess how much is paid for? Zero. Zero money.

It's one thing to make promises to be fiscally responsible. It's another thing not to be fiscally responsible.

Mr. Chairman, with that, I would yield 5 minutes to one of our conservative leaders in Congress, a woman who has fought very hard for middle class families in Tennessee and this country, the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I thank the gentleman from Texas for yielding.

And, Mr. Chairman, I am so pleased to come to the floor and participate in this debate. I think it's one of the most important debates that we have every single year.

And listening to all the comments that are taking place here this evening, Mr. Chairman, it is not lost on me. Budgets are supposed to be about priorities. Budgets should reflect the priorities of a nation, and they should lay out the funding for what we think is important, where we should spend the taxpayers' money.

And I think we have to stop there and pause just a moment because, Mr. Chairman, when I listen to some of our colleagues make comments, as my dear friend from New York just made, talking about all the good things that could be done with money, this is not our money. I do admit that the Federal Government has first right of refusal on the taxpayers' paycheck. I recognize they do that. I don't agree with that. But I think what we have to do is say having first right of refusal isn't right, but the taxpayer turns that money over willingly, and they have the right to know how we spend their money. They have the right to know what those priorities are going to be. So all the functions of the budget are supposed to lay those priorities out.

Now, Mr. Chairman, when I have talked with my constituents about this budget, the number one thing that they have said is this: With the way the taxes are going up, with the way the spending is going up in Washington, I am having too much month left over at the end of my money. And they think the priority reflected in this budget ought not to be the Federal Government's having first right of refusal on that paycheck. The first priority ought to be leaving that paycheck with the person that earned it. Well, what a novel idea. What a novel idea.

Well, let's just look at what we see in the Democrat leadership's budget. Well, the largest tax increase in American history. Here it is. And you can see previously we had $241 billion in 1993. That was President Clinton's tax increase. But now look at the number over there: $683 billion in tax increases over a 5-year period of time to pay for the spending that this House wants to participate in.

Well, we know this is going to be costly. So when you look at a chart of what it's going to cost every State, $2,611 is what it will cost the average Tennessean. In my district in Tennessee, that number is $2,668.

Well, taxes seem to be a priority, enough of a priority that this Democrat leadership wants to increase taxes on my constituents in the Seventh District of Tennessee $2,668. But, Mr. Chairman, they had the opportunity to extend sales tax deductibility, which those of us in Tennessee have enjoyed because we don't have a State income tax. And every Democrat on the Budget Committee voted against giving that tax relief to my constituents in Tennessee because they wanted higher taxes.

Well, the question is, what are they going to do with this tax money once they get it? And here is a chart that shows their discretionary increases. Well, we see $23 billion above the request in fiscal 2009. And, whoops, look at what's going to happen over there: $280 billion. And what does that discretionary spending buy the taxpayer? Well, Mr. Chairman, there are $280 billion worth of earmarks. We're going to have another $280 billion, not hundred, not thousand, not million, but billion with a ''b,'' $280 billion worth of earmarks that we are going to see over a 5-year period of time.

The American people have said enough is enough. They want that discretionary spending to come down. They want the earmark spending to come down.

Well, let's take a look at one more thing, and that is entitlements. And we don't even have enough time, obviously, to address that. This House has chosen not to address it. This leadership has chosen not to address it. And look at this chart. By the time we get to 2030, it is going to take every tax dollar coming in to pay for the entitlements of Medicare, Medicaid, and Social Security.

□ 2015

We know there is a crisis coming with entitlements. We know that we are going to see earmarks increase. And my constituents are telling me they've had enough of it. They've got too much month left over at the end of that money, and they want to keep more of that money in their pocket.

Mr. BRADY of Texas. At this time, I would reserve the balance of my time.

Mrs. MALONEY of New York. Mr. Chairman, how much time is left on the Democratic and Republican sides?

The Acting CHAIRMAN (Mr. WILSON of Ohio). The gentlewoman from New York has 11 minutes remaining. The gentleman from Texas has 5¼ minutes remaining.

Mrs. MALONEY of New York. Mr. Chairman, I would like to comment on the statement that my good friend and colleague from the State of Tennessee claims that this is the largest tax increase in history. But all we are doing as Democrats is applying the basic rules of fiscal responsibility to expiring tax provisions.

Tax cuts should not be financed with borrowing. Tax cuts are not true tax cuts if they are not paid for. We have committed to preserve middle-class tax cuts if they can be properly paid for in 2010.

And if I could, Mr. Chairman, I will quote from nonpartisan budget groups that agree that the House budget resolution does not raise taxes. These are nonpartisan groups, The Hamilton Project of the Brookings Institute,

''The House Budget Committee's budget resolution would not raise taxes.'' The Center on Budget and Policy Priorities, ''Neither of the plans that the House and the Senate recommended this week by the Budget Committees include a tax increase.'' The Concord Coalition, ''Applying PAYGO, pay-as-you-go, rules to expiring tax cuts does not constitute a tax increase. It constitutes a policy decision requiring a balancing of priorities. That is what budgeting is all about.''

I reserve the balance of my time. I yield to my colleague, Congressman BRADY. And we have no other speakers on my side. So after you close, I then will close for my side.

Mr. BRADY of Texas. I thank the gentlelady.

I yield myself such time as I may consume to close.

I don't know where those fairy tales come from, I don't mean from the gentlelady, but some of these special interest groups. But I'm looking at the budget, page 37, I look at this title III called ''reserve funds.'' It doesn't have any money in it, but it is called ''reserve funds.'' It is empty. It says they have all these reserve funds for tax relief, middle-income tax relief, alternative minimum tax relief, higher education, and sales tax deduction.

Here is the problem: I then turn to the page where the line item is for these reserve funds, and it is zero. It is zero in the budget. All these tax cuts that are so important for families and small businesses will go away. In fact, if you ask the question, will those taxes increase in order to balance the Democrat budget? The answer is absolutely yes. Absolutely yes.

And the reason you know this is that every independent organization from government who has examined this budget knows and states, we will see the largest tax increase in American history.

Let us get down to this point, though. We do have common ground, the Republicans and the Democrats, on balancing the budget. There is no question about it. We believe it needs to be done. Here is the difference between the two parties. Republicans believe that we should not raise taxes on families and small businesses, that we should have spending restraint, just a small amount, 3 percent, Washington tighten its budget belt before families do, we tackle Social Security and Medicare in a meaningful way to preserve it, and we enact a 1-year moratorium on frivolous earmarks so we can stop using those hippie museums and the bridges to nowhere and those just embarrassments of spending, that we can go back and come up with a commonsense way of do it in moderation.

The Democrat budget has a different approach. You may like it. They raise taxes about $3,000 on every family every year in America. They have higher spending, the largest spending budgets in American history. There is no action to preserve Social Security or Medicare, and earmarks continue unabated. And we have already seen the results of this in the past year. When Republicans held control of Congress, we spent too much. We spent too much, and the deficit got as high as $412 billion in 2004. It was wrong. Every year we have whittled it down, until the last Republican budget was $162 billion deficit. That is better than half, but that is not good enough. And in the 1-year budget Democrats have had, they have more than doubled, $357 billion deficit projection according to the Congressional Budget Office, and this year's deficit may be larger than that. The compass is going in the wrong direction. America doesn't need to have their taxes raised. Washington needs to tighten its belt, especially before we ask our families to tighten their belt. We need to tackle Social Security and Medicare. We need to call a time-out on these frivolous earmarks. And we need some spending restraint that the American people believe that we can do.

This is a bad budget for the values and the future of America. It harms our families and small businesses and resorts to budget gimmicks. It will never be a balanced budget. The Republican alternative is a sensible one that will do that the right way. The right choice is the Republican budget.

With that, I yield back my time.

Mrs. MALONEY of New York. I thank the gentleman for his participation tonight.

And I just would like to respond that the Republican budget proposal claims to pay for tax cuts with enormous, but unspecified, cuts in government spending. But when my Republican colleagues were in charge of Congress, along with the President, they did not cut spending. Instead, spending and earmarks grew massively. And so did the Federal debt.

My Republican colleagues and the President gave this country a series of records, but they were the wrong kinds of records. They gave us record debt, $9.6 trillion, the largest in the history of this country. So when they talk about financial responsibility, this is what they gave this country when they inherited a surplus. They gave us the largest debt in history. Every American owes $30,000 to this debt. They also gave us the largest trade deficit in history. And they also gave us the largest deficit in history.

So what we have before us, Mr. Chairman, is a responsible budget put forward by the Democratic leadership. And, Mr. Chairman, the challenge for this Congress is to return to the fiscal discipline that has been squandered by the President and his party over the past 7 years giving us the largest debt in history.

Today, Democrats in Congress present a realistic budget plan that adheres to PAYGO principles. We eliminate President Bush's deficits by 2012 and make the investments necessary to strengthen our economy and make Americans safer.

I want to remind my colleagues that under the Clinton administration, every year the deficits got smaller. But under the Bush administration, every year they have gotten larger. Our budget, the Democratic budget, provides health care for millions of additional uninsured children. We make critical investments in defense and our veterans health care. We also restore crucial funding for Medicare and Medicaid, as well as State and local law enforcement programs.

In order to spur innovation that will keep America number one, we provide increased funding for math and science education and research. We also expand renewable energy and energy efficiency programs to reduce global warming and our dependence on foreign oil. And we provide new training opportunities to prepare workers for green collar jobs. Our budget makes important investments in infrastructure to begin to rebuild our crumbling bridges and levees.

Democrats target tax relief to families struggling to make ends meet in the face of an economic downturn. Our plan extends middle-income tax breaks, including the child tax credit and marriage penalty relief, and we protect 20 million middle-income American families from being snagged by the alternative minimum tax.

Mr. Chairman, this budget resolution is an important step towards putting our financial fiscal house back in order and creating greater economic opportunities and prosperity for all American families.

Mr. SMITH of Nebraska. Mr. Chairman, when I'm back in Nebraska, I take the opportunity to listen to my constituents about the challenges they face in their day-to-day life.

The high cost of fuel, rising energy prices, and the overall strength of the American economy are all concerns for Nebraskans and all Americans.

Now is the time for Congress to step up to the plate and act with common-sense and fiscal responsibility.

The budget resolution we are debating, however, lets the American people down on those two fronts.

Instead of supporting common-sense budget process controls and responsible spending levels, this budget systematically guts a range of budget process tools, from the Majority's own PAYGO rule to abandoning any criteria for emergency spending.

In other words, the policies which make it easiest to tax-and-spend.

This budget hikes discretionary spending by $204 billion over 5-years on top of the Administration's proposed increase, the Majority loaded up their resolution with over 20 so-called spending ''reserve funds,'' and increased reliance on budget gimmicks, such as advance appropriations.

Unfortunately, this budget increases spending, raises taxes to historic levels, refuses to fix the AMT—which will hit millions of middle-class taxpayers if nothing is done.

It does nothing to rescue Social Security, Medicare or Medicaid despite the fact the Budget Committee has heard time and time again that something must be done about entitlement spending.

Regrettably, the budget we will consider today appears to simply underscore this Majority's insistence on reckless spending, chased by record tax hikes on American workers and businesses, and massive debt burdens for future generations.

Nebraskans—and all Americans—have called for Congress to live up to its fiscal responsibilities.

Today, however, we are debating a bill which badly misses the mark.

I urge my colleagues to take a stand against this budget—which proposes hundreds of billions of dollars in new government spending paid for with the largest tax hike in American history.

Mr. WOLF. Mr. Chairman, I am deeply disappointed that the FY 2009 budget resolution we are considering today continues business as usual in the House. This resolution is another missed opportunity to come to grips with the financial crisis looming on the horizon for our Nation. We face enormous fiscal challenges and addressing them will take bipartisan commitment. The budget resolution—and all of the substitutes—fail to address the long-term spending crisis staring us right in the face.

JIM COOPER and I have been working together with almost 70 cosponsors from both sides of the aisle ii offering a solution—the Cooper-Wolf SAFE Commission Act—to respond to what outgoing U.S. Comptroller David Walker characterizes as a ''tsunami of spending and debt levels that could swamp our ship of state.''

At the Government Accountability Office, Mr. Walker has coordinated the country-wide ''Fiscal Wake Up Tour'' and has done a tremendous job of working to educate the American people on the grave condition of our country's fiscal health. I salute David Walker for the yeoman work he has done in bringing this issue to the front burner. He is leaving GAO this week, but he is not abandoning the cause in which he believes and into which he has poured his heart and soul over the past few years. He was quoted as saying, ''I love my job. I love GAO. But I love my country more.''

Republicans and Democrats must take to heart David Walker's words—for the love of country—and come together to avert the financial tsunami coming closer and closer to our Nation's shores. It doesn't take an expert to understand that this nation is teetering on the edge of a financial crisis like no other time in our history.

We had the opportunity in this year's budget process to take the initial steps to get our financial house in order. But again this budget cycle, the House is choosing to look the other way and continue business as usual.

If we don't get our country's financial house in order and make the sacrifices necessary today, the future for our children and grandchildren will be bleak. Our economic growth will come to a grinding halt, our standard of living and even our national security will be at risk if we don't start actively working to change our current course. We cannot continue to keep borrowing and mortgaging our future to countries like China and Saudi Arabia that carry obscene amounts of our debt.

This issue is an economic and moral issue that hangs like an ominous cloud over everything we do as public servants, yet many ignore it. I understand we won't be able to fix our financial woes overnight, but we must come together across the aisle if there is ever to be any hope of ensuring that our Nation's future is strong.

That's why Representative JIM COOPER and I joined efforts and have been calling for a national bipartisan commission that will put everything—entitlement spending, other Federal program spending and tax policy—on the table and come up with recommendations to halt the mounting debt.

Nothing would be off limits for discussion by the commission members.

A critical component of the commission's work will be to engage the American people in a national dialogue about the scope of the country's financial conditions and solutions to the problem. After spending 6 months conducting townhall-style meetings around the country, the commission will present a report to Congress describing the long-term fiscal problems, public suggestions and views, and policy options available to get us back on the right track.

Modeled after the Federal base-closing process, Congress would be required to vote up or down on the plan in its entirety. Mandating congressional action is what makes the SAFE Commission unique. If other viable bipartisan solutions are presented, I think we should look at those, too.

The Cooper-Wolf SAFE Commission legislation has been endorsed by groups across a wide political spectrum—groups who usually disagree more than they agree on policy issues—the Brookings Institution, the Heritage Foundation, the Concord Coalition, and the Committee for a Responsible Federal Budget. The Business Roundtable and National Federation of Independent Business are also on board. National columnists David Brooks, David Broder, and Robert Samuelson all have written about the entitlement crisis facing our country and the SAFE Commission as a potential way forward. Senators CONRAD and GREGG have introduced similar legislation in the Senate.

The financial tsunami is moving closer to our shores and the longer we wait to act, the harder it will be to stop the tidal wave of red ink. If our children and grandchildren were on the beach with an actual tsunami off the coast, we would do everything we could to help them. We must move beyond politics and come to grips with the fact that the financial future of our country is an American issue and it's on our watch to fix.

How can this Congress sit by knowing full well that our financial woes will haunt generations to come?

I could easily use all the time for general debate today providing the evidence to support the critical need to address the nation's financial future. This should be the number one budget priority for this Congress. Let me give an example. In January, Moody's Investors Service released its annual report which concluded that the United States triple-A bond rating is at risk. The United States could lose its triple-A bond rating as early as 2012. What does that mean?

That means that respected credit-rating agencies are projecting that the United States will be on par with Greece and Estonia by 2015, Poland and Mexico by 2020, and below investment grade—junk debt—by 2025.

Here's more evidence: the retirement of the baby boomers started this year and presents a demographic challenge that is unprecedented. In 2006, Medicare, Medicaid, and Social Security consumed 40 percent of the budget. That percentage is expected to jump to 51 percent in less than 10 years. It may be out of sight, out of mind for now, but it's simple math. As the number of Americans aged 65 and up rises, and the working population shrinks, more Americans will draw on promised benefits. The rubber will meet the road, and we will have done nothing to cushion the blow.

We cannot continue to avoid our responsibility to future generations of Americans by passing on a broken system in the form of unfunded Social Security and Medicare obligations and unsustainable spending.

Simply put, the budget resolution set forth this year represents a missed opportunity. We need to follow the example of David Walker and for the love of our country, and for our children and grandchildren, do what it will take to protect our Nation's future. The SAFE Commission is the bipartisan way forward. Mr. Speaker, I would like to insert for the RECORD a letter I received from U.S. Comptroller General David Walker, a recent Financial Times article about our Nation's triple-A bond rating, and a Robert Samuelson op-ed from The Washington Post.

[From the Washington Post, October 3, 2007]

ESCAPING THE BUDGET IMPASSE

(By Robert J. Samuelson)

Almost everyone knows that the next president will have to wrestle with the immense costs of retiring baby boomers. Comes now a small band of Democrats and Republicans who want to do the new president a giant favor. They want to force the new administration to face the problem in early 2009. Why is this a favor? Because dealing with this issue is so politically unsavory that resolving it quickly would be a godsend. Otherwise, it could haunt the White House for four years.

Let's review the problem (again). From 2000 to 2030, the 65-and-over population will roughly double, from 35 million to 72 million, or from about 12 percent of the population to nearly 20 percent. Spending on Social Security, Medicare, and Medicaid—three big programs that serve the elderly—already represents more than 40 percent of the federal budget. In 2006, these three programs cost $1.1 trillion, more than twice defense spending. Left on automatic pilot, these programs are plausibly projected to grow to about 75 percent of the present budget by 2030.

Stalemate results because all the ways of dealing with these pressures are controversial. There are only four: (a) massive tax increases—on the order of 30 to 50 percent by 2030; (b) draconian cuts in other government programs (note that the projected increases in Social Security and Medicare, as a share of national income, are more than all of today's domestic discretionary programs); (c) cuts in Social Security, Medicare and Medicaid—higher eligibility ages or lower benefits for wealthier retirees; or (d) undesirably large budget deficits.

The proposed escape seems at first so drearily familiar and demonstrably ineffective that it's hardly worth discussing: a bipartisan commission. But what would distinguish this commission from its many predecessors is that Congress would have to vote on its recommendations. The political theory is that, presented with a bipartisan package that cannot be amended, most politicians would do what they believe (privately) ought to be done rather than allow pressure groups, including retirees, to paralyze the process.

There is precedent for this approach. Since 1988, Congress has allowed more than 600 military bases and facilities to be closed or streamlined using a similar arrangement. An independent Base Realignment and Closure Commission evaluates the Pentagon's proposed closings and listens to objections. With the president's approval, it then submits its own list, which goes into effect unless vetoed by both houses of Congress. This process provides members of Congress bipartisan ''cover'' and prevents amendments from weakening the package.

Two prominent proposals would adapt this approach to the budget. The first, offered by Sens. Kent Conrad (D–N.D.) and Judd Gregg (R–N.H.), the chairman and ranking minority member of the Budget Committee, would create a 16-member commission, evenly divided between Democrats and Republicans. All eight Democrats would be from Congress, as would six Republicans. The administration would have two members, including the secretary of the Treasury.

Conrad's notion is that the impasse is political and that only practicing politicians—people with ''skin in the game''—can craft a compromise that can be sold to their peers. The commission would report in December 2008. Twelve of its 16 members would have to support the plan, with congressional passage needing 60 percent approval (60 senators, 261 representatives). These requirements, Conrad and Gregg argue, would ensure bipartisan support.

The other proposal comes from Reps. Jim Cooper (D–Tenn.) and Frank Wolf (R–VA.) It would also create a 16-member commission, with two major differences. First, only four of its members would be from Congress. Second, though Congress would have to vote on the commission's proposal, there would be some leeway for others—including the president—to present alternatives as long as they had the same long-term budget impact. Any proposal, however, would have to be voted on as a package without amendments.

A combination of these plans might work best. A 20-member group would be manageable and should include four outsiders to provide different perspectives and, possibly, to build public support. Perhaps the head of AARP should be included. And it would be a mistake to present the next president with a take-it-or-leave-it package. The Cooper-Wolf plan would allow a new administration to make changes—and get credit—without being able to start from scratch.

This commission approach has potential pitfalls: It might create a face-saving package that does little. But everything else has failed. The main political beneficiary would be the next president. It would be revealing if some of the hopefuls—Democrats and Republicans—would show that they grasp this by providing their endorsements. Otherwise, the odds that Congress will even create the commission are slim.

U.S. GOVERNMENT
ACCOUNTABILITY OFFICE,
Washington, DC, January 22, 2008.

Hon. FRANK R. WOLF,
House of Representatives.

DEAR MR. WOLF: As we discussed by phone this morning, while it is understandable that many in Congress are rightfully concerned about our current economic slowdown and recent market declines, it is important that the Congress not forget about our much larger structural challenge. Specifically, we must not forget our large and growing fiscal gap which now totals approximately $53 trillion ($53,000,000,000,000) and it is growing by $2 to $3 trillion a year absent any meaningful reforms.

Approximately three years ago Standard and Poor's issued a publication stating that, absent policy changes, the U.S. Government's debt to GDP ratio was on track to mirror ratios associated with speculative-grade sovereigns. Within the last month, Moody's Investors Service issued its annual report on the United States. In that report they noted their concern that, absent Medicare and Social Security reforms, the long-term fiscal health of the United States and our current Aaa bond rating were at risk. These not too veiled comments serve to note the significant longer-term interest rate risk that we face absent meaningful action of our longer range challenge as well. Higher longer-term interest costs would only serve to complicate our fiscal, economic and other challenges in future years.

I believe that it is critically important that this Congress not just address our short-term economic challenge but also our longer-range fiscal gap. The consequences of failing to do so will over time be much more dire than the current economic and market disruptions we are experiencing.

As you may know, while our annual deficits have declined for three straight years, our total fiscal imbalance has continued to grow. Absent meaningful budget, entitlement, spending and tax reforms, this imbalance, which is driven primarily by rising health care costs and known demographic trends, will result in a tsunami of spending and debt levels that could swamp our ship of state.

[From the Financial Times, Jan. 11, 2008]

UNITED STATES' TRIPLE-A CREDIT RATING 'UNDER THREAT'

(By Francesco Guerrera, Aline van Duyn and Daniel Pimlott)

The U.S. is at risk of losing its top-notch triple-A credit rating within a decade unless it takes radical action to curb soaring healthcare and social security spending, Moody's, the credit rating agency, said yesterday.

The warning over the future of the triple-A rating—granted to U.S. government debt since it was first assessed in 1917—reflects growing concerns over the country's ability to retain its financial and economic supremacy.

It could also put further pressure on candidates from both the Republican and Democratic parties to sharpen their focus on healthcare and pensions in the run-up to November's presidential election.

Most analysts expect future administrations to deal with the costs of healthcare and social security and there is no reflection of any long-term concern about the U.S.'s financial health in the value of its debt.

But Moody's warning comes at a time when U.S. confidence in its economic prowess has been challenged by the rising threat of a recession, a weak dollar and the credit crunch.

In its annual report on the U.S., Moody's signalled increased concern that rapid rises in Medicare and Medicaid—the government-funded healthcare programmes for the old and the poor—would ''cause major fiscal pressures'' in years to come.

Unlike Moody's previous assessment of U.S. government debt in 2005, yesterday's report specifically links rises in healthcare and social security spending to the credit rating.

''The combination of the medical programmes and social security is the most important threat to the triple-A rating over the long term,'' it said.

Steven Hess, Moody's lead analyst for the U.S., told the Financial Times that in order to protect the country's top rating, future administrations would have to rein in healthcare and social security costs.

''If no policy changes are made, in 10 years from now we would have to look very seriously at whether the U.S. is still a triple-A credit,'' he said.

Mr. Hess said any downgrade in the U.S. rating would have serious consequences for the global economy. ''The U.S. rating is the anchor of the world's financial system. If you have a downgrade, you have a problem,'' he said.

Moody's did once threaten to cut the rating of some of the U.S. Treasury's debt when Congress refused to pass the president's budget in the mid-1990s. Other large economies, notably Japan in the 1990s, have had to suffer the symbolic blow of losing their top-notch credit rating.

Last year, David Walker, comptroller general of the U.S., caused controversy when he compared America's current situation with the dying days of the Roman empire and warned the country was on ''a burning platform'' of unsustainable policies.

Medicare and Medicaid spending, which has risen sharply over the past few decades and now accounts for about 45 percent of total Federal spending, up from about 25 percent in 1975, has long been a source of concern.

Mr. BOUSTANY. Mr. Chairman, I rise today to argue against this proposed Democratic budget that would raise taxes on Louisiana taxpayers by an average of $2,642 and contains egregious wasteful spending.

Extra money for tax hikes might be in the family budget for people in San Francisco, but families in southwest Louisiana do not have extra room in their budgets. Wasteful spending and tax hikes are irresponsible. The Democratic House leadership must understand that American families are facing higher costs at the pump, higher costs for healthcare and education, and more money to pay Federal taxes simply isn't there.

The Democratic budget proposal includes a massive $683 billion tax increase spread over five years in order to finance wasteful Washington spending according to the Congressional Budget Office. Taxpayers in Louisiana face average tax increases of $2,642. While failing to address growing entitlement programs, House Democrats are proposing tens of billions more in new Federal spending facilitated by the tax increase.

In addition, the Democratic budget contains the following: Cuts to the child tax credit, from $1,000 to $500 per child; Decreases to the adoption tax credit; Decreases in tax-free 401(k) and IRA contributions; Tax increases for small businesses averaging more than $4,000 per business.

Mr. Chairman, I cannot in good conscience support a budget that is as irresponsible as this one. It is a hamper to American entrepreneurs, small businesses and economic growth. Additionally, it hurts American families who struggle to pay higher energy prices, healthcare costs, housing costs and education costs.

Our budget is a statement of priorities. Lowering taxes, growing our economy and providing for families are my priorities. This Democratic budget falls well short.

Mrs. MALONEY of New York. Mr. Chairman, I yield back the balance of my time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PETERSON of Minnesota) having assumed

the chair, Mr. WILSON of Ohio, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

SHORT-TERM FARM BILL EXTENSION

Mr. PETERSON of Minnesota. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2745) to extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2745

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

SECTION 1. EXTENSION OF AGRICULTURAL PROGRAMS.

(a) EXTENSION.—Except as otherwise provided in this section and notwithstanding any other provision of law, the authorities provided under the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 7 U.S.C. 7901 et seq.) and each amendment made by that Act (and for mandatory programs at such funding levels), as in effect on September 30, 2007, shall continue, and the Secretary of Agriculture shall carry out the authorities, until April 18, 2008.

(b) CONSERVATION PROGRAMS.—

(1) FARMLAND PROTECTION PROGRAM.—Notwithstanding any other provision of law, the Secretary of Agriculture (referred to in this subsection as the ''Secretary'') shall continue the farmland protection program established under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) at a funding level of $97,000,000 per year.

(2) GROUND AND SURFACE WATER CONSERVATION.—Notwithstanding any other provision of law, the Secretary shall continue the ground and surface water conservation program established under section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) at a funding level of $60,000,000 per year.

(3) WILDLIFE HABITAT INCENTIVES PROGRAM.—Notwithstanding any other provision of law, the Secretary shall continue the wildlife habitat incentive program established under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) at a funding level of $85,000,000 per year.

(c) EXCEPTIONS.—This section does not apply with respect to the following provisions of law:

(1) Section 1307(a)(6) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7957(a)(6)).

(2) Section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)).

(3) Section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034).

(4) Section 601(j)(1) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)).

(5) Section 231(b)(4) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621note; Public Law 106–224).

(6) Section 9002(k)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102(k)(2)).

(7) Section 9004(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104(d)).

(8) Section 9006(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(f)).

(9) Subtitles A through C of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911 et seq.), with respect to the 2008 crops (other than the 2008 crop of a loan commodity described in paragraph (11), (12), (13), or (14) of section 1202(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7932(b))).

(d) SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.—The provisions of law specified in subsections (a) through (c) of section 1602 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7992) shall be suspended through April 18, 2008.

(e) RELATION TO CONSOLIDATED APPROPRIATIONS ACT, 2008.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section does not apply to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008 (division A of Public Law 110–161; 121 Stat. 1846).

(2) REPEAL OF SUPERSEDED EXTENSION.—Section 751 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008 (division A of Public Law 110–161; 121 Stat. 1883) is repealed.

(f) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect on March 15, 2008.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. PETERSON) and the gentleman from Virginia (Mr. GOODLATTE) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 2745, a bill to extend current farm programs until April 18, 2008. Mr. Speaker, our farm policies ensure that all Americans have access to safe, secure and abundant food supply while providing a safety net for American farmers and ranchers. It also authorizes important nutrition programs for our country's neediest citizens, encourages vital conservation programs and supports the development of agriculturally based renewable energy.

Mr. Speaker, all of us on the Agriculture Committee would rather have a new farm bill signed into law rather than be here today asking for an extension.

After hearing about the popularity of the 2002 farm bill from farmers and ranchers nationwide in a series of field hearings our committee held in 2006, we set out last year to build on a strong farm safety net while making new investments in rural America and for our Nation's neediest citizens who depend on Federal food programs for a square meal.

The new farm bill that this House passed last July makes those investments in nutrition, fruits and vegetable production and farm-based renewable energy. It reforms our farm programs and reinforces the strong farm safety net. It includes an agreement between industry and consumer groups on mandatory country-of-origin labeling for meat. All that progress will be lost if we do not get this bill finished and signed into law.

Nevertheless, Mr. Speaker, we are taking steps toward a bipartisan, bicameral bill that Members can support. And I believe we have made enough progress in that endeavor to support a 1-month extension.

So, in closing, I would like to thank my friend and the ranking member, Mr. GOODLATTE from Virginia, for his work over the last few months and for standing alongside me in working with the Senate and the administration in order to get this farm bill to a conclusion.

Mr. Speaker, I urge passage of this bill.

Mr. Speaker, I rise today in support of S. 2745, a bill to extend current farm programs until April 18, 2008.

Mr. Speaker, our farm policies ensure that all Americans have access to a safe, secure and abundant food supply while providing a safety net for America's farmers and ranchers. Farm bills also authorize important nutrition programs for our country's neediest citizens, encourage vital conservation programs, and increasingly support the development of agriculturally based renewable energy, which will help reduce our dependence on foreign oil.

Mr. Speaker, all of us on the Agriculture Committee would rather have a new Farm Bill signed into law rather than to be here today to ask for an extension. When the House Agriculture Committee kicked off the Farm Bill process in 2006 with Farm Bill field hearings all across America, we hoped a new Farm Bill for American agriculture would have been signed into law by now. Even though the farmers and ranchers we heard from in those hearings were strongly supportive of the farm safety net of the 2002 law, we knew passing a new Farm Bill would not be easy in this kind of budget environment.

Mr. Speaker, the Farm Bill has been a victim of its own success. The 2002 law saved taxpayers billions but resulted in a 60 percent cut in budget authority for traditional farm programs when budget baselines were released a year ago.

Nevertheless, the Agriculture Committee wrote a Farm Bill from the ground up; a new Farm Bill that makes historic investments in fruit and vegetable production, conservation, nutrition, and renewable energy while reinforcing the strong safety net for America's

farmers. The House-passed bill institutes mandatory country-of-origin labeling for meat. And despite what is said by editorial boards in big cities, this Farm Bill contains significant reforms that just a few years ago many people thought would be impossible to pass. We have eliminated the three-entity rule. We have implemented direct attribution of payments for transparency. And thanks to a hard cap on eligibility, millionaires will no longer be receiving farm payments.

The Senate passed their Farm Bill in late December, and staffs have been working hard ever since the New Year to work out many of the policy issues we will face once an overall funding level is reached.

Mr. Speaker, we are taking gradual steps to reaching a bipartisan, bicameral bill that everyone can support, and I believe we have made enough progress to support a 1-month extension.

Many people would like to see different things with this Farm Bill, but the truth is, Mr. Speaker, that all of the advances we have made in fruit and vegetable production, nutrition, conservation, reforming farm programs, and encouraging farm-based renewable energy will go out the window if we do not get this bill done and signed into law. The forward progress we have made over the last few weeks lead me to believe that we can get this done. Our farmers and ranchers expect us to finish a new farm bill for a new age of agriculture.

In closing, I would like to thank my friend and Ranking Member Mr. BOB GOODLATTE of Virginia for his work over the last few months and for standing alongside me in working with the Senate and the Administration in order to get this Farm Bill to a conclusion.

Mr. Speaker, I urge passage of this bill.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I rise in support of S. 2745, the short-term farm bill extension that will extend some provisions of the 2002 farm bill until April 18. The other body passed the same provision this morning, and this body must pass this bill so both bodies can continue to work on conference negotiations.

□ 2030

Mr. Speaker, I would like nothing more than to stand before you today and report that we are on the brink of an agreement on the farm bill. However, progress on a new farm bill agreement has been painfully slow, and this process has become a source of frustration for me and my colleagues, and the chairman I know as well, as well as millions of rural Americans awaiting a new farm bill.

If we do not seek prompt and substantive action on the farm bill, I believe we must pursue a different course of action, because our farmers and ranchers have already waited too long. Interminable delays in implementing a new farm bill may not have real ramifications in Washington, but in rural America the effects are real, and they are substantial.

I appreciate the efforts of our committee chairman to try to keep this process moving. I know at times he has shared my frustrations. We all recognize the need for a new farm bill, and we continue to work toward completing a farm bill and getting it to the President for him to sign into law by April 18.

I urge my colleagues to support this farm bill extension to give us a little more time to try to overcome the budget obstacles that have been standing in the way of the farm bill finish line since last year.

We started this process together in a bipartisan fashion more than 2 years ago. We worked together in the committee to move a farm bill forward, but we have been hindered time and time again outside the committee by the fact that others in the Congress have failed to recognize the fact that this farm bill starts out $58 billion below the last farm bill in terms of what it will cost to continue the farm legislation forward. That is a great thing. That is a tremendous savings for the American taxpayer. But when we are trying to write a modern, forward-looking farm bill that encompasses changes in conservation, in nutrition, in energy, in specialty crops, and we are trying to reform the commodity title of the farm bill, we needed to have some additional resources.

The chairman and I went to the Budget Committee last year in a bipartisan fashion and asked for some money above the baseline, not $58 billion coming back to us, but $5 billion, $10 billion above that baseline, which still would have been a huge savings for the taxpayers and allowed us to write a farm bill inside the committee and bring it to the floor of the House without being dependent on another committee or another source. The same problem existed in the Senate.

The outcome has been that we have been spinning our wheels having to deal with other outside influences rather than getting the job done in the committee because of this funding not being available. We are going to have to look at some new alternatives if we don't get a breakthrough here in the next couple of days, because even this extension will expire very, very soon, and the time it takes to write a farm bill that encompasses a whole host of issues, from what goes on on the farm to all of our nutrition programs, to our environmental and conservation programs, to research programs for agriculture, to a whole host of other areas that are very, very important, not just to America's farmers and ranchers, not just to people living in rural America, but to every American consumer who depends upon our farm community to continue to provide the safest, most abundant, most affordable food supply in the world, and we will be working together.

I appreciate the chairman's working with me and with other Members on this side of the aisle to accomplish that goal. He has been tenacious in that effort. But we need to either move on, or we need to get the help that was promised a year ago to finally come to the committee so we can get the job done.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. PETERSON) that the House suspend the rules and pass the Senate bill, S. 2745.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials thereon on S. 2745.

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

There was no objection.

PENSION PROTECTION TECHNICAL CORRECTIONS ACT OF 2008

Mr. POMEROY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3361) to make technical corrections related to the Pension Protection Act of 2006, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3361

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

SECTION 1. SHORT TITLE; REFERENCES TO ACTS.

(a) IN GENERAL.—This Act may be cited as the ''Pension Protection Technical Corrections Act of 2008''.

(b) REFERENCES TO ACTS.—For purposes of this Act—

(1) AMENDMENT OF 1986 CODE.—The term ''1986 Code'' means the Internal Revenue Code of 1986.

(2) AMENDMENT OF ERISA.—The term ''ERISA'' means the Employee Retirement Income Security Act of 1974.

(3) 2006 ACT.—The term ''2006 Act'' means the Pension Protection Act of 2006.

SEC. 2. AMENDMENTS RELATED TO TITLE I.

(a) AMENDMENTS RELATED TO SECTIONS 101 AND 111.—

(1) AMENDMENTS TO ERISA.—

(A) Clause (i) of section 302(c)(1)(A) of ERISA is amended by striking ''the plan is'' and inserting ''the plan are''.

(B) Section 302(c)(7) of ERISA is amended by inserting ''which reduces the accrued benefit of any participant'' after ''subsection (d)(2)'' in subparagraph (A).

(C) Section 302(d)(1) of ERISA is amended by striking '', the valuation date,''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Clause (i) of section 412(c)(1)(A) of the 1986 Code is amended by striking ''the plan is'' and inserting ''the plan are''.

(B) Section 412(c)(7) of the 1986 Code is amended by inserting ''which reduces the accrued benefit of any participant'' after ''subsection (d)(2)'' in subparagraph (A).

(C) Section 412(d)(1) of the 1986 Code is amended by striking '', the valuation date,''.

(b) AMENDMENTS RELATED TO SECTIONS 102 AND 112.—

(1) AMENDMENTS TO ERISA.—

(A) Section 303(b) of ERISA is amended to read as follows:

''(b) TARGET NORMAL COST.—For purposes of this section—

''(1) IN GENERAL.—Except as provided in subsection (i)(2) with respect to plans in at-risk status, the term 'target normal cost' means, for any plan year, the excess of—

''(A) the sum of—

''(i) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, plus

''(ii) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(B) the amount of mandatory employee contributions expected to be made during the plan year.

''(2) SPECIAL RULE FOR INCREASE IN COMPENSATION.—For purposes of this subsection, if any benefit attributable to services performed in a preceding plan year is increased by reason of any increase in compensation during the current plan year, the increase in such benefit shall be treated as having accrued during the current plan year.''.

(B) Section 303(c)(5)(B)(iii) of ERISA is amended by inserting ''beginning'' before ''after 2008''.

(C) Section 303(c)(5)(B)(iv)(II) of ERISA is amended by inserting ''for such year'' after ''beginning in 2007)''.

(D) Section 303(f)(4)(A) of ERISA is amended by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(E) Section 303(h)(2)(F) of ERISA is amended—

(i) by striking ''section 205(g)(3)(B)(iii)(I)) for such month'' and inserting ''section 205(g)(3)(B)(iii)(I) for such month)'', and

(ii) by striking ''subparagraph (B)'' and inserting ''subparagraph (C)''.

(F) Section 303(i) of ERISA is amended—

(i) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) the excess of—

''(i) the sum of—

''(I) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, determined using the additional actuarial assumptions described in paragraph (1)(B), plus

''(II) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(ii) the amount of mandatory employee contributions expected to be made during the plan year, plus'', and

(II) in subparagraph (B), by striking ''the target normal cost (determined without regard to this paragraph) of the plan for the plan year'' and inserting ''the amount determined under subsection (b)(1)(A)(i) with respect to the plan for the plan year'', and

(ii) by striking ''subparagraph (A)(ii)'' in the last sentence of paragraph (4)(B) and inserting ''subparagraph (A)''.

(G) Section 303(j)(3) of ERISA—

(i) is amended by adding at the end of subparagraph (A) the following new sentence: ''In the case of plan years beginning in 2008, the funding shortfall for the preceding plan year may be determined using such methods of estimation as the Secretary of the Treasury may provide.'',

(ii) by adding at the end of subparagraph (E) the following new clause:

''(iii) PLAN WITH ALTERNATE VALUATION DATE.—The Secretary of the Treasury shall prescribe regulations for the application of this paragraph in the case of a plan which has a valuation date other than the first day of the plan year.'', and

(iii) by striking ''AND SHORT YEARS'' in the heading of subparagraph (E) and inserting '', SHORT YEARS, AND YEARS WITH ALTERNATE VALUATION DATE''.

(H) Section 303(k)(6)(B) of ERISA is amended by striking '', except'' and all that follows and inserting a period.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 430(b) of the 1986 Code is amended to read as follows:

''(b) TARGET NORMAL COST.—For purposes of this section—

''(1) IN GENERAL.—Except as provided in subsection (i)(2) with respect to plans in at-risk status, the term 'target normal cost' means, for any plan year, the excess of—

''(A) the sum of—

''(i) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, plus

''(ii) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(B) the amount of mandatory employee contributions expected to be made during the plan year.

''(2) SPECIAL RULE FOR INCREASE IN COMPENSATION.—For purposes of this subsection, if any benefit attributable to services performed in a preceding plan year is increased by reason of any increase in compensation during the current plan year, the increase in such benefit shall be treated as having accrued during the current plan year.''.

(B) Section 430(c)(5)(B)(iii) of the 1986 Code is amended by inserting ''beginning'' before ''after 2008''.

(C) Section 430(c)(5)(B)(iv)(II) of the 1986 Code is amended by inserting ''for such year'' after ''beginning in 2007)''.

(D) Section 430(f) of the 1986 Code is amended—

(i) by striking ''as of the first day of the plan year'' the second place it appears in the first sentence of paragraph (3)(A),

(ii) by striking ''paragraph (2)'' in paragraph (4)(A) and inserting ''paragraph (3)'',

(iii) by striking ''paragraph (1), (2), or (4) of section 206(g)'' in paragraph (6)(B)(iii) and inserting ''subsection (b), (c), or (e) of section 436'',

(iv) by striking ''the sum of'' in paragraph (6)(C), and

(v) by striking ''of the Treasury'' in paragraph (8).

(E) Section 430(h)(2) of the 1986 Code is amended—

(i) by inserting ''and target normal cost'' after ''funding target'' in subparagraph (B),

(ii) by striking ''liabilities'' and inserting ''benefits'' in subparagraph (B),

(iii) by striking ''section 417(e)(3)(D)(i)) for such month'' in subparagraph (F) and inserting ''section 417(e)(3)(D)(i) for such month)'', and

(iv) by striking ''subparagraph (B)'' in subparagraph (F) and inserting ''subparagraph (C)''.

(F) Section 430(i) of the 1986 Code is amended—

(i) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) the excess of—

''(i) the sum of—

''(I) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, determined using the additional actuarial assumptions described in paragraph (1)(B), plus

''(II) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(ii) the amount of mandatory employee contributions expected to be made during the plan year, plus'', and

(II) in subparagraph (B), by striking ''the target normal cost (determined without regard to this paragraph) of the plan for the plan year'' and inserting ''the amount determined under subsection (b)(1)(A)(i) with respect to the plan for the plan year'', and

(ii) by striking ''subparagraph (A)(ii)'' in the last sentence of paragraph (4)(B) and inserting ''subparagraph (A)''.

(G) Section 430(j)(3) of the 1986 Code is amended—

(i) by adding at the end of subparagraph (A) the following new sentence: ''In the case of plan years beginning in 2008, the funding shortfall for the preceding plan year may be determined using such methods of estimation as the Secretary may provide.'',

(ii) by striking ''section 302(c)'' in subparagraph (D)(ii)(II) and inserting ''section 412(c)'',

(iii) by adding at the end of subparagraph (E) the following new clause:

''(iii) PLAN WITH ALTERNATE VALUATION DATE.—The Secretary shall prescribe regulations for the application of this paragraph in the case of a plan which has a valuation date other than the first day of the plan year.'', and

(iv) by striking ''AND SHORT YEARS'' in the heading of subparagraph (E) and inserting '', SHORT YEARS, AND YEARS WITH ALTERNATE VALUATION DATE''.

(H) Section 430(k) of the 1986 Code is amended—

(i) by inserting ''(as provided under paragraph (2))'' after ''applies'' in paragraph (1), and

(ii) by striking '', except'' and all that follows in paragraph (6)(B) and inserting a period.

(c) AMENDMENTS RELATED TO SECTIONS 103 AND 113.—

(1) AMENDMENTS TO ERISA.—

(A) Section 101(j) of ERISA is amended—

(i) in paragraph (2), by striking ''section 206(g)(4)(B)'' and inserting ''section 206(g)(4)(A)''; and

(ii) by adding at the end the following: ''The Secretary of the Treasury, in consultation with the Secretary, shall have the authority to prescribe rules applicable to the notices required under this subsection.''.

(B) Section 206(g)(1)(B)(ii) of ERISA is amended by striking ''a funding'' and inserting ''an adjusted funding''.

(C) The heading for section 206(g)(1)(C) of ERISA is amended by inserting ''BENEFIT'' after ''EVENT''.

(D) Section 206(g)(3)(E) of ERISA is amended by adding at the end the following new flush sentence:

''Such term shall not include the payment of a benefit which under section 203(e) may be immediately distributed without the consent of the participant.''.

(E) Section 206(g)(5)(A)(iv) of ERISA is amended by inserting ''adjusted'' before ''funding''.

(F) Section 206(g)(9)(C) of ERISA is amended—

(i) by striking ''without regard to this subparagraph and'' in clause (i), and

(ii) in clause (iii)—

(I) by striking ''without regard to this subparagraph'' and inserting ''without regard to the reduction in the value of assets under section 303(f)(4)'', and

(II) by inserting ''beginning'' before ''after'' each place it appears.

(G) Section 206(g) of ERISA is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

''(10) SECRETARIAL AUTHORITY FOR PLANS WITH ALTERNATE VALUATION DATE.—In the case of a plan which has designated a valuation date other than the first day of the plan year, the Secretary of the Treasury may prescribe rules for the application of

this subsection which are necessary to reflect the alternate valuation date.''.

(H) Section 502(c)(4) of ERISA is amended by striking ''by any person'' and all that follows through the period and inserting ''by any person of subsection (j), (k), or (l) of section 101 or section 514(e)(3).''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 436(b)(2) of the 1986 Code is amended—

(i) by striking ''section 303'' and inserting ''section 430'' in the matter preceding subparagraph (A), and

(ii) by striking ''a funding'' and inserting ''an adjusted funding'' in subparagraph (B).

(B) Section 436(b)(3) of the 1986 Code is amended—

(i) by inserting ''BENEFIT'' after ''EVENT'' in the heading, and

(ii) by striking ''any event'' in subparagraph (B) and inserting ''an event''.

(C) Section 436(d)(5) of the 1986 Code is amended by adding at the end the following new flush sentence:

''Such term shall not include the payment of a benefit which under section 411(a)(11) may be immediately distributed without the consent of the participant.''.

(D) Section 436(f) of the 1986 Code is amended—

(i) by inserting ''adjusted'' before ''funding'' in paragraph (1)(D), and

(ii) by striking ''prefunding balance under section 430(f) or funding standard carryover balance'' in paragraph (2) and inserting ''prefunding balance or funding standard carryover balance under section 430(f)''.

(E) Section 436(j)(3) of the 1986 Code is amended—

(i) in subparagraph (A)—

(I) by striking ''without regard to this paragraph and'',

(II) by striking ''section 430(f)(4)(A)'' and inserting ''section 430(f)(4)'', and

(III) by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'', and

(ii) in subparagraph (C)—

(I) by striking ''without regard to this paragraph'' and inserting ''without regard to the reduction in the value of assets under section 430(f)(4)'', and

(II) by inserting ''beginning'' before ''after'' each place it appears.

(F) Section 436 of the 1986 Code is amended by redesignating subsection (k) as subsection (m) and by inserting after subsection (j) the following new subsections:

''(k) SECRETARIAL AUTHORITY FOR PLANS WITH ALTERNATE VALUATION DATE.—In the case of a plan which has designated a valuation date other than the first day of the plan year, the Secretary may prescribe rules for the application of this section which are necessary to reflect the alternate valuation date.

''(l) SINGLE-EMPLOYER PLAN.—For purposes of this section, the term 'single-employer plan' means a plan which is not a multiemployer plan.''.

(3) AMENDMENTS TO 2006 ACT.—Sections 103(c)(2)(A)(ii) and 113(b)(2)(A)(ii) of the 2006 Act are each amended—

(A) by striking ''subsection'' and inserting ''section'', and

(B) by striking ''subparagraph'' and inserting ''paragraph''.

(d) AMENDMENTS RELATED TO SECTIONS 107 AND 114.—

(1) AMENDMENTS TO ERISA.—

(A) Section 103(d) of ERISA is amended—

(i) in paragraph (3), by striking ''the normal costs, the accrued liabilities'' and inserting ''the normal costs or target normal costs, the accrued liabilities or funding target'', and

(ii) by striking paragraph (7) and inserting the following new paragraph:

''(7) A certification of the contribution necessary to reduce the minimum required contribution determined under section 303, or the accumulated funding deficiency determined under section 304, to zero.''.

(B) Section 4071 of ERISA is amended by striking ''as section 303(k)(4) or 307(e)'' and inserting ''or section 303(k)(4),''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 401(a)(29) of the 1986 Code is amended by striking ''ON PLANS IN AT-RISK STATUS'' in the heading.

(B) Section 401(a)(32)(C) of the 1986 Code is amended—

(i) by striking ''section 430(j)'' and inserting ''section 430(j)(3)'', and

(ii) by striking ''paragraph (5)(A)'' and inserting ''section 430(j)(4)(A)''.

(C) Section 401(a)(33) of the 1986 Code is amended—

(i) by striking ''section 412(c)(2)'' in subparagraph (B)(iii) and inserting ''section 412(d)(2)'', and

(ii) by striking ''section 412(b)(2) (without regard to subparagraph (B) thereof)'' in subparagraph (D) and inserting ''section 412(b)(1), without regard to section 412(b)(2)''.

(D) Section 411 of the 1986 Code is amended—

(i) by striking ''section 412(c)(2)'' in subsection (a)(3)(C) and inserting ''section 412(d)(2)'', and

(ii) by striking ''section 412(e)(2)'' in subsection (d)(6)(A) and inserting ''section 412(d)(2)''.

(E) Section 414(l)(2)(B)(i)(I) of the 1986 Code is amended to read as follows:

''(I) the sum of the funding target and target normal cost determined under section 430, over''.

(F) Section 4971 of the 1986 Code is amended—

(i) by striking ''required minimum'' in subsection (b)(1) and inserting ''minimum required'',

(ii) by inserting ''or unpaid minimum required contribution, whichever is applicable'' after ''accumulated funding deficiency'' each place it appears in subsections (c)(3) and (d)(1), and

(iii) by striking ''section 412(a)(1)(A)'' in subsection (e)(1) and inserting ''section 412(a)(2)''.

(3) AMENDMENT TO 2006 ACT.—Section 114 of the 2006 Act is amended by adding at the end the following new subsection:

''(g) EFFECTIVE DATES.—

''(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after 2007.

''(2) EXCISE TAX.—The amendments made by subsection (e) shall apply to taxable years beginning after 2007, but only with respect to plan years described in paragraph (1) which end with or within any such taxable year.''.

(e) AMENDMENT RELATED TO SECTION 116.—Section 409A(b)(3)(A)(ii) of the 1986 Code is amended by inserting ''to an applicable covered employee'' after ''under the plan''.

SEC. 3. AMENDMENTS RELATED TO TITLE II.

(a) AMENDMENT RELATED TO SECTIONS 201 AND 211.—Section 201(b)(2)(A) of the 2006 Act is amended by striking ''has not used'' and inserting ''has not adopted, or ceased using,''.

(b) AMENDMENTS RELATED TO SECTIONS 202 AND 212.—

(1) AMENDMENTS TO ERISA.—

(A) Section 302(b)(3) of ERISA is amended by striking ''the plan adopts'' and inserting ''the plan sponsor adopts''.

(B) Section 305(b)(3)(C) of ERISA is amended by striking ''section 101(b)(4)'' and inserting ''section 101(b)(1)''.

(C) Section 305(b)(3)(D) of ERISA is amended by striking ''The Secretary'' in clause (iii) and inserting ''The Secretary of the Treasury, in consultation with the Secretary''.

(D) Section 305(c)(7) of ERISA is amended—

(i) by striking ''to agree on'' and all that follows in subparagraph (A)(ii) and inserting ''to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor,'', and

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

''(B) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) expires.'', and

(iii) by adding at the end the following new subparagraph:

''(C) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this paragraph shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.''.

(E) Section 305(e) of ERISA is amended—

(i) in paragraph (3)(C)—

(I) by striking all that follows ''to adopt a'' in clause (i)(II) and inserting ''to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),'',

(II) by striking clause (ii) and inserting the following new clause:

''(ii) DATE OF IMPLEMENTATION.—The date specified in this clause is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) expires.'', and

(III) by adding at the end the following new clause:

''(iii) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this subsection shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.'',

(ii) in paragraph (4)—

(I) by striking ''the date of'' in subparagraph (A)(ii), and

(II) by striking ''and taking'' in subparagraph (B) and inserting ''but taking'',

(iii) in paragraph (6)—

(I) by striking ''paragraph (1)(B)(i)'' and inserting ''the last sentence of paragraph (1)'', and

(II) by striking ''established'' and inserting ''establish'',

(iv) in paragraph (8)(C)(iii)—

(I) by striking ''the Secretary'' in subclause (I) and inserting ''the Secretary of the Treasury, in consultation with the Secretary'', and

(II) by striking ''Secretary'' in the last sentence and inserting ''Secretary of the Treasury'', and

(v) by striking ''an employer's withdrawal liability'' in paragraph (9)(B) and inserting ''the allocation of unfunded vested benefits to an employer''.

(F) Section 305(f)(2)(A)(i) of ERISA is amended by adding at the end the following: ''to a participant or beneficiary whose annuity starting date (as defined in section 205(h)(2)) occurs after the date such notice is sent,''.

(G) Section 305(g) of ERISA is amended by inserting ''under subsection (c)'' after ''funding improvement plan'' the first place it appears.

(H) Section 502(c)(2) of ERISA is amended by striking ''101(b)(4)'' and inserting ''101(b)(1)''.

(I) Section 502(c)(8)(A) of ERISA is amended by inserting ''plan'' after ''multiemployer''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 432(b)(3)(C) of the 1986 Code is amended by striking ''section 101(b)(4)'' and inserting ''section 101(b)(1)''.

(B) Section 432(b)(3)(D)(iii) of the 1986 Code is amended by striking ''The Secretary of Labor'' and inserting ''The Secretary, in consultation with the Secretary of Labor''.

(C) Section 432(c) of the 1986 Code is amended—

(i) in paragraph (3), by striking ''section 304(d)'' in subparagraph (A)(ii) and inserting ''section 431(d)'', and

(ii) in paragraph (7)—

(I) by striking ''to agree on'' and all that follows in subparagraph (A)(ii) and inserting ''to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor,'', and

(II) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) expires.''.

(D) Section 432(e) of the 1986 Code is amended—

(i) in paragraph (3)(C)—

(I) by striking all that follows ''to adopt a'' in clause (i)(II) and inserting ''to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),'', and

(II) by striking clause (ii) and inserting the following new clause:

''(ii) DATE OF IMPLEMENTATION.—The date specified in this clause is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) expires.'',

(ii) in paragraph (4)—

(I) by striking ''the date of'' in subparagraph (A)(ii), and

(II) by striking ''and taking'' in subparagraph (B) and inserting ''but taking'',

(iii) in paragraph (6)—

(I) by striking ''paragraph (1)(B)(i)'' and inserting ''the last sentence of paragraph (1)'', and

(II) by striking ''established'' and inserting ''establish'',

(iv) in paragraph (8)—

(I) by striking ''section 204(g)'' in subparagraph (A)(i) and inserting ''section 411(d)(6)'',

(II) by inserting ''of the Employee Retirement Income Security Act of 1974'' after ''4212(a)'' in subparagraph (C)(i)(II),

(III) by striking ''the Secretary of Labor'' in subparagraph (C)(iii)(I) and inserting ''the Secretary, in consultation with the Secretary of Labor'', and

(IV) by striking ''the Secretary of Labor'' in the last sentence of subparagraph (C)(iii) and inserting ''the Secretary'', and

(v) by striking ''an employer's withdrawal liability'' in paragraph (9)(B) and inserting ''the allocation of unfunded vested benefits to an employer''.

(E) Section 432(f)(2)(A)(i) of the 1986 Code is amended—

(i) by striking ''section 411(b)(1)(A)'' and inserting ''section 411(a)(9)''; and

(ii) by inserting at the end the following: ''to a participant or beneficiary whose annuity starting date (as defined in section 417(f)(2)) occurs after the date such notice is sent,''.

(F) Section 432(g) of the 1986 Code is amended by inserting ''under subsection (c)'' after ''funding improvement plan'' the first place it appears.

(G) Section 432(i) of the 1986 Code is amended—

(i) by striking ''section 412(a)'' in paragraph (3) and inserting ''section 431(a)'', and

(ii) by striking paragraph (9) and inserting the following new paragraph:

''(9) PLAN SPONSOR.—For purposes of this section, section 431, and section 4971(g)—

''(A) IN GENERAL.—The term 'plan sponsor' means, with respect to any multiemployer plan, the association, committee, joint board of trustees, or other similar group of representatives of the parties who establish or maintain the plan.

''(B) SPECIAL RULE FOR SECTION 404(c) PLANS.—In the case of a plan described in section 404(c) (or a continuation of such plan), such term means the bargaining parties described in paragraph (1).''.

(H) Section 412(b)(3) of the 1986 Code is amended by striking ''the plan adopts'' and inserting ''the plan sponsor adopts''.

(I) Section 4971(g)(4) of the 1986 Code is amended—

(i) in subparagraph (B)(ii), by striking ''first day of'' and inserting ''day following the close of'', and

(ii) by striking clause (ii) of subparagraph (C) and inserting the following new clause:

''(ii) PLAN SPONSOR.—For purposes of clause (i), the term 'plan sponsor' has the meaning given such term by section 432(i)(9).''.

(3) AMENDMENTS TO 2006 ACT.—

(A) Section 212(b)(2) of the 2006 Act is amended by striking ''Section 4971(c)(2) of such Code'' and inserting ''Section 4971(e)(2) of such Code''.

(B) Section 212(e)(1) of the 2006 Act is amended by inserting '', except that the amendments made by subsection (b) shall apply to taxable years beginning after 2007, but only with respect to plan years beginning after 2007 which end with or within any such taxable year'' before the period at the end.

(C) Section 212(e)(2) of the 2006 Act is amended by striking ''section 305(b)(3) of the Employee Retirement Income Security Act of 1974'' and inserting ''section 432(b)(3) of the Internal Revenue Code of 1986''.

SEC. 4. AMENDMENTS RELATED TO TITLE III.

(a) AMENDMENT RELATED TO SECTION 301.—Clause (ii) of section 101(c)(2)(A) of the Pension Funding Equity Act of 2004, as amended by section 301(c) of the 2006 Act, is amended by striking ''2008'' and inserting ''2009''.

(b) AMENDMENTS RELATED TO SECTION 302.—

(1) AMENDMENT TO ERISA.—Section 205(g)(3)(B)(iii)(II) of ERISA is amended by striking ''section 205(g)(3)(B)(iii)(II)'' and inserting ''section 205(g)(3)(A)(ii)(II)''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 417(e)(3)(D)(i) of the 1986 Code is amended by striking ''clause (ii)'' and inserting ''subparagraph (C)''.

(B)(i) Section 415(b)(2)(E)(v) of the 1986 Code is amended to read as follows:

''(v) For purposes of adjusting any benefit or limitation under subparagraph (B), (C), or (D), the mortality table used shall be the applicable mortality table (within the meaning of section 417(e)(3)(B)).''.

(ii)(I) Except as provided in subclause (II), the amendment made by clause (i) shall apply to years beginning after December 31, 2008.

(II) A plan sponsor may elect to have the amendment made by clause (i) apply to any year beginning after December 31, 2007, and before January 1, 2009, or to any portion of any such year.

SEC. 5. AMENDMENTS RELATED TO TITLE IV.

(a) AMENDMENT RELATED TO SECTION 401.—Section 4006(a)(3)(A)(i) of ERISA is amended by striking ''1990'' and inserting ''2005''.

(b) AMENDMENT RELATED TO SECTION 402.—Section 402(c)(1)(A) of the 2006 Act is amended by striking ''commercial airline'' and inserting ''commercial''.

(c) AMENDMENT RELATED TO SECTION 408.—Section 4044(e) of ERISA, as added by section 408(b)(2) of the 2006 Act, is redesignated as subsection (f).

(d) AMENDMENTS RELATED TO SECTION 409.—Section 4041(b)(5)(A) of ERISA is amended by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (D)''.

(e) AMENDMENTS RELATED TO SECTION 410.—Section 4050(d)(4)(A) of ERISA is amended—

(1) by striking ''and'' at the end of clause (i), and

(2) by striking clause (ii) and inserting the following new clauses:

''(ii) which is not a plan described in paragraph (2), (3), (4), (6), (7), (8), (9), (10), or (11) of section 4021(b), and

''(iii) which, was a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code, and''.

SEC. 6. AMENDMENTS RELATED TO TITLE V.

(a) AMENDMENT RELATED TO SECTION 501.—Section 101(f)(2)(B)(ii) of ERISA is amended—

(1) by striking ''for which the latest annual report filed under section 104(a) was filed'' in subclause (I)(aa) and inserting ''to which the notice relates'', and

(2) by striking subclause (II) and inserting the following new subclause:

''(II) in the case of a multiemployer plan, a statement, for the plan year to which the notice relates and the preceding 2 plan years, of the value of the plan assets (determined both in the same manner as under section 304 and under the rules of subclause (I)(bb)) and the value of the plan liabilities (determined in the same manner as under section 304 except that the method specified in section 305(i)(8) shall be used),''.

(b) AMENDMENTS RELATED TO SECTION 502.—

(1) Section 101(k)(2) of ERISA is amended by filing at the end the following new flush sentence:

''Subparagraph (C)(i) shall not apply to individually identifiable information with respect to any plan investment manager or adviser, or with respect to any other person (other than an employee of the plan) preparing a financial report required to be included under paragraph (1)(B).''.

(2) Section 4221 of ERISA is amended by striking subsection (e) and by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(c) AMENDMENTS RELATED TO SECTION 503.—

(1) AMENDMENTS TO ERISA.—

(A) Section 104(b)(3) of ERISA is amended by—

(i) striking ''section 103(f)'' and inserting ''section 101(f)'', and

(ii) striking ''the administrators'' and inserting ''the administrator''.

(B) Section 104(d)(1)(E)(ii) of ERISA is amended by inserting ''funding'' after ''plan's''.

(2) AMENDMENTS TO 2006 ACT.—Section 503(e) of the 2006 Act is amended by striking ''section 101(f)'' and inserting ''section 104(d)''.

(d) AMENDMENT RELATED TO SECTION 505.—Section 4010(d)(2)(B) of ERISA is amended by striking ''section 302(d)(2)'' and inserting ''section 303(d)(2)''.

(e) AMENDMENTS RELATED TO SECTION 506.—

(1) Section 4041(c)(2)(D)(i) of ERISA is amended by striking ''subsection (a)(2)'' the second place it appears and inserting ''subparagraph (A) or the regulations under subsection (a)(2)''.

(2) Section 4042(c)(3)(C)(i) of ERISA is amended—

(A) by striking ''and plan sponsor'' and inserting '', the plan sponsor, or the corporation'', and

(B) by striking ''subparagraph (A)(i)'' and inserting ''subparagraph (A)''.

(f) AMENDMENTS RELATED TO SECTION 508.—Section 209(a) of ERISA is amended—

(1) in paragraph (1)—

(A) by striking ''regulations prescribed by the Secretary'' and inserting ''such regulations as the Secretary may prescribe'', and

(B) by striking the last sentence and inserting ''The report required under this paragraph shall be in the same form, and contain the same information, as periodic benefit statements under section 105(a).'', and

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

''(2) If more than one employer adopts a plan, each such employer shall furnish to the plan administrator the information necessary for the administrator to maintain the records, and make the reports, required by paragraph (1). Such administrator shall maintain the records, and make the reports, required by paragraph (1).''

(g) AMENDMENT RELATED TO SECTION 509.—Section 101(i)(8)(B) of ERISA is amended to read as follows:

''(B) ONE-PARTICIPANT RETIREMENT PLAN.—For purposes of subparagraph (A), the term 'one-participant retirement plan' means a retirement plan that on the first day of the plan year—

''(i) covered only one individual (or the individual and the individual's spouse) and the individual (or the individual and the individual's spouse) owned 100 percent of the plan sponsor (whether or not incorporated), or

''(ii) covered only one or more partners (or partners and their spouses) in the plan sponsor.''.

SEC. 7. AMENDMENTS RELATED TO TITLE VI.

(a) AMENDMENTS RELATED TO SECTION 601.—

(1) AMENDMENTS TO ERISA.—

(A) Section 408(g)(3)(D)(ii) of ERISA is amended by striking ''subsection (b)(14)(B)(ii)'' and inserting ''subsection (b)(14)(A)(ii)''.

(B) Section 408(g)(6)(A)(i) of ERISA is amended by striking ''financial adviser'' and inserting ''fiduciary adviser''.

(C) Section 408(g)(11)(A) of ERISA is amended—

(i) by striking ''the participant'' each place it appears and inserting ''a participant'', and

(ii) by striking ''section 408(b)(4)'' in clause (ii) and inserting ''subsection (b)(4)''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 4975(d)(17) of the 1986 Code, in the matter preceding subparagraph (A), is amended by striking ''and that permits'' and inserting ''that permits''.

(B) Section 4975(f)(8) of the 1986 Code is amended—

(i) in subparagraph (A), by striking ''subsection (b)(14)'' and inserting ''subsection (d)(17)'',

(ii) in subparagraph (C)(iv)(II), by striking ''subsection (b)(14)(B)(ii)'' and inserting ''(d)(17)(A)(ii)'',

(iii) in subparagraph (F)(i)(I), by striking ''financial adviser'' and inserting ''fiduciary adviser,'',

(iv) in subparagraph (I), by striking ''section 406'' and inserting ''subsection (c)'', and

(v) in subparagraph (J)(i)—

(I) by striking ''the participant'' each place it appears and inserting ''a participant'',

(II) in the matter preceding subclause (I), by inserting ''referred to in subsection (e)(3)(B)'' after ''investment advice'', and

(III) in subclause (II), by striking ''section 408(b)(4)'' and inserting ''subsection (d)(4)''.

(3) AMENDMENT TO 2006 ACT.—Section 601(b)(4) of the 2006 Act is amended by striking ''section 4975(c)(3)(B)'' and inserting ''section 4975(e)(3)(B)''.

(b) AMENDMENTS RELATED TO SECTION 611.—

(1) AMENDMENT TO ERISA.—Section 408(b)(18)(C) of ERISA is amended by striking ''or less''.

(2) AMENDMENTS TO 1986 CODE.—Section 4975(d) of the 1986 Code is amended—

(A) in the matter preceding subparagraph (A) of paragraph (18)—

(i) by striking ''party in interest'' and inserting ''disqualified person'', and

(ii) by striking ''subsection (e)(3)(B)'' and inserting ''subsection (e)(3)'',

(B) in paragraphs (19), (20), and (21), by striking ''party in interest'' each place it appears and inserting ''disqualified person'', and

(C) by striking ''or less'' in paragraph (21)(C).

(c) AMENDMENTS RELATED TO SECTION 612.—Section 4975(f)(11)(B)(i) of the 1986 Code is amended by—

(1) inserting ''of the Employee Retirement Income Security Act of 1974'' after ''section 407(d)(1)'', and

(2) inserting ''of such Act'' after ''section 407(d)(2)''.

(d) AMENDMENTS RELATED TO SECTION 624.—Section 404(c)(5) of ERISA is amended by striking ''participant'' each place it appears and inserting ''participant or beneficiary''.

SEC. 8. AMENDMENTS RELATED TO TITLE VII.

(a) AMENDMENTS TO ERISA.—

(1) Section 203(f)(1)(B) of ERISA is amended to read as follows:

''(B) the requirements of section 204(c) or 205(g), or the requirements of subsection (e), with respect to accrued benefits derived from employer contributions,''.

(2) Section 204(b)(5) of ERISA is amended—

(A) by striking ''clause'' in subparagraph (A)(iii) and inserting ''subparagraph'', and

(B) by inserting ''otherwise'' before ''allowable'' in subparagraph (C).

(3) Subclause (II) of section 204(b)(5)(B)(i) of ERISA is amended to read as follows:

''(II) PRESERVATION OF CAPITAL.—An applicable defined benefit plan shall be treated as failing to meet the requirements of paragraph (1)(H) unless the plan provides that an interest credit (or equivalent amount) of less than zero shall in no event result in the account balance or similar amount being less than the aggregate amount of contributions credited to the account.''.

(b) AMENDMENTS TO 1986 CODE.—

(1) Section 411(b)(5) of the 1986 Code is amended—

(A) by striking ''clause'' in subparagraph (A)(iii) and inserting ''subparagraph'', and

(B) by inserting ''otherwise'' before ''allowable'' in subparagraph (C).

(2) Section 411(a)(13)(A) of the 1986 Code is amended—

(A) by striking ''paragraph (2)'' in clause (i) and inserting ''subparagraph (B)'',

(B) by striking clause (ii) and inserting the following new clause:

''(ii) the requirements of subsection (a)(11) or (c), or the requirements of section 417(e), with respect to accrued benefits derived from employer contributions,'', and

(C) by striking ''paragraph (3)'' in the matter following clause (ii) and inserting ''subparagraph (C)''.

(3) Subclause (II) of section 411(b)(5)(B)(i) of the 1986 Code is amended to read as follows:

''(II) PRESERVATION OF CAPITAL.—An applicable defined benefit plan shall be treated as failing to meet the requirements of paragraph (1)(H) unless the plan provides that an interest credit (or equivalent amount) of less than zero shall in no event result in the account balance or similar amount being less than the aggregate amount of contributions credited to the account.''.

(c) AMENDMENTS TO 2006 ACT.—

(1) Section 701(d)(2) of the 2006 Act is amended by striking ''204(g)'' and inserting ''205(g)''.

(2) Section 701(e) of the 2006 Act is amended—

(A) by inserting ''on or'' after ''period'' in paragraph (3),

(B) in paragraph (4)—

(i) by inserting ''the earlier of'' after ''before'' in the matter preceding subparagraph (A), and

(ii) by striking ''earlier'' and inserting ''later'' in subparagraph (A),

(C) by inserting ''on or'' before ''after'' each place it appears in paragraph (5), and

(D) by adding at the end the following new paragraph:

''(6) SPECIAL RULE FOR VESTING REQUIREMENTS.—The requirements of section 203(f)(2) of the Employee Retirement Income Security Act of 1974 and section 411(a)(13)(B) of the Internal Revenue Code of 1986 (as added by this Act)—

''(A) shall not apply to a participant who does not have an hour of service after the effective date of such requirements (as otherwise determined under this subsection); and

''(B) in the case of a plan other than a plan described in paragraph (3) or (4), shall apply to plan years ending on or after June 29, 2005.''.

(d) AMENDMENT OF ADEA.—Section 4(i)(10)(B)(i)(III) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(i)(10)(B)(i)(III)) is amended by adding at the end the following: ''In the case of a governmental plan (as defined in the first sentence of section 414(d) of the Internal Revenue Code of 1986), a rate of return or a method of crediting interest established pursuant to any provision of Federal, State, or local law (including any administrative rule or policy adopted in accordance with any such law) shall be treated as a market rate of return for purposes of subclause (I) and a permissible method of crediting interest for purposes of meeting the requirements of subclause (I), except that this sentence shall only apply to a rate of return or method of crediting interest if such rate or method does not violate any other requirement of this Act.''.

SEC. 9. AMENDMENTS RELATED TO TITLE VIII.

(a) AMENDMENTS RELATED TO SECTION 801.—

(1) Section 404(o) of the 1986 Code is amended—

(A) by striking ''430(g)(2)'' in paragraph (2)(A)(ii) and inserting ''430(g)(3)'', and

(B) by striking ''412(f)(4)'' in paragraph (4)(B) and inserting ''412(d)(3)''.

(2) Section 404(a)(7)(A) of the 1986 Code is amended—

(A) by striking the next to last sentence, and

(B) by striking ''the plan's funding shortfall determined under section 430'' in the last sentence and inserting ''the excess (if any) of the plan's funding target (as defined in section 430(d)(1)) over the value of the plan's assets (as determined under section 430(g)(3))''.

(b) AMENDMENT RELATED TO SECTION 802.—Section 404(a)(1)(D)(i) of the 1986 Code is amended by striking ''431(c)(6)(C)'' and inserting ''431(c)(6)(D)''.

(c) AMENDMENT RELATED TO SECTION 803.—Clause (iii) of section 404(a)(7)(C) of the 1986 Code is amended to read as follows:

''(iii) LIMITATION.—In the case of employer contributions to 1 or more defined contribution plans—

''(I) if such contributions do not exceed 6 percent of the compensation otherwise paid or accrued during the taxable year to the beneficiaries under such plans, this paragraph shall not apply to such contributions or to employer contributions to the defined benefit plans to which this paragraph would otherwise apply by reason of contributions to the defined contribution plans, and

''(II) if such contributions exceed 6 percent of such compensation, this paragraph shall be applied by only taking into account such contributions to the extent of such excess.

For purposes of this clause, amounts carried over from preceding taxable years under subparagraph (B) shall be treated as employer

contributions to 1 or more defined contributions plans to the extent attributable to employer contributions to such plans in such preceding taxable years.''.

(d) AMENDMENTS RELATED TO SECTION 824.—

(1) Section 408A(c)(3)(B) of the 1986 Code, as in effect after the amendments made by section 824(b)(1) of the 2006 Act, is amended—

(A) by striking the second ''an'' before ''eligible'',

(B) by striking ''other than a Roth IRA'', and

(C) by adding at the end the following new flush sentence:

''This subparagraph shall not apply to a qualified rollover contribution from a Roth IRA or to a qualified rollover contribution from a designated Roth account which is a rollover contribution described in section 402A(c)(3)(A).''

(2) Section 408A(d)(3)(B), as in effect after the amendments made by section 824(b)(2)(B) of the 2006 Act, is amended by striking ''(other than a Roth IRA)'' and by inserting at the end the following new sentence: ''This paragraph shall not apply to a distribution which is a qualified rollover contribution from a Roth IRA or a qualified rollover contribution from a designated Roth account which is a rollover contribution described in section 402A(c)(3)(A)''.

(e) AMENDMENT TO SECTION 827.—The first sentence of section 72(t)(2)(G)(iv) of the 1986 Code is amended by inserting ''on or'' before ''before''.

(f) AMENDMENTS RELATED TO SECTION 829.—

(1) Section 402(c)(11) of the 1986 Code is amended—

(A) by inserting ''described in paragraph (8)(B)(iii)'' after ''eligible retirement plan'' in subparagraph (A), and

(B) by striking ''trust'' before ''designated beneficiary'' in subparagraph (B).

(2)(A) Section 402(f)(2)(A) of the 1986 Code is amended by adding at the end the following new sentence: ''Such term shall include any distribution to a designated beneficiary which would be treated as an eligible rollover distribution by reason of subsection (c)(11), or section 403(a)(4)(B), 403(b)(8)(B), or 457(e)(16)(B), if the requirements of subsection (c)(11) were satisfied.''

(B) Clause (i) of section 402(c)(11)(A) of the 1986 Code is amended by striking ''for purposes of this subsection''.

(C) The amendments made by this paragraph shall apply with respect to plan years beginning after December 31, 2008.

(g) AMENDMENT RELATED TO SECTION 832.—Section 415(f) of the 1986 Code is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(h) AMENDMENTS RELATED TO SECTION 833.—

(1) Section 408A(c)(3)(C) of the 1986 Code, as added by section 833(c) of the 2006 Act, is redesignated as subparagraph (E).

(2) In the case of taxable years beginning after December 31, 2009, section 408A(c)(3)(E) of the 1986 Code (as redesignated by paragraph (1))—

(A) is redesignated as subparagraph (D), and

(B) is amended by striking ''subparagraph (C)(ii)'' and inserting ''subparagraph (B)(ii)''.

(i) AMENDMENTS RELATED TO SECTION 841.—

(1) Section 420(c)(1)(A) of the 1986 Code is amended by adding at the end the following new sentence: ''In the case of a qualified future transfer or collectively bargained transfer to which subsection (f) applies, any assets so transferred may also be used to pay liabilities described in subsection (f)(2)(C).''

(2) Section 420(f)(2) of the 1986 Code is amended by striking ''such'' before ''the applicable'' in subparagraph (D)(i)(I).

(3) Section 4980(c)(2)(B) of the 1986 Code is amended by striking ''or'' at the end of clause (i), by striking the period at the end of clause (ii) and inserting '', or'', and by adding at the end the following new clause:

''(iii) any transfer described in section 420(f)(2)(B)(ii)(II).''.

(j) AMENDMENTS RELATED TO SECTION 845.—

(1) Subsection (l) of section 402 of the 1986 Code is amended—

(A) in paragraph (1)—

(i) by inserting ''maintained by the employer described in paragraph (4)(B)'' after ''an eligible retirement plan'', and

(ii) by striking ''of the employee, his spouse, or dependents (as defined in section 152)'' ,

(B) in paragraph (4)(D), by—

(i) inserting ''(as defined in section 152)'' after ''dependents'', and

(ii) striking ''health insurance plan'' and inserting ''health plan'', and

(C) in paragraph (5)(A), by striking ''health insurance plan'' and inserting ''health plan''.

(2) Subparagraph (B) of section 402(l)(3) of the 1986 Code is amended by striking ''all amounts distributed from all eligible retirement plans were treated as 1 contract for purposes of determining the inclusion of such distribution under section 72'' and inserting ''all amounts to the credit of the eligible public safety officer in all eligible retirement plans maintained by the employer described in paragraph (4)(B) were distributed during such taxable year and all such plans were treated as 1 contract for purposes of determining under section 72 the aggregate amount which would have been so includible''.

(k) AMENDMENTS RELATED TO SECTION 854.—

(1) Section 3121(b)(5)(E) of the 1986 Code is amended by striking ''or special trial judge''.

(2) Section 210(a)(5)(E) of the Social Security Act is amended by striking ''or special trial judge''.

(l) AMENDMENTS RELATED TO SECTION 856.—Section 856 of the 2006 Act, and the amendments made by such section, are hereby repealed, and the Internal Revenue Code of 1986 shall be applied and administered as if such sections and amendments had not been enacted.

(m) AMENDMENT RELATED TO SECTION 864.—Section 864(a) of the 2006 Act is amended by striking ''Reconciliation''.

SEC. 10. AMENDMENTS RELATED TO TITLE IX.

(a) AMENDMENT RELATED TO SECTION 901.—Section 401(a)(35)(E)(iv) of the 1986 Code is amended to read as follows:

''(iv) ONE-PARTICIPANT RETIREMENT PLAN.—For purposes of clause (iii), the term 'one-participant retirement plan' means a retirement plan that on the first day of the plan year—

''(I) covered only one individual (or the individual and the individual's spouse) and the individual (or the individual and the individual's spouse) owned 100 percent of the plan sponsor (whether or not incorporated), or

''(II) covered only one or more partners (or partners and their spouses) in the plan sponsor.''.

(b) AMENDMENTS RELATED TO SECTION 902.—

(1) Section 401(k)(13)(D)(i)(I) of the 1986 Code is amended by striking ''such compensation as exceeds 1 percent but does not'' and inserting ''such contributions as exceed 1 percent but do not''.

(2) Sections 401(k)(8)(E) and 411(a)(3)(G) of the 1986 Code are each amended—

(A) by striking ''an erroneous automatic contribution'' and inserting ''a permissible withdrawal'', and

(B) by striking ''ERRONEOUS AUTOMATIC CONTRIBUTION'' in the heading and inserting ''PERMISSIBLE WITHDRAWAL''.

(3) Section 402(g)(2)(A)(ii) of the 1986 Code is amended by inserting ''through the end of such taxable year'' after ''such amount''.

(4) Section 414(w)(3) of the 1986 Code is amended—

(A) in subparagraph (B), by inserting ''and'' after the comma at the end,

(B) by striking subparagraph (C), and

(C) by redesignating subparagraph (D) as subparagraph (C).

(5) Section 414(w)(5) of the 1986 Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting a comma, and by adding at the end the following:

''(D) a simplified employee pension the terms of which provide for a salary reduction arrangement described in section 408(k)(6), and

''(E) a simple retirement account (as defined in section 408(p)).''.

(6) Section 414(w)(6) of the 1986 Code is amended by inserting ''or for purposes of applying the limitation under section 402(g)(1)'' before the period at the end.

(c) AMENDMENTS RELATED TO SECTION 903.—

(1) AMENDMENT OF 1986 CODE.—Section 414(x)(1) of the 1986 Code is amended by adding at the end of paragraph (1) the following new sentence: ''In the case of a termination of the defined benefit plan and the applicable defined contribution plan forming part of an eligible combined plan, the plan administrator shall terminate each such plan separately.''

(2) AMENDMENTS OF ERISA.—Section 210(e) of ERISA is amended—

(A) by adding at the end of paragraph (1) the following new sentence: ''In the case of a termination of the defined benefit plan and the applicable defined contribution plan forming part of an eligible combined plan, the plan administrator shall terminate each such plan separately.'', and

(B) by striking paragraph (3) and by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively.

(d) AMENDMENTS RELATED TO SECTION 906.—

(1) Section 906(b)(1)(B)(ii) of the 2006 Act is amended by striking ''paragraph (1)'' and inserting ''paragraph (10)''.

(2) Section 4021(b) of ERISA is amended by inserting ''or'' at the end of paragraph (12), by striking ''; or'' at the end of paragraph (13) and inserting a period, and by striking paragraph (14).

SEC. 11. AMENDMENTS RELATED TO TITLE X.

(a) AMENDMENTS TO RAILROAD RETIREMENT ACT.—

(1) Section 14(b) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(b)) is amended by adding at the end the following:

''(3)(i) Payments made pursuant to paragraph (2) of this subsection shall not require that the employee be entitled to an annuity under section 2(a)(1) of this Act: Provided, however, That where an employee is not entitled to such an annuity, payments made pursuant to paragraph (2) may not begin before the month in which the following three conditions are satisfied:

''(A) The employee has completed ten years of service in the railroad industry or, five years of service all of which accrues after December 31, 1995.

''(B) The spouse or former spouse attains age 62.

''(C) The employee attains age 62 (or if deceased, would have attained age 62).

''(ii) Payments made pursuant to paragraph (2) of this subsection shall terminate upon the death of the spouse or former spouse, unless the court document provides for termination at an earlier date. Notwithstanding the language in a court order, that portion of payments made pursuant to paragraph (2) which represents payments computed pursuant to section 3(f)(2) of this Act shall not be paid after the death of the employee.

''(iii) If the employee is not entitled to an annuity under section 2(a)(1) of this Act, payments made pursuant to paragraph (2) of this subsection shall be computed as though the employee were entitled to an annuity.''.

(2) Subsection (d) of section 5 of the Railroad Retirement Act (45 U.S.C. 231d) is repealed.

(b) EFFECTIVE DATES.—

(1) SUBSECTION (a)(1).—The amendment made by subsection (a)(1) shall apply with respect to payments due for months after August 2007. If, prior to the effective date of such amendment, payment pursuant to paragraph (2) of section 14(b) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(b)) was terminated because of the employee's death, payment to the former spouse may be reinstated for months after August 2007.

(2) SUBSECTION (a)(2).—The amendment made by subsection (a)(2) shall take effect upon the date of the enactment of this Act.

SEC. 12. AMENDMENTS RELATED TO TITLE XI.

(a) AMENDMENT RELATED TO SECTION 1104.—Section 1104(d)(1) of the 2006 Act is amended by striking ''Act'' the first place it appears and inserting ''section''.

(b) AMENDMENTS RELATED TO SECTION 1105.—Section 3304(a) of the 1986 Code is amended—

(1) in paragraph (15)—

(A) by redesignating clauses (i) and (ii) of subparagraph (A) as subclauses (I) and (II),

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii),

(C) by striking the semicolon at the end of clause (ii) (as so redesignated) and inserting '', and'',

(D) by striking ''(15)'' and inserting ''(15)(A) subject to subparagraph (B),'', and

(E) by adding at the end the following:

''(B) the amount of compensation shall not be reduced on account of any payments of governmental or other pensions, retirement or retired pay, annuity, or other similar payments which are not includible in the gross income of the individual for the taxable year in which it was paid because it was part of a rollover distribution;'', and

(2) by striking the last sentence.

(c) AMENDMENTS RELATED TO SECTION 1106.—Section 3(37)(G) of ERISA is amended by—

(1) striking ''paragraph'' each place it appears in clauses (ii), (iii), and (v)(I) and inserting ''subparagraph'',

(2) striking ''subclause (i)(II)'' in clause (iii) and inserting ''clause (i)(II)'',

(3) striking ''subparagraph'' in clause (v)(II) and inserting ''clause'', and

(4) by striking ''section 101(b)(4)'' in clause (v)(III) and inserting ''section 101(b)(1)''.

SEC. 13. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by this Act shall take effect as if included in the provisions of the 2006 Act to which the amendments relate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Dakota (Mr. POMEROY) and the gentleman from Wisconsin (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from North Dakota.

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

Mr. Speaker, today I rise in favor of moving the Pension Technical Corrections Act of 2008 forward in an expedited manner. The bill is most needed by employers who are committed to providing their employees with a financially secure retirement through a defined benefit plan.

Why do we need this bill? Why do we need to act this quickly? Let me just break it down for you.

On August 17, 2006, the President signed into law the Pension Protection Act. This bill imposed sweeping reform affecting how employers fund their defined benefits plans maintained for their employees. In addition, the bill imposed significant reforms for pension plans offered to many union workers who participated in multi-employer plans.

However, many provisions in the PPA became effective on January 1 of this year. The Treasury Department and the Internal Revenue Service cannot implement many of these provisions because they need further clarification of congressional intent. This bill provides the needed clarification for the Treasury Department, Internal Revenue Service, corporations and other businesses who sponsor retirement plans, as well as working families who contribute to and benefit from 401(k) plans or defined contribution plans.

For the employers who have weathered the storm and are persistently committed to providing a secured retirement for their workers, this bill is for you. For the beneficiary of a 401(k) plan who wants to keep money in a retirement plan savings vehicle to finance retirement rather than being forced to spend it currently, this bill is for you. This bill provides clarification for the correct application of the nonspousal rollover provision.

For the construction worker whose plan may be experiencing underfunding and could be subject to a benefit reduction, this bill will make it clear when the plan must provide you with the notice alerting you of the plan's funding status. It would also clarify whether you are subject to such a reduction in pension benefits.

You see, Mr. Speaker, we are talking about quality-of-life issues for working families and about helping those employers who want to help their employees provide for a financially secure retirement.

I encourage my colleagues in this body and in the Senate to keep this bill clean and move it quickly. I encourage them to join me in doing what we were sent here by our constituents to do, provide legislation to help improve their lives. Let's pass this bill and get it to the President before the end of the month, because people are waiting. We have kept them waiting long enough.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3361, the Pension Protection Technical Corrections Act. Given the complexity and broad reach of the Tax Code and ERISA, and the difficult interactions between them, the measure before us is necessary to correct drafting and other errors in the Pension Protection Act of 2006.

Passage of the legislation will give certainty to plan administrators, individuals, as well as government regulators and ensure the intent of Congress is fully reflected in the governing statutes.

The technical corrections process is a complicated one which ensures all views are heard and which brings in experts from the relevant committees and Federal agencies.

In this case, it means that bipartisan staff from both the Ways & Means Committee and the Education & Labor Committee were joined by their counterparts from the Senate Finance Committee and the Senate HELP Committee as well as representatives from the Treasury and Labor Departments and the Pension Benefit Guaranty Corporation.

Led by the staff of the Joint Tax Committee, the technical corrections process gives all participants a chance to review proposed changes to ensure they reflect the intent of Congress and do not change the substance of the law itself.

There can be disagreements about what should and should not be considered technical. Each participant in the process has a veto. Thus, only items that were unanimously viewed as correcting a drafting mistake are included in the measure being debated today.

There is one item, called smoothing, that we viewed as a particularly important technical correction but is not included in this bill because one of the parties to the process said it was not technical. Regardless of whether smoothing is technical, it is extremely important and must be passed quickly. Given that smoothing was excluded from this bill, I urge that we take up a smoothing-only bill on suspension this week.

It is my understanding that the Joint Tax Committee will be publishing on their web page a complete summary of these items, and I encourage interested individuals to review it.

Two final observations, Mr. Speaker, on the differences between this bill and the version passed by the Senate in December.

First, since the Senate bill was passed, several additional technical items were identified, reviewed by the participants, and agreed to as being technical and conforming changes.

Second, the Senate-passed bill included smoothing and a second provision that is no longer relevant.

I hope that the Senate takes up the bill that we are passing today so that it can go to the President and be signed into law. I also hope that both houses quickly pass a smoothing-only bill.

Mr. Speaker, while hardly glamorous, the technical corrections process is an important one, providing clarity and certainty to plan administrators and the millions of Americans who rely on these plans to help provide a secure retirement.

I support passage of the bill.

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

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

As we have just made formally a matter of record, the Pension Protection Act was an imperfect piece of legislation. This technically corrects, not substantively changes, but technically corrects an imperfect bill. It should go forward.

We should be doing more, Mr. Speaker, and this is where I want to spend the balance of my time tonight. I am almost shaking with anger at what we are not doing to correct the Pension Protection Act before it will have a very negative impact on the very working people that we talk so much about trying to help. I will give you a couple of examples.

There is a provision in the bill, never discussed, that inadvertently changes funding requirements for public pension plans. A plan like the State of North Dakota offers for its employees has a rate of 7.5 percent. Well, the Pension Protection Act in its present form requires them to credit interest at no greater than market rate. Without correction, we are going to have State legislatures reducing the interest credited for their public employees under fully funded public plans. It makes no sense. It needs fixing. It is a mistake. But we can't get the critical people in the critical committees to agree to fixing this.

Let's make no mistake about who we are talking about. We are talking about the Education and Labor Committee and we are talking about the Ways and Means Committee. Those are the committees of jurisdiction. We have not been able to get critical an agreement between the leadership of those committees and ranking members on fixing this public provision. And, as a result, for no reason whatsoever, other than an act of Congress that wasn't meant to have this impact, people may have their pensions reduced by Federal requirement.

I want those workers to know, Congress didn't mean to do this. But Congress knows that that is the effect of the law we passed, and this is a Congress that can't fix it in a timely fashion because we haven't had the will, we haven't had the time to think about it. We don't care enough. Because of the inattention of this body, if workers are forced to take lower credited interest in these public plans, these workers get less of a pension, and for no reason whatsoever.

There is another provision we should be fixing. These provisions are a little more than technical, so maybe should have been another bill, maybe not under the technical corrections act, but a bill we could have brought like tonight under the suspension calendar, a bill to address funding in a reasonable way.

You know, a pension is paid over many, many years. Yet the funding balance is determined by things that capture where the stock market is today, what the interest rate is today. Now, that can give you a pretty dire picture if you have got a stock market that is tanking and a low interest rate environment. It may look suddenly like forevermore the plan isn't going to earn much money on its assets.

Now, we know that the interest rate is going to change and we know the stock market valuation is going to change. So if you project 30 years based on today's picture, you are going to be coming up with a wrong number. There is something called asset smoothing that lets you basically average a bit so that a bad picture today doesn't mean a draconian funding requirement upon the employer to meet what looks like a funding requirement that is not in fact reality.

□ 2045

Now, some might think, well, gosh, if the employer has to put in more money than is really needed that just is a good thing for workers because that means there will be a lot of money in there, and in no way will that solve it. There is a hitch to this. Employers do not have to fund pension plans. Employers can freeze pension plans. They can get out of the pension business. In fact, my friends, 43 pensions have frozen since we passed the Pension Protection Act.

Here in a recession, where we have got businesses struggling, they are going to have to pony up on their pensions beyond what they ever have before because in the pension protection act we have got much stiffer funding requirements. Smoothing, which many of us intended to be in this bill, is not in the bill, and we need to add it to the bill.

But this Congress, failing to act, is going to leave employers to pay the full bill, no smoothing help. I truly believe, just as I stand here, that there will be plans deciding to freeze, workers losing their pensions because in this time, before we go out on break, we don't address smoothing.

Mr. RYAN of Wisconsin. Will the gentleman yield for a minute?

Mr. POMEROY. I will yield for a minute.

Mr. RYAN of Wisconsin. Just to be clear, it's my understanding that the minority side agrees with fixing the public pension problem along with the smoothing problem and consented to putting both of those in the bill, but the majority had rejected that offer.

Mr. POMEROY. Reclaiming my time, I am not putting this responsibility on the minority.

What the gentleman has alleged, I am not currently informed of. I don't dispute it, but I don't know it, but I do know that others that were needed to address this issue, others on the majority side did not act.

In the end, the majority has responsibility for what we bring in a suspension calendar like this. This majority didn't get the job done.

Mr. RYAN of Wisconsin. If the gentleman would further yield, I would simply like to say that we in the minority are more than willing to work with the gentleman in the majority to include the smoothing in the public pension provision.

Mr. POMEROY. Reclaiming my time, I welcome that, because when the Pension Protection Act passed in the last Congress when the minority was the majority, I did not find that willingness to work with me. The legislation, I believe, needed correcting. This is a pox on both parties.

Mr. RYAN of Wisconsin. Just one more friendly view. If you recall, this was a bipartisan bill when this passed when we were in the majority.

Mr. POMEROY. Reclaiming my time before I run out of time, this is a pox on both parties. Both parties passed it, and both parties have failed to fix it.

I believe the failure, relative to getting this fixed, is on both parties. But the majority party carries a disproportionate burden because we are the majority party.

I could not be more disappointed.

Getting back to the point I was making about frozen plans, I believe plans will freeze and workers will lose their pensions because asset smoothing is not addressed on the suspension calendar before we go out, before this critical April 15 deadline for pension funding.

This is completely unacceptable. It's incompetent, and I am ashamed of this House in failing to address this before we leave. I hope that I have made some people angry by these comments. I have intended to.

We need to get after this, and we need to get after it when we are back. If we don't get after it, I assure you, I will be having more of these speeches, because those who pretend to protect the world, the world's workers, when what they are doing is protecting these workers out of their very pensions, the very thing they need for retirement, income security. They are not doing anybody any favors. The games have got to end. The posture has got to end. We have got to fix problems and fix them in a timely way and shame on us if we have fallen short.

Let me get back to the bill before us, because it's important. The bill before us is a technical corrections act. This one needs to pass. This is fine.

The problem is, there is so much more that needed to be done, that could have been done on a suspension calendar tonight and tomorrow. We didn't do it, and we need to do it in short order when we get back.

Mr. McKEON. Mr. Speaker, I rise in support of H.R. 3361, the Pension Protection Technical Corrections Act of 2008, and I urge all of my colleagues to support this measure.

Mr. Speaker, in 2006, the Republican-led Congress passed, and President Bush signed into law, the Pension Protection Act of 2006, which represented the most comprehensive reform of our Nation's private pension system in a generation. After years of thorough examination, thoughtful legislative development, and careful coalition-building, we finally restored common sense to our Nation's pension system through enactment of this landmark law. Thanks to those reforms, today's retirement security laws match the new realities of the 21st century economy, meaning that more U.S. workers will be able to count on their retirement savings being there for them when they need it.

The Pension Protection Act included tough new funding requirements to ensure employers adequately and consistently fund their

pension plans, provided workers with meaningful disclosure about the financial status of their benefits, and protected taxpayers from a possible multi-billion dollar bailout of the Pension Benefit Guaranty Corporation (PBGC).

The Pension Protection Act's reforms were built on six fundamental principles that helped ensure a stronger, more secure retirement for millions of American workers. Those principles were: certainty, with a permanent and more accurate calculation of employers' pension liabilities; common sense, which enabled employers to build up a cushion in their pension plans during good economic times; stability, achieved by closing funding loopholes and ensuring employers make adequate and consistent cash payments to their plans; transparency through timely and straightforward information given to employees about the health of their retirement plans; honesty from employers and union leaders, who are no longer permitted to make hollow promises of extra benefits that will never materialize because a plan is severely underfunded; and portability, established by ensuring that hybrid plans, such as cash balance pensions—which offer portable, more generous worker benefits—remain a viable part of the defined benefit system. Having served as the Chairman of the House Committee on Education and the Workforce during this process, I am pleased to have been part of this effort.

Of course, it is to be expected that in legislation of that magnitude, we did not get every word perfect, or every provision as clear as it could be. That is the point of the bill before us today—H.R. 3361 is a narrow, technical bill that corrects inadvertent errors in drafting contained in the original law, and provides necessary clarification and focus, to ensure that the law is administered as Congress intended. For that reason, I support the bill before us today, and hope that it will quickly be enacted into law.

I must note for the record, however, that more remains to be done. The bill before us is very narrow in scope, and addresses only those issues that are considered purely technical on a consensus basis. There are other issues that remain to be addressed.

For example, late last year, the Senate passed by unanimous consent its own version of a technical corrections bill, which included critical clarifications with respect to the issue of asset smoothing. I would hope that this issue is addressed in any final technical correction package that we consider.

Also, there are numerous provisions which Members and staff have discussed since enactment of the 2006 law, which enjoy broad, bipartisan support, but which did not fall within the scope of this narrow package of technical corrections. Going forward, it will be necessary for us to address these items, and I stand ready to work with my Chairman, Mr. MILLER, and the distinguished Chairman and Ranking Member of the Ways and Means Committee in doing so.

Mr. Speaker, with that, I reiterate my support for this narrow legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Dakota (Mr. POMEROY) that the House suspend the rules and pass the bill, H.R. 3361, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POMEROY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 3361.

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

There was no objection.

RECOGNIZING THE EXCEPTIONAL SACRIFICE OF THE 69TH INFANTRY REGIMENT, KNOWN AS THE FIGHTING 69TH

Mr. MCINTYRE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 991) recognizing the exceptional sacrifice of the 69th Infantry Regiment, known as the Fighting 69th, in support of the Global War on Terror.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 991

Whereas the 69th Infantry Regiment, or the Fighting 69th, with citizen-soldiers from Brooklyn, Queens, Manhattan, the Bronx, Staten Island, and Long Island, has faithfully answered America's call to arms since its formation in 1851;

Whereas the Fighting 69th was one of the first units to assist in the recovery effort at the World Trade Center in New York following the September 11, 2001, terrorist attack, where they lost a comrade, a firefighter;

Whereas the 69th Infantry Regiment, while deployed to Iraq as ''Task Force Wolfhound'', its first overseas combat since World War II, fought to defend the city of Al Taji against al-Qaeda terrorists, protected Iraq's first free elections, and secured the infamous ''Route Irish'', the most dangerous road in Baghdad;

Whereas 19 members of the Fighting 69th were killed in action and over 78 were wounded in Operation Wolfhound; and

Whereas the Fighting 69th has now served the Nation in 5 wars and over 20 campaigns, and Congress has awarded 6 members with the Congressional Medal of Honor: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 69th Infantry Regiment, or the Fighting 69th, as one of the great regiments in American military history;

(2) recognizes that America owes a tremendous debt for the exceptional service, patriotism, and fidelity of the soldiers of the Fighting 69th;

(3) recognizes that the Fighting 69th has continually participated in the Global War on Terror since the attack on September 11, 2001; and

(4) acknowledges that as the 69th Infantry Regiment deploys to Afghanistan to fight in the central front in the Global War on Terror, that the proud traditions of the regiment will be respected and that the sacrifices of one of America's most storied combat units will not go unnoticed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MCINTYRE) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MCINTYRE. Mr. Speaker, I would ask that all Members have 5 legislative days in which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

I rise today in support of H. Res. 991 which recognizes the exceptional service of the 69th Infantry Regiment known as the Fighting 69th in support of the conflicts that they have been involved in around the world. The 69th Infantry Regiment has a proud and strong history dating back to 1851 when it was created as the 69th New York Militia.

The regiment has an Irish heritage because at its inception it was made up entirely of Irish Americans. Not only is it to honor for their current contributions to this country, but also it is only fitting that with the approach of St. Patrick's Day this coming Monday, when we honor our country's Irish heritage, it is also equally important to recognize that based upon this unit's history and its Irish heritage that we recognize this unit at this time.

This unit, while deployed to Iraq as Task Force Wolfhound, secured the infamous Route Irish, which was one of the most dangerous roads in Baghdad. With that said, the Fighting 69th has now served our Nation in five wars and in over 20 campaigns. They are made up of New Yorkers from Brooklyn, Queens, Manhattan, the Bronx, Staten Island and Long Island. These servicemembers are a tremendous credit to themselves, to their country and their unit.

Those individuals who have previously served in the Fighting 69th would be proud of those that are currently serving and who are now carrying the mantle and battle colors of one of the greatest regiments in American history. The actions of the Fighting 69th, both after 9/11, to include their assistance and recovery efforts of the World Trade Center in New York, and their deployment now to Iraq, show the tremendous service and sacrifices this regiment has made, and that these servicemembers have individually, and, of course, collectively given their country. When the call to serve and fight has come, the Fighting 69th continues to answer that call.

I would like to thank my colleague and my friend and fellow member of the Blue Dog Coalition, Congressman STEVE ISRAEL of New York, who is a former member of the House Armed

Services Committee and who now currently serves on the House Appropriations Committee and who was also a cochairman of both the Center Aisle Caucus and the Democrat Study Group on national security, for bringing this resolution to the floor at this time.

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

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

Mr. Speaker, I rise in support of House Resolution 991, which recognizes the continuing service of the 69th Infantry Regiment, New York National Guard, whose citizen soldiers have faithfully answered America's call to arms since the regiment's formation back in 1851.

Today, the 69th Infantry Regiment is again deploying to Afghanistan to continue America's fight in the global war on terror.

In this most recent of American wars, the 69th has borne already a distinguished part. It was one of the first units to assist, as was mentioned, in the recovery effort at the World Trade Center in New York following the September 11, 2001 terrorist attack. It subsequently deployed to Iraq as Task Force Wolfhound where it fought to defend the City of al Taji against al Qaeda terrorists, protected Iraq's free elections, first free elections, and secured the infamous Route Irish, the most dangerous road in Baghdad. During that service in Iraq, 19 members of the Fighting 69th were killed in action and 78 were wounded.

In its history, the regiment has served the Nation, and as was mentioned also, in five wars and 20 campaigns and six of its members have been awarded the Medal of Honor. It is fitting that this resolution recognizes not only the historic contributions of the 69th Infantry Regiment, but also the depth America owes the soldiers of the unit for their exceptional service, patriotism and fidelity in fighting in all fronts of the global war on terror since the attack on September 11, 2001.

Mr. Speaker, I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. MCINTYRE. Mr. Speaker, I yield as much time as he may consume to my friend, the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the distinguished gentleman, my very good friend from North Carolina, who has always been a tenacious advocate for the needs of the military and military families at Fort Bragg. I don't reside in North Carolina, but I do know from our friendship and our many conversations that no one fights harder and more effectively to represent the interests of those who are at Fort Bragg, including many of my constituents, who are there now waiting to deploy to Afghanistan.

I am very proud to stand here as a sponsor of this bill to honor New York's 69th Infantry Regiment, known as the Fighting 69th, once fought as part of the Irish Brigade.

I also want to acknowledge my cosponsor, Congressman PETER KING, the gentleman from New York, one of the earliest Republican sponsors of this measure which I have drafted.

Soon we will celebrate St. Patrick's day. That is a day when we will commemorate the enduring contributions of Irish Americans to the founding and development of this Nation.

In fact, if you read a book by Tom Cahill called ''How the Irish Saved Civilization,'' you would know that not only have the Irish made an enduring contribution to the founding and development of our country, but that their contribution transcends our country. When the world was a dark place, when the Roman Empire fell, when barbarians ruled, they tore down libraries, they destroyed all literature.

But it was the Irish who built monasteries. It was the Irish who brought scribes in who literally copied all of the great works of civilization. They preserved it. They handed it down from one generation to the next so that we would have it today.

In fact, it was Irish who did save civilization and similarly, it is the Fighting Irish, the 69th Infantry, that has saved America time after time after time and always answered their country's call.

Tonight, we put aside whatever political differences many of us have had in the past with respect to whether we should go to war in Iraq or not have gone to war in Iraq. That's not what this is about. Because, together, every Member of this House, Democrats and Republicans, support those who are fighting for our country and have answered the country's call.

We support men and women when they are in battle. We support them when they come home. I have always said thank God we live in a country that gives us the right to agree with the decision to go to war, the right to disagree with that decision, the right to remain silent. But no one has any right at all to forget the contributions that servicemembers make when they are called into duty. That is what this resolution is about.

Tonight there are a group of men who are in my friend from North Carolina's district who are at Fort Bragg. They are waiting to deploy to Afghanistan with the Fighting 69th. They are continuing the proudest traditions of being deployed to some of the most dangerous places around the world.

In the French campaigns of World War I, the island-hopping battles of World War II, in Iraq. That has been the history of the Fighting 69th since 1851.

□ 2100

In fact, it is safe to say that it was the 69th that saved the Union during the Civil War. And I would say, with apologies to my friend from North Carolina, the fact of the matter is that those of us on the north side of the Mason-Dixon Line recognize the fact that had it not been for the Fighting 69th, that we might have lost. Why is that? Because in 1861 there was a rumor that the British were going to assist and aid the Confederacy because the British needed cotton and textiles. Had they done that, that would have tilted the balance. That would have ended the cause for those of us north of the Mason-Dixon Line.

But you know what? President Lincoln did something very, very smart. Knowing that we could not afford for that to happen, he rallied the Irish boys. He went into New York City, and he mobilized many brand-new Irish American citizens in New York City and asked them to fight for freedom and to fight for the Union. And they fought. They fought at Malvern Hill in Virginia, not very far away from here. They fought against the dreaded and omnipotent Louisiana Tigers. And they won that battle. It was one of the first battles that the Union won. We were getting beaten in many of the early battles. And when Robert E. Lee asked his staff, Who beat us? Who did we just fight? His staff said, General, it was the 69th New York, to which Robert E. Lee, said, Ah, the Fighting 69th. And that is how they got their name, and they have carried that tradition with them ever since, through four wars and a fight to come in Afghanistan, 19 campaigns, six medals of honor.

On 9/11, many of them went to the Lexington Avenue Armory. I was there just a few weeks ago. And then they went to Ground Zero. One lost his life, Firefighter Gerard Batpees, a first lieutenant in the 69th. And then they went to Iraq, men like Chris Daniels from Centerport, Lou Delapizi from Bay Shore, and Col. Charles T. Crosby, the commander of the 69th in New York City.

Mr. Speaker, I want to wrap up by telling my colleagues that a few weeks ago I visited with men of the Fighting 69th at the Bay Shore Armory on Long Island, and we had some good old New York pizza together, and I plan to visit with them in Afghanistan this July.

Many of us marched in St. Patrick's Day parades last week. Many of us will march again in St. Patrick's Day parades this weekend. And as we do, I hope we will remember the marches of the Fighting 69th, on Malvern Hill, in France, on Okinawa, where Private Ruiz won a Congressional Medal of Honor for single handedly destroying a Japanese pillbox. Private Ruiz, not exactly an Irish name, but the courage was Irish. On Route Irish in Baghdad, in Kabul and Jalalabad within weeks, that is where they marched and will continue to march. When they visit Afghanistan, they will be on some high mountains and in some very rainy and windy places, and I know we will think of them and apply to them this Irish blessing:

''May you always have walls for the wind,

a roof for the rain,
tea beside the fire,
laughter to cheer you on,
those you love near you,
and all your heart may desire.''

Mr. Speaker, may they come home soon to a country safer and sounder because of their courage.

I want to again thank the gentleman from North Carolina for his leadership. I also want to thank Major John Mark Pierre, an Army Fellow assigned to my office. He understood how important this bill was to me and his assistance was invaluable. I want to also thank Chairman SKELTON and Ranking Member HUNTER for allowing this resolution to come to this floor.

Mr. KING of New York. Mr. Speaker, I am proud to rise in support of this important legislation, H. Res. 991, honoring New York's famed 69th Infantry Regiment for its dedication and valorous service in the war against terror, particularly in Iraq and Afghanistan.

The Fighting 69th has been engaged in the war against terrorism since the very onset of the war, having been deployed to secure Ground Zero in the immediate aftermath of the terrorist attacks of September 11, 2001.

The 69th was deployed to Iraq in ''Operation Wolfhound'' and served with great distinction, defending the city of Al Taji, protecting Iraq's first free elections and, most significantly, securing ''Route Irish'' which had been the most dangerous travel route in Baghdad. Tragically the 69th had 19 troops killed in ''Operation Wolfhound'' and 78 wounded. At no time, however, did the Fighting 69th ever waver in its mission. The Fighting 69th is now being deployed to Afghanistan where it will once more take the fight to our enemy.

Having served in the Fighting 69th and being an active member of the 69th Infantry Veterans' Corps, I take particular pride in this regiment's achievements.

The Fighting 69th has served in five wars and six of its members have been awarded the Congressional Medal of Honor. Its courageous service in Iraq and Afghanistan is adding new chapters to the regiment's historic and noble history.

I urge adoption of the resolution.

Mr. KNOLLENBERG. Mr. Speaker, I have no other speakers that are available, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MCINTYRE) that the House suspend the rules and agree to the resolution, H. Res. 991.

The question was taken.

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

Mr. MCINTYRE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXPRESSING SENSE OF THE HOUSE OF REPRESENTATIVES THAT ALL AMERICANS SHOULD PARTICIPATE IN MOMENT OF SILENCE TO REFLECT UPON SERVICE AND SACRIFICE OF MEMBERS OF THE UNITED STATES ARMED FORCES

Mr. MCINTYRE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 953) expressing the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad, and their families, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 953

Whereas it was through the brave and noble efforts of the Nation's forefathers that the United States first gained freedom and became a sovereign nation;

Whereas there are more than 1,354,000 active component and more than 1,100,000 reserve component members of the Armed Forces serving the Nation in support and defense of the values and freedom that all Americans cherish;

Whereas the members of the Armed Forces deserve the utmost respect and admiration of their fellow Americans for putting their lives in danger for the sake of the freedoms enjoyed by all Americans;

Whereas the families of members of the Armed Forces make sacrifices commensurate with the men and women of the Armed Forces;

Whereas members of the Armed Forces are defending freedom and democracy around the globe and are playing a vital role in protecting the safety and security of all Americans;

Whereas the Nation officially celebrates and honors the accomplishments and sacrifices of veterans, patriots, and leaders who fought for freedom, this resolution pays tribute to those who currently serve in the Armed Forces;

Whereas all Americans should participate in a moment of silence to support our troops and their families; and

Whereas March 26th, 2008, is designated as ''National Support Our Troops Day'': Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad, and their families.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MCINTYRE) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. McINTRYE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I rise tonight in support of H. Res. 953 honoring the service and sacrifice of the members of the United States Armed Forces, both at home and abroad, as well as their families.

Every day we have servicemembers who volunteer to serve in harm's way. They have volunteered to serve our great country and protect its citizens from threats to liberty and our way of life.

Indeed, by God's grace, our Nation now celebrates 232 years of freedom this year, and it is due to the service and sacrifices that have been made throughout our history by the men and women of this country who have served in its military.

This evening, it is no different. Just like in the past when young men and women stepped forward to serve, they continue to do so. However, the difference now of course is our Nation is at war. And today, these men and women are joining the military knowing they will be headed overseas, knowing they will be put in harm's way, knowing that they will be sent away from their families and their loved ones and their communities.

It takes tremendous courage, Mr. Speaker, and intestinal fortitude to come forward and wear the uniform, especially in today's environment where we are fighting conflicts literally all around the world. I have spent time with many of our men and women in uniform, both at home and abroad, in many different countries and on different continents, and I have seen it in their eyes and heard it from the deepest part of their hearts as they have expressed their commitment, as I have seen their courage, and I have understood their conviction to serve our country and to honor it, putting their very lives on the line. Their unselfish service and their sacrifice is quite evident.

Whether it is our active duty personnel who have heard the call to duty or our Reserve component members who are our citizen soldiers who stand up to be counted to go out and serve and defend our values and freedom whenever called upon, we all are so appreciative of the service that our men and women in uniform give.

And we realize it is not just the servicemembers themselves, but also their families who are making sacrifices. The parents, the spouses, the children who go many months, a year, and sometimes even longer without seeing their loved ones. It is they who are constantly concerned, and have to go about life here without their son or daughter or husband or wife or mother or father or brother or sister. It is they who also sacrifice for this great country by yielding up a family member to go and serve on behalf of all of us.

Whether it is missing the birth of a child or the first steps of a newborn, whether it is watching their child in a

baseball game, as we approach the spring of the year, or missing a birthday or an anniversary, these are times that we know our families always cherish and that families are sacrificing, to give up, in order to allow their loved ones to go and serve our country and protect all of our citizens so that all of us, from whatever background, whatever calling we may be answering in life, have the freedom to go about our daily lives and the businesses and other events in which we are involved.

Our servicemembers are defending freedom and democracy around the world, and they are playing a vital role in protecting the safety and security of all Americans.

This moment of silence this resolution puts forth will take place on March 26, 2008, to celebrate the National Support Our Troops Day. It is just a small way that we as Americans can all show our pride and thanks for the many sacrifices made by our servicemembers and their families both at home and abroad.

Although words are not enough to show how truly grateful we are to these families and to those in harm's way, it is one way that we can say thank you. It is one way we can say Godspeed. It is one way that we can show that we are praying for their safety and for their guidance and their wisdom.

I can tell you, as a member of the Armed Services Committee and as one who serves on the Subcommittee on Air and Land Forces and also on the Subcommittee on Terrorism, how indeed we truly do respect and are grateful for our troops and what they are doing.

As one who also represents a district that is sandwiched between Fort Bragg and Camp Lejeune, which is the home of many Reservists as well as National Guardsmen, we are very, very grateful for the service of all of those who are going forth on behalf of our country.

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

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

Mr. Speaker, I rise today to speak to an issue very dear to me and very important to our Nation. In this country, we use holidays to remember the heroes of our past. We have among them Memorial Day, Veteran's Day, Columbus Day, Martin Luther King Day, and President's Day. These are fitting tributes for worthy heroes, but what of today's living heroes, our brave men and women on the front lines fighting in defense of our freedom?

I believe that they, too, deserve special recognition and praise. Our very ability to assemble here today is a direct result of their actions.

Two years ago, a young constituent of mine, Alexandra McGregor, presented me with the idea of a ''National Support the Troops Day.'' Alexandra had seen a news account of a fallen soldier, and she had the idea that we should set aside a day to honor our great American heroes fighting on the front lines.

I couldn't agree with her more.

Mr. Speaker, I stand here today, as I have before, because of Alexandra and others like her who believe we should and we must show our appreciation for the troops.

This resolution calls for Americans to participate in a moment of silence on March 26 to recognize all of our active duty troops. Alexandra chose this date for a very personal reason. It is the birth date of her grandfather, a World War II veteran who helped instill in her such a deep love of country.

I might add, Alexandra was just 16 years old. To this day, I'm moved to think that someone so young could have her priorities so straight.

She put in a considerable amount of time and personal effort to see her idea become a reality. She went as far as to call a high school in each and every State to convince them of the importance of this issue.

Such dedication only serves to underscore the very reason for that resolution. American families strongly support our troops, and while so many of them fight abroad on our behalf, we should do everything we can to show our appreciation and thanks. I hope you will all join with me in support of this resolution and in support of the more than 1.5 million active duty troops who defend our freedoms each and every day.

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

Mr. MCINTYRE. Mr. Speaker, my thanks to Mr. KNOLLENBERG for his gracious comments.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 953 ''Expressing the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad,'' introduced by my distinguished colleague from Michigan, Representative JOE KNOLLENBERG. This praiseworthy legislation will honor the lives, the work, and the memory of the countless men and women who everyday sacrifice their lives for our freedom.

Our great Nation officially celebrates and honors the accomplishments and sacrifices of veterans, patriots, and leaders who fought for freedom, but does not yet officially pay tribute to those who currently serve in the Armed Forces.

Accordingly, I praise those individuals who currently continue to accept the challenges posed by fighting for our liberty. Let us look to the sky to honor the memory of these heroes who give their lives for the foundations of our democracy. These individuals represent the best in all of us and it is in their memory that we should devote ourselves to continuing what they began. By humbling ourselves and reserving a moment of silence, we give reverence and recognition for those who make the ultimate sacrifice. Everyday, the men and women of our Armed Forces commence on a risky journey that many brave ones travel. In passing this important legislation, we effectively recall the purpose for which our elite Armed Forces are so dedicated.

Mr. Speaker, there are currently more than 1,500,000 active and reserve component members of the Armed Forces serving the United States in support and defense of the values and freedom that all Americans cherish. Our Nation's brave men and women in uniform are willing to give the ultimate sacrifice in order to ensure the freedoms enjoyed by every American remain intact. The debt we owe our Nation's armed services cannot be quantified, the respect and admiration felt by all Americans hardly expressed; it is imperative that we show the men and women who offer their lives each day to protect our own just how much their courage means to us.

Mr. Speaker, words cannot convey or adequately repay the debt that is owed. We cannot sufficiently articulate the feelings of sorrow that are universally felt; however, we can pay those men and women of the Armed Forces no greater tribute than to honor their sacrifice with a moment of silence. The service that these brave individuals provide is priceless and will never go unrecognized.

I strongly urge my colleagues to join me in supporting this important legislation, and, in so doing, giving our men and women in uniform the respect and recognition they deserve.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MCINTYRE) that the House suspend the rules and agree to the resolution, H. Res. 953, as amended.

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

A motion to reconsider was laid on the table.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–101)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

The crisis between the United States and Iran constituted by the actions and policies of the Government of Iran that led to the declaration of a national emergency on March 15, 1995, has not been resolved. The actions and policies of the Government of Iran are contrary to the interests of the United States in the region and pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Iran remains the world's most active state sponsor of terrorism, and continues to provide lethal support to Lebanese Hizballah, HAMAS, Palestinian Islamic Jihad and numerous other terrorist organizations in the region, as well as to the Taliban in Afghanistan and various

Iraqi militant groups. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and maintain in force comprehensive sanctions against Iran to respond to this threat.

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the Iran emergency declared on March 15, 1995, is to continue in effect beyond March 15, 2008.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 11, 2008*.

□ 2115

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. WILSON of Ohio). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SOMETHING WE CAN ALL AGREE ON: OUR TAX SYSTEM NEEDS HELP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, it's springtime in Washington. We're all anxiously awaiting the start of the spring baseball season, cherry blossoms, and of course April 15 when we all face the deadline for filing our Federal income tax.

Now questions are often asked, paper or plastic, regular or decaf, conservative or liberal. Americans don't always agree and don't always see eye to eye. But there is one thing which a majority of us do agree on and agree on hands down, that our Federal tax system needs serious help. According to a 2007 Tax Foundation Study, 78 percent of Americans think the tax system needs a major overhaul.

Everyone knows the problem. Each year Americans dedicate billions of hours and billions of dollars complying with a very complex Tax Code. In fact, in 2005, the average taxpayer paid almost $1,900 per household in compliance costs. That means a taxpayer must work 6 days each year just to pay for the cost of preparing his or her Federal taxes for that year.

Time is precious. Time is money. Time is fleeting. Time is precious, and we never have enough for raising our families. Time is money, and valuable resources are lost that could be spent on productive activities such as growing the economy and creating jobs. Time is fleeting. And we can never reclaim those hours that we have spent complying with our very complex Tax Code.

We all complain about paying taxes. We all complain about navigating the complex code. And the fact is, if the system was fair and simple, it would be a lot easier to follow and a lot easier to swallow. Americans don't mind paying for roads, for a strong defense, or even for health care for your grandmother.

The fact is, right now, we have a situation where two families can be living side by side, earn exactly identical incomes and face a very different tax liability on April 15. The Smith family makes the same amount as the Jones family, and they're forced to pay a higher share of the tax burden.

The Declaration of Independence states that all men are created equal. Maybe it also should say all taxpayers should be created equal, and it should apply to the tax burden.

Changes could be made within our existing system to improve it in the short term. Full expensing of business capital, permanently repealing the estate tax, abolishing the alternative minimum tax are a few of the possibilities. But fundamental tax reform would pay larger dividends. Just think of the jobs and economic growth that resulted when President Ronald Reagan cut the code in half back in 1986. Let's apply some of that same common sense that President Reagan used back in 1986 to streamlining today's unruly code in the 21st century.

Simplicity and fairness demand that we replace our current system with a single rate system that taxes income only one time. Even the National Taxpayer Advocate, Nina Olsen, recommended that lawmakers simplify the tax code. That was one of her recommendations in the 2007 annual report to Congress.

A faster, a flatter, a fairer tax structure would work and it's pretty simple. Tax returns could be done on a single page, maybe even on a postcard. It could be accomplished in just a few steps.

Time me now. Multiply your income by a fixed percentage, subtract a standard deduction, and the process is over. Fourteen seconds. Gone will be the stressful hours figuring out whether your military service or your marital status will adversely affect your return. No more headaches trying to determine where the estimated tax payments go. Tax prep fees might be money spent on, I don't know, something more rewarding. Maybe a vacation, maybe a personal day off, maybe even creating a new job.

A single tax rate structure would eliminate taxes on capital gains, taxes and dividends and taxes on savings because again, remember, we're going to tax income only one time. Businesses could expand and create jobs. Personal savings would increase.

How many times we hear it said over and over again, Americans don't save enough money. Americans don't save enough money because when they put some of their hard-earned money into savings, half of the interest earned goes away to Federal income tax. It's taxed as ordinary income. Where's the incentive in that? We ought to incent savings in this country, not punish it, not grind the saver into the dust when, in reality, if we increase savings in this country we might not face some of the problems that we face today.

Without the heavy corporate income tax which is currently the second highest in the industrialized world; let me say that again, the second highest in the industrialized world, companies would have less incentive to move their headquarters out of the United States and, more importantly, less incentive to offshore their earnings.

Recent polling by American Solutions show that 80 percent of Americans favor an optional one page tax return with one rate. After all, who could complain about making something easier, especially a process that comes at a high cost.

Former Speaker Gingrich said in this body over and over again, real change requires real change. Americans agree the Tax Code is unfair and should go. Let's take a cue and translate this agreement into real change. After all, fundamental tax reform is a worthwhile goal, and this Congress, this Congress should take it up and pursue it for the benefit of the American people.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE 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 North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina 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 California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER 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 Illinois (Mr. WELLER) is recognized for 5 minutes.

(Mr. WELLER of Illinois 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 Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE 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 Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Pennsylvania 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 Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. MEEK of Florida. Mr. Speaker, it's an honor to be before the House once again. As you know, the 30-Something Working Group, we have been coming to the floor now for some 5 years to not only share with the Members but also with the American people on what's happening here in the Capitol.

I'm going to do a short segment because we have other Members that need to come to the floor. And the hour is late, and tomorrow we're going to be working pretty hard past this hour tomorrow, I'm pretty sure. And we want to make sure that everyone is able to make it home and do the things that they need to do to prepare for that day.

Mr. Speaker, with that, I just would like to say that we've been in debate now for a couple of hours on the budget, the 2009 budget. And I can tell you, Federal budget, as it relates to the House version, I can tell you what I've read and seen of the President's budget, we have a lot of patching up to do in that budget.

Tomorrow we will have a number of different caucuses coming to the floor presenting their budget, their ideas. Some of them came before us today to talk about some of those issues to be considered before the full House, and I'm glad that we are providing that opportunity for the Members to participate in that process; also, to be in debate with the Republicans on Democratic new ideas, moving in a new direction. And I think it's so very, very important not only for the Members of the House to be a part of that exercise, but also for the American people to witness that exercise so that they will know, firsthand, who has the best priorities for the working American people that are out there, and those that are retired and those that are yet unborn, preparing this Nation to be able to bring them up in a way and to be able to have the resources in place so that they can see the kind of strong America that I witnessed when I came about.

Now, let me just share a little bit about this budget. And it supports fiscal responsibility and also accountability on government. I think a lot of the frustration with so many Americans right now is based upon a lack of accountability, a lack of oversight, a lack of restraint as it relates to spending. And I think when you have accountability, you're going to save money. I don't think it, I know it.

Now, 13 years in public service, and 8 years at the State level, I think it's important that we embody that. And this budget, it brings the budget back to balance by 2010, and our House budget, unlike the President's budget that he has proposed, not only to the House, but to the Senate, also the budget follows PAYGO rules which you say pay as you go, something that we adopted in our rules to say if we're going to spend it, we're going to show how we're going to pay for it. And I'm glad to see that we're still embracing not only that rule, but also that philosophy as it relates to the American people, of what they ask for.

The administration also continues in the fiscally irresponsible practices. And in this budget we bring it back to being responsible. And it's a real contrast, because since January 2001, a $5.6 trillion, 10-year surplus has been converted into a record deficit. And as you know, Mr. Speaker, I come to the floor almost every night to share how that deficit has crippled America and hasn't allowed us to be able to do the things that we need to do back in our districts.

I think we look at the wasteful spending; this administration is littered with examples of wasted spending and lack of accountability. And I'm glad that Chairman SPRATT of South Carolina has embraced that in his budget that he's bringing to the floor. Our budget that we're bringing on the Democratic side, we're looking at not only strengthening the economy, but creating jobs and at the same time energy, education, jobs, infrastructure and innovation will be the watchwords as we move through this process as basic principles. And so many Americans can, and also the Members, can go on www.budget.house.gov to look at the Democratic budget because I think it's important that we have that level of transparency so that they can take a look at the proposals that we are going to put forward.

So many of my constituents and so many Americans are challenged by the cost of energy. And we do know on January 22 of 2001, gas prices were at $1.47. And now, today it's at $3.13 per gallon. And I know many of my constituents and many of the Americans that are paying attention to the proceedings here on the floor, they're saying, well, Congressman, you're a little bit off of that $3.13, because as I moved around Washington, D.C. today I saw it as a lot greater.

□ 2130

We provide, with our budget, as it relates to dealing with some of these gas issues, it provides a $6.1 billion funding for renewable energy and energy efficiency and other energy programs, which is $1.1 billion, 21 percent more than the 2008 level.

So we are moving in that direction making those kinds of investments, and some may translate that into saying that we are pulling ourselves out of Iraq, out of the Middle East and investing in the Midwest and trying to not only push private sector but also Americans in the direction of being more energy efficient so that we don't find ourselves continuing to depend on the big oil companies.

If I can have my big oil company chart, I would appreciate it, because I think it's important to be able to reflect on it. Also, it rejects President Bush's budget cuts of energy efficiency and renewable energy programs, including the cuts to solar energy power, and also what the President did in terminating the weatherization-assistance program. We are replacing all of that, and I think it's important for Americans to understand what is happening here.

These big oil companies have reaped record profits under the Bush administration, and as you can see here in 2002, it was first $30 billion in record-breaking profits. It then kicked over $59 billion, $82 billion, $109 billion, $118 billion and $123.3 billion of these oil companies raking in these profits. And as you know, Mr. Speaker, we have moved legislatively to make sure that we call back some of those giveaways that the Republican Congress gave these oil companies.

And this has resulted in what I talked about a little earlier, $1.47 when the Bush administration started in January 22, 2001, and it almost sounds like an inauguration date, and what we face now at $3.13. The barrel of oil continues to go up.

So this energy investment and being efficient is very, very important to the country, also very, very important to national security.

We also invest in hundreds of billions of dollars in new investment and green jobs, green-collar jobs. These are jobs, Mr. Speaker, that we can't ship overseas. When we make our building greener, when we make our homes greener, these are jobs that anyone who can even be a high school dropout

with a skill would be able to participate in to that individual that became an engineer.

These are jobs that you just can't send overseas. And this is a real economy and not a credit card economy, not a second mortgage economy, or not an economy where one has to go out and continue to borrow to live. This is real money coming in for real working Americans that are here so that we can put folks to work and get them off the unemployment role.

I'm going to end right there, Mr. Speaker, as it relates to the energy investment because there are so many other investments in here as we look at education, transportation, and infrastructure. And today, just today, the Speaker had an infrastructure meeting in the Speaker's office with many individuals that felt that they had a way to not only incentivize an economy but also build on the infrastructure of America.

So many of my constituents and so many Americans are very concerned about the investment that's going on in Iraq right now. Crumbling bridges, railways are not what they should be as it relates to moving transportation. We have trains that can move freight almost 430 miles on one gallon of diesel fuel. I mean, these are things that we have to continue to work on to not only save our environment but also create American jobs.

And that's what I'm very excited about in this budget that we are putting forward, to give us the guideposts that we need in this country to not only do away with the debt by 2010 but also get the country moving in a direction so that it can be a safer place for our children and grandchildren.

With that, Mr. Speaker, we always want in the 30-Somethings to not only hear from the Members but also hear from the American people on various issues that are facing the Congress. Next week we are going to be on Easter break for the next couple of weeks once we finish our business this week, But the 30-Something staff continues to work to come up with the great ideas that we put forth on behalf of the American people. And we are talking about Democrat and Republican, Independent, those that are thinking about voting and those that can't even vote yet.

Our e-mail address is 30-SomethingDems@mail.house.gov. Again, 30-SomethingDems@mail.house.gov. Or if you want any of the information that we shared with you tonight about the budget, we know that you can go on www.budget.house.gov. Again, www.budget.house.gov. And any general information that you may want, what Democrats are doing here in Congress, www.speaker.gov, and I think that's easy enough to remember.

CHANGING THE DIRECTION OF THE COUNTRY'S BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Kentucky (Mr. YARMUTH) is recognized for the remainder of the hour.

Mr. YARMUTH. Mr. Speaker, it is a great pleasure to be here speaking on behalf of the American people and the class of 2006, the class that was elected to Congress to change the direction of the country, and that's what we've been set upon to do during these last 14 months.

And I appreciate very much the comments of my distinguished colleague from Florida (Mr. MEEK) and the great efforts he has made week after week to address the American people on the issues that are of critical importance to them.

We are going to talk tonight about the budget resolution as well because this is, above all things, the fundamental responsibility of the House of Representatives, the United States Congress. This is how we deal with all of the tax revenue that we generate in this country and how we essentially steward the funds of the population that depend on us to make good judgements for them.

And I'm joined tonight by my distinguished colleague from Wisconsin (Mr. KAGEN) who has been a frequent participant in these sessions and someone who joins with us in our commitment to making life better for all Americans, making this an economy and a society that works for everyone and not just for the wealthiest.

There are lots of ways to frame budget debates, and there's always a risk that we get much too deep in numbers and we get way too deep in the weeds, and we don't talk about the big picture because the big picture is what most Americans want to deal with. They want the small picture of how it affects their daily lives. But they also want to know what we're about here, what our goals are, what our ambitions are for the American people, what we are trying to do as we work through this $3 trillion budget that we have to do each Congress.

And it's been interesting to sit and to stand and to listen to our colleagues on the other side of the aisle, those Members who have been in charge of this body and in charge of the Federal budget essentially for the last 6 years and even in the Congress before that for another 6 years, and listen to them try to frame the issues in ways that understandably try to benefit their position.

But it's fascinating to listen as they talk about our budget, and somehow, because we don't plan to keep all of the Bush tax cuts in effect ad infinitum, that that somehow represents a tax increase.

And I have to remind everyone when I talk about issues that you remember what the Bush administration did and this Congress did when they enacted these tax cuts. They basically provided a sunset. They provided in the legislation that these tax cuts would end, and the reason they did that was because they wanted to be able to project somewhere out in the future that there would be a balanced budget in spite of the fact that they knew they were destined for huge deficits.

So they put a sunset, they put an end on those dates. Just as if you were in a business and you say, Okay, for 2 days only we are going to have a sale. We are going to give you 30 percent off. And that's the terms of the deal. So you come in on the fourth day and you say, Wait a minute. I want to pay that lower price. And the store says, Wait a minute. No. This was two days only 30 percent off. So you didn't raise the prices. You can't argue that we raised the prices. This was the way the deal was set up.

So now they're trying to have it both ways. They're trying to say we provided a tax cut, most of which went to the very wealthiest Americans, and now we are going to, because you are not willing to extend that tax cut, you are going to raise our taxes. No. We are going to end that two-day sale.

But what is really more disturbing than anything else, and I listened earlier to one of our colleagues from Wisconsin, one of your colleagues, Mr. KAGEN, that when he was talking about what this budget would mean if we did not extend the Bush tax cuts, it said the average American would have their taxes raised by $1,000 or $1,200 or $3,000 when, in fact, that is kind of the magic of numbers and what you can do with them. Because if you take someone who is making $10 million a year and you raise that person's taxes by 4 percent, which would be essentially restoring the maximum tax rate, pre-Bush tax cut rate to that person, and then you average it over thousands of people, yes, you are going to get an average tax hike of $1,000 per person. But the average American, the average person who is making $30,000 a year is not going to see his or her taxes increased at all under this budget.

But you put that person with the person who's making $10 million a year whose taxes might go up a couple hundred thousand dollars, you average all of that in, yeah, you can come up with an average tax increase on all Americans. But that's not the way it works, because the average American will not have his or her taxes increased under this budget. The average very wealthy American will have his or her taxes increased.

But that's the way we play games with numbers around here, and it's very disturbing.

So it's important that when we discuss these important issues, $3 trillion worth of Federal budget, $1 trillion dollars, essentially, that this Congress has to deal with in discretionary funding, that we be honest, that we be candid, that we paint the accurate picture for the American people and what it means to them.

And I would like now to yield to my distinguished colleague from Wisconsin who I know is very much focused on what this budget does and every budget does for the people he represents, everyday Americans in his district. So I'm proud to yield to my distinguished colleague from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Mr. Speaker, I thank Mr. YARMUTH from the great State of Kentucky. And I thought what I would do is I'd share with you some of my feelings about how things are going here in Washington.

We were presented with Bush's proposal, which, medically speaking, is dead on arrival. It just doesn't face up to and it doesn't really reflect our traditional American values of putting people before things. People ought to come first.

I am very much opposed to the President's budget which seeks to really destroy Medicare and take away Medicaid, which is the health care access for those of us who are in the greatest need. And so I think we have to take a look at the numbers. When the President suggested $497 billion cut from Medicare, nearly $100 billion cut from Medicaid, how are these people going to get the essential medical care that they need?

I look at it, in the big picture, as this way: We've been elected to change the direction of the country and to do four essential things: First, defend America. We have to enact, as we did, the 9/11 recommendations. We have to begin to move our troops away from Iraq and back after our real enemies, Osama bin Laden and his followers. And they weren't in Iraq when we went there; they were in Afghanistan. But we cannot remain in a hundred-year war and continue to borrow money from China and spend it in the sands of Iraq.

Everywhere I go in Wisconsin, my good friend, people are telling me, Look, you have got our hard-earned tax dollars. Spend it here at home. Build our roads. Build our bridges. Rebuild America. Let's not rebuild another country. Let's rebuild our own lands. This budget does not reflect our values. It doesn't protect anyone except corporate greed and those at the very top of the ladder. It doesn't do what we should be doing: educating our children, caring for our veterans.

The Democratic budget seeks to put in over $3 billion above what we did last year because we have 330,000-plus soldiers coming back from Iraq and Afghanistan.

□ 2145

And they need help now more than ever, not just before and during their service in harm's way, but when they come home with PTSD and other injuries that you may not see that are mental, and also those physical injuries. We have to have a budget that makes sense not just for us here, but also for people at home.

I have here a chart that shows you the change in real median, which is like your average household income, by Presidential term. If you look over here right by the right, this is something people in Wisconsin understand straight away. We are not better off today than we were before President Bush took office. And this Republican policy of borrow and spend and borrow and spend has put us in the drink.

There is a difference between Republicans and Democrats. Right now, the difference is about $33 trillion of debt on an accrual basis. When President Bush took office, we had a debt of about $20 trillion on an accrual basis. We are now up to $53 trillion of debt. We have obligations we have to meet to those people that we serve and represent.

During the Clinton Presidency, there was an increase of $6,100 of median household income; with Bush I, a decline of $1,000. So we have to return and get back to the basics of balancing our budget, and most importantly, balancing our trade as well. We cannot continue to have a negative trade deficit with our partners overseas and have any kind of economy left at all.

This budget does not make sense. I thought I would go through with you, since you are from Kentucky, some of the things that might be happening if we followed President Bush's and the Republicans' budget. Homeland security grants. In the State of Kentucky, well, you would lose $7 million. In Wisconsin, $9 million. Homeland security grants are important sources of revenue for small governments and cities and towns to help defend America on the local level.

Assistance to firefighter grants, the AFG grants, puts valuable equipment into volunteer fire departments across the country, giving them communication gear so we can communicate during an emergency. Well, in Kentucky, oh, my poor friend, you're not even on the list. Let's go to Wisconsin. We're losing $13 million. And Kentucky, $12.5 million with the President's budget.

What about the Clean Water State Revolving Fund? This is an essential source of revenue for guaranteeing that we have infrastructure that makes sense, that functions as it should, wastewater treatment plants and the like. In Wisconsin, under President Bush's budget, we would lose $4 million. In Kentucky, you would lose almost $2 million. It goes on and on.

Community Development Block Grants, Dislocated Worker programs. These are people-oriented programs that need to have financing to make sure that people have a safety net that they can count on.

If you want it in general terms, you used the analogy about a sale, you know, 2 days only, or should we say, ''to the rich only.'' That sale, that tax break, that has to end because otherwise we're passing the buck. We're passing our debt on not to our generation, but to our children and our grandchildren because sooner or later these debts must be paid.

We're seeing it now with the decline of the dollar. The decline of the dollar has caused what? The oil hasn't changed for 1 million years, but its value has gone up because our purchasing power for the dollar has gone down. The gold hasn't changed, but it now might take $1,000 someday soon, real soon, to get 1 ounce of gold. So your purchasing power of the dollar has declined. Interest rates are going down, making your investments, if you saved any money at all and you're on fixed income, it's much harder for you now to make it through the week.

As we look at the budgeting process here in Washington, the essential difference is there are debt lovers and debt haters. We want to pay our bills. We want to be fiscally responsible and socially progressive to guarantee that people are more important than things and people are more important than corporations.

And I yield back.

Mr. YARMUTH. I thank my distinguished colleague.

He raises an important point because there are two different types of expenditures that we make in this Congress and that everyone makes. You can spend money that basically goes down the drain and never yields any kind of positive return, or you can invest money that pays back in manifold times over the years.

I know that I call my colleague Mr. KAGEN; in fact, he is a physician. I should say Dr. KAGEN. I raise that because one of the things that the President's budget did, it would do if we were to enact it, which of course we won't, but is to cut funding for the National Institutes of Health. It seems to me that we're facing, as a country, this enormous exposure financially over the next several generations because of health care costs. We can try to tax our way out of it, raise more money to pay for it; we can try to use cost containment measures, which probably are not going to be that effective because every time you try to cut down on what you spend for health care, you reduce access to it; or we can invest money now in the type of research that will cure the very diseases that are going to cost us the most down the road. So if we spent $20 billion and we're able to cure cancer within the next 5 years, that would save us trillions of dollars long term as a society. The same with diabetes, the same with almost every disease we can mention. Yet the President's budget reduces funding on an inflation basis from the last year's budget. This is the type of thing where we should be investing more money because down the road these will pay off, not necessarily for us, in fact, but for our children and future generations.

It's the same way with energy and it's the same way with infrastructure. These are the types of investments and expenditures which this budget, the Democratic budget, emphasizes. This is our focus. And this is the type of expenditure that the President's budget

ignores. And that represents a very fundamental difference in our approaches.

Clearly, we have one big elephant in the room. I don't say that in partisan terms. I will use gorilla. We have one big object in the room, and that is our expenditure in Iraq. If we continue to spend $150, $170, $200 billion a year in Iraq, that is money that doesn't represent an investment. It represents money being flushed down the drain. That's something that we have a serious policy dispute with and that's a very controversial subject around the country, but it's the type of expenditure that is keeping us from doing the type of investment that will yield returns down the road.

I'm very happy that my colleague mentioned infrastructure and investment because that is where we're going to have to focus our activity, our attention. Because unless we do that, we are destined for the same type of borrow-and-spend society and economy as opposed to an invest-and-reap-the-reward society that we can have otherwise.

We have a fundamental debate with our colleagues from across the aisle and with the administration in the White House and we're going to have to continue to fight this until we can convince the American people that the long-term approach, investing in people and infrastructure and research, are the answers to our long-range problems. And the Republican budget, the President's budget, is something that takes us in the wrong direction.

With that, I would ask my colleague to respond to or react to those comments.

Mr. KAGEN. I couldn't agree with you more, and I appreciate your yielding.

Think about it. I'll ask it rhetorically: Can you name one thing that President Bush has done to help us become an energy independent Nation? Just one thing. I can't think of a thing that he has done. There is so much that we could be doing to become energy independent.

But let's look at taxes just for a minute. I can lower your taxes by investing in people, by having healthier children who will have healthier lives. They will get a better education if we educate them and invest in education. I can lower your taxes. I can lower the taxes of every city, every county and every State in this country if we would invest in a health care system that makes sense, that's affordable, and guarantees access to affordable care for everyone, especially our children on whose future we all depend. We can lower our taxes by having healthy senior citizens who walk straight, who don't need canes, who actually have access to the essential services that they require.

We have to invest in people, their education, their health care, and especially our veterans. And it's going to cost more and more and more the longer we remain in a religious civil war in Iraq. We're spending $12 billion of our tax money that we have to pay back sometime. Now 80 cents on the dollar that we're borrowing from foreign countries, 80 cents on the dollar we're taking from foreign countries right now. So who owns America? Who are we? And in which direction are we going to turn? We have become a debtor country.

Let's take a look at some of the numbers that are a bit frightening. I'm going to scare you for a reason. This is the way it is: 2.8 million homes are going to go through foreclosure in a short time through the subprime mortgage crisis. But the number at the end of the day, when this recession is done in 2011 or 2012, may be 20 million homes. Now if you have three people per home, that's 60 million American citizens. Sixty million people might have to lose their home. If I came up to you and said, hey, you know, 20 percent of the population in Cuba is homeless, you would say, well, yeah, it's a Third World country. We're already getting there.

Now 10 years ago, in conversations with my physician colleagues, we would have an agreement that we were doing fine in America so long as the value of the dollar was upheld and so long as Arabians took our dollar in payment for their oil. Well, last year, the Japanese started buying their oil and paying in the yen. Germany is now paying in the euro because they get more for their money. So our dollar has been devalued because of these failed and losing economic policies that we're now underneath because of President Bush.

We must turn a page. We must come back to the basics of being fiscally responsible and paying as we go as we've done in this House in the 110th Congress.

Now if we don't invest in our children's education, where are we going to get? We're getting nowhere. If we don't invest in our children's health care early on, we'll never be able to afford their expensive care later on. Remember the old tire commercial, ''You can pay me now or you can pay me later''? That's true in the health care field as well.

I feel very strongly that we have to take on all of these issues. We have to have a fiscally responsible budget. And the very first thing we have to address is our skyrocketing, impossible costs for health care, which are a drag on every small business I get to meet with. I don't care if you're in farming or if you're a shoe salesman or if you're a small manufacturer, the number one cost you have of running your overhead is your health expense for your employees, if you're fortunate enough to have the money to pay for it.

Today, the average cost for a family of four is $14,000 for health insurance, on average. If you're making $50,000 annually, how can you afford to give $14,000 to the insurance industry? You can't afford it. That's why we have 47 million United States citizens with no health care coverage at all. I think we have to become fiscally responsible. This Congress will do it.

I yield back.

Mr. YARMUTH. Thank you. This is kind of a tangent, but it's important to mention because we hear from the other side so many times, I think from the Presidential candidate as well as so many Members, that the answer to the health care crisis is to give families a $5,000 or so tax credit so they can pay for their health insurance. You've framed the issue extremely well; how many families of moderate income can afford to pay? The $5,000 tax credit doesn't mean anything when their health insurance is costing them $14,000 a year. First of all, they don't have the money to spend, so they probably are not paying a lot of tax to begin with. A tax credit is kind of a myth. It's just something that maybe sounds good, but in the real world doesn't work.

But you also mentioned a very important element to this, and that's the issue of education. The President and the Republicans have continued to underfund education in this country at almost negligent amounts for a number of years now.

We just had a press conference a few weeks ago in my district because we were able to get enough money, a Federal grant to provide scholarships for 500 citizens of my district that would enable them to get an associate's degree. We calculated the amount of increased earning capacity based on that $1 million worth of scholarships and it ended up being $13 million worth of increased revenue earning capacity based on a $1 million investment. Because if you take somebody from a high school degree and you give him or her an associate's degree, all of a sudden their income potential increases by 50 to 100 percent. You're talking about over a lifetime of earning capacity, $250,000 to $300,000 just for that small investment.

These are the types of decisions that we have to make, that we're called on to make in these budgeting processes. And I think that represents the real distinction between our party and the party that has controlled this House up until 2007. They want to spend money in very different ways. We want to invest tax dollars to improve the lives of those people who can really generate increased activity in the economy, increased earning.

□ 2200

Just on the basis of the question of stabilizing Social Security and Medicare, if you increase somebody's salary from $25,000 a year to $50,000 a year, you've doubled their contribution to Social Security. You've doubled their contribution to Medicare. This is the way we dig ourselves out of the hole that we have been in. It's to make sure that every American is earning a decent living and, therefore, can contribute to these programs. It's not to

sit there and say we're going to continue to give Warren Buffett and Bill Gates and many of the wealthiest Americans in this country tax breaks and hope that somehow that results in a better way of life for every other American.

I think we have seen enough of trickle-down economics. They tried to sell us that under the Reagan revolution. They've tried to sell us that under two Bush administrations. I think the American people finally realized that that's not the answer to our economic problems and that's not the answer to our economic future.

We have seen, and not just in New Orleans with Katrina, that when you have trickle down, unfortunately, it doesn't lift all boats. It drowns a lot of people. And that chart demonstrates, as vividly as it can be demonstrated, what has happened in this country under trickle-down economics. We have drowned those people who are represented in red. Their boats didn't float. Our position is we want to make sure that everybody has the right kind of boat so that when the storms come, they're floating with everybody else.

And I think that is something that the American people are catching on to. I think that's why every survey of American attitudes, when you ask people, Who do you trust more to handle the economy, taxes, education, health care? they have said, We prefer the Democrats by substantial margins now.

That doesn't mean we're off the hook. That doesn't mean just because people think we have the right answers that we don't have to respond and that we don't have to perform. But I think they have recognized that the other answer is empty, and they have said, we put our faith in your philosophy. We put our stock in you. Now perform for us. That's what we're trying to do with this budget. That's what we hope to do as we move forward into the 111th and 112th and 113th Congresses.

I'll yield to my colleague on that.

Mr. KAGEN. Thank you for yielding. You bring up an interesting point about paying taxes. Do you really believe that people who are going down can pay more? It doesn't make any sense at all. Let's take a look at some of the numbers.

Twenty-five percent of all workers in the United States earn less than $8.70 per hour. One half of all women working earn less than $8.70 an hour. That's about $18,000 in a year. One-fifth of all children in America are living in poverty, which is the highest among the 17 industrialized nations, and we are the only industrialized nation that doesn't have guaranteed access to health care for everyone. So who is going to end up paying?

Well, we had dinner tonight. Somebody has to pay the bill; right? So we can't just get up and turn it over to somebody else. Our kids aren't there. Our grandchildren aren't there. We had to come up with the money to pay for our bills. But if you don't have any money, and I'm not accusing you, but if you don't have the money, I'm going to have to cover you.

Now, who has benefited from all these tax cuts? It's the people at the top of the income scale. It should be no surprise who is going to have to pay the bills when they come due. It's not going to be people that don't have any money. They're going to the banks now looking for money.

I was in a diner in Oconto, Wisconsin, Northeast Wisconsin, having a bite to eat on my way to an event. And I asked the guys who were working there that are city workers how I could help them with an economic stimulus package.

And they said, Doc, look out the window. It's right there. There's the price of gas. If you want to put more money in my pocket, cut the cost of gasoline.

Well, we haven't done it yet because we have got an oil Vice President and an oil President. We can't do it while they're in office.

The second thing he said was, look, the other thing you can do is knock down the cost when I go to the pharmacy to get my medication. I think I'm paying too much.

And let me share with you some reality. In the State of Wisconsin, we have a program for senior citizens who are in need of assistance in paying for their prescription drugs. So if you can't afford your prescription drugs and you're in need and you're lower income status, you will qualify for senior care, and by buying into it with $30 a year, you get this kind of a benefit. Virginia, for her medications, pays over $330 per month at the pharmacy for her medications. On senior care it's $89. The same pharmacy, the same prescription drugs, the same drug makers. The only difference is the State of Wisconsin formed a purchasing pool.

I will give you a second example. The Veterans Administration has negotiated steep discounts for a vast number of very effective and therapeutic prescription drugs. And, on average, if you're a veteran getting your prescription drugs from the VA, you're paying 46 percent less than a Medicare part D patient. But, my friend, the veterans who fought for this country, for our freedom, for the right not just for themselves to get a discount, they fought for everybody. Don't you think it's only right but that everybody be able to get those same medications at that same steep discount? They didn't fight a war—they didn't defend America—for themselves. They did it for every citizen across this land. If the VA can use its resources to leverage down and purchase prescription drugs at a steep discount, shouldn't everyone benefit from that steep discount?

So we have to begin to think differently in America, about us. Not me, about all of us. We have to begin to return to the days when health insurance was sold to an entire community. You know those letters u-n-i-t-y, unity? We have got to put ''unity'' back into ''community.'' We have to return to community-based ratings so we can insure everyone in the community without any discrimination. And when we do that, we can leverage down the cost of prescription drugs and insurance coverage for everyone. So I think this is our time when we can begin to have a discussion with the American people about what's important to them.

In Wisconsin paying your bills is just the way of life. So is working. Two feet of snow, three feet of snow, we're still there on time. So from our Wisconsin point of view, and I am certain it's true in Kentucky as well, people want to pay their bills. But what's happening today in households across my district is people are running faster to stand still. They are working harder to make a little bit more. But their energy costs for their gasoline, for the diesel; for the farmers, for their fertilizers, their feed, for their cows, the energy cost is escalating. That's called inflation. And on top of that, they can't buy as much with their hard-earned dollar. So what good does it do if you're milking cows and you're getting $20 per hundred weight and your overhead is eating it up? The margin, your profit, is almost the same as when it was $12 per hundred.

So we have to begin to change our Federal policies, and our budget must reflect not just our Nation's values but our true American traditional family values of pay-as-you-go.

Now, when I was just 12 years old, my grandmother from Poland taught me, Steve, if you see something you like and you've got the money, go ahead and buy it. If you see something you like and you don't have the money, don't buy it. And that's all you need to know about money.

We have to take that idea here in Washington as well and say, look, there are things we must do. We must defend our country. We must grow our economy, expand the middle class. At the same time, we have to protect our planet from global climate change and global warming. All of these are very complex issues, but it begins with money.

Now, my friend, I look at money as a problem solver. If you've got money in your pocket, you can solve some problems. And this government has built up such debts that we are now getting handcuffs on us, monetary handcuffs. Our debt load is so heavy, we are having more and more restrictions on what problems we can solve. So I think we have to get our financial House of Representatives in order, not just our congressional House but our financial house.

Mr. YARMUTH. I thank my colleague. And as we wind down, I want to do two things. One is to thank him for dinner, because that was very nice of him to be willing to stand in for me, not that I couldn't have paid, but he was generous enough to treat tonight; and, secondly, to talk about the concept of unity and community.

And on the dais to my colleague's right, there are several terms inscribed in that dais, but on my far left the term ''union'' is inscribed. And that's really what I think we have lost track of and lost awareness of in this country, that we are part of something that is very special. But it is a union. It's not 300 million individuals out on their own.

And we had an interesting hearing the other day in the Committee on Oversight and Government Reform, and basically the subject was on the subprime mortgage crisis, but it was also related to CEOs' salaries. And I'm not sure it was quite a good idea to combine the two, although they do provide kind of a stark contrast in which many of these companies, namely, Countrywide, had lost lots of money, and yet the CEO had left the company and was still making millions of dollars, $37 million he left the company with.

But we also had the former chairman of Citigroup, the CEO of Time Warner, the former CEO of Merrill Lynch; so we had some of the giants of American industry there. And the topic of discussion kept alternating between the subprime mortgage crisis and also the question of CEOs' salaries. And it occurred to me, as we went through this discussion, that many of these CEOs make tens of millions of dollars a year in compensation, much of it related to stock options that they are given, so their compensation ultimately is related to their stock price.

And as the conversation went on, it finally came my turn to ask questions. And I addressed these giants of American industry, and I said, I can see how in a comparative market situation that the CEO of Citigroup, which is a $35 billion company, may be worth $10 million a year in salary. I don't have any complaint about that. And even if you lose money in a particular year, I mean if it hadn't been for the talents of the CEO, you might have lost more money; so maybe that was justified.

But what the American people see is CEOs making tens of millions of dollars, at the same time feeling, if not knowing explicitly what's on that chart, that their standard of living, even though they are working as hard as they have ever worked, is not improving. And if they are working for one of those companies at a relatively average position, while they are working hard, their standard of living is staying the same and the CEO's salary is increasing.

And we all know the data about the disparity between CEOs' salaries and their employees' salaries. It's gone from an average of 30 times in the early 1970s to now 400 or 500 times. And it doesn't matter whether you lose money; they still make these huge salaries. And I asked them, When you have these meetings in your compensation committees and you're deciding and discussing the salaries of your CEO and your upper management, is there ever a conversation or have you ever heard of a conversation that related to how you might improve the lives of your employees, how you might stabilize the communities where your businesses are, how you might help to make this country a better place, or is all the conversation related to how you get the stock price up?

And the retired chairman of Citigroup said, very candidly and honestly, No, we only talk about share price. I said, That's a very unfortunate disconnect between what I think we all think is the objective, the ambition of this country, this Union, which is to make life better for everybody, to create jobs, to have everybody realize the American Dream, and yet our largest corporate citizens are only thinking about how they raise their stock price.

And I wonder, and I hope to be able to pursue this conversation with other CEOs of big corporations as I serve my terms in Congress, Do you ever talk about raising your standard of living of your employees? How do we get their wages up? How do we improve their benefits? How do we improve their health care situation? How do we stabilize that community and what can we do? And I know there are companies out there who are great corporate citizens. I have some in my own district who do that.

□ 2215

But if you don't have the corporate mentality that thinks about the same goals that the American people have, then we have a problem in this country. And I am not exactly sure how to go about it. But I know that the policies that are represented by our colleagues on the Republican side and by this been White House have been ones that say, we're going to do everything we can to facility that strategy of letting those companies do whatever they need to do to jack their stock prices up, and meanwhile we hope that it helps everybody else.

And I think that our budget says that we are not going to rely on just an abstract hope. We are going to take steps to invest in the American people, to put money in education, to put money in health care and to put money in infrastructure that will allow those people to make sure they improve their own standard of living.

So, we are going to have this debate for a long time. We will have it in this particular context in this budget debate, but as we go forward in this Congress, and in future Congresses. And I look forward to it because I think that the American people want us to do everything we can to help them realize their individual ambitions, and, again, to make ourselves a better Union.

So with that, I would just like to ask my colleague if he has any closing remarks, and then we will let everyone go home.

Mr. KAGEN. I appreciate your comments. And I have learned a great deal just working with you here in Congress. And I appreciate your sacrifice of leaving your business and your life in Kentucky to work here in Washington even as you live back in Kentucky, as I work here in Washington and live in Wisconsin.

I will just remind you what we both agree on. We need to have not just a budget policy, but a tax policy that rewards work more so than wealth. Because what you see with this graph is that the people that are being rewarded are the wealthy who are not necessarily working as hard as people.

Now whose side are we on? We do not sit in a boardroom. We are standing on the workplace floor. We understand the pain and feel the stress that ordinary Americans are going through and families are making it just a tough time every single day. The policies that we are putting forward have to be people first, and our budget must not only be balanced, but we have to balance the other deficits that we face. We have a budget deficit, and we have a savings deficit. We have to become, once again, a Nation that saves money and not just spends money. We have to lead the way here in Congress.

And I look forward to working with you in the years to come and certainly in the next several weeks as we pass a budget here.

Mr. YARMUTH. I thank my colleague. And as I close, I just what to repeat what I have said to many people, and that is that it is such a great honor to be in this wonderful group of people, men and women, elected in 2006, because most of us came to Congress well past the age of 50. We came because we had done what we wanted to do in our professional lives or our business careers, and we said we wanted to make a difference.

We weren't here because we expected to spend 25 or 30 years in Congress. We didn't want to be professional politicians. We came because we wanted to see what we could do to change the direction of the country. And nobody is a better example of that than my colleague from Wisconsin, and I thank him for joining me tonight. I look forward to further discussions as we move forward.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MITCHELL (at the request of Mr. HOYER) for March 10 and 11 on account of family obligations.

Mr. YOUNG of Alaska (at the request of Mr. BOEHNER) for today and the balance of the week on account of family illness.

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. BURGESS) to revise and extend their remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today, March 13 and 14.

Mr. PETERSON of Pennsylvania, for 5 minutes, today and March 13.

Mr. BONNER, for 5 minutes, March 13.

Mr. DENT, for 5 minutes, March 13.

Mr. PAUL, for 5 minutes, today and March 13.

Mr. BURGESS, for 5 minutes, March 13.

ADJOURNMENT

Mr. YARMUTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 13, 2008, at 10:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5689. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1-Propanesulfonic acid, 2-methyl-2-[(1-oxo-2-propenyl)amino]—, monosodium salt, polymer with ethenol and ethenyl acetate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0223; FRL-8344-7] received February 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5690. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerance and Time-Limited Pesticide Tolerances [EPA-HQ-OPP-2007-0495; FRL-8352-2] received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5691. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetic acid, [5-chloro-8-quinolinyl) oxy]—, 1-methylhexyl ester (Cloquintocet-mexyl); Pesticide Tolerance [EPA-HQ-OPP-2007-0555; FRL-8350-8] received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5692. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Formetanate Hydrochloride; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2006-0916; FRL-8343-6] received February 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5693. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mesotrione; Pesticide Tolerance [EPA-HQ-OPP-2007-0030; FRL-8349-7] received February 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5694. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Vitamin E, d-alpha tocopheryl, dl-alpha tocopherol acetate, and dl-alpha tocopheryl acetate; Inert Ingredients; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2005-0306; FRL-8347-8] received February 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5695. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Carfentrazone-ethyl; Pesticide Tolerance [EPA-HQ-OPP-2007-0193; FRL-8349-4] received February 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5696. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2007-0621; FRL-8530-7] received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5697. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio [EPA-R05-OAR-2006-0879; FRL-8533-8] received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5698. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Iowa [EPA-R07-OAR-2007-1180; FRL-8535-9] received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5699. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; VOC Emissions from Fuel Grade Ethanol Production Operations [EPA-R05-OAR-2007-0293; FRL-8529-8] received February 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5700. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of 8-Hour Ozone Nonattainment Areas to Attainment and Approval of the Areas' Maintenance Plans and 2002 Base-Year Inventories; Correction [EPA-R03-OAR-2007-0324; EPA-R03-OAR-2007-0476; EPA-R03-OAR-2007-0344; FRL-8536-6] received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5701. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Allentown-Bethlehem-Easton 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base Year Inventory [EPA-R03-OAR-2007-0606; FRL-8536-5] received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5702. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC and Nox RACT Determination for Merck and Co., Inc. [EPA-R09-OAR-2007-0534; FRL-8536-4] received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5703. A letter from the Secretary, Department of Defense, transmitting the report on Measuring Stability and Security in Iraq pursuant to Section 9010 of the Department of Defense Appropriations Act, 2006, Pub. L. 109-289, as amended by Section 1308 of Pub. L. 110-28 and Section 1224 of Pub. L. 110-181; to the Committee on Foreign Affairs.

5704. A letter from the Senior Procurement Executive, (OCAO), GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-23; Small Entity Compliance Guide [Docket FAR-2007-0002, Sequence 9] received January 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5705. A letter from the Senior Procurement Executive, (OCAO), GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2005-016, Performance-Based Payments [FAC 2005-23; FAR Case 2005-016; Item III; Docket 2007-0001; Sequence 13] (RIN: 9000-AK64) received January 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5706. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.105: Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability. (Also: Part 1, 280F; 1.280F-7.) (Rev. Proc. 2008-22) received March 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5707. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Alternative Disability Mortality Tables — Continued Reliance on Revenue Ruling 96-7 [Notice 2008-29] received March 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5708. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2008-37] received March 10, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5709. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.204: Changes in accounting periods and in methods of accounting. (Also Part 1, 446; 472; 1.446-1; 1.472-1; 1.472-8) (Rev. Proc. 2008-23) received March 10, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ARCURI: Committee on Rules. House Resolution 1041. Resolution providing for consideration of the Senate amendment to the bill (H.R. 3773) to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes (Rept. 110–549). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CARNEY (for himself and Mr. KIRK):

H.R. 5595. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide dental care to veterans with service-connected disabilities,

and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CALVERT:

H.R. 5596. A bill to extend the basic pilot program for employment eligibility confirmation; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BEAN:

H.R. 5597. A bill to amend the Internal Revenue Code of 1986 to modify the new energy efficient home credit and to provide a credit against tax for the purchase of certain energy efficient homes; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5598. A bill to establish a program under which employing offices of the House of Representatives may agree to reimburse employees for child care expenses, and for other purposes; to the Committee on House Administration.

By Mrs. MALONEY of New York (for herself, Mr. WYNN, Mr. HOYER, Ms. NORTON, Mr. TOM DAVIS of Virginia, Mr. TURNER, Mr. HONDA, Mr. GONZALEZ, Mr. RUPPERSBERGER, Mr. COHEN, and Mr. CANNON):

H.R. 5599. A bill to designate the Federal building located at 4600 Silver Hill Road in Suitland, Maryland, as the ''Thomas Jefferson Census Bureau Headquarters Building''; to the Committee on Transportation and Infrastructure.

By Ms. NORTON (for herself and Mr. TOM DAVIS of Virginia):

H.R. 5600. A bill to permit nonjudicial employees of the District of Columbia courts, employees transferred to the Pretrial Services, Parole, Adult Probation, and Offender Supervision Trustee, and employees of the District of Columbia Public Defender Service to have periods of service performed prior to the enactment of the Balanced Budget Act of 1997 included as part of the years of service used to determine the time at which such employees are eligible to retire under chapter 84 of title 5, United States Code, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PORTER (for himself and Ms. BERKLEY):

H.R. 5601. A bill to designate the facility of the United States Postal Service located at 7925 West Russell Road in Las Vegas, Nevada, as the ''Sergeant Irving Joseph Schwartz Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. GINGREY (for himself, Mr. BOUSTANY, Mr. BROUN of Georgia, Mr. BURGESS, Mr. MILLER of Florida, Mr. BOOZMAN, Mr. PRICE of Georgia, Mr. WELDON of Florida, Mr. PAUL, and Mr. SIMPSON):

H.J. Res. 77. A joint resolution expressing Congressional support for the goals and ideals of National Health Care Decisions Day; to the Committee on Energy and Commerce.

By Mr. SPRATT:

H. Con. Res. 316. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Mr. BOEHNER:

H. Res. 1039. A resolution raising a question of the privileges of the House.

By Mr. BOEHNER:

H. Res. 1040. A resolution raising a question of the privileges of the House.

By Mrs. BONO MACK (for herself and Ms. ROYBAL-ALLARD):

H. Res. 1042. A resolution supporting the We Don't Serve Teens campaign; to the Committee on Energy and Commerce.

By Mr. FORTENBERRY (for himself, Mr. KILDEE, Mr. LEWIS of Georgia, Mr. WAMP, Mr. LAHOOD, Mr. JONES of North Carolina, Mr. SMITH of Nebraska, Mr. MORAN of Kansas, Mr. DELAHUNT, Mr. WALZ of Minnesota, Mr. BRALEY of Iowa, Mr. HELLER, Mr. EHLERS, Mr. MCCAUL of Texas, Mr. BUCHANAN, Mr. TIM MURPHY of Pennsylvania, Mr. FRANKS of Arizona, Mr. KIND, Mr. BLUMENAUER, Mr. LEWIS of Kentucky, Mr. SCOTT of Georgia, Mr. KUHL of New York, Mr. BURGESS, Mrs. NAPOLITANO, Mr. ISSA, Mr. MCCOTTER, Mr. SULLIVAN, Mrs. MCMORRIS RODGERS, Mr. COLE of Oklahoma, Mr. GILCHREST, Mr. KING of Iowa, Mr. INGLIS of South Carolina, Mr. WELCH of Vermont, Mr. CHABOT, Mr. FERGUSON, Mr. WALDEN of Oregon, Mr. PITTS, Mr. BARRETT of South Carolina, Mr. KINGSTON, Mr. RAMSTAD, Mr. REHBERG, Mr. ALEXANDER, Mr. MOORE of Kansas, Mr. SHULER, Mr. TOM DAVIS of Virginia, Mr. BOREN, and Mr. WAXMAN):

H. Res. 1043. A resolution honoring the life and legacy of Chief Standing Bear, a pioneer in civil rights for Native Americans, on the 100th anniversary of Chief Standing Bear's death; to the Committee on Natural Resources.

By Ms. ZOE LOFGREN of California (for herself and Mr. DELAHUNT):

H. Res. 1044. A resolution condemning the dismissal of the Supreme Court in Pakistan and calling for their reinstatement by the Government of Pakistan; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 245: Mr. BISHOP of Utah and Mr. HILL.
H.R. 281: Mr. PALLONE.
H.R. 402: Mrs. WILSON of New Mexico.
H.R. 406: Ms. BALDWIN, Mr. SHIMKUS, Mr. KAGEN, Mr. FILNER, Mr. ETHERIDGE, Mrs. CAPITO, Mrs. BIGGERT, Mrs. BONO MACK, Mr. ISSA, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. TIAHRT, Mr. POMEROY, and Mr. FURTUÑO.
H.R. 522: Mr. ENGLISH of Pennsylvania and Mr. SIRES.
H.R. 594: Mr. SKELTON.
H.R. 685: Mr. CHABOT.
H.R. 715: Mr. CONYERS and Mr. CARNEY.
H.R. 782: Ms. MATSUI.
H.R. 861: Mr. PENCE.
H.R. 1000: Mr. KANJORSKI, Mr. ALLEN, Ms. HERSETH SANDLIN, and Mr. ISRAEL.
H.R. 1032: Mr. KING of New York.
H.R. 1074: Mrs. CAPPS.
H.R. 1110: Mr. WITTMAN of Virginia and Mr. HOEKSTRA.
H.R. 1134: Mr. TERRY and Mr. WALBERG.
H.R. 1142: Mr. JEFFERSON, Mr. SIRES, Mr. ENGLISH of Pennsylvania, Mr. JONES of North Carolina, Mr. GONZALEZ, Mr. LOBIONDO, Mr. ELLISON, Mrs. MALONEY of New York, Mr. SHULER, Mr. WALZ of Minnesota, Mr. ROSS, Mr. WITTMAN of Virginia, and Mr. COOPER.
H.R. 1198: Mr. WYNN.
H.R. 1264: Mr. BROWN of South Carolina.
H.R. 1273: Mr. TOWNS.
H.R. 1369: Ms. NORTON.
H.R. 1439: Mr. GALLEGLY and Mr. TERRY.
H.R. 1474: Ms. DEGETTE.
H.R. 1542: Mr. SIRES, Mrs. DAVIS of California, Ms. WASSERMAN SCHULTZ, Ms. CLARKE, Ms. SCHWARTZ, and Ms. CORRINE BROWN of Florida.
H.R. 1584: Mr. UDALL of Colorado, Mrs. WILSON of New Mexico, and Mr. FORTENBERRY.
H.R. 2208: Mr. TIM MURPHY of Pennsylvania.
H.R. 2370: Mr. KNOLLENBERG and Mr. HAYES.
H.R. 2458: Mr. STARK.
H.R. 2564: Mr. TIM MURPHY of Pennsylvania.
H.R. 2588: Mr. TERRY.
H.R. 2702: Mr. ISRAEL.
H.R. 2744: Mr. CARNEY, Mr. JEFFERSON, Mr. SIRES, Mr. BERRY, and Mr. KENNEDY.
H.R. 2833: Mr. DEFAZIO.
H.R. 2922: Ms. SOLIS, Ms. SHEA-PORTER, and Mr. PASTOR.
H.R. 2958: Mr. SOUDER.
H.R. 3005: Mr. RODRIGUEZ, Mr. GONZALEZ, Mr. BACA, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINOJOSA, Mrs. NAPOLITANO, Ms. SOLIS, Mr. REYES, Ms. ROYBAL-ALLARD, and Mr. SIRES.
H.R. 3036: Ms. LEE.
H.R. 3088: Mr. SMITH of Nebraska.
H.R. 3173: Ms. NORTON.
H.R. 3337: Mr. PASTOR.
H.R. 3452: Ms. RICHARDSON.
H.R. 3635: Mr. COHEN.
H.R. 3652: Mr. BRALEY of Iowa.
H.R. 3660: Mrs. CAPITO.
H.R. 3681: Mr. FILNER.
H.R. 3811: Mr. UDALL of Colorado.
H.R. 3842: Ms. CLARKE.
H.R. 3892: Mr. CONYERS.
H.R. 4044: Mr. DOYLE, Mr. ENGLISH of Pennsylvania, and Mr. SHAYS.
H.R. 4048: Mr. STARK.
H.R. 4055: Mr. WAXMAN and Mr. COHEN.
H.R. 4065: Mr. GOODE.
H.R. 4089: Mr. YOUNG of Alaska, Ms. CORRINE BROWN of Florida, Mr. LOEBSACK, Ms. MCCOLLUM of Minnesota, and Mr. COURTNEY.
H.R. 4105: Mr. MILLER of Florida and Mr. FEENEY.
H.R. 4116: Ms. ESHOO and Mr. WITTMAN of Virginia.
H.R. 4138: Mr. DOYLE.
H.R. 4206: Mr. CONYERS.
H.R. 4218: Mr. ELLISON and Ms. CLARKE.
H.R. 4236: Mr. CONYERS and Mr. WELCH of Vermont.
H.R. 4460: Mr. KELLER.
H.R. 4544: Mr. TERRY.
H.R. 4900: Mr. EVERETT, Ms. GINNY BROWN-WAITE of Florida, Mr. SOUDER, Mr. GOODE, Mr. BUCHANAN, Mr. ALTMIRE, Mr. PENCE, Mrs. BLACKBURN, Mr. GARRETT of New Jersey, Mr. BARRETT of South Carolina, Mrs. CUBIN, Mr. BILBRAY, and Mr. BISHOP of Georgia.
H.R. 4930: Mr. LATOURETTE.
H.R. 5035: Mr. WATT.
H.R. 5038: Ms. MCCOLLUM of Minnesota.
H.R. 5102: Mr. BACA, Mrs. BONO MACK, and Mr. ENGLISH of Pennsylvania.
H.R. 5109: Ms. GINNY BROWN-WAITE of Florida.
H.R. 5161: Mr. COHEN.
H.R. 5233: Mr. GARRETT of New Jersey and Mrs. BIGGERT.
H.R. 5244: Ms. JACKSON-LEE of Texas and Mr. RYAN of Ohio.
H.R. 5312: Mr. FATTAH.
H.R. 5440: Mrs. BLACKBURN.
H.R. 5442: Mr. DOGGETT.
H.R. 5443: Mr. SMITH of Washington, Mr. FORTUÑO, and Mr. ACKERMAN.
H.R. 5447: Mr. CONYERS and Mr. CLAY.
H.R. 5454: Mr. MCCOTTER.
H.R. 5489: Mr. DAVIS of Kentucky, Mr. FALEOMAVAEGA, and Mrs. MYRICK.
H.R. 5534: Mr. FARR.
H.R. 5546: Mr. CARNEY.
H.R. 5561: Mr. BROWN of South Carolina and Mr. BOOZMAN.
H.R. 5580: Mr. HINCHEY.
H.R. 5587: Mr. BISHOP of Georgia.
H.J. Res. 68: Mr. MOORE of Kansas.
H. Con. Res. 280: Ms. RICHARDSON.
H. Con. Res. 295: Mr. MARSHALL and Mr. TERRY.

H. Con. Res. 302: Mrs. EMERSON.

H. Con. Res. 315: Mr. HUNTER, Mr. FEENEY, Mr. BOUSTANY, Mr. KING of New York, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BILBRAY, Mr. BURGESS, Mrs. DRAKE, Mr. FOSSELLA, Mr. GOODE, Mr. HALL of Texas, Mr. KELLER, Mr. MCCOTTER, Mr. WAMP, Mr. WELDON of Florida, Mr. YOUNG of Alaska, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Res. 105: Ms. HERSETH SANDLIN.

H. Res. 146: Mr. FARR.

H. Res. 169: Mr. UDALL of Colorado.

H. Res. 424: Mr. HOLDEN, Mr. TOWNS, Mr. DAVIS of Illinois, and Mr. KENNEDY.

H. Res. 705: Mr. SAM JOHNSON of Texas.

H. Res. 896: Mr. GONZALEZ, Mr. ELLISON, Mr. GUTIERREZ, and Mr. SIRES.

H. Res. 937: Mr. HAYES and Ms. ZOE LOFGREN of California.

H. Res. 959: Mr. TOWNS.

H. Res. 970: Mrs. MILLER of Michigan, Mr. SOUDER, Mr. ROGERS of Kentucky, and Mr. BURGESS.

H. Res. 973: Mr. TOWNS.

H. Res. 990: Mr. ENGLISH of Pennsylvania.

H. Res. 997: Mr. LEVIN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. RYAN of Ohio, Mr. GERLACH, and Mr. ENGLISH of Pennsylvania.

H. Res. 1005: Mrs. NAPOLITANO.

H. Res. 1008: Mr. INGLIS of South Carolina.

H. Res. 1018: Mr. KUCINICH.

H. Res. 1021: Mrs. DRAKE and Mr. BLUMENAUER.

H. Res. 1026: Mr. MELANCON, Mr. TOWNS, and Mr. KILDEE.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, WEDNESDAY, MARCH 12, 2008 No. 42

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign Lord, how great You are. You have created the heavens and the Earth. You can't be contained in temples made with hands.

Make Your presence felt in the Senate today. Expand the horizons of our Senators and their staffs until they see things that are not and ask, why not. Intensify their consciousness of Your love and speak clearly to them of Your will. Lift them beyond the power of sin and establish them with righteousness.

Fill us all with the gratitude that befits Your wondrous deeds, as You bring our lives into line with Your purposes. Lord, clear away the cobwebs of complacency, empowering us to be Your ambassadors in these challenging times.

We pray in the Name of Him in whom is all power in heaven and on Earth. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 12, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN 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. Mr. President, this morning, following my remarks and those of the Republican leader, the Senate will resume consideration of S. Con. Res. 70, the concurrent resolution on the budget.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

WHO IS RICH

Mr. MCCONNELL. Democrats have campaigned hard on the promise of tax relief for the ''middle class.'' They say any tax hikes they propose would only affect ''the rich.''

This, of course, raises a question. Who exactly are Democrats calling rich? Let's take a look.

According to Democrats, the ''rich'' include single workers who earn $34,000 a year. First year schoolteachers in Jefferson County, KY, earn $35,982 a year. I don't think they are rich.

According to Democrats, couples are rich if they earn $63,000 a year. I doubt that couples with children who make $63,000 a year think that they are rich.

The fact is, under the Democratic plan, a lot of people will wake up happy to hear they are rich, only to realize the only change in their lives is a hefty tax sock to their wallets. So much for the good news. It is what Patrick Moynihan might have called ''defining wealthy down''.

But there is a purpose behind the rhetoric. Democrats couldn't support their $1.2 trillion in spending—and the largest tax hike in history—unless they cast their tax hike nets far and wide.

So they have proposed to raise taxes on tens of millions of individuals and families that they call ''rich.''

Under the Democratic plan for taxing the ''rich,'' a single mother who earns $45,000 a year would see her taxes go up.

Under the Democratic plan for taxing the ''rich,'' 7.8 million low-wage earners will be added, back to the tax rolls, workers who are now considered too low-income to pay any income tax at all.

Under the Democratic plan for taxing the ''rich'', 43 million families would be hit with an average tax increase of $2,300 next year.

These are the people that Democrats in Washington are calling ''rich''—folks who would laugh if you told them that after a monthly budgeting session around the kitchen table.

One would think that as the economy slows and fears spread about who the cost of fuel, health care and food rising even higher, our friends on the other side could resist reverting to type.

The last thing middle-class families can afford is a higher tax bill this year.

So as the debate over the budget continues, let's be clear about who will be picking up the tab for the largest tax hike in U.S. history. It is not just the rich.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

DEMOCRATIC BUDGET

Mr. REID. Mr. President, the only thing we haven't heard about the Republicans' plan to take care of the world is tort reform. That is usually part of the mantra. We have a situation where everything that should be going up is going down. We have an economy that is spiraling down. We have a housing market that is in crisis. We have gas prices that are predicted, by early summer, to be an average of over $4 a gallon. We have a war that is now starting its sixth year, and it is costing us $420 million a day. We have an economy that has gone from good to terrible. And we have a budget that has been put together with a tremendous soft touch. What does that mean? It means we are recognizing the problems we have in our economy, and we want to return to those days where we were paying down the national debt.

This isn't pie in the sky. We have actually done it. This is a blueprint for how we need to proceed with our economy. I commend and applaud Senator CONRAD for putting this budget together. There is nothing in this budget that talks about increasing taxes. In fact, what this budget does is decrease taxes for the middle class. In fact, that is what the Baucus amendment which is now pending is all about.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 70, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 70) setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

Pending:

Baucus amendment No. 4160, to provide tax relief to middle-class families and small businesses, property tax relief to homeowners, relief to those whose homes were damaged or destroyed by Hurricanes Katrina and Rita, and tax relief to America's troops and veterans.

Graham amendment No. 4170, to protect families, family farms, and small businesses by extending the income tax rate structure, raising the death tax exemption to $5 million, and reducing the maximum death tax rate to no more than 35 percent; to keep education affordable by extending the college tuition deduction; and to protect senior citizens from higher taxes on their retirement income, maintain U.S. financial market competitiveness, and promote economic growth by extending the lower tax rates on dividends and capital gains.

The ACTING PRESIDENT pro tempore. The majority leader.

TO EXTEND AGRICULTURAL PROGRAMS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. 2745.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2745) to extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid on the table, there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 2745) was ordered to be engrossed for a third reading, read the third time and passed, as follows:

S. 2745

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

SECTION 1. EXTENSION OF AGRICULTURAL PROGRAMS.

(a) EXTENSION.—Except as otherwise provided in this section and notwithstanding any other provision of law, the authorities provided under the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 7 U.S.C. 7901 et seq.) and each amendment made by that Act (and for mandatory programs at such funding levels), as in effect on September 30, 2007, shall continue, and the Secretary of Agriculture shall carry out the authorities, until April 18, 2008.

(b) CONSERVATION PROGRAMS.—

(1) FARMLAND PROTECTION PROGRAM.—Notwithstanding any other provision of law, the Secretary of Agriculture (referred to in this subsection as the ''Secretary'') shall continue the farmland protection program established under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) at a funding level of $97,000,000 per year.

(2) GROUND AND SURFACE WATER CONSERVATION.—Notwithstanding any other provision of law, the Secretary shall continue the ground and surface water conservation program established under section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) at a funding level of $60,000,000 per year.

(3) WILDLIFE HABITAT INCENTIVES PROGRAM.—Notwithstanding any other provision of law, the Secretary shall continue the wildlife habitat incentive program established under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) at a funding level of $85,000,000 per year.

(c) EXCEPTIONS.—This section does not apply with respect to the following provisions of law:

(1) Section 1307(a)(6) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7957(a)(6)).

(2) Section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)).

(3) Section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034).

(4) Section 601(j)(1) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)).

(5) Section 231(b)(4) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621note; Public Law 106–224).

(6) Section 9002(k)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102(k)(2)).

(7) Section 9004(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104(d)).

(8) Section 9006(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(f)).

(9) Subtitles A through C of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911 et seq.), with respect to the 2008 crops (other than the 2008 crop of a loan commodity described in paragraph (11), (12), (13), or (14) of section 1202(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7932(b))).

(d) SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.—The provisions of law specified in subsections (a) through (c) of section 1602 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7992) shall be suspended through April 18, 2008.

(e) RELATION TO CONSOLIDATED APPROPRIATIONS ACT, 2008.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section does not apply to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008 (division A of Public Law 110–161; 121 Stat. 1846).

(2) REPEAL OF SUPERSEDED EXTENSION.—Section 751 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008 (division A of Public Law 110–161; 121 Stat. 1883) is repealed.

(f) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect on March 15, 2008.

Mr. REID. Mr. President, there has been progress made on a farm bill. We can't leave here without doing a farm bill. I think it is something we need to do. We worked hard. We have agreed on how much money it is going to take. I had a meeting yesterday with Senator HARKIN and Senator BAUCUS on our side. They have had good working relationships with their counterparts, Senators GRASSLEY and CHAMBLISS. They are working well with their House counterparts. We have had a little setback because Chairman RANGEL has been hospitalized. We were hopeful that he would be out today. In fact, we had a meeting scheduled today. But he is not going to be back to work today. That has slowed us up a little bit. But we all look toward doing a farm bill. It is something we need to do, and we are going to work very hard on a bipartisan basis, which is the only way we can have a farm bill.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, let me add to the remarks of the majority leader that I, too, believe it is important to have a farm bill. It has been a challenging process, to say the least, for our negotiators, but they continue to make progress. I, too, am optimistic that we can get there. I think it is important to the country that we do get

there. This extension we just passed was regretfully necessary, but it doesn't lessen in any way the need to get a farm bill, a 5- or 6-year extension, depending upon what is negotiated. We are continuing to work along those lines and hope to get there.

I yield the floor.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009—Continued

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the leaders for the action they have taken for a short-term extension of the farm bill so that we can conclude action on it. It has been a negotiation that has gone on well over a year. That is not unusual for a farm bill which is extremely contentious.

I wanted to comment briefly on the Republican leader's statements this morning about our budget. As I was driving in this morning, I heard another Republican on the air saying that we have a trillion-dollar tax increase in this budget. I don't know what budget they are talking about because it certainly is not the budget we have presented here. There is no trillion-dollar tax increase here. There is no tax increase assumed here. Honestly, if I would go down to the Senate dining room and come to this floor and introduce the dining room menu as the budget for the United States, our Republican colleagues would say it was a trillion-dollar tax increase.

This is what they said last year, and we hear the same mantra again this year: It is a trillion-dollar tax increase. When they said it last year, we didn't have a record of a Democratic Congress to refute their claim. Now we do. We can look back and see precisely what happened with Democrats in control. How much did taxes increase after the Republicans asserted repeatedly we were going to increase taxes a trillion dollars? What happened? What happened on the record, not a projection, not a forecast, not rhetorical, what is the fact? It is very interesting. Democrats controlling the House, controlling the Senate, cut taxes $194 billion—not a tax increase, a tax cut that overwhelmingly has gone to the middle class. That is the Democratic record.

Let me say about this budget, we don't have the vast spending increases they are talking about. For this year, if you look at total spending, we have 1 percent more than the President's budget. Where is that money going? We put it into energy, to reduce our dependence on foreign oil. We put it into education, and we put it into infrastructure because we don't want any more bridges, like the one in Minnesota last year, collapsing into the river with people driving home from work. That is a fact.

In terms of revenue, the truth is that over the 5 years, we have 2.6 percent more revenue than in the President's budget. We believe that can be obtained not with a tax increase—don't need a tax increase to get it—you can go after the tax gap, the difference between what companies and people owe versus what they are actually paying. You can go after these offshore tax havens which the Permanent Subcommittee on Investigations has told us are costing this country $100 billion a year. You can go after these abusive tax shelters where we have the spectacle of companies in the United States, banks buying foreign sewer systems and depreciating them on their books in the United States to reduce their tax bill here, and then they lease the sewer systems back to the European cities that built them. My goodness. We are better than that as a nation, better than letting people abuse the vast majority of us who are honest. That is not right. That is not fair.

I have shown on this floor many times a picture of a five-story office building in the Cayman Islands called Ugland House. That 5-story building is home to 12,800 companies. I would say that is the most efficient building in the world.

Mr. President, 12,800 companies claim they are doing business out of this little five-story building in the Cayman Islands. They are not doing business there. The only business they are doing is monkey business. What they are doing is evading their taxes.

Now we have seen, according to the Boston Globe, another building down in the Cayman Islands—this time a four- or five-story building too—and we know KBR, who is the biggest contractor for security forces in Iraq and additional workers in Iraq for the U.S. military effort there, is running an operation out of that building to evade the Social Security taxes and the Medicare taxes of thousands and thousands of workers they have employed for Iraq—another tax scam.

It is exactly the kind of thing we on this side think should be closed down. Over and over, when we have tried, this President said: No, you can't do that. That would be a tax increase. Really? Is that a tax increase? I do not think so. Making people pay their fair share, like the vast majority of Americans already do—I do not think that is a tax increase. I think that is making those folks pay like all the rest of us do. That is fair.

Mr. President, we have Senators on the floor ready to offer an amendment. I want to go to that at this moment.

I ask Senator BINGAMAN, how much time——

Mr. GREGG addressed the Chair.

Mr. CONRAD. Mr. President, I will withhold. Senator GREGG is seeking recognition.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

SENATOR CONRAD'S 60TH BIRTHDAY

Mr. GREGG. Mr. President, I rise this morning to say this is a big, big, big day for the chairman of the committee, and I know he would not want this day to go unacknowledged after having made such an eloquent statement. But it is the chairman's 60th birthday today. So I congratulate him and say, on his 60th birthday, we appreciate all he has done for the last 60 years, and we hope he will be here for another 60 years.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank the ranking member for his continuing courtesy and graciousness. This is my 60th. As I left the house this morning, I told my wife and our son, who is there visiting, I have to question: What have I done wrong in my life to have my 60th birthday spent here managing the budget? But I will get over it.

I appreciate the many courtesies of the ranking member. This is a special day for me, and I am looking forward to a good debate.

With that, we want to go to the next amendment, unless the Senator—

Mr. GREGG. Mr. President, I ask unanimous consent that after Senator BINGAMAN has spoken on his amendment, and to the extent Senator ALEXANDER wishes to speak, that we then, after that, go to our side for the next amendment.

Mr. CONRAD. Fair enough.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I say to the Senator, if you can give us a heads up at some point what your next amendment will be, that would be helpful as well.

Now we will turn to Senator BINGAMAN and Senator ALEXANDER, who I think have a very constructive amendment. We welcome their description of it.

I ask unanimous consent that the time come off the resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I thank the managers of the bill and all colleagues. Let me mention, I believe Senator KENNEDY wishes to speak in favor of the amendment after Senator ALEXANDER speaks. So I believe he will be coming to the floor. I hope there is an opportunity for him to do that before we proceed too far this morning.

AMENDMENT NO. 4173

Mr. President, I call up amendment No. 4173 and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. ALEXANDER, Mr. KENNEDY, Mr. DOMENICI, Ms. MIKULSKI, Mr. ENSIGN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. LIEBERMAN, Mr. SCHUMER, Mr. BIDEN, and

Mr. KERRY, proposes an amendment numbered 4173.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide additional funding resources in FY2009 for investments in innovation and education in order to improve the competitiveness of the United States)

On page 11, line 13, increase the amount by $600,000,000.

On page 11, line 14, increase the amount by $306,000,000.

On page 11, line 18, increase the amount by $210,000,000.

On page 11, line 22, increase the amount by $60,000,000.

On page 12, line 1, increase the amount by $12,000,000.

On page 12, line 5, increase the amount by $12,000,000.

On page 27, line 16, decrease the amount by $600,000,000.

On page 27, line 17, decrease the amount by $306,000,000.

On page 27, line 21, decrease the amount by $210,000,000.

On page 27, line 25, decrease the amount by $60,000,000.

On page 28, line 4, decrease the amount by $12,000,000.

On page 28, line 8, decrease the amount by $12,000,000.

Mr. BINGAMAN. Mr. President, this is an amendment I am offering on behalf of myself, Senator ALEXANDER, Senator KENNEDY, Senator DOMENICI, Senator MIKULSKI, Senator ENSIGN, and others to offer an amendment to the budget resolution to do two things: to fund the Office of Science within the Department of Energy and also to fund the National Science Foundation at the fiscal year 2009 funding levels that have been proposed in the President's budget.

Last year, on a bipartisan basis, Congress passed the COMPETES Act. I compliment my colleague, who is here on the floor with me today, Senator ALEXANDER, for his leadership in that legislation. This was bipartisan legislation. It was strongly endorsed by Members of the Senate. It authorized a number of programs based upon the recommendations that came from the National Academies report entitled ''Rising Above the Gathering Storm.''

Specifically, the COMPETES Act authorized a doubling of the budgets for the National Science Foundation and the Department of Energy's Office of Science over a period of 7 years. The Office of Science and the National Science Foundation are the two principal agencies charged with maintaining the nondefense basic science enterprise of our Nation, which serves as the wellspring for future innovation and for our global competitiveness.

For the Office of Science, the America COMPETES Act authorized a 12-percent increase relative to fiscal year 2007. The President's Advanced Competitiveness Initiative would have increased the Office of Science by 7.2 percent. For the National Science Foundation, the COMPETES Act authorized a 12-percent increase as compared to the President's Advanced Competitiveness Initiative proposed increase of 9.3 percent.

The COMPETES Act was passed into law last August. At that time, the appropriations bills in both Chambers kept the funding levels for both offices I am speaking about here at or above the President's request. But by the time the Congress made the deep cuts that were required by the administration in order to get an omnibus spending bill passed in December, all of the gains that had earlier been in appropriations bills for the Office of Science and for the National Science Foundation were lost, and both of those offices were flat funded when you account for inflation.

Let me talk a few minutes about why these two programs are so important to our ability to compete globally. As noticed in the President's budget, the National Science Foundation is the principal source of Federal support for strengthening science and math education. Education and human resource programs at the National Science Foundation support technological innovation to enhance economic competitiveness and new job growth. They address the workforce needs of the country. They help to ensure a pool of talented experts. Many of these programs are critical to developing and advancing the knowledge of our country's K through 12 math and science teachers as well.

When we passed the America COMPETES Act, we recognized that this country is facing a critical shortage in well-prepared math and science teachers. Accordingly, we significantly expanded the Robert Noyce Scholarship program, which prepares science, technology, engineering, and mathematics undergraduate students and professionals to become math and science teachers. Among a number of changes, we required increased collaboration between science and education faculty to establish STEM teacher education programs—STEM, of course, refers to science, technology, engineering, and math teachers—and increased scholarships and stipends to at least $10,000 per year, for up to 3 years of scholarship support, beginning with the junior year.

We also increased funding significantly in order to meet these objectives. Congress anticipated that the Noyce program would grow to become a major source of effective training for our science, technology, engineering, and mathematics teachers. Research shows that students' performance on annual math and science assessments improved in almost every age group when their schools were involved in a program that linked K through 12 teachers with their colleagues in higher education.

The Math and Science Partnership I am referring to helps forge these connections between K through 12 and higher education to strengthen math and science teaching skills, improve curriculum, and provide college preparatory programs for students.

The Office of Science at the Department of Energy also makes significant contributions to math and science education. Among the things the America COMPETES Act authorizes for the Department of Science are: to help establish statewide specialty schools in math and science; to get middle and high school students around the State involved in national laboratories through internship programs; and to require the national laboratories to partner with local school districts and to adopt at least one high-need high school and transform these schools into centers of excellence in mathematics and science.

This is only a small part of what the Office of Science does. Simply put, it provides the support for much of the basic scientific research that will drive the industries of the future. It funds facilities that help us understand the basics of materials, funds research into such critical areas as biogenetic sequencing, and provides support for much of the physical sciences enterprise in this country.

Once again, for fiscal year 2009, the President has come forward proposing increases for both the National Science Foundation and the Office of Science. Relative to fiscal year 2008, the President's proposed budget increase for these two agencies amounts to $1.4 billion. This amount would not bring the levels for these two agencies to the full level we authorized in the America COMPETES Act for fiscal year 2009, but they are a substantial step in the right direction, and I strongly support these increases.

So the amendment my cosponsors and I are offering today adds another $600 million to the budget resolution, as reported by the Committee on the Budget, to at least meet the level the President has indicated he is willing to support. I believe this addition to the budget resolution can and should command broad bipartisan support in the Senate, just as the America COMPETES Act was broadly supported on a bipartisan basis here in the Senate.

I urge my colleagues to support the amendment. I know my colleague from Tennessee is here to speak in favor of it as well. I again compliment him for his leadership on the issue.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, the Senator from New Mexico, Mr. BINGAMAN, has been tireless in helping to create the America COMPETES Act, which passed unanimously here. But even more important than that, he did not walk away from it once it became law. He has attended to the details of trying to make sure we implement it. One of those details is what we are doing today.

I wish to, in support of what he has said so eloquently—and I also commend Senator DOMENICI from New Mexico, who has had such a key role in this effort—I wish to tell a story that helps put in perspective what we are talking about.

Two years ago, a group of Senators traveled to China, led by Senator STEVENS and Senator INOUYE. We were received very well because Senator STEVENS had flown with the Flying Tigers. He flew the first plane to land in Beijing after World War II, and the top Chinese leaders had not forgotten. And, of course, Senator INOUYE is a Congressional Medal of Honor winner for his heroic service to our country in World War II.

So we saw President Hu, and the No. 2 man in China, Mr. Wu. What struck me about those two meetings—which were about an hour long, and during which we could have talked about Taiwan or Iraq or Iran or China's military buildup or America's intelligence system—the subject about which they wanted to talk the most and which animated them the most in their conversation was the subject Senator BINGAMAN just discussed: how China can use its brainpower to create a higher standard of living for the people of China.

We are in an economic slowdown in America today, and we are debating and talking here about how we restore our level of progress economically. We are talking not only about the Federal budget, we are talking about the family budget. We are talking about family incomes. We are talking about jobs. That was the same subject the No. 1 and No. 2 men in China wanted to talk about as well. What were they focusing on? The fact of trying to give to China the same kind of brainpower advantage in creating a high standard of living we have had in America, since World War II especially. This year, despite the economic slowdown, the United States of America will create about 30 percent of all the world's wealth for 5 percent of the world's people, who are those of us who live in the United States. That is an astonishing fact. There are many reasons for it, including our free market system, our geography, our character, the immigration that has brought talented people from all over the world who are entrepreneurial in their spirit. But most people agree that the major fact in the high standard of living for this country since World War II has been our brainpower advantage. We have not only some of the best universities in the world, we have almost all of them. We have a set of national laboratories that is unequaled in the world. Until recently, at least, our system of kindergarten through the 12th grade education has been the envy of the world. As a result of all that brainpower, we have created a lot of jobs and a high standard of living. Increasingly, that is where the new jobs come from. That is why we like to have foreign students come here, because they become educated in our universities and we are, in effect, insourcing brainpower, so they create Google in the United States of America rather than in India or in China, and the jobs are here in the United States of America.

So the America COMPETES Act, to which Senator BINGAMAN referred, had broad support here. It is the only legislation we have had in the last 4 years that I remember was supported by Senator FRIST and Senator REID. Then, when the Senate changed hands and the Democrats were in the majority, it was sponsored by Senator REID and Senator MCCONNELL. At one point, it had 70 Members of the Senate backing it, 35 Senators who are Democrats and 35 Republicans. It all came from a request that Senator BINGAMAN and I and others—including House Member BART GORDON of Tennessee, the chairman of the Science Committee now—made of the National Academy of Sciences: Please tell us, in priority order, what are the 10 things we in Congress ought to do to help keep our brainpower advantage so our jobs will not go overseas. Norm Augustine, the former chairman of Lockheed Martin, a member of the National Academy of Engineering, assembled a group of Nobel laureates, university presidents, and others, and they came back with 20 specific recommendations in the Augustine report. There was also other important work being done by the Council on Competitiveness. We put all that together over 2 years. The President weighed in, in a big way, in two straight State of the Union Addresses and budgets. The Speaker of the House also weighed in, in an important way. So in this endeavor, on this important issue, we are all on the same team. But what we are doing today with this amendment is making sure we get where we have agreed we want to go.

Now, for President Hu in China, all he had to do was walk over to their National Academy of Sciences in China, he convened them all in the Great Hall—and said: This is what we will do over the next 10 years. We are going to increase support for our universities and research through a percent of our domestic product. We are going to recruit from American universities talented Chinese professors who have distinguished themselves in the United States and they are going to come back and help improve Chinese universities. So, in China, the top man gave the order and they are on their way. Here, a lot more of us have to be involved, but we are all involved. The President has said we need an 18-percent increase for Fiscal Year 2009 to stay on a track to double funding for the physical sciences over the next 10 years; 18 percent for the Office of Science, which is our principal funder of our national laboratories and science programs, and 13 percent in the National Science Foundation. That is bigger than it normally would be because of the way the appropriations process worked last year. We didn't do what we all agreed we wanted to be able to do.

So the Budget Committee did a pretty good job in reporting to the floor a budget resolution with sufficient provisions to fund this year's version of the America COMPETES Act. There are a wide range of those programs. There are opportunities for low-income children to take advanced placement courses which they now can't afford and to train the teachers who need to be trained to teach those courses. There are opportunities for summer academies at our laboratories and at universities to interest our students in math and sciences. The Augustine Commission reviewed programs all over America and recommended only a handful that ought to be emulated, and they included programs such as the UTeach program in Texas at the University of Texas which attracts outstanding students in chemistry and physics, for example, and gives them scholarships if they will agree to become teachers of chemistry and physics.

Former Gov. Jim Hunt of North Carolina told me the University of North Carolina only graduated one physics teacher in one recent year. We are not going to learn much physics in America, to keep up with the Chinese and Indians and Irish and all the others who are trying to increase their brainpower to increase their jobs if we don't graduate physics teachers. So the Budget Committee did a good and important job.

What we are trying to do is to get back on track to double funding for the physical sciences over 10 years, which is what we all agreed we should try to do. That was our goal. A huge majority in the House, the Senate, and the President himself, we are asking that the Senate make room in the budget for the President's number for the America COMPETES Act. That is what this amendment does.

So I feel confident we will have substantial support, because so many of us worked so hard for so long on this idea.

We Republicans are talking these days in unflattering ways about the Democratic budget. Senator REID, the majority leader, said he hadn't heard about tort reform yet. Well, he will, before we are through. One way to help the family budget is to make it easier for pregnant women in rural areas to get medical care without driving 60 miles, and one way to do that is to put some limits on medical malpractice suits. That is tort reform. That will help the family budget. Lower taxes help the family budget. Lower energy costs help the family budget. But on this side of the aisle, we also believe that better schools and investments in science and technology, so we can keep our brainpower advantage and keep our jobs from going overseas, is an important part of a pro-growth plan.

When I was Governor of Tennessee, Tennessee's taxes were the lowest in the country. I say this with great respect to the Senator from New Hampshire, who is also here. I double

checked this fact when I came in. But we were the third poorest State. So we kept our taxes low, but we also had to enact some other pro-growth policies, which included getting rid of a usury limit, preserving the right to work law, reducing the number of employees in government, but it also included building highways. Eventually, I came to the conclusion that the single most important thing we could do to improve family incomes in our State was to focus on improving the quality of schools, colleges, universities, and research, so we began to pay teachers more for teaching well. We created chairs of excellence at the universities and centers of excellence at the universities. I believe that partly because of all those things together, our State began to increase its family incomes at a rate that was faster than any other part of our—any other State in the country during the 1980s. It was no coincidence we were also increasing funding for our education during that time at a rate faster than any other State.

So an important part of a pro-growth plan—a Republican pro-growth plan, but obviously many Democrats agree with this as well—is fully funding the America COMPETES Act, making sure we keep our brainpower advantage so we can keep our jobs.

I congratulate the Senator from New Mexico, Mr. BINGAMAN, for his leadership on this, and the senior Senator from New Mexico, Mr. DOMENICI, for his leadership on this. I thank the majority leader and the Republican leader for their co-sponsorship of this act.

I say to Senators CONRAD and GREGG, I am glad you made room in the budget for much of the America COMPETES Act. I hope we can complete the job with the Bingaman amendment so we can keep those jobs from going overseas. That is one good way to help advance a pro-growth plan that will help balance the family budget.

I thank the President, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I welcome the fact that at the real start of this debate on the Budget Act, we have an amendment that reflects the best judgment of Republicans and Democrats alike in the Senate, which is so key to the future of our country, and to listen to our colleagues on both sides of the aisle at a time when, on so many issues, there is divisiveness, but on this issue, there is a real coming together in the Senate on this item for the support of the America COMPETES Act.

I wish to commend those who have been a part of this process over recent years. It has been truly a bipartisan effort. We have listened to Senator BINGAMAN, Senator ALEXANDER, and others who have been a part of this whole process, and it was an enormous achievement this last year when the bill passed the Senate. Now, we are impressed by the fact that those who were involved in making sure this was going to be achieved are committed to making sure we are going to have muscle and bones on this project in the form of providing the resources which are necessary to make it effective. This is, I think, one of the most important undertakings we will have in this debate and discussion on the budget, and I am very hopeful we will get a strong vote in support of this amendment.

Very briefly, I think all of us understand the average family in this country is exceedingly hard-pressed at this time. They are wondering whether they are going to be able to pay their mortgages, and we are finding out that many are unable to pay their mortgages and they are losing their homes, or they have the threat of losing their homes. It is difficult to imagine, I think, for many of us, when parents go to bed at night and wonder whether they are going to be able to afford their mortgages and maintain their home for themselves, their families, and for their children, but it is happening in too many parts of this country. At the same time, those same parents are wondering if they are going to be able to heat their homes, at least in my part of the country. With the fact of the extraordinary explosion of the cost of home heating oil, we find so many families are hard-pressed to be able to provide heating for their homes.

These are families who have worked hard, who have played by the rules all their lives, and they are wondering now about what the future will hold for themselves and for their parents and for their children. Are they going to be able to make sure their parents are going to be able to live their golden years in peace and dignity? They are hard-pressed to provide the extra help and assistance to them so they can afford their prescription drugs. They have seen the cost of tuition go up and continue to go up, and they wonder if they will be able to educate their children; while fuel and gas go up, whether they will be able to fill the gas tank to get to their jobs where they are working. There is enormous anxiety. There is also the concern about rising health care costs. There is enormous rising anxiety out in the country. People are wondering: Why should my job be at risk? I have worked hard. I have played by the rules. I have done everything I possibly can, and still I wonder whether in a few years, the opportunities for my children are going to be as great as opportunities were for me. I know my parents sacrificed so I would be able to make progress, and now I wonder whether my children are going to be better off than I was. That is going on in home after home across this country.

It is as a result of the failure of economic policy. It is a failure of fiscal and monetary policy over the period of recent years. It is not the fault of these particular families; it is the fault of economic policy and giving the kinds of investments in our country and investments in individuals that are necessary in order to have a strong economy. We know how to do it. We have seen it done. I am not going to take the time of the Senate to go back over the history where it has been done and it should be done.

So we are faced with where we are today, and this calls for immediate assistance for these families. We have seen the efforts that have been made in terms of housing and in terms of the unemployment, the help and assistance of fuel assistance and food stamps and others to try to address the immediate kinds of problems families are facing.

We also have to look at where we are going to be as a country in terms of the future, where we are going to be in 3 to 5 years as we are seeing this whole global economy challenge the United States. One overarching fact is that the future is going to be the knowledge economy, the economy that puts the premise on knowledge and information and education. That is where the future is going to lie. That will be the great competition between the countries of Asia and the United States. We are thinking about how we are going to address that, and the COMPETES Act is one of the important solutions to this challenge.

Mr. President, if we look at this chart here, it is interesting in terms of U.S. students. To be globally competitive, we need to tackle the achievement gaps. U.S. students from high-income families outperform students in other countries in math, while U.S. students from low-income families lag behind. When you are talking about international competitiveness, we find that U.S. students who come from higher income families are able to go to schools that are able to afford the good teachers, are able to out-compete the students in other parts of the world. It is no mystery about how that should be done. But students who come from lower income families are not able to keep pace. This legislation is designed to, among other things, reduce this gap that exists now in our country.

Look at this chart. We have more math classes in high-poverty schools that are taught by teachers without a major in that subject. You have low-poverty secondary schools where the percentage of secondary school math classes taught by teachers without that major is 26 percent. In the high-poverty schools, it is 56 percent. Much of it comes down to teachers and the importance of investing in them, to make sure they are going to have the skills to serve in communities and in school districts all over the country, and so they are going to have the competency. If you are not going to have the high-quality teachers in underserved areas, then you are going to have those kinds of results we saw with the other chart where American children are going to fall further and further behind. It is in this very area that the COMPETES Act is directed.

That is one of the important reasons why this legislation is so important and why the resources and the investment are so much in the interest of this country and its future in terms of the ability to be able to compete.

Mr. President, this is a sound amendment that makes a great deal of sense for the reasons I have mentioned here and other reasons as well. I am hopeful that the Senate will accept it with an overwhelming vote.

Mr. President, 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. GREGG. Mr. 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.

AMENDMENT NO. 4189

Mr. GREGG. Mr. President, I ask unanimous consent that the present amendment be set aside, and on behalf of Senator SPECTER, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for Mr. SPECTER, for himself and Mr. CRAIG, proposes an amendment numbered 4189.

Mr. GREGG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To repeal section 13203 of the Omnibus Budget Reconciliation Act of 1993 by restoring the Alternative Minimum Tax rates that had been in effect prior thereto)

On page 3, line 10, decrease the amount by $4,700,000,000.

On page 3, line 11, decrease the amount by $25,600,000,000.

On page 3, line 12, decrease the amount by $51,000,000,000.

On page 3, line 13, decrease the amount by $47,300,000,000.

On page 3, line 14, decrease the amount by $26,100,000,000.

On page 3, line 15, decrease the amount by $30,500,000,000.

On page 3, line 19, decrease the amount by $4,700,000,000.

On page 3, line 20, decrease the amount by $25,600,000,000.

On page 3, line 21, decrease the amount by $51,000,000,000.

On page 3, line 22, decrease the amount by $47,300,000,000.

On page 3, line 23, decrease the amount by $26,100,000,000.

On page 3, line 24, decrease the amount by $30,500,000,000.

On page 4, line 4, increase the amount by $36,190,000.

On page 4, line 5, increase the amount by $441,680,000.

On page 4, line 6, increase the amount by $2,133,860,000.

On page 4, line 7, increase the amount by $4,798,780,000.

On page 4, line 8, increase the amount by $6,988,760,000.

On page 4, line 9, increase the amount by $8,794,210,000.

On page 4, line 13, increase the amount by $36,190,000.

On page 4, line 14, increase the amount by $441,680,000.

On page 4, line 15, increase the amount by $2,133,860,000.

On page 4, line 16, increase the amount by $4,798,780,000.

On page 4, line 17, increase the amount by $6,988,760,000.

On page 4, line 18, increase the amount by $8,794,210,000.

On page 4, line 22, increase the amount by $4,736,190,000.

On page 4, line 23, increase the amount by $26,041,680,000.

On page 4, line 24, increase the amount by $53,133,860,000.

On page 4, line 25, increase the amount by $52,098,780,000.

On page 5, line 1, increase the amount by $33,088,760,000.

On page 5, line 2, increase the amount by $39,294,210,000.

On page 5, line 7, increase the amount by $4,736,190,000.

On page 5, line 8, increase the amount by $30,777,870,000.

On page 5, line 9, increase the amount by $83,911,730,000.

On page 5, line 10, increase the amount by $136,010,510,000.

On page 5, line 11, increase the amount by $169,099,270,000.

On page 5, line 12, increase the amount by $208,393,480,000.

On page 5, line 15, increase the amount by $4,736,190,000.

On page 5, line 16, increase the amount by $30,777,870,000.

On page 5, line 17, increase the amount by $83,911,730.000.

On page 5, line 18, increase the amount by $136,010,510,000.

On page 5, line 19, increase the amount by $169,099,270,000.

On page 5, line 20, increase the amount by $208,393,480,000.

On page 26, line 12, increase the amount by $36,190,000.

On page 26, line 13, increase the amount by $36,190,000.

On page 26, line 16, increase the amount by $441,680,000.

On page 26, line 17, increase the amount by $441,680,000.

On page 26, line 20 increase the amount by $2,133,860,000.

On page 26, line 21, increase the amount by $2,133,860,000.

On page 26, line 24, increase the amount by $4,798,780,000.

On page 26, line 25, increase the amount by $4,798,780,000.

On page 27, line 3, increase the amount by $6,988,760,000.

On page 27, line 4, increase the amount by $6,988,760,000.

On page 27, line 7, increase the amount by $8,794,210,000.

On page 27, line 8, increase the amount by $8,794,210,000.

Mr. GREGG. Mr. President, Senator SPECTER will talk about this amendment. Essentially, this amendment would repeal the AMT permanently, as it relates to middle-income Americans. It is currently wrong that we have this tax. It was never intended to be a tax that would cover 20 million Americans. It was supposed to hit high-income individuals who were avoiding taxes, using legal tax vehicles but basically avoiding paying any income tax. It has turned into a monster where literally 20 million Americans would be subject to the tax unless it is adjusted.

This budget presumes that it will be abated for this year. There is no reason to keep these revenues in the baseline because we know we will do this again next year and the year after that. It is time to correct this permanently and stop having these illusory revenues, which we turn around and spend, and it creates inappropriate expectations and leads to less fiscal discipline here.

This is an attempt to address the issue by essentially repealing the AMT and addressing the fact that if we don't do this, 20 million Americans will be hit with this tax, and that was never the intention of the Federal Government, to get revenues from them. It is wrong to have it on the books.

The Senator from Pennsylvania will come over to speak to this around 11:30 or so. The Democratic side may have another amendment relative to this issue.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I think the amendment the ranking member has set up for Senator SPECTER doesn't actually have full repeal. Instead, what it does is change the individual alternative minimum tax from its current two-rate structure of 26 percent and 28 percent to the single 24-percent rate that was in effect prior to 1993. I believe that is what the Specter amendment does.

The first priority, of course, for dealing with the AMT is to protect families who have not been subject to it previously. So our resolution acknowledges this priority and provides a 1-year patch to prevent the alternative minimum tax from affecting another 20 million American households. That is at a cost of $62 billion.

I would prefer that cost be offset, but last year that was not the will of the body. It was not the will of the body in the very clear and compelling vote. So we don't have it offset in our resolution this year.

Our resolution acknowledges the political reality that the will of this body is to extend alternative minimum tax relief without paying for it. Restructuring the AMT, as Senator SPECTER proposes, is even more expensive. The Specter amendment would lose $185 billion in revenue, and it is not paid for in any way—by spending reductions or other revenue—and therefore it simply gets added to the deficit and debt. If it were adopted as is, the resolution would be in deficit in every year of the budget window.

Mr. President, I don't think that is fiscally responsible, so I am offering an amendment that accomplishes the same policy purpose but requires that it be offset, paid for, so that it is not

added to the deficit and is not added to the debt.

I inquire of the Senator, did he send up the Specter amendment?

Mr. GREGG. I did.

AMENDMENT NO. 4190

Mr. CONRAD. Mr. President, I send the Conrad amendment to the desk.

The ACTING PRESIDENT pro tempore. Is there objection to setting aside the pending amendment so the Senator from North Dakota may submit his amendment?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD] proposes an amendment numbered 4190.

Mr. CONRAD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To add a deficit-neutral reserve fund for repealing the 1993 rate increase for the alternative minimum tax for individuals)

At the end of Title III, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE ALTERNATIVE MINIMUM TAX FOR INDIVIDUALS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reinstate the pre-1993 rates for the alternative minimum tax for individuals, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

Mr. CONRAD. Mr. President, I think it might be useful here that we enter into a unanimous consent agreement that when we go to a fuller debate, the debate on the Specter and Conrad amendments be limited to 1 hour. Is that acceptable?

Mr. GREGG. I don't see why we cannot put the Kyl amendment in there also.

Mr. CONRAD. Mr. President, I ask unanimous consent that there be a half hour each on the Specter and Conrad amendments, a total of 1 hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Then we will go to the Kyl amendment, and there would also be a side-by-side for that amendment. That would be, at this point, an amendment in my name or by my designee.

I also ask unanimous consent that there be a half hour on each for those amendments.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. GREGG. Mr. President, just to clarify this, other Members may come in and talk during this time. The concept is that this hour is fluid. If other Senators show up and talk, it will not be off of these amendments.

Mr. CONRAD. Our understanding is the same. Look, we are going to have to be flexible. We have other committees that are meeting, and other Members who are involved in these amendments are at other meetings. They won't be here until later. It is our intention to have that amount of time on these specific amendments, but it may not occur all at once.

Mr. GREGG. Mr. President, the understanding is that these are the amendments that are actually in line: Specter and Conrad, and Kyl and Conrad. Those are the amendments actually in the queue.

Mr. CONRAD. Correct. Our amendments are side-by-sides. Our amendments would normally be second-degree amendments. They are not being offered as second-degree amendments here because we don't do that on the budget resolution. But those amendments that are the side-by-sides would be in the regular order. That means they would be voted on first.

We also have the Bunning amendment. Do we want to put that into the queue?

Mr. GREGG. Mr. President, the regular order would not be that they would be—we understood that you could offer them as second degrees if you put them in that position.

Mr. CONRAD. Maybe we should have a discussion and make sure we are on the same page with respect to that. Do we want to have the Bunning amendment next?

Mr. GREGG. I believe so. We don't know when he will be available. I would like the Bunning amendment to be after these. So the next amendment would be the Bunning amendment.

Mr. CONRAD. All right. That is an amendment that involves Social Security, correct?

Mr. GREGG. Correct.

Mr. CONRAD. There would be a side-by-side on our side. Would we want to limit debate on those to a half hour each?

Mr. GREGG. I have not spoken to Senator BUNNING yet, so we will reserve on that.

Mr. CONRAD. All right. That will be the order. The colleagues who want to offer amendments and want to have floor time, it is a very good time to contact us to get time allocated because time is going to go very quickly. Please don't come tomorrow and say: Gee, where is our floor time? This is the time, this is the moment. If you want floor time, we urge you to come now.

AMENDMENT NO. 4191

Mr. KYL. I have an amendment I would like to send to the desk and ask that it be read.

The ACTING PRESIDENT pro tempore. Is there objection to setting aside the pending amendment so that the Senator may offer his amendment?

Hearing no objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 4191.

Mr. KYL. I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect small businesses, family ranches and farms from the Death Tax by providing a $5 million exemption, a low rate for smaller estates and a maximum rate no higher than 35%)

On page 3, line 12, decrease the amount by $500,000,000.

On page 3, line 13, decrease the amount by $19,500,000,000.

On page 3, line 14, decrease the amount by $18,600,000,000.

On page 3, line 15, decrease the amount by $19,900,000,000.

On page 3, line 21, decrease the amount by $500,000,000.

On page 3, line 22, decrease the amount by $19,500,000,000.

On page 3, line 23, decrease the amount by $18,600,000,000.

On page 3, line 24, decrease the amount by $19,900,000,000.

On page 4, line 6, increase the amount by $11,000,000.

On page 4, line 7, increase the amount by $499,000,000.

On page 4, line 8, increase the amount by $1,453,000,000.

On page 4, line 9, increase the amount by $2,468,000,000.

On page 4, line 15, increase the amount by $11,000,000.

On page 4, line 16, increase the amount by $499,000,000.

On page 4, line 17, increase the amount by $1,453,000,000.

On page 4, line 18, increase the amount by $2,468,000,000.

On page 4, line 24, increase the amount by $511,000,000.

On page 4, line 25, increase the amount by $19,999,000,000.

On page 5, line 1, increase the amount by $20,053,000,000.

On page 5, line 2, increase the amount by $22,368,000,000.

On page 5, line 9, increase the amount by $511,000,000.

On page 5, line 10, increase the amount by $20,509,000,000.

On page 5, line 11, increase the amount by $40,563,000,000.

On page 5, line 12, increase the amount by $62,930,000,000.

On page 5, line 17, increase the amount by $511,000,000.

On page 5, line 18, increase the amount by $20,509,000,000.

On page 5, line 19, increase the amount by $40,563,000,000.

On page 5, line 20, increase the amount by $62,930,000,000.

On page 26, line 20, increase the amount by $11,000,000.

On page 26, line 21, increase the amount by $11,000,000.

On page 26, line 24, increase the amount by $499,000,000.

On page 26, line 25, increase the amount by $499,000,000.

On page 27, line 3, increase the amount by $1,453,000,000.

On page 27, line 4, increase the amount by $1,453,000,000.

On page 27, line 7, increase the amount by $2,468,000,000.

On page 27, line 8, increase the amount by $2,468,000,000.

Mr. KYL. Mr. President, this amendment is a reprise of what we did last year in offering to reform the estate tax, sometimes referred to as the death tax.

Now, in the budget itself, and in an amendment that has been offered by the other side, there is a provision to allow the death tax to be changed from the current law to a top rate of 45 percent and an exempted amount of $3.5 million, and there are some other features. My amendment, as with the proposal that had significant support last year, would reduce that top rate to no higher than 35 percent so that if you had more than one rate, at least the top rate could not exceed 35 percent, and both of the two spouses would have a $5 million exempted amount before the estate tax would kick in.

In addition, this provides for a step-up in the basis of the property. It would enable the estate tax to be paid over the current period of time, and the amounts of money in the exempted amount, or unified credit of the estate gift tax, would be indexed for inflation.

Now, the reason for my amendment is, I think most agree even in this body, either allowing the estate tax to continue under current law—getting up to a high rate of 55 percent and an exempted amount of either $2 million or $1 million, probably $1 million—or the proposal of the Democratic chairman of the committee would result in a continued unfair burden on primarily America's small businesses and farms, but, in any event, anyone subject to the potential liability of estate tax for which there is a tremendous amount of money spent in attempting to get around the obligations of the tax or to plan against its eventual required payments.

As a result, we look for ways to further reform the estate tax so that burden would be limited to only a few estates—the very highest estates—and that most people without a huge estate would not have the burden of trying to plan around it—to buy expensive insurance and hire lawyers and accountants and estate planners and the like.

The object, in other words, is not simply to limit the estate tax liability but provide some certainty in the Tax Code so that most people realize, as their homes have gotten more valuable simply because of the increased value with inflation, and as their businesses have accumulated some capital wealth even though it may not be disposable in the sense of liquid income, they are not going to have to worry that their estate is going to be subject to a tax and so they are not going to have to worry about spending this money to deal with the tax.

That is why we need to increase the total for a couple that would be exempted from the tax to $10 million and provide that the upper rate, if that rate kicks in, could be no higher than 35 percent. Above that, you are going to find people feeling that they have to try to prepare for or to get around the payment of the tax. And the irony is, Mr. President, those we are most concerned about really don't have the assets to try to spend a lot of money, whereas those who have enormous wealth can hire all the accountants, estate planners, and lawyers they want and buy insurance so that the ultimate impact of the tax does not hit them.

Last year, when we proposed this same proposal of the 35-percent highest rate or an amount of $5 million exempted for both spouses in a motion to instruct conferees, 56 Senators, obviously both Democrats and Republicans, voted for that motion to instruct. Now, it was never carried out, but I think it demonstrates the will of this body that we want to have some reform that is more realistic and that exempts more estates from the payment of the tax and the consideration of the tax.

According to the Joint Tax Committee, in the tax year 2011, 131,000 estates alone will be subject to the estate tax—131,000. Mr. President, that is too much of a burden on too many people in this country who are not extremely wealthy. By 2015, that number goes up to 177,000 estates. The advantage of my amendment is that it would protect approximately 119,200 family businesses and family farms from the estate tax each year. It would dramatically reduce the number of estates that have to worry about paying the tax.

If we fail to act, in other words, about 131,000 families and family businesses and farms will be subjected to the tax in the year 2011 and thereafter. Under our proposal, we would, according to the Joint Committee on Taxation, reduce the impact of the tax so that only 11,800 estates would be required to file estate tax returns each year, if the exemption is set at $5 million each. So, that is a huge change. It is necessary to protect the folks I think everybody in this body would like to protect from having to worry about the estate tax.

Now, it is interesting that when public opinion surveys ask people what they think about the tax, almost uniformly the results come back that the majority of Americans believe the estate tax is unfair and it ought to be eliminated. I remember a Gallup poll, now 3 or 4 years old, that said 60 percent of Americans believed it should be repealed. That is my preference, to repeal it. We haven't been able to get enough votes in this body to repeal it, but that is where the American people think it should be.

Interestingly, there was a survey conducted after the last Presidential election, and people who supported both Senator KERRY and President Bush were asked what they thought about the estate tax. The interesting thing is that while 70-some percent of the people who voted said they thought the tax should be repealed, roughly 80-some percent of the people who voted for President Bush thought it should be repealed and 60-some percent of the people who voted for Senator KERRY thought it should be repealed.

So this is not a partisan matter among the American people. They believe, whether they supported Senator KERRY or President Bush in the last Presidential election, that the estate tax should be repealed. I daresay surveys even now, to this time, demonstrate the American public opinion remains the same. The interesting thing is even those who understand they will never be subject to the tax because their incomes are simply not such that they will accumulate the wealth necessary to have to worry about the tax believe the tax to be unfair and believe it should be repealed.

But even if you leave aside the issue of the morality of the tax and people's understanding that it is not a fair tax, it hits people at the absolute worst time—when a loved one in their family has passed away and they are having to consider whether pieces of the business or farm may have to be sold off to pay the tax—they recognize that, at a minimum, it should be reformed and that is all we are trying to do.

For years, we have been trying to get a reform that basically accomplishes two objectives: It would increase the amount of the estate that is exempt from the tax so you don't have to worry about filing forms or having to try to plan around it; and for those who would still be subject to the tax above that amount, it would at least put a lid on it at a maximum of 35 percent.

Now, again, the numbers in the current law, if we don't do anything, go up to 55 percent. And under the proposal of the chairman of the committee on the other side of the aisle, that would be reduced to 45 percent. That is still way too high, and the exempted amount would be $1 million, which is way too low. Because of inflation today, there are a lot of homes that have a value of over $1 million, especially in places such as California, New York, and some other places. So, clearly, an amendment along the lines that I will be introducing to make room in the budget for this kind of reform is necessary.

I would like to make just about three other quick points.

Last year, even though the budget could accommodate estate tax reform, the majority did not bring a bill to the Senate. And despite my best efforts, it wasn't possible to get anybody to allow consideration of a bill to reform the estate tax. As a result, in the Finance Committee at the end of last year, I asked that the chairman hold hearings and seek to have a markup this spring so we could actually pass a bill and not simply deal with it in the budget that we pass each year.

The American people need to understand what is really going on. Each year we pass a budget that, theoretically, allows for a reform of the estate

tax, but then we don't do anything about it. And the budget itself isn't law. The budget is merely a goal, a blueprint of where we want to go for the year. If you don't follow it up with a bill, you haven't done anything. But Members here pat themselves on the back and go back home and tell their constituents that they voted to cut the estate tax. Oh, that is wonderful, people say. But it is never followed up with an actual bill.

So the chairman of the Finance Committee said: Well, he would have the goal of marking up a bill this spring. He has since advised me he has no plans whatsoever for a real bill on estate tax, and said: It won't happen.

It is going to be in the budget. His amendment will provide for an estate tax reform in the budget, but he has advised that he has no plans to allow that to happen, to make it, in reality, a bill that would pass and become law. So all of this is an exercise in show, with apparently no real intent to follow through and provide relief for America's families and small businesses and farms and the like.

What I would like to do, Mr. President, with my amendment, is not only demonstrate in the budget that this is the level that we want to set it, at a $5 million exempted amount per spouse and no higher than a 35-percent rate, but also ensure that the rules of the budget enable us to consider the bill during the year and not have it subject to some point of order that would enable people on the other side to say: Gee, we wish we could do it, but we just can't do it under the budget rules.

My amendment will make it possible to consider such an amendment, and I serve notice on my colleagues that I intend to try to bring it up. We are not going to sweep this under the rug year after year. If we are honest with the American people about putting it in the budget, we ought to be honest about bringing it to the floor for a vote so that we can actually pass a bill, send it to the President, and get this job done.

It is interesting that compared to other countries the United States is one of the worst in terms of the amount of money it takes from estates. The rate in the Democratic version would be 45 percent. The average around the world is 13 percent. There are a lot of countries that don't have an estate tax, and they understand why.

The irony is, I had to leave a hearing of the Finance Committee just now, Mr. President, where an individual was testifying about countries such as Canada, Australia, New Zealand, and places such as that, where people have decided it is not a good idea to have an estate tax, and it has been repealed in many of these countries. The United States should take a leaf out the book of some of these countries that have found it is inimical to their development and their ability to compete with other countries.

We know it is not good in terms of savings. The irony is that a lot of my colleagues are concerned about reducing the fact that our savings rate in this country is too low and are concerned about the fact that as a result we have to end up borrowing from countries such as China, for example. Yet having a big estate tax is exactly what is allowing that to happen because it discourages savings. If you save the money, you are just going to get taxed on it when you die, so why not just spend it?

Incidentally, the Treasury Department estimates the estate tax reduces the amount of money that we contribute to charity. Treasury estimates that the estate tax reduces bequests by about 14 percent. Individuals are either choosing to save less or rely heavily on estate planning which, of course, is a deadweight loss to the economy unless you are in the insurance business, in which case you think it is a real nifty idea because people have to buy insurance against the estate tax obligation that they otherwise would have.

Finally, it is an irony that the amount of money the Treasury collects—something over 1 percent of our revenue comes from the estate tax—is actually an equivalent amount of money to what is spent by people to try to avoid paying the estate tax. So, in effect, the money is paid twice. People buy insurance, they hire accountants and lawyers, and they try to find ways to get around the payment of the estate tax, and the amount of money that costs each year is almost exactly the same as what we pay in the estate tax to the Federal Government. This was according to a study by Henry Aaron and Alicia Munnell who are economists who have made this point over and over.

The other interesting aspect of the cost of the estate tax is the amount of money it costs to try to plan around it. If you are a closely held business, the estate planning is estimated to range anywhere from $5,000 to $1 million. Again, if you are a lawyer or estate planner or you are selling insurance, that is probably a great thing. But it is not great for the people who have to pay the money, and it is not the best use of the money for the economy. The IRS estimates it takes 38 hours to complete the form, which is form 706. You may have an obligation, you may not, but you still have to fill out the form. The tax preparation fees can range from $5,000 to $50,000, and 52 percent of the estates that filed a return were required to incur a sizable legal and accounting expense and other expenses even though they owed no tax. Bear in mind, over half of the people who have to file the forms end up with no obligation.

What we should do is have a tax that is predictable and clear with a large enough amount exempted so you know whether you are going to have to file the form. Hopefully, you would realize you don't have to file it because we have adopted the reforms I am talking about. We would go from something over 130,000 filers down to something over 11,000 filers. You would be catching the people with the big estates, those people who can really afford to pay the estate tax, but you would not be requiring everybody else to have to engage in this expensive planning and have the potential of having to pay part of the tax.

Again, the summary numbers to remember are, under the amendment that will be filed—or has been filed, I gather—it would freeze the rates where they will be at the end of 2011, at 45 percent. That is only 10 percent less than the top rate of 55 percent under the previous law. And it will provide an exempted amount of $3.5 million. Far more estates will be caught in the estate tax trap with the amount at that level than they will be if both spouses subject to the tax have $5 million exempted as part of the unified gift and estate tax credit.

I hope as with last year when 56 of our colleagues, both Democrats and Republicans, supported instructing conferees to include in the budget the precise proposal on estate tax reform that I have identified, we will get that kind of support out of this budget as well.

The last thing I want to say is, I think it would be better for the debate and discussion if we had followed past practices and actually offered amendments and had debate on those amendments and then voted on those amendments. Instead, what is happening this year is the majority is not allowing any votes on any amendments until tomorrow, when we get into what we affectionately refer to around here as the vote-athon, when every 10 or 12 minutes we have a vote after 1 minute of discussion of the amendment, 1 or 2 minutes. I think it is 30 seconds per side, 1 minute equally divided. Great debate. Great debate.

We have time to talk about these things now, but what you can't do is offer an amendment, have a vote on it, and know whether you have won or lost so you can determine what you want to do next. If you win, then you don't have to do two or three other amendments. If you lose, you may have to do those amendments. But we are not going to do that because the majority decided it would like to put pressure on the Members of this body to offer fewer amendments because they will have to all be voted on on Thursday and, of course, everybody knows the Easter recess begins as soon as we finish our business. So there is great pressure to offer fewer amendments, to hurry up and get out of town, rather than, in my view, spending the time necessary to do the people's business.

One of the first things we ought to be willing to do is do what is necessary to both debate and vote on an estate tax reform that would be meaningful for literally hundreds of thousands of American citizens.

Mr. CONRAD. Will the Senator yield on that point?

Mr. KYL. I will. I will conclude saying, I hope my colleagues will in a bipartisan way, as they did last year, support the proposal I have just laid down. And while we will be doing it on Thursday, I gather, they will be able to listen to a little of the debate if they are listening now.

I am happy to yield.

Mr. CONRAD. If I can address one of the concerns of the Senator, when we vote—this is a very awkward question, I say to my colleague. Let me be very direct about what it is. We are missing two of our votes. We have a third Member who is ill. So what we have said is we would defer votes on these major matters until at least some of our Members are back. The body is very closely divided. We are completely ready to have votes on other matters throughout this day. The problem is, with the major votes on these consequential issues where we are missing two of our Presidential candidates until tomorrow—they will be here Thursday and Friday—and we are missing Senator BYRD who, as you know, is ill, that is the reason we have asked to defer votes on these major amendments until tomorrow. It is a difficult situation. It has been throughout.

I do thank the Republican caucus for the extraordinary courtesy they extended to the Budget Committee by allowing Senator BYRD to vote—to allow proxy voting in our committee. Our committee does not allow proxy voting, and for a very good reason. We are the only committee that can report a fast-track vehicle to the Senate floor directly. But I do thank the Republican side for doing that. It was very gracious. I think it was in the best tradition of the Senate.

Here on the Senate floor, of course, there is no ability to allow that accommodation to a colleague who is ill. That is the circumstance. I regret it. I just say to my colleague, we are happy to have as many votes as you want to have. The reason we have deferred these major votes until tomorrow is for the reason I have given.

Mr. KYL. Mr. President, I appreciate that. In suggesting another reason for this, I do not think I am wrong in that, but I do acknowledge that certainly what the chairman of the Budget Committee has said is true. I appreciate his acknowledgment of our courtesy with respect to Senator BYRD. I know the Democratic side would do the same thing. That was done on a previous occasion last year as well. It is one of the better traditions of the Senate.

It is also true probably this is not the first time this year because, for the first time in the history of the United States, I am informed, two Senators will be running against each other for the Presidency so that there may be other occasions where, when there are very close votes, our schedule may to some extent need to accommodate their schedules. Of course, as Members of this body they need to be here to do business as well, but we understand that is not always possible. If we could adhere to a slightly more set schedule that might be possible, but since we don't and it is almost impossible to have that kind of schedule, that issue is one that has to be accommodated, and I appreciate what the chairman said.

I do hope the trend we have seen from 2 years ago to last year to this year of not having votes early on during the week that we consider the budget, but bunching them all at the end, a process which I don't think anybody in this body really likes, would not continue; that certainly the reason the chairman indicated will not pertain next year and that we can revert to the practice next year that we have traditionally followed, which is to try to have debate on amendments, votes, and then debate and then votes, and so on, hopefully, thereby minimizing the number of votes that we consider in this so-called vote-athon that, as I said, nobody in this body likes very much.

Mr. CONRAD. Mr. President, I would just say to my colleague, last year we did much better.

Mr. KYL. Than this year.

Mr. CONRAD. You remember last year we did more votes earlier. Just in line with what the Senator is thinking because that is the best way. I think all of us would agree that is the best way to do our business, to do the votes earlier. You will recall on the vote-arama on that Friday we actually finished at 2 o'clock in the afternoon because we did have more votes earlier. I am entirely, 100 percent in agreement with the Senator. I would far prefer to do it that way. I think it is easier to follow the debate and to have the votes then coincident with the debate.

(Mr. DURBIN assumed the Chair.)

Mr. CONRAD. Mr. President, if I might, just on the underlying amendment offered by the Senator, this amendment as we understand it—we have just seen it—would virtually eliminate the estate tax. Let me say why. Let me first say there is no death tax in the country. Of course, if you poll people and you ask them: Do you want to eliminate the death tax? they will say sure. I had a baggage handler stop a colleague of mine, and he said: My No. 1 priority is to eliminate that death tax. My colleague, who is the current occupant of the chair, told him there is no death tax here. You are not going to pay any tax when you die unless you have $2 million.

The guy was very surprised about that because he heard all this talk about a death tax. There is no death tax in America. There is a tax on estates. At today's level you would have to have $2 million to be taxed. That affects only one-half of 1 percent of estates. When the exemption increases, as it does under current law, and reaches $3.5 million per individual, $7 million a couple in 2009, which is next year, only two-tenths of estates will be taxed.

If you are out there and you are hearing about this death tax, don't worry. It does not apply, next year, to 99.8 percent of people who pass away. It only applies to two-tenths of 1 percent of estates.

We already have a tax structure that has overwhelmingly benefited the wealthiest among us. The amendment by the Senator would cost an additional $478 billion over 10 years, and none of it is paid for. That means it goes on the debt. That means we have to borrow that amount of money, and where are we going to borrow it? We are now borrowing over half the money at our bond auctions from abroad—most of it from the Chinese and the Japanese. So we would have, if the amendment of the Senator is agreed to as is, the unusual situation of borrowing this money primarily from China and Japan to give a tax advantage to two-tenths of 1 percent of the people, but the borrowing would be in the name of all of the American people. So 99.8 percent of the American people would be borrowing this money, primarily from China and Japan, to give it to the Warren Buffets, the Paris Hiltons, and others of enormous wealth in this country.

I do not think that is a good policy. In the underlying budget, we have improved the estate tax situation, reformed it in what is, I think, a reasonable way. This is the bizarre circumstance that is in current law. The exemption now, in 2008, is $4 million—$2 million a person. OK? So if you are a husband or wife and you pass away at the same time, you have $4 million of exemption that applies today. You don't pay anything if you have estates of less than $4 million.

In 2009 that will go up to $7 million. Then in 2010, under current law, there is no estate tax, it is repealed. Then, in 2011—it is utterly bizarre—it goes down to $2 million per couple, $1 million a person.

In the underlying budget we are saying, no, that makes no sense at all to go back down to $2 million a couple, $1 million a person. It should be at $7 million a couple, as it is in 2009. If, in fact, we adopt those levels, virtually no one will pay the estate tax. That is a fact.

Here is what has happened under current law: The number of estates that are taxed is falling very dramatically. In 2000, there were 50,000 taxable estates. In 2006, that has been reduced to 13,000. In 2009, we are now expecting there will only be 7,000 estates that will pay anything. As I indicated, that is two-tenths of 1 percent; 99.8 percent of estates are completely exempt. That is a fact.

Now I am going to lay down an amendment.

Mr. GREGG. Would the Senator yield for a question?

Mr. CONRAD. I would be happy to yield.

Mr. GREGG. Is it my understanding you are telling us how many people are

going to die in 2009 in this part of the Democratic budget; that you are projecting deaths in 2009 to be 7,000?

Mr. CONRAD. No, this is this Tax Policy Center, I say to my colleague, and they estimate the number of estates in any year, and then they do a further analysis of how many would actually pay an estate tax, and what they have concluded is two-tenths of 1 percent.

Mr. GREGG. If the Senator would yield further, I wanted to clarify where the number came from. I did not know if the Senator, as chairman of the Budget Committee, was calling on this number of people to die during 2009 for the chart?

Mr. CONRAD. I know the Senator is pulling my chain. Even as slow witted as I am, I can recognize when a Senator is pulling my chain, and here on my birthday, my friend and my colleague is doing that.

What we have tried to do is come up with an alternative. I will send this amendment to the desk to provide an alternative approach to that which the Senator from Arizona is offering, to go over and above what is in the Baucus amendment.

I say to my colleague, it provides another $45 billion, so that in addition to extending the estate tax exemptions of 2009, $7 million a couple, $3.5 million an individual, instead of dropping down to $2 million a couple or $1 million, we stay at the $7 million; index it for inflation.

But in this amendment I am sending to the desk, I say to my colleague, it also provides another $45 billion in a reserve fund, which means it would have to be offset either by a spending reduction or other revenue to further close the gap between what Senator BAUCUS provided in his amendment the other day, and the amendment Senator KYL has laid down here.

That would be $45 billion in additional room in order to further reform the estate tax. I want to make clear that would be in a reserve fund, so it would have to be offset, it would have to be paid for.

Mr. KYL. I ask the chairman to yield for a question. The additional $45 billion, would you have an estimate as to—well, first, what policy in the estate tax would be attached to that? And if it is to add to the exempted amount, what would that take the exempted amount up to?

Mr. CONRAD. I do not know. This is not my amendment. This is an amendment Senator BAUCUS and others have crafted. So I apologize to the Senator, I do not know how much more of an exemption that would permit. But others who have crafted this amendment hopefully will have an answer that can be provided when they are available.

Mr. KYL. Mr. President, if I might further, I had understood an amendment such as this might be offered. My understanding was it would accommodate both an increase in the exempted amount to $5 million per spouse, and I also believe to reduce the rate further from 45 down to 35, which would make it identical to my amendment. I might be wrong on that. If you can ask the author of the amendment here if that is true, it would conform it to the levels set in the amendment I have laid down as well.

I wonder, as long as I have interrupted the chairman, if I might make one or two other points.

Mr. CONRAD. Maybe I can conclude this part and go back to the Senator from Illinois who is also inquiring and answer his question.

Mr. DURBIN. If the Senator would yield. I wish to ask the Senator a question. I do not know if you want to offer your amendment first.

AMENDMENT NO. 4196

Mr. CONRAD. Mr. President, I send this amendment to the desk. I have styled it Conrad No. 2. In fact, it is not my amendment. It is the amendment of the chairman of the Senate Finance Committee, who is at this very moment chairing a hearing on this subject, so he could not be here. That is why I am sending it to the desk.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for Mr. BAUCUS, proposes an amendment numbered 4196.

Mr. CONRAD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4196) is as follows:

(Purpose: To reform the estate tax to avoid subjecting thousands of families, family businesses, and family farms and ranches to the estate tax)

At the end of Title III, insert the following:

SEC. ___. ESTATE TAX REFORM INITIATIVE.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to $45,000,000,000 in tax relief over the period of the total of the fiscal years 2008 through 2013 for additional estate tax reforms that address the current flaws in the estate tax law, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

Mr. CONRAD. I ask that Senator BAUCUS be permitted, when he is able, to further discuss his amendment. I know we have got time reserved for that purpose.

Mr. DURBIN. If the Senator from North Dakota would further yield, I was listening carefully to his debate as I presided. It is my understanding that he says under current law, two-tenths of 1 percent of the people who die in the United States each year might be subject to liability to pay the estate tax or, as the Republicans called it, the so-called death tax.

Mr. CONRAD. Yes, that is true, under the exemption rates for next year. Under the exemption rates for next year, it will be two-tenths of 1 percent. I believe this year it is five-tenths of 1 percent; there are 99.5 percent this year that are exempt. Next year it will be 99.8 percent exempt, as the rate goes up.

Mr. DURBIN. I tried to do a quick calculation on the .2 percent. I think I have come to the conclusion that each year in America, 3.5 million Americans die. Of that number, you are projecting that 7,000 out of 3.5 million might have some estate tax liability next year?

Mr. CONRAD. That is the correct math.

Mr. DURBIN. It is my understanding the proposal by the Senator from Arizona is to further enlarge the exemption of those who pay this tax, so that even fewer than 7,000 will actually pay. Is that correct?

Mr. CONRAD. My understanding is—and the Senator might correct me—that under the Kyl proposal the cost would be approaching $200 billion over—$458 billion over 10 years.

Mr. DURBIN. So the Senator from North Dakota, as chairman of the Budget Committee, has come to the floor repeatedly with a chart which he can get his hands on in a moment that talks about the accumulation of debt in America under the Bush administration compared to the accumulation of debt in America under all previous Presidents. Does the Senator recall the numbers that were involved in that chart?

Mr. CONRAD. Well, first, in terms of the gross debt of the United States, under this President's watch, the gross debt has nearly doubled. The foreign holding of U.S. debt has more than doubled.

This is it. It took 42 Presidents 224 years to run up $1 trillion of external debt. Perhaps this is the chart the Senator is referring to. It took 42 Presidents, all of these Presidents pictured, 224 years to run up $1 trillion of debt, U.S. debt held abroad. This President, as you can see, has far more than doubled that amount in 7 years.

Mr. DURBIN. Let me, through the Chair, ask the Senator from North Dakota a question. The pending amendment by the Senator from Arizona is not paid for, which means he has not suggested increasing some other tax to set it off or cutting spending to offset it; it is simply added to the debt of America. And if that debt the Senator from Arizona wants to add to our national debt over the next 10 years is funded from foreign sources, how much more is going to be added to this figure by the amendment of the Senator from Arizona?

Mr. CONRAD. Well, if his amendment costs another $458 billion, it is not offset. And in a typical bond auction now conducted by the United States, over

half of the money, well over half now, is money from abroad. So you can take well over half of the $458 billion, and it would be added to this external debt.

Mr. DURBIN. I wish to ask the Senator, who is going to pay this debt?

Mr. CONRAD. Well, that is the unfortunate part of, as I see it, the amendment of the Senator from Arizona. What he is doing is saying—he is asking all of us, all Americans, to put our name on the bill. But the money is only going to two-tenths of 1 percent of us. I think that is unfortunate.

Mr. KYL. Will the Senator yield?

Mr. DURBIN. I will yield when I am done.

Mr. KYL. I think it would be fair to let me answer.

Mr. DURBIN. I think the Senator from North Dakota has the floor. I am sure he will yield to the Senator from Arizona.

So that I understand this—I want to make it clear—in order to spare, at a maximum, 7,000 of the wealthiest people in America who may die in the outgoing years, in order to spare them estate tax liability, even though America has been very kind to them and they have lived very comfortable lives because of this great Nation, to spare them the possibility of paying back to this country for having lived and enjoyed this great Nation, we are going to add some $400 billion plus in debt to Americans. And over half of that will end up being debt we owe to foreign countries, as I understand the Senator from North Dakota. Is that correct?

Mr. CONRAD. I think that is clearly correct.

Mr. DURBIN. So for those who are so-called fiscal conservatives, we are going to cut taxes for the wealthiest people in America, and add debt for everyone else in America, an added debt we are going to borrow from overseas and ask our children to pay for it. It sounds like a great idea if you happen to be in the lucky 7,000 club. This lucky 7,000 club that will be benefitted by Senator KYL's amendment will have a great outcome. It appears that everyone loses—I take that back. Everyone but China and Japan and other countries will be losers in this proposal by the Senator from Arizona. Is that correct?

Mr. CONRAD. Yes, I think that is undeniably the case. The problem this country confronts now is we have massive deficits and, under this President, a dramatic increase in the debt. So all of these provisions are based on borrowed money. So why would we go borrow this amount of money, which is increasingly from foreign countries, in order to give a benefit to two-tenths of 1 percent of the American people, when 99.8 percent of the estates in this country are already exempted from the taxation? That is lost on me.

Mr. DURBIN. If I can ask one more question—I know the Senator from Arizona wishes to speak—aside from the lucky 7,000 club the Senator from Arizona is taking care of, the wealthiest people in America—nothing but good luck, they have lived comfortable lives in a great democratic, free nation with the protection of our laws, and now, as they leave and go to perhaps a better place, they want to make sure they do not pay back to this Nation, aside from the lucky 7,000 club.

I wish to ask the Senator from North Dakota, I have heard this concept, talking about pay as you go, that the Democrats, when they came to control the Congress, would pay for any tax cuts or any spending increases so it would not add to the national debt. So I wish to ask the Senator from North Dakota, I know he believes in it very passionately: Is this a pay-as-you-go proposal from the Republican side so that there is no net loss to future generations? Is this being taken care of by the Senator from Arizona offsetting it, for example, with an increase in taxes on maybe working people of this country or some other group or cutting spending in some other area?

Mr. CONRAD. No, this is all put on the tab. This is all borrowed money.

Mr. DURBIN. I thank the Senator.

Mr. GREGG. Will the Senator yield?

Mr. CONRAD. I still have the floor. The Senator from Arizona was seeking to ask me a question.

Mr. KYL. Mr. President, I would be happy to have the ranking member of the committee make a comment. But I wish to correct some of the facts. I can do that either on the Senator's time or on our time.

Mr. CONRAD. I am happy to yield to the Senator from New Hampshire if the Senator wishes to engage in this debate or any other debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I wish to note the Senator from Illinois described these people as the lucky 7,000. They are dead. I guess only if you are from Chicago do you consider it lucky to be dead. They can still vote.

I understand the Senator from Arizona feels these numbers are inaccurate. I know they are inaccurate. I wish to comment further on the Senator's amendments.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I appreciate the fact that the chairman of the Budget Committee and the majority whip have done some extrapolation from the number of people who die and two-tenths of a percent of this and that and, therefore, they have come up with a number. Why don't I quote the actual numbers according to the Joint Tax Committee. These are the officials numbers we deal with every year when calculating the effect of our legislation. According to the Joint Committee on Taxation, if my amendment were to be adopted, 11,800 estates each year would be required to file at the exempted levels that are set forth in my amendment. If we fail to act, 131,000 families, not 7,000—family businesses, farms and so on—will be subjected to the death tax each year, starting in the year 2011.

The point is, these are not individuals. These are families or businesses with a lot more people affected by the tax than the number of filers. The filer represents all the members of the family or the employer of a company. That may be 50 or 60 or 200 people who may be out of a job. But that is how many will be subjected to filing this, 131,000.

You might make fun of this and say it is a small percentage of the number of people in the United States. If you are unfortunate enough to die and your heirs have to deal with this problem, it is a very real problem to every single one of them. Over a 10-year period, obviously, you are talking about way more than a million people. You may say that is not a significant enough number to worry about, but it is enough. We worry about a few people who suffer from all kinds of things that we try to deal with. If you have a million Americans over a 10-year period subjected to an unfair tax, it is a problem we ought to address and not just make fun of the fact that it is only a million instead of 50 or 60,000. So let's get the numbers right. You can argue, if it is only 131,000 people, should we be worried about it. I say yes, somebody on the other side might say no, but at least let's get the numbers right.

Mr. GREGG. Will the Senator yield?

Mr. KYL. Yes.

Mr. GREGG. As I understand your proposal, which, if I recall correctly, got 56 votes in this body last year

Mr. KYL. That is correct, on the motion to instruct conferees, 56 Democrats and Republicans voted for this identical proposal.

Mr. GREGG. I wish to ask the Senator further, through the Chair: As I understand the proposal, estates over $10 million would continue to be subject to full estate tax obligation; is that correct?

Mr. KYL. That is correct. The rate would be reduced from 55 percent, if we don't do anything, to 35. I believe the majority proposal is 45. This would make the top rate no higher than 35 percent.

Mr. GREGG. So we aren't talking about the wealthiest Americans. We are talking about people with significant wealth, up to $10 million. But a family farm can easily be valued at $10 million. A small business, a restaurant could easily be valued at $10 million. A small software company could easily be valued at $10 million. So we are talking about continuing, without major tax consequences, small businesses and farms that otherwise would be subjected to a very onerous tax which might put them out of business; is that not correct?

Mr. KYL. The answer is yes. If I could expand on that with a true story, some friends of my wife and mine in Phoenix had a printing business. The head of the household came out from New York in the late 1940s and from

scratch built this business which, at the time he died, employed about 200 people. They didn't take a great deal of money home because in this business, you have to plow all your profits back into buying the very latest laser printers and all the other equipment to keep it competitive. But they did all right as a family, well enough to be a major giver in the community. That is how we became friends with them because they were contributing to charities significant amounts, probably more than they could afford, boys and girls clubs and a variety of other charities. They were great contributors to the community, both in terms of their business, the people they employed, what they did, and how they supported the community. He died. When he died, his family found that despite the fact that they had spent millions on insurance and other ways to try to plan for his eventual death and the estate planning, in order to pay the tax, they had to sell the business. They did, and they got enough money to pay the tax. The company that bought it, to my knowledge, never contributed a dime to any charity in Arizona. It eventually closed the operation. So all the people who worked there no longer had a job, no contribution to the community. The family literally had to sell the business to pay the tax. While they were well off in terms of the average American, they were exactly the kind of people you want in your community to provide employment. That is the real story.

We can make fun by saying: Well, it is only 131,000 each year in that category. But these are real families who are contributors to the economy and to our communities, and we ought to give them a break. Most people, even though they know they are not subjected to the tax, still, when you ask them the questions in public opinion surveys, say they know it is not fair. They like families such as the one I mentioned and would like to see this tax either reformed or repealed.

Mr. GREGG. If I may ask a further question, I think the Senator's anecdotal story is one everybody has seen innumerable times in their home States: Small businesses put out of business or put under distress as a result of the death of a principal in the small business due to the estate tax, the death tax. After finishing law school, I went back for 3 years and got a master's degree in taxation, which was one of the most foolish things I ever did. It only proved to me the tax law is totally inane. But I don't believe in the tax law there is any other place where there is such a penalty of tax assessment for an act which has occurred without any economic event. In other words, the only thing that generates this tax is not that you sold a business or built a business or that you were involved in some transaction. It is that you got hit by a truck crossing the street, which is not an economic act. Isn't that why this tax makes no sense on the face of it, especially for smaller estates that involve small businesses? It is a noneconomic event. It is a ''comes out of the blue'' type of an event. You die, unfortunately. If you get hit by a truck, you get sick, any number of events can cause that event to occur, but it is not something you have control over and, therefore, you can't create economic activity around it which is going to give you the wherewithal to pay the tax. Is that not true?

Mr. KYL. If I may respond, as an expert in the Tax Code, the Senator from New Hampshire knows the technical name of the doctrine which applies in this case, except we have made an exception in the case of death. If you are robbed or if your house burns down and you collect insurance to pay for that unanticipated loss—not an economic activity; you didn't decide to invest and get a return on the investment when your house burned down—that is something you did not anticipate. It is noneconomic. The Tax Code treats that in a very good way for people, as one would expect. You get the insurance on it. You are not taxed on all that as income.

Mr. GREGG. It is called casualty loss.

Mr. KYL. This is the third. Of the three areas that apply here of noneconomic activity with a tax consequence, this is the only place where we don't give people a break for these unanticipated activities, these noneconomic activities such as death. No, you do get taxed. And, yes, the Senator from North Dakota is absolutely correct. The dead person is not the person——

The PRESIDING OFFICER. The time of the Senator from Arizona on this amendment has expired.

Mr. KYL. Mr. President, if I may conclude, I am answering a question of the Senator from New Hampshire.

The PRESIDING OFFICER. Time is being charged on the amendment.

Mr. GREGG. I ask unanimous consent that the Senator be allowed to continue and the time come off the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. My train of thought with regard to the answer to the question was interrupted.

Mr. GREGG. The Senator was pointing out that there are three elements of casualty loss. Two of them you are not taxed on and this one you are. And it is the ultimate casualty, dying.

Mr. KYL. As a matter of tax policy, I will answer my colleague, we can differ about the kind of taxes that should apply to economic activity, but we do agree that is the kind of activity that should be taxed, if it is on a sale, if it is on income, if it is on a return such as capital gains or dividends. But where the American people draw the line is with regard to death. I recall now the final point I wished to make. It is true the dead person doesn't pay the tax, but the people who are left to deal with his affairs at the worst time in their life do have to deal with this. What we are suggesting is, we ought to make it a little bit easier on these folks and not impose the kind of penalties that the current Tax Code, if it reverts to this because we don't act, goes to the 55 percent tax rate. I am talking about 131,000. According to the Joint Tax Committee, the number by the year 2015 will be 177,000. So this keeps increasing with respect to the number of estates each year that will have to be concerned about the tax.

Mr. GREGG. As a final question—I think it needs to be emphasized—is it not true that this doesn't exempt all estates? This exempts estates up to $10 million, which are probably going to be small businesses or small farms?

Mr. KYL. It is actually not quite that. It is $5 million. The way this is written, if one spouse, let's say, the person who is not running the business, dies first, you can plan so you can get most of the effect of $10 million in the unified credit between the estate and the gift tax, but it is actually a $5 million exempted amount. So, for example, if a single person owns a business, it is only $5 million. It is not the amount that would relate to a couple of $10 million.

Mr. CONRAD. Will the Senator yield for a question?

Mr. KYL. Of course.

Mr. CONRAD. I would like to try to harmonize the numbers because I don't want to leave people with the misimpression that we have some difference on the numbers because I don't think we do. The Senator is talking about 131,000 estates possibly being affected. But that would be at the million-dollar-a-person exemption level; is that not the case?

Mr. KYL. I believe that is exactly the case. By the year 2015, it would be 177,000 estates.

Mr. CONRAD. But that is assuming we have a million-dollar-per-person exemption. Under what is in the budget, we would have $3.5 million per person—$7 million a couple—which, according to our figures, would give only 7,000 estates out of 3.5 million any tax. I think the difference between your 11,000 and my 7,000 was, you are talking about estates that have a filing responsibility. I am talking about estates that would actually have a tax liability. As the Senator well knows, there are some additional people who have a filing obligation even though they don't have a liability.

The numbers the Senator and I are using are actually quite close. We are using somewhat different assumptions. He is talking about if we went down, which current law does, to a million dollar exemption in 2011, 131,000 estates would be affected. What we are seeking to do is to make certain that does not occur, that the exemption amount be $3.5 million a person, $7 million a couple, which would exempt 99.8 percent of estates.

Mr. KYL. Mr. President, I would say to the chairman he is correct. I cannot verify the number 7,000 the chairman is

talking about, but I can verify the number I am talking about. The Joint Committee on Taxation projects that 11,800 estates would be required to file estate tax returns each year. So that is a correct statement.

Of course, the additional point I made earlier was that not everybody knows exactly what their liability is and, therefore, you have about 10 times as many people who have to end up filling out the forms, going to the expense of anywhere between $5,000 and $1 million to complete the forms, the 38 hours it takes to do it, only to find some of them do have a tax liability at the end of the day. Some of them do not. The fact that you may not be subject to the tax does not diminish the fact that you will be obligated to spend the money to file a return and do all the work to try to figure out that, in fact, you don't owe the tax.

Mr. CONRAD. That is absolutely fair. I didn't want to leave some impression that you and I had some great difference on the numbers. I think our numbers are actually very close.

Mr. KYL. Mr. President, if I might respond with one final point, when you got to calculating how many—the lucky 7,000, and all that—I think there was some extrapolation going on, and I think the chairman is right, we should stick to the numbers from Joint Tax. That way at least we know exactly what we are talking about.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. CONRAD. Mr. President, I say to the Senator, may I be recognized for a moment? I have a housekeeping item we need to address.

Mr. President, I ask unanimous consent that amendment No. 4196, which I sent to the desk, be restyled as being offered on behalf of Senator SALAZAR. I sent it to the desk in the name of Senator BAUCUS.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. That should be in the name of Senator SALAZAR. He is the mover of that amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Hampshire has the floor.

Mr. GREGG. Well, Mr. President, Senator CONRAD, I think, was going to straighten this out. But I think the plan now is to go to Senator DEMINT. He needs approximately 20 minutes. Then there would be whatever time the Senator from North Dakota plans to respond. Then we will go to Senator BUNNING.

Mr. CONRAD. Mr. President, why don't we do this out of courtesy to Senator BUNNING, who is already here: If we could go to Senator DEMINT—how much time would Senator DEMINT require?

Mr. DEMINT. About 20 minutes or so.

Mr. CONRAD. Could we reach an agreement on up to 25 minutes?

Mr. DEMINT. Exactly.

Mr. CONRAD. Because Senator BUNNING was put on notice earlier he could come at roughly this time. I would be happy to withhold on Senator DEMINT's amendment.

Mr. GREGG. I see Senator SPECTER who also has an amendment. Maybe he wants to speak.

Mr. CONRAD. Maybe we could get him in the train as well so he would know when he was up.

Mr. SPECTER. Fine.

Mr. CONRAD. How much time would the Senator from Kentucky require?

Mr. BUNNING. No more than 15 minutes.

Mr. CONRAD. Well, shall we enter into an agreement: up to 25 minutes for Senator DEMINT, followed by Senator BUNNING for up to 15 minutes. And then, I say to Senator SPECTER, how much time would you like?

Mr. SPECTER. Fifteen minutes.

Mr. CONRAD. Up to 15 minutes there. That would take us another hour down the road. We will do it off the resolution. Is that fair?

Mr. GREGG. Senator BUNNING is going to be offering an amendment, so we can do his off his amendment.

Mr. CONRAD. OK.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from South Carolina.

Mr. DEMINT. Thank you, Mr. President. I wish to make sure my time is counted against the resolution and not the amendment that was just brought up.

The PRESIDING OFFICER. It will be counted against the resolution.

Mr. DEMINT. Thank you, Mr. President.

I rise this morning to speak on an amendment I will offer to the 2009 budget resolution on behalf of myself and a bipartisan group of reformers in the Senate.

This amendment creates a 1-year moratorium on all earmarks. It does so by establishing a 67-vote point of order against bills, joint resolutions, conference reports, and messages between Houses that contain congressional earmarks for the fiscal year 2009.

This is very important to the budget debate. As we look at this budget, with planned spending over the next 10 years, we have clearly—both parties—helped to wreck the budget at the Federal level, while every month we expect families across this country to balance their budget.

I would like to start with a little background. Before I came to Congress, one of my jobs was training quality development people in organizations. We worked on quality improvement—quality process improvement—for a number of years. One of the great consultants in that field, Tom Peters, wrote a book ''In Search of Excellence.''

One of the examples he gave in the book, related to improving quality, was a person who got on an airplane and pulled down their tray and saw a coffee stain there. People could say a coffee stain on a tray in an airplane is not a big deal. But many times we get our cues about quality, or about whom we can trust and why, from things that are different than the real substance.

But his point was, if you see a coffee stain, you not only are concerned about how the cleaning service does in that airplane, you wonder: If they are not able to clean up a coffee stain, are they maintaining the engines? Is this a safe plane to fly in?

For us in Congress, our coffee stain is earmarks. Earmarks tell Americans we cannot be trusted to spend their money in a way that is efficient and for the good of our country. Americans know if we continue to throw their tax dollars at bridges to nowhere or hippie museums—or a number of things I will talk about today—that if we cannot be trusted to do those things, certainly how can we be trusted to do the big things in this country.

We have lost our moral authority. We have undermined the trust of the American people. A lot of that goes right back to our coffee stain, which is earmarks.

In 2006, many in this body, particularly my friends on the other side, promised to clean up earmarks in Washington. But after 1 year, things have gone back to business as usual. The number of earmarks had fallen to 2,600 in 2007 because we were able to stop this huge omnibus spending bill that was going through. But now earmarks are back up to all-time highs. This year, there are 11,612 earmarks, costing $17.2 billion, according to Citizens Against Government Waste. It is the highest level of earmarks in history.

It came through in this Omnibus appropriations bill, which we were given less than 48 hours to review. No one read it. It was full of earmarks, full of wasteful earmarks and wasteful Government spending.

We still expect the American family to balance their budget while we continue to wreck the budget at the Federal level.

Last year, we worked together to pass earmark reforms, but, unfortunately, many of these reforms have been gutted or ignored. As many of my colleagues know, the earmark rule we passed 98 to 0 was watered down behind closed doors and then passed despite our objections. Those in this body who oppose change insisted on continuing business as usual.

I would like to review a little bit the history of the debate so everyone knows how we got to this place. For Americans who may be looking in and still wondering what earmarks are—and I, frankly, confess when I came to Congress I did not know what an earmark was—it is when every Member of Congress and the Senate feel like it is their responsibility to take a piece of taxpayer money and designate it to a particular favorite project or cause or organization back in their congressional district or State. Instead of doing what is good for the country, we do what is good for our next election,

and we use taxpayer dollars to enhance our image back home.

Mr. President, 2007 started off with a pretty hopeful note. I actually offered Speaker PELOSI's earmark transparency measure as an amendment to the Senate ethics bill. But, unfortunately, the leadership on the other side tried to kill the Pelosi transparency language which would have required disclosure of all earmarks instead of 5 percent, as we had on the Senate side. But the effort to kill my amendment failed, and we won the day.

Republicans voted with me and a few brave Democrats—CLAIRE MCCASKILL and some others—joined us in saying: Enough is enough; America needs to know what we are spending. We were able to pass that transparency bill. But the original Pelosi-DeMint transparency rule that was part of Senate bill No. 1 last year, and agreed to unanimously, said authorization earmarks could not be added or airdropped into conference reports with the House. But that provision has been gutted and ignored.

The original Pelosi-DeMint transparency rule gave Senators the right to force a vote on individual earmarks that were added into conference reports in the dark of night. But that provision was secretly gutted.

The original Pelosi-DeMint transparency rule said bills containing earmarks could not be brought to the floor until we had at least 48 hours to read the bill online in an easily searchable format. That was not easily searchable with this bill you are looking at on the table. But that provision, too, has been gutted and ignored.

In fact, in less than 24 hours we brought this bill to the Senate floor—the largest appropriations bill in our history—that contained over 11,000 earmarks, and it passed in less than 48 hours. No one read that bill.

We are wrecking the Federal budget, and we still expect Americans to balance their family budget.

The original Pelosi-DeMint transparency rule said neither the Senator nor his or her family could financially benefit from an earmark, but that provision has been changed to the point where it is almost meaningless.

The original Pelosi-DeMint transparency rule said the Parliamentarian, who is nonpartisan and whose job is to make impartial rulings, would be responsible for determining if bills brought to the floor complied with earmark transparency rules. That was a good rule, but that has been gutted. The provision has been changed so that now the majority leader and the chairman of Appropriations verify if it has met the rules.

The list goes on and on.

The Senate also passed legislation last year to ban the practice of what we call phone-marking or letter-marking, which occurs when Senators secretly request earmarks by pressuring agencies with phone calls or letters without complying with the earmark disclosure rules. That provision has been gutted.

Last year, the majority promised to cut the number of earmarks in half. But they did not. Instead, we passed the second highest level of earmarks in history. You can see from this chart, Republicans did a lousy job containing the number of earmarks, but we were able—by stopping an Omnibus appropriations bill before we left the majority—to reduce the number to 2,600. But last year it went back up to the second highest level in history—a lot of broken promises.

I also wish to review some things about the earmark system and why it is broken. In the last 20 years, porkbarrel earmarks have exploded. In 1987, Ronald Reagan vetoed a bill that had only 121 earmarks. Here is what he said:

> I haven't seen this much lard since I handed out blue ribbons at the Iowa State Fair.

Mr. President, 121 earmarks. We are dealing with tens of thousands of earmarks now every year. By 2005, earmarks had skyrocketed to about 14,000 wasteful earmarks into our spending bills. In fact, since 2000, Congress has spent more than $188 billion of Americans' taxpayer dollars on over 77,000 porkbarrel projects.

Americans are outraged about a system that hands out their tax dollars based on political influence and congressional seniority instead of on the merit of the projects. Here are a few examples of the results of the earmark favor factory over the last several years. Keep in mind as I read these earmarks, this is hard-working American tax dollars coming to us. We are expecting the family to use their money responsibly to balance their checkbook. Here is what we are doing with their tax dollars:

The International Fund for Ireland, funding the World Toilet Summit, $13.5 million; Richard Steele Boxing Club, $100,000—this is at a time we are creating debt and waste every year—animal waste research and management, $4.75 million; a study to determine if poultry litter can generate electricity, $225,000; the Tiger Woods Foundation—he is hurting for money—$100,000; golf charity, $3 million taken out of the Department of Defense budget for a golf charity; Museum of Glass, $550,000; a fake prison museum, $100,000; the Rock and Roll Hall of Fame—a clear national priority—$200,000; The Historic Coal Library, $800,000; wine research, $11 million; Baseball Hall of Fame, $750,000; the National Wild Turkey Federation, $500,000; grasshopper research, $775,000; bike paths, $6.8 million; Montana Sheep Institute, $400,000; National Peanut Festival, $200,000; ornamental fish research, $600,000; Grammy Institute, $800,000; the American Film Institute, $90,000; DNA study of bears, $1 million; study to analyze bear fur, $300,000; wood research, $9.5 million; Cowgirl Hall of Fame, $90,000; Indoor Rain Forest, $50 million; water-free men's urinals, $2 million; Charlie Rangel Monument, $2 million; Teapot Museum, $500,000; an 85-foot speedboat the Navy didn't want and refused to use, $4.5 million; Woodstock Hippie Museum, $1 million; Coconut Road highway project that was unwanted by the city it was sent to, $10 million; shirts for the U.S. Marine Corps that were found to melt in battle and caused severe disfiguring burns, $2 million; National Drug Intelligence Center that duplicates work already done by 19 other Federal agencies and which the OMB asked to be shut down—we still gave them $400 million; and, of course, the Bridge to Nowhere in Alaska, $320 million.

Folks, there are people who come to this floor during this debate and cite earmarks that they say are good, and certainly we can find some. But for every one earmark that could be justified, we could find hundreds that sound just like the ones I read today. At a time when our country is in severe deficit, when we are at war and the American family is straining every month in their budget, we are throwing their money away—coffee stain after coffee stain, demonstrating to the American people that we don't have the commitment to do what is best for this country.

This is just scratching the surface. Did I read a couple of dozen? There are almost 12,000 right here that Americans will never know how their money is spent.

Besides the waste, earmarks have also led to corruption. Let me say that I have spent enough time working with my colleagues to know that most are not corrupt. They love their country, and they want to make it a better place. But the system of earmarking has taken our energy and diverted it away from solving national problems and wasted it on the task of steering tax dollars back home. This perversion of purpose has undoubtedly led to real corruption scandals that have caused the American people to lose trust in Congress.

In 2006, former Congressman Duke Cunningham was sentenced to 8 years in prison for trading earmarks for over $2.4 million in personal bribes. As reported by ABC News at the time, Cunningham actually kept a bribe menu where he listed what payments he demanded in return for earmarks from Government. This card here shows an escalating scale for bribes, starting at $140,000 and a luxury yacht for a $16 million Defense Department contract. Each additional $1 million in contract value required $50,000 in bribes. The rate dropped to $25,000 per additional million once the contract went over $20 million.

Also in 2006, former lobbyist Jack Abramoff was sentenced to nearly 6 years in prison for corruption and fraud. Abramoff pleaded guilty to defrauding numerous Indian tribes for which he helped secure earmarks. It was Jack Abramoff who called the congressional appropriations process the

''earmark favor factory'' for his ability to secure millions in taxpayer funds for his clients.

There are thousands of lobbyists who are sent here by towns and universities, small colleges, organizations that are up here trying to get a piece of these Federal handouts that we call earmarks. It is corrupting the whole process.

Why is it so easy for this earmarking system to lead to corruption? It is because there is so little oversight. Rather than being funded based on merit, they are chosen based on political influence and congressional seniority. Is a sewer or a highway project in West Virginia more worthy than one in Wyoming simply because the State's Senator holds a high-ranking appropriations seat? I don't think so.

Americans are frustrated with Congress. Congressional approval is at all-time historic lows. Voters threw out the Republicans in 2006 hoping for a change, but not much has changed. Wasteful Washington spending hasn't stopped. We continue to wreck the Federal budget as Americans are struggling to balance theirs. The congressional favor factory hasn't been closed; it is just under new management.

When Members of Congress are sworn into office, we take an oath to support and defend the Constitution of the United States. This Constitution prescribes a limited role for the Federal Government, whose purpose is to ''form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the blessings of Liberty.''

This purpose statement should give Congress a clear focus on national priorities and the good of the Nation as a whole. Unfortunately, many in Congress have forgotten that oath and lost sight of our congressional purpose. I did not raise my hand and swear allegiance to the State of South Carolina and promise to get them as much Federal money as I could. Those who say it is a constitutional responsibility to earmark are not using quotes from this document, the Constitution. In fact, everything in here suggests a national priority. It suggests a uniform way in collecting taxes. It says: No preference should be given to a State when money is appropriated, and it says this, which is key: that no money shall be drawn from the Treasury but in consequence of appropriation made by law.

Over 95 percent of the earmarks we produce here in this Congress are not law, they are not constitutional, and there is no excuse for them at all. We can't hide behind this Constitution. It does not give us the authority, explicitly or implicitly, to take on a local and State role, decide where water and sewer plants go, where bike paths go, which local museum should be funded. That is not our job, but that is a reason we are not dealing with a broken Tax Code, a broken Social Security system, a broken Medicare system, how we deal with keeping jobs in this country, because we are spending most of our time trying to figure out what needs to be done back in our local communities.

The primary culprit of most of the problems we are dealing with here is the addictive power of congressional earmarks that we are trying to stop today. My objection to earmarks is not to specific Members. The requirement that earmarks now have names on them makes them more personal, but it is really the earmarking system that is the problem.

When Members of Congress invest their time in securing Federal funds for sewer plants and bike paths, as I have mentioned, they are doing more than assuming a Federal role for a local responsibility; they are locking themselves into voting for whatever bill contains their projects. That is how leadership here in Congress gets us to vote for bills that are billions over budget and contain lots of bad policy—they cram in their projects that make it very difficult for us to vote against. For this reason, Congress has repeatedly, regardless of which party is in charge, demonstrated an inability to curb out-of-control spending. Members who may otherwise vote against a massive, wasteful spending bill end up voting aye because it contains a project for a special interest back home.

In January, the first baby boomer received her first Social Security check. In just 3 years, she will qualify for Medicare. With 77 million Americans in line right now behind her, now is the time for Congress to address the long-term fiscal crisis that lies ahead. Social Security and Medicare are trillions of dollars underfunded. Yet we are focused on using earmarks to deal with local issues such as determining the location of local parks and community centers, and we are failing to address these serious national problems. We are wrecking the Federal budget while Americans are struggling to meet their family budget.

I didn't come to Washington to fight against earmarks. I didn't even know what they were when I got here. I came here to work on tax reform and fixing Social Security and Medicare. But the culture of earmarks is distracting the attention of Congress from much needed national reforms. So I have made eliminating earmarks an urgent and immediate goal.

One of the things I found out in trying to improve the quality culture in organizations is you have to understand the root causes of problems and not spend your time treating symptoms. The root cause of many of the problems, particularly the wasteful spending in this Congress, is earmarks.

Already in this new Congress, which promised to be more transparent and to cut earmarks in half, we have seen many shameless requests for pork projects, including taxpayer-funded monuments to individual Members of Congress. Worse, Members of Congress insist on hiding these wasteful pork projects behind some of our Nation's most important priorities. We have held hostage health care for poor children, veterans benefits, and funding for our troops in order to sneak through porkbarrel projects.

We have basically made human shields of our most vulnerable Americans, giving Members of Congress two bad choices: Either we vote for bloated bills that are billions over budget and full of wasteful earmarks or we vote against national priorities and needy constituents. This is no way to run the most important Government in the world.

So we ended another year with a lot more debt and a lot more broken promises. We have not helped Americans buy health insurance; in fact, we have made it harder. We haven't cut spending; we have raised it. Our antiquated Tax Code continues to chase jobs overseas, and we have not addressed the huge entitlement crisis. Meanwhile, we increased the number of special interests and wasteful earmarks from last year, and both parties are bragging that we did better than expected. Instead of keeping promises, we have let the earmarking system pervert our purpose as Members of Congress.

The purpose of the amendment that I have with the budget is to take a timeout. When you have a problem, when you have an addiction, you have to agree you have a problem and you have to get into rehab. Congress needs to get into rehab. We need to stop earmarking this year, take a timeout, and figure out how to reform the system. Those who continue to give excuses, who say: No, we don't need a timeout, we will fix it, I have been listening to for 8 years. They keep saying there is a problem we need to fix, but they never do. It is time to take this issue seriously, to get earmarks off the table so that we can look at it objectively.

I would encourage all of my colleagues to join me, the Republican nominee for President, JOHN MCCAIN; the two Democratic possibilities for President, BARACK OBAMA and HILLARY CLINTON; and CLAIRE MCCASKILL and vote for this amendment and show America we can be trusted.

I thank you, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. DORGAN. Mr. President, will the Senator yield for a unanimous consent request?

Mr. BUNNING. I will yield.

Mr. DORGAN. Mr. President, I ask unanimous consent that following the Senator from Kentucky and the Senator from Pennsylvania, both of whom I think are to be recognized, I be recognized for 20 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Mr. President, I ask that the unanimous consent request be modified as recognized for the purpose of speaking but not for the purpose of offering an amendment.

Mr. DORGAN. Mr. President, I ask that the request be so modified. I do want to talk to the two Senators about being able to offer the amendment about which I will speak, but I will do that at another time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kentucky is recognized.

AMENDMENT NO. 4192

Mr. BUNNING. Mr. President, I ask unanimous consent that the pending amendment be set aside and that my amendment No. 4192 at the desk be called up for consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. BUNNING] proposes an amendment numbered 4192.

Mr. BUNNING. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To repeal the tax increase on Social Security benefits imposed by the Omnibus Budget Reconciliation Act of 1993)

On page 3, line 11, decrease the amount by $14,300,000,000.

On page 3, line 12, decrease the amount by $15,600,000,000.

On page 3, line 13, decrease the amount by $17,500,000,000.

On page 3, line 14, decrease the amount by $19,800,000,000.

On page 3, line 15, decrease the amount by $21,600,000,000.

On page 3, line 20, decrease the amount by $14,300,000,000.

On page 3, line 21, decrease the amount by $15,600,000,000.

On page 3, line 22, decrease the amount by $17,500,000,000.

On page 3, line 23, decrease the amount by $19,800,000,000.

On page 3, line 24, decrease the amount by $21,600,000,000.

On page 4, line 5, decrease the amount by $14,300,000,000

On page 4, line 6, decrease the amount by $15,600,000,000

On page 4, line 7, decrease the amount by $17,500,000,000

On page 4, line 8, decrease the amount by $19,800,000,000

On page 4, line 9, decrease the amount by $21,600,000,000

On page 4, line 14, decrease the amount by $14,300,000,000

On page 4, line 15, decrease the amount by $15,600,000,000

On page 4, line 16, decrease the amount by $17,500,000,000

On page 4, line 17, decrease the amount by $19,800,000,000

On page 4, line 18, decrease the amount by $21,600,000,000

On page 27, line 16, decrease the amount by $14,300,000,000.

On page 27, line 17, decrease the amount by $14,300,000,000.

On page 27, line 20, decrease the amount by $15,600,000,000.

On page 27, line 21, decrease the amount by $15,600,000,000.

On page 27, line 24, decrease the amount by $17,500,000,000.

On page 27, line 25, decrease the amount by $17,500,000,000.

On page 28, line 3, decrease the amount by $19,800,000,000.

On page 28, line 4, decrease the amount by $19,800,000,000.

On page 28, line 7, decrease the amount by $21,600,000,000.

On page 28, line 8, decrease the amount by $21,600,000,000.

Mr. BUNNING. Mr. President, I spoke about this yesterday, and I have brought it to this Chamber before on numerous occasions. In fact, the Senate adopted a very similar amendment by unanimous consent last year, and it passed on a recorded vote 2 years earlier.

My amendment would repeal an unfair tax that Congress enacted in 1993. The Congressional Budget Office has said that over 15 million senior citizens are affected by the taxation of Social Security benefits. When Congress created the Social Security Program to provide income security for seniors, part of the structure of that program, and one of the reasons for its popularity, was that benefits were not taxed. I will say that again.

Social Security benefits were not taxed when the program was created. In 1983, the Greenspan Commission and Congress decided that half of the benefits of some seniors should be subject to taxation and, in 1993, raised that amount to 85 percent of the Social Security benefits that a senior citizen receives.

This tax affected supposedly ''wealthy'' seniors, with incomes above $34,000 for single seniors, and $44,000 for a couple. Those are supposedly wealthy senior citizens. The goal of this seemed to be to impose a type of means testing on Social Security beneficiaries—in other words, tilting the benefit structure in favor of low-income seniors, making it more like a welfare program.

This is the kind of change Senator Patrick Moynihan often warned Congress about. But the Ways and Means Committee and the President ignored his warnings. If that was the goal, the legislation was fundamentally flawed. The $34,000 and $44,000 amounts were not indexed for inflation. I can assure you that seniors earning these amounts do not consider themselves wealthy at all—particularly with the increased cost of prescription drugs, rent, or mortgage payments, gasoline, particularly with unleaded regular being $3.20 a gallon now, heating oil, and even food prices that seniors are experiencing today.

My amendment is fairly simple. It drops the tax back to the pre-1993 level, starting in 2008, this year, in this budget. This means the 85 percent tax would be eliminated, and the maximum amount of Social Security benefits that could be taxed would be 50 percent. The revenue from the 1993 tax was applied to the Medicare trust fund.

My amendment would make the trust fund whole by offsetting the cost of the tax rollback by $89 billion over 5 years, with an adjustment to function 920 of the budget.

The inspector general's and the CBO's budget operation report identified over $300 billion in potential savings on Government programs over the next 5 years. I believe the committee of jurisdiction can review wasteful Government spending in order to offset this extremely important tax cut for America's seniors. This was an unfair tax on our seniors when it was enacted, and it is time we repeal it.

Think of this now. A senior citizen, single, with an income of $34,000 receiving maybe $36,000 from Social Security and other income, and they have to pay 85 percent tax on that Social Security benefit—85 percent. That is the largest, highest taxation of any benefit we receive from the Federal Government—85 percent of anything. Say I receive $36,000 from the Federal Government in Social Security benefits and other income. On the $34,000 I receive from Social Security, 85 percent of that is taxed at the normal rate that I would pay in whatever tax bracket I fall under. The same goes with a married couple. Married couples, both seniors, both have unusual expenses as far as prescription drugs, and some have prescription drugs amounting to maybe $1,000 each per month—maybe $1,000 each per month, home heating oil, gas and electric to heat their homes or cool their homes, groceries—all these things add up for our seniors today. This tax is completely and totally unfair to the senior citizens we have today.

I urge my colleagues to support this amendment, as many have in the past. This is something that should have been done a long time ago. I have tried, since its inception in 1993, to get this repealed back to the 50-percent level. I have not been successful. The majority, last year, accepted this amendment by unanimous consent. It went to the conference committee and was kicked out. They accepted it, said they would try to do it, and then because of the cost it was kicked out.

What does that tell our senior citizens in the United States—that they are second-class citizens; they have to pay more on their Social Security benefits than anybody else. I don't think that is fair. I think it is time that we did something about it.

So, please, I ask my colleagues on the Senate floor, help us this year finally repeal this unfair tax that we added to our seniors in 1993.

Mr. President, I will ask for the yeas and nays when the amendment comes up.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank the Senator for his courtesy and for his work on the Budget Committee. Senator MARTINEZ would like time on a separate matter, not a budget-related matter. This might be a very good time to do that. We hate to have dead time on the floor. How much time would the Senator need?

Mr. MARTINEZ. About 10 or 15 minutes.

Mr. CONRAD. Mr. President, we will give him up to 15 minutes off the resolution.

The PRESIDING OFFICER. The Senator from Florida is recognized.

HONORING DR. OSCAR ELIAS BISCET

Mr. MARTINEZ. Mr. President, I thank the chairman of the Budget Committee. I appreciate this opportunity. It is something that I am doing in conjunction with Senator MENENDEZ. Senator MENENDEZ is at a Banking Committee hearing and will be here shortly to participate.

Today, I rise to speak about a man who is best described as a defender of freedom and human rights, a consistent voice for change, and a shining point of defiance within a country rife with oppression.

This man is Dr. Oscar Elias Biscet—a Cuban who has made his life's work being an advocate for democracy and a defender of human rights. This individual risked jail time for publicly denouncing the countless human rights violations performed by the Cuban regime.

As a result, Dr. Biscet is today locked in a jail cell as one of Cuba's hundreds of political prisoners—people held for crimes not against society but for speaking out against the systematic repression of the regime. What was Dr. Biscet's crime? He called for freedom.

I bring attention to Dr. Biscet because I believe, even in his relatively young life, he has exhibited actions that rise to the level of the extraordinary and worthy of our recognition.

This is why today I, along with my colleagues, Senators BOB MENENDEZ, BILL NELSON, JOHN ENSIGN, and NORM COLEMAN, will introduce a measure to award the Congressional Gold Medal to Dr. Oscar Elias Biscet. This is in recognition of his courageous and unwavering commitment to democracy, human rights, and peaceful change in Cuba.

Over time, Congress has recognized many individuals who have made contributions to advancing freedom around the world.

Among these individuals are proponents of peace and liberty, including Nelson Mandela, Pope John Paul II, the Dalai Lama, and Dr. Martin Luther King, Jr. All have been awarded the highest award bestowed to civilians by Congress. Dr. Biscet is equally worthy of this distinction. In fact, he has modeled his efforts after those of Dr. King, the Dalai Lama, Thoreau, and Gandhi.

We should recognize him for speaking out, even though he knew he risked the regime's harassment, censure, and incarceration, and for drawing the world's attention to the regime's horrific record of human rights and disregard for human dignity and for always conducting his work through peaceful means.

He is a hero among his people and deserves Congress's recognition for his courageous commitment to the principles we hold dear: democracy, human rights, and freedom for all.

Throughout his life, Dr. Biscet has served others and has helped to bring the regime's injustices to light.

As a physician, he provided care to those living in his hometown of Havana, doing his best to practice in the poor conditions that are common in Cuba's hospitals and state-run health care facilities.

In 1997, Dr. Biscet founded the Lawton Foundation for Human Rights—a group named for the neighborhood in Havana in which he lived, and an organization whose main objective is to establish in Cuba a state based on the rule of law.

In the talks he gave before being imprisoned and in his letters smuggled out of prison these last few years remains a common theme involving the intrinsic value of liberty and human rights.

In establishing the Lawton Foundation, Dr. Biscet wrote that the purpose of it is ''to defend the inalienable rights of the human race we understand the need to put limits on government to prevent the undermining of those rights. It is because of this that we have become activists in this organization—to establish in our country the rule of law, so that each man and woman may be fulfilled as complete human beings.''

And for defending these universal principles of freedom, the foundation's members are often harassed, censured, and incarcerated.

The foundation's mission and objective may be simple; yet it is so important. ''It promotes the defense of all Cubans through nonviolent civil disobedience''—a practice set forth by Henry David Thoreau, who wrote that ''the individual is [a higher and independent power] from which the state obtains its power.''

This is Dr. Biscet's belief; it is his guide; it is a truth he continues to promote today—even from the confines of a Cuban prison.

In 1998, after publicly criticizing the quality of the Cuban national health care system, the doctor was summarily thrown in jail and forbidden from practicing medicine anywhere in the country.

Even though he has been publicly disparaged and ostracized by the regime, he has always remained committed to advancing a message of peaceful political change and nonviolent disobedience.

In 1999, he was arrested for displaying the Cuban flag upside down at a political rally and, as punishment, he was again thrown into a prison and savagely beaten, kicked, and burned.

For his work, he was arbitrarily detained 26 times in 18 months. This is without the benefit of a grand jury, an indictment, or counsel, and without the benefit of the types of protections that are commonly afforded to prisoners in most anyplace in the world, or certainly the kind of opportunity that those detained in Guantanamo had to have: the Red Cross visit and view and examine their conditions. None of these things are permitted in Cuba's gulag of prisons. After his most recent arrest in 2003, following a peaceful protest in Havana, Dr. Biscet is now serving the fifth year of what is called a 25-year sentence. There was no fair trial, there was no counsel. This was a sentence issued by nothing more than one of those courts that the Castro regime has utilized now for almost half a century.

The Castro brothers have described Dr. Biscet as a ringleader of counterrevolutionary activities. The reality is Dr. Biscet wants his people to be free. Amnesty International has declared Dr. Biscet a prisoner of conscience—someone who has been imprisoned solely for the peaceful expression of their beliefs.

The Cuban regime has put Dr. Biscet and his family through the kind of anguish few in this country could ever imagine. He has committed no crimes, and yet he sits in prison fighting for a freedom he and most of the island's 11 million Cubans have never known.

As a human rights activist, Dr. Biscet finds inspiration in the words of many men who share his desire to achieve peaceful change. He speaks of the Dalai Lama's message of peace, Martin Luther King, Jr.'s mission of tolerance, and Mahatma Gandhi's lifetime of unwavering faith.

This is a picture of Dr. Biscet. It is a picture before the last 5 years have transpired, because now we cannot obtain a picture of him. He is given very few visits, and those visits are closely monitored. It would be unthinkable to have the opportunity to take a picture of him. I will speak a little more about his confinement in a moment.

We both share a passion to one day see a free and peaceful Cuba, one where the people can hold free and fair elections so they might choose their own leaders, so they will not live in fear under an oppressive and illegitimate dictatorship.

The Cuban regime, sensing the hope brought about by Dr. Biscet's efforts, sought to make him a tool of the regime. The regime offered him a choice: He could stay in prison or he could leave Cuba and never return. He could leave the country or he could remain behind. Instead of leaving his jail cell, Dr. Biscet has courageously pleaded to stay and sacrifice his own well-being so he might continue providing hope and encouragement to the Cuban people.

This is a replica of the cell Dr. Biscet is in today. It is a mock-up because we could not take pictures of that cell, but it is faithfully drawn from the types of cells the regime commonly holds prisoners in. As you can see, it is completely closed. There is no light when that door is closed inside, the 3-foot-by-4-foot space that is provided for a prisoner.

As a result of his refusal to abandon the cause he so dearly believes in, Dr. Biscet remains in deplorable conditions, in a rat-infested cellblock, and in fact is needing medical care and getting none. This replica of the cell was described by Dr. Biscet in a letter to

his wife. He once described the conditions he lives in today. This is what he wrote:

I'm arbitrarily confined in a cell with characteristics that violate the law; there are no windows, only walls; a gloomy space lacking sunlight and the sky's visibility. This is humiliating and illegal. Of the 8 months I have been in prison in Pinar del Rio, I have seen my family only once, during 2 hours, in the month of August. I am not allowed to have any type of communication with my son and daughter who live abroad.

These are conditions no one should ever have to endure.

In his most recent letter, dated March 1, 2008, a few weeks ago—and, by the way, he writes on whatever he can find, toilet paper or any other means, because he is not provided paper and pencil to write—he again called on the regime to change. He called for:

Freedom of all political prisoners and prisoners of conscience without deportation; participation with the same rights for all Cubans; allowing the legalization of all political parties, to revoke the absolute rule of the Communist party over society and a commitment to carry out free and democratic elections.

Mr. President, I ask unanimous consent to have Dr. Biscet's full letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Message sent by Dr. Biscet on March 1, 2008 to his wife from the ''Combinado del Este'' jail in Havana, Cuba where he is currently imprisoned:

Fidel Castro has left power. He should have done it 20 years ago when Mikhail Gorbachev traveled to the island. He wisely recommended it to him, that way it would have reduced the years of misery, lack of freedom and cruel suffering of the Cuban people under a prolonged, unnecessary and poorly run government.

His brother, Raul, inherited his job and his Communist party maintains a totalitarian, one party system, with the only change being that of imposing more laws on the population during his short time in office.

The Cuban people and their opposition leaders should fast and pray to God and demand that the authorities of the country sign and carry out the International Covenants of Human, Civil, Political, Cultural and Social Rights.

Thanks to the support from the Cuban exile community and of the governments of free and democratic countries, after a year and five months of demands, the regime in Havana promised to carry out these objectives, although they have yet to materialize. When the previously issued complaints are addressed and the following rights are granted:

1. Freedom of all the political prisoners and prisoners of conscience without deportation.
2. Participation with the same rights for all Cubans, including the exiles, without exception, in the political and economic life of the country.
3. To allow the legalization of various political parties in accordance with the interests of the Cuban people.
4. To revoke the constitution and the absolute rule of the communist party over society.
5. Commitment to carrying out free and democratic elections.

then we will be able to say that the period of democratic transition has begun in Cuba.

Gorbachev in the former Soviet Union, Pinochet in Chile, and DeClercq in South Africa, had the courage and the pragmatism to make democratic reforms. The goals of the Cuban people are to live in peace, well-being, happiness, and to achieve the goals, freedom is needed.

The current government should make openings to reach these objectives and the citizens should continue to search for them by means of civil disobedience.

''Woe to those who make unjust laws, to those who issue oppressive decrees, to deprive the poor of their rights and withhold justice from the oppressed of my people, making widows their prey and robbing the fatherless. What will you do on the day of reckoning, when disaster comes from afar? To whom will you run for help? Where will you leave your riches? Nothing will remain but to cringe among the captives or fall among the slain. Yet for all this, his anger is not turned away, his hand is still upraised.''—Isaiah Chapter 10, v. 1–4.

Mr. MARTINEZ. Mr. President, in a recent column discussing the disaster that the Castro regime has visited upon Cuba, columnist George Will wrote about another Cuban, Armando Valladares, who withstood the regime's brutal prison system for 22 years. Of the prison's conditions, Will wrote:

Some doors are welded shut and prisoners are fed watery soup sometimes laced with glass, or dead rats, or half a cow's intestine, rectum included, containing feces.

This is the ugly reality of what speaking openly against the Castro regime gets you in Cuba. Today there are hundreds of political prisoners in the many prisons that have cropped up since the Castro regime took power. Dr. Biscet is one of those prisoners, a noble and decent man choosing to fight for a cause greater than his own, risking everything in the process.

Throughout U.S. history, Congress, as an institution, has recognized those who stand up for democracy, the rule of law, and human rights. We owe Dr. Biscet and those he inspires the honor of knowing that we support his worthy efforts and that Americans share his desire for seeing freedom take root in a country plagued by oppression for far too long.

Awarding this honor to a man with such courage and conviction will strengthen his cause and the cause of all Cubans and send a message to the Cuban regime that they are on the wrong side of history, and they are on the wrong side of what is good and is right.

I urge my colleagues to support this man who seeks democratic change and the recognition of human rights by bestowing this honor of a Congressional Gold Medal to Dr. Oscar Elias Biscet.

Mr. President, I appreciate the indulgence of time on this busy day on the floor. I know Senator MENENDEZ wishes to speak on this issue, but at this time I yield the floor, and I thank the chairman for the time allowed.

Mr. MENENDEZ. Mr. President, I rise with my colleague and friend, Senator MARTINEZ, in strong support of our resolution to recommend Cuban dissident and political prisoner Dr. Oscar Elias Biscet for the Congressional Gold Medal. This medal is the Nation's highest and most distinguished civilian award, and I can think of few who are more deserving than this man. For his courageous commitment to democracy, for his unwavering defense of human rights, for his lifetime of working for peaceful change on an island where freedom dares not speak its name, Dr. Biscet has earned the admiration of his community, and he has earned the recognition of this Congress.

Just over 4 months ago, both Senator MARTINEZ and I, along with Senators NELSON and SALAZAR, stood on this floor and declared our solidarity with about 70 Cuban youths who had just been thrown in jail. Their crime was nothing more than wearing this simple white bracelet that says one word, ''cambio,'' change.

This one simple gesture was strong enough to have them held as prisoners. This one simple gesture was strong enough to have them detained and harassed. But as I said on the floor 4 months ago, I also hoped this one gesture would be strong enough to inspire us and to inspire those who love freedom and democracy and have respect for human rights around the globe.

Today we stand here once again, in solidarity, to recognize someone who has shown courage over and over again—courage in defense of human rights and democracy courage to speak out about the future he wants to see on the island of Cuba.

When I last came to the floor to speak of Dr. Biscet, it was 1 week before he received the Presidential Medal Freedom, the highest civilian award bestowed by the President. Unfortunately, he received the award in absentia. He received it this way because has been languishing in the jails of the Castro regime, serving a 25-year prison sentence.

And he continues to languish there today. His crime? Seeking peaceful change in his country. His crime? Hanging a flag sideways. His crime? Fighting against a repressive regime.

By awarding the Congressional Gold Medal to Dr. Biscet, we would create a physical representation of so many years of political bravery.

In that medal, we will see a shining image of his courage and accomplishments.

In that medal, we will see the patient suffering of Dr. Biscet's wife, the fellow democracy advocate, Elsa Morjeon Hernandez, and the patient suffering of his two children who have had to grow up with their father in jail.

In that medal, we will see the 3 years Dr. Biscet spent in prison, 3 years, after hanging the national flag sideways at a press conference.

In that medal, we will see that once he was released, Dr. Biscet organized engaged organizing seminars on the Universal Declaration of Human Rights and continued to fight every day to bring democracy and justice to Cuba.

And in that medal, we will see a solid beacon of hope for the people of that island, recognition that people inspired

by Dr. Biscet will eventually bring democracy and justice to Cuba.

What Dr. Biscet and those young people arrested 4 months ago show us is inspiring: Cuba can change and will change. And this change will come from within Cuba, from the Cuban people themselves.

Raul Castro has said, ''Fidel is irreplaceable, unless we all replace him together.'' Now is the time to show that this can happen, that Fidel can, in fact, be replaced not by one man but by a government of, by, and for the people of Cuba. Dr. Biscet himself in a letter 10 days ago said, ''Fidel Castro has left power. He should have done it 20 years ago when Mikhail Gorbachev traveled to the island. He wisely recommended it to him, that way it would have reduced the years of misery, lack of freedom and cruel suffering of the Cuban people under a prolonged, unnecessary and poorly run government . . . ''

The Cuban people can bring change. But they need our help. We must continue to fight here to do what we can to empower them and to support them when they empower themselves as the United States did with dissidents from Lech Walesa to Vaclav Havel to Aleksandr Solzhenitsyn, so should it do with Oscar Elias Biscet. Here in the United States, this is a time to further nurture the human rights activists, political dissidents, and independent-minded journalists inside of Cuba who have the capability to stoke the movement toward freedom.

The Cuban people are speaking. In America, this is not the time for silence. This is the time to speak out. Awarding the Congressional Gold Medal to Dr. Biscet will allow the American people to speak out, not only to condemn the dark injustices of the Cuban regime but, more importantly, to praise the efforts of one hero who has spent his life standing for the values that unite the free peoples of the world, values that we know are more precious than gold.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank my distinguished colleague from North Dakota for permitting me to intervene for 10 minutes. I had been on the list, but previous speakers ended, I believe earlier than anticipated, so we have worked out the scheduling on that basis.

Mr. DORGAN. If the Senator will yield, let me ask unanimous consent that I be recognized following his completion of 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, might I thank both Senators for their courtesy and their graciousness.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have sought recognition to offer two amendments, one amendment which will add $2.1 billion for the National Institutes of Health, and the same amendment which will increase the funding on LIHEAP. I offer this amendment on behalf of myself, Senators HARKIN, SNOWE, COLLINS, CASEY, KENNEDY, DOLE, MIKULSKI, CLINTON, LEVIN, SUNUNU, DODD, INOUYE, BROWN, MENENDEZ, STABENOW, COLEMAN, KERRY, DURBIN, STEVENS, SMITH, BINGAMAN, COCHRAN, CARDIN, and ROCKEFELLER.

The funding for the National Institutes of Health is grossly insufficient. For a period of time, in the range of 1999 through 2003, funding for the National Institutes of Health has been increased very materially, with the increase on an annual basis rising as high in the year 2003 to $3.77 billion. That increase in funding has produced remarkable results in scientific advances in many lines. The cancer rate has declined 2 percent for the last 2 years. The increase in treatment for Alzheimer's, Parkinson's, autism, and heart disease, has shown remarkable achievements. And with a budget of $3.1 trillion, I suggest it is totally insufficient to have a budget for the National Institutes of Health which would be projected at $29.2 billion.

In 1970, President Nixon declared war on cancer, and had that war been prosecuted with the same intensity as other wars, I wouldn't have gotten Hodgkin's. My good friend, Judge Edward R. Becker, Chief Judge of the Court of Appeals for the Third Circuit, would not have died prematurely of prostate cancer. My Chief of Staff, Carey Lackman, a beautiful young woman of 48, would not have died from breast cancer.

On a daily basis, I have people come to see me from all over the United States who are urging increased funding on these very important lines: autism, prostate cancer, breast cancer, Parkinson's, Alzheimer's, scleroderma, and heart disease. And with the capacity in the United States to have cures for these ailments with sufficient funding, I believe this should be a much higher priority than it is at the present time. These ailments are curable.

As a footnote, one day we will recognize the availability of Federal funding for embryonic stem cell research. Embryonic stem cell research has enormous potential—enormous potential—to conquer these maladies. If these embryonic stem cells were to be used to create life, there is no doubt that would have a higher call. But there is also no doubt that with some 400,000 of these embryonic stem cells in storage, if they are not going to be used for that purpose, it is a matter of either using them or losing them.

This amendment also adds one billion to the funding for low-income energy assistance for the people who are facing enormous increases in costs. The escalating price of oil has produced a very heavy drain, especially on our senior citizens, with so many faced with the prospect of either heating or eating. So this amendment will add materially to that very important fund.

A second amendment which I am offering would repeal the 1993 increase of the alternative minimum tax. The alternative minimum tax was expanded in 1993 when the tax rate was increased from 24 percent to 26 percent for taxable income under $175,000 and from 24 percent to 28 percent for taxable income that exceeds $175,000, without those limits being indexed for inflation. The AMT now has the potential for capturing some 23 million people, 20 million more than anticipated when it was increased in 1993. There may be an amendment offered to eliminate the AMT permanently, and I would be prepared to support that, but in the absence of such an amendment, I believe it would be useful to propose this cure.

This differs from another amendment which may be offered on the AMT which would seek to have an offset. I believe that an offset is not appropriate, because this AMT was never intended to catch this number of people. So when you have a tax which was not intended to reach some 23 million people, it ought to be eliminated; it ought to be not effectuated without having an offset.

I ask unanimous consent that the full text of my prepared statements be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE LACK OF FUNDING WILL RESULT IN LOST OPPORTUNITIES

The National Institute of Neurological Disorders and Stroke will be unable to implement fully the planned network of 10 centers in the Special Program of Translational Research in Acute Stroke—Funding is only available for 7 centers.

The National Institute of Child Health and Human Development will be unable to launch a study to treat children with critical asthma.

The National Eye Institute will be unable to fund several clinical studies in minority populations, including Asian Americans and Native Americans.

The National Institute of Deafness and Communication Disorders will be unable to fund an initiative in Noise-Induced Hearing Loss.

The National Institute of Mental Health will be able to support only one clinical trial in the Bipolar Trials Network.

The National Institute of Alcohol Abuse and Alcoholism will be unable to conduct a Phase III clinical trial in medications development. In addition, clinical trials in alcoholic liver and pancreatic diseases will go undone.

The National Institute of Diabetes, Digestive and Kidney Disease will eliminate a training program for pediatric diabetes researchers.

The National Institute of Biomedical Imaging and Bioengineering will be unable to pursue opportunities in advanced imaging, which are crucial to early diagnosis and treatment.

The flat funding of NIH will affect an entire generation of young researchers. Many of this Nation's best and brightest scientists are seeking opportunities outside of the lab or in other countries because of lack of grant support.

NIH funded biomedical research has raised life expectancy, improved the quality of life, and strengthened our economy. If the United

States is to continue its leadership role in providing the medical breakthroughs to treat disease, the Congress must commit to adequately supporting the funding of the National Institutes of Health.

FLOOR SPEECH—SENATOR ARLEN SPECTER

NIH/LIHEAP/MENTORING AMENDMENT TO THE BUDGET RESOLUTION

NATIONAL INSTITUTES OF HEALTH

The budget resolution currently recommends $30 billion for the NIH in FY09, which is $950 million over the FY08 appropriation. This $2.1 billion amendment, along with the $950 million already contained in the resolution would provide NIH with an increase of $3 billion or 10.3 percent over the FY08 appropriation.

When I came to the Senate in 1981, NIH spending totaled $3.6 billion. The FY 2003 omnibus appropriations bill contained $27.2 billion for the NIH which completed the doubling begun in FY 1998. However, since the doubling took place, NIH has failed to keep pace with biomedical inflation and as a result has lost 15 percent of its purchasing power. The successes realized by this investment in NIH have spawned revolutionary advances in our knowledge and treatment for diseases such as cancer, HIV–AIDS, Alzheimer's disease, Parkinson's disease, mental illnesses, diabetes, osteoporosis, heart disease, ALS and many others. It is clear that Congress' commitment to the NIH is paying off. Now it is crucial that increased funding be continued in order to translate these advances into additional treatments and cures. Our investment has resulted in new generations of AIDS drugs which are reducing the presence of the AIDS virus in HIV infected persons to nearly undetectable levels. Death rates from cancer have begun a steady decline. Stem cell research could result in replacing diseased or damaged cells. I anxiously await the results of all of these avenues of remarkable research. This is the time to seize the scientific opportunities that lie before us.

On May 21, 1997, the Senate passed a Sense of the Senate resolution stating that funding for the NIH should be doubled over 5 years. Regrettably, even though the resolution was passed by an overwhelming vote of 98 to nothing, the Budget Resolution contained a $100 million reduction for health programs. That prompted Senator HARKIN and myself to offer an amendment to the budget resolution to add $1.1 billion to carry out the expressed sense of the Senate to increase NIH funding. Unfortunately, our amendment was tabled by a vote of 63–37. We were extremely disappointed that, while the Senate had expressed its druthers on a resolution, it was simply unwilling to put up the actual dollars to accomplish this vital goal.

The following year, Senator HARKIN and I again introduced an amendment to the Budget Resolution which called for a $2 billion increase for the NIH. While we gained more support on this vote than in the previous year, our amendment was again tabled by a vote of 57–41. Not to be deterred, Senator HARKIN and I again went to work with our Subcommittee and we were able to add an additional $2 billion to the NIH account for fiscal year 1999.

For fiscal year 2000, Senator HARKIN and I offered another amendment to the Budget Resolution to add $1.4 billion to the health accounts, over and above the $600 million increase which had already been provided by the Budget Committee. Despite this amendment's defeat by a vote of 47–52, we were able to provide a $2.3 billion increase for NIH in the fiscal year 2000 appropriation's bill.

For fiscal year 2001, Senator HARKIN and I again offered an amendment to the Budget Resolution to increase funding for health programs by $1.6 billion. This amendment passed by a vote of 55–45. This victory brought the NIH increase to $2.7 billion for fiscal year 2001. However, after late night conference negotiations with the House, the funding for NIH was cut by $200 million below that amount.

For fiscal year 2002, the budget resolution once again fell short of the amount necessary to achieve the NIH doubling. Senator HARKIN and I, along with nine other Senators offered an amendment to add an additional $700 million to the resolution to achieve our goal. The vote was 96–4. The Senate Labor-HHS Subcommittee reported a bill recommending $23.7 billion, an increase of $3.4 billion over the previous year's funding. But during conference negotiations with the House, we once again fell short by $410 million.

In order to stay on a path to double NIH, an increase of $3.7 billion was needed in fiscal year 2003. The fiscal year 2003 omnibus appropriations bill contained the additional $3.7 billion, which achieved the doubling effort.

For FY04, I and Senator HARKIN offered an amendment to add an additional $2.8 billion to the budget resolution to ensure that the momentum achieved by the doubling could be maintained and translated into cures. The vote was 96–1. Unfortunately, the amendment was dropped in conference. We worked hard to find enough funding for a $1 billion increase in FY04. We fought long and hard to make the doubling of funding a reality, but until treatments and cures are found for the many maladies that continue to plague our society, we must continue our fight.

For FY05, Senator HARKIN, COLLINS and I offered an amendment to add $2 billion to discretionary health spending, including NIH. The amendment passed 72–24. However, the Subcommittee's allocation did not reflect this increase. The final conference agreement contained an increase of $800 million over the FY04 funding level.

For FY06, the Senate voted 63–37 to accept the Specter/Harkin budget resolution amendment to add $1.5 billion for NIH and $500 million for education, but again, the funding was dropped in conference with the House. With overall funding for the Labor-HHS-Education Subcommittee cut $1.9 billion below the FY05 enacted level, NIH did not receive an increase over the previous fiscal year.

For FY07, Senator HARKIN and I along with 28 others, offered an amendment to the budget resolution to add $7 billion to discretionary spending for Labor, Health and Education programs offset by an increase in advance appropriations. The amendment passed 73–27. Unfortunately, the continuing resolution for FY07 did not realize the goal set by the budget amendment. The continuing resolution contained $28.9 billion, an increase of $636.7 million.

For FY08, once again Senator HARKIN and I offered an amendment, which the Senate adopted by unanimous consent, which added $2.2 billion to NIH, CDC and Health Professions programs. However, the FY08 appropriations bill only provided increases of $328.6 million for NIH, $112.4 million for CDC and only $15.5 million for health professions training over the FY07 level.

I, like millions of Americans, have benefited tremendously from the investment we have made in the National Institutes of Health and the amendment that we offer today will continue to carry forward the important research work of the world's premier medical research facility.

LOW INCOME HOME ENERGY ASSISTANCE

Paying heating and cooling bills for low-income households throughout this Nation has always been a struggle, but never more so than today with the soaring energy costs. The inability to pay for heating and cooling homes, or having to make decisions to forgo other needs such as food and medicine pose health and safety hazards—especially to the elderly, the disabled and children. This winter, Americans will spend $977 to heat their homes which is 10 percent higher than last winter. Nationwide average oil heating bills are expected to be 22 percent higher than in the previous year. The $1 billion amendment that I am offering today would help defray some of the costs energy costs for next year.

MENTORING

In this Nation it is estimated that more than 772,500 juveniles are members of gangs, dropouts rates in some school districts exceed 60 percent and the direct and indirect cost of youth violence exceeds $158 billion a year. Mentoring programs have proven to steer children away from gangs violence and crime. Mentored youth are 46 percent less likely to start using drugs and alcohol, 33 percent less likely to act violently, and significantly more likely to graduate from high school and go on to college, making mentoring highly cost-effective. There are approximately 17.6 million children nationwide who need or want a mentor. Yet only three million children have been paired with a mentor—resulting in a mentoring ''gap'' of approximately 14.6 million children. I am pleased to see that the resolution contains an increase of $5.5 billion above the FY08 appropriation for education and training programs, and restores funds for the mentoring program and the 47 other education programs slated for elimination in the FY09 budget.

The increase provided for education and training programs will help address juvenile crime, violence, delinquency, and high dropout rates.

OFFSET

The $3.1 billion amendment would be offset by an across-the-board reduction of less than 0.3 percent in Function 920—Allowances. The across-the-board reduction would not result in any program reductions, but would reduce travel and administrative expenses throughout the Federal government, including domestic agencies, homeland security, and defense.

CONCLUSION

In summary, this amendment would provide funding to continue the advances in medical research and help states assist low-income households in meeting the cost of home heating and cooling. The amendment is fully offset and does not break the cap on discretionary spending.

Mr. President, I urge adoption of this amendment.

STATEMENT OF SENATOR ARLEN SPECTER

AMT

Mr. SPECTER. Mr. President, I have sought recognition to discuss an amendment that I intend to offer to S. Con. Res. 70, the Fiscal Year 2009 Concurrent Budget Resolution. My amendment seeks to repeal section 13203 of the Omnibus Budget Reconciliation Act of 1993 by restoring the Alternative Minimum Tax (AMT) rates that had previously been in effect.

The AMT is a flawed income tax system and should be repealed. It is important to keep in mind that the first version of the AMT was created in 1969 in response to a small number of high-income individuals who had paid little or no federal income taxes. Because of a series of changes made to the AMT over the years, the AMT now affects over three million taxpayers annually. Each year we are forced to take legislative

action to prevent massive expansion where over 20 million individuals pay this burdensome tax. Today, between a lack of indexing for inflation and higher AMT tax rates relative to the regular income tax system, we have a tax system which has grown far beyond its intended result. Both problems are worthy of analysis and legislative action.

The AMT is not indexed for inflation and taxpayers are ''pushed'' into the AMT through so-called ''bracket creep.'' Last year, Congress was late to enact a temporary increase in the AMT exemption amount and millions of tax refunds will be delayed this year as a result. I am pleased to see that this Budget on the floor assumes a one-year ''patch'' without offsets to prevent inflation from harming taxpayers. It is my hope that Congress will not again wait until December to address this problem.

Even with enactment of the ''patch,'' 3.5 million taxpayers are still impacted, far more than what was originally intended. The AMT tax rate relative to the regular income tax impacts taxpayers who were never intended to pay the AMT. In 1993, President Clinton and a Democrat-controlled Congress imposed a significant tax hike on Americans. The AMT tax rate was increased from 24 percent to 26 percent for taxable income under $175,000 and from 24 percent to 28 percent for taxable income that exceeds $175,000.

My amendment cures this 2nd problem by repealing the 1993 AMT tax increase and brings the AMT tax rate back to 24 percent. During the course of this Budget debate, it is my understanding that we will also vote on whether to repeal the AMT altogether, without offsets. Clearly, the best option is for the AMT to be repealed. However, if my colleagues cannot support that approach, then I would urge them to vote for this more modest approach which rolls back one of the many changes that has brought millions of taxpayers under the grasp of the AMT. This amendment, combined with the AMT ''patch'' brings the AMT closer to its intended purpose.

This amendment would reduce revenues by $185.3 billion over the five-year budget window. No offsets are included because it is highly questionable to justify raising taxes elsewhere to account for lost revenue that was never intended to be collected. The Senate agreed with this philosophy last year when it ''patched'' the AMT without offsets.

I urge my colleagues to support this amendment.

Mr. SPECTER. Mr. President, I again thank my distinguished colleague from North Dakota, the chairman of the Budget Committee, and I yield the floor.

Mr. CONRAD. Mr. President, I thank the Senator from Pennsylvania.

Next, we have the Senator from North Dakota, Mr. DORGAN.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I will want to visit with Senator CONRAD and Senator GREGG, the chair and ranking member, to try to determine when I will be able to offer my amendment. I wish to speak about the amendment. My understanding is I am not yet able to offer it because of an objection, but my hope is we will be able to work this amendment into the list of amendments very soon.

I have often described this budget process. One hundred years from now, we will all be dead—not a pleasant thought—but historians will look back at what we did and who we were and could evaluate a little something about us and our value systems by looking at how we spent our money. What did we think was important? What did we invest in? What did we spend our money on? That is true for families and individuals, and it is especially true for governments—what the Federal Government thinks is important. What is its value system in this budget document? It will tell historians a lot about who we were, the kind of people we were.

I want to talk about an amendment I am offering to provide funding for the Indian health care system. I am going to tell you why I am doing that. American Indians were here first. We all came later. They were the first Americans. Because we took their land, in most instances, and put them on reservations, we signed treaties with them. Our Government said to them: Here is what we are going to do. Yes, we are taking your land, but we are going to have a trust responsibility for certain things we are going to do for you, and we will even put it in treaties and sign the treaties. We are going to provide for your health care. So we have a responsibility here in the Federal Government to provide for Indian health care. If someone wondered why that is the case—we promised. We signed treaties, we signed up, we said we will do it.

So we have a couple of million American Indians in this country who rely on the Indian health care system. Guess what. We do a pretty miserable job. We spend half as much money providing health care to American Indians, per person, as we do to those who serve in Federal prisons. When we incarcerate someone in a Federal prison, we are responsible for their health care. We spend twice as much more on Federal prisoners' health care per person than we do for American Indians. We are not nearly meeting our responsibility. We are not even close to keeping our promise, and nobody seems to care very much. There are people dying as a result of it, and still nobody seems to care very much.

We passed the Indian Health Care Improvement Act on the floor of the Senate recently. I am proud of that because it has been many years since this Congress has addressed the issue of Indian health care. If the funding available for Indian health care had kept pace with inflation, here on this chart is where we would be. Instead, we are down here, dramatically underfunding the health care system for American Indians, and as a result, we have full-scale health care rationing. It ought to be a scandal. It ought to be on the front page of the Washington Post, but it is not. It is a scandal, as far as I am concerned. Health care rationing? That is unbelievable to me.

Let me describe this health care rationing, if I might. My colleagues have heard me speak about this before when I talked about the Indian Health Care Improvement Act, but repetition is fine, as far as I am concerned, when you are talking about something this important.

Ardel Hale Baker was having a heart attack. She was a member of the three affiliated tribes, the Mandan, Hidatsa, and Arikara Tribes. She is a member. She was having a heart attack. They put her in an ambulance and sent her to a hospital 85 miles away. When she got to the hospital, they pulled her off of the ambulance gurney to put her in a gurney for the emergency room, and they found a piece of paper taped to her thigh. The piece of paper taped to her thigh said this, it said to the hospital: This is Ardel Hale Baker. If you admit this patient to the hospital, who is having a heart attack, by the way, understand you probably will not be paid for it because there is no contract health funding left for this individual Indian.

So Ardel Hale Baker is having a heart attack, and she is wheeled into an emergency room with a piece of paper taped to her thigh that says: Oh, by the way, hospital, admit this woman, and you may not be paid.

I described the need for Indian health care in the names of two children, one 5, one age 14, both dead. Let me tell my colleagues about them, as I have before. If, after we understand these issues that are going on all around the country in Indian Country, we still say there is no need here and it doesn't matter, then there is something cold-hearted about this institution.

Let me describe Ta'shon Rain Littlelight. This beautiful young girl loved to dance, as you can see from the costume. She used to go to the powwows and dance. She was 5 years old and very sick. She was taken to the Indian health clinic again and again and again and again. They diagnosed her illness; depression, they said. So this 5-year-old girl was treated for depression. Then one day she could not bear the pain any longer. They took her to Billings, MT.

By the way, she was on the Crow Reservation in Montana. The way I know about this young girl is her grandmother came to a hearing I held with Senator TESTER on the Crow Indian Reservation in Montana, and she held up a poster this big with a picture of her grandchild, and she described her death.

After being treated for depression, after going to the clinic time and time again and being treated for depression, one day she couldn't bear the pain, and they rushed her to Billings, MT, to a hospital there, and then they rushed her to Denver, CO, to a hospital there, and they said she had 4 months to live because she had terminal cancer—this, after having been treated for depression for so many months.

Ta'shon Rain Littlelight said to her mom when they were in Denver that the one thing she wanted to do was to go see Cinderella's Castle at Disney World. The Make A Wish Foundation

took this little girl and her mother to Disney World in Orlando, FL, to see Cinderella's Castle. The night before, in the hotel, as they arrived in Orlando, the night before visiting Cinderella's Castle, Ta'shon Rain Littlelight said to her mother: Mommy, I am sorry I am sick. Mother, I am going to try to get better. She cuddled up in her mom's arms and never again woke up. She died in her mother's arms the night before she was to see Cinderella's Castle.

Her family told me this little girl spent the last 3 months of her life in unmedicated pain with a terminal illness, diagnosed as having depression. Her grandmother and her parents wonder, with decent health care, would this young girl have died? Would Ta'shon Rain Littlelight perhaps have lived? Maybe so.

Does it matter that a 5-year-old girl dies because she doesn't get the health care most all of us would expect? It does to me.

There was a 14-year-old girl named Avis Littlewind. She was on the Spirit Lake Nation Reservation. I talked to her family. I talked to her classmates in school. I talked to the Indian tribal council. I did that because Avis Littlewind was a 14-year-old girl who spent the last 3 months of her life curled up in her bed in a fetal position, desperately ill, desperately emotionally ill, with no treatment whatsoever. At the end of that 90 days, she took her own life in her bedroom.

Her sister had taken her own life 2 years prior. Her father had taken his life. She came from a very dysfunctional situation. But somehow a 14-year-old girl is not missed for 90 days? Not in school? On that reservation, they didn't have any mental health treatment capability. They told me they would have had to borrow—had someone known that Avis Littlewind, this child, was lying in bed for 90 days feeling hopeless and helpless, before she took her life—had they been able to find some mental health treatment somewhere, they would have had to borrow a car because there is no vehicle to take someone to treatment. It is a completely dysfunctional system.

These are two children who should not have died among us, but they did, and others will—perhaps today—because we have a health care system in the Indian Health Service that is not working. It is dramatically underfunded.

My colleagues who oppose the bill on the floor of the Senate recently, the Indian Health Care Improvement Act—a couple of my colleagues who voted against the act said we need reform but we are going to vote for additional funding. We are at least $2 billion short of just providing the kind of thing we would expect for us and our family.

Let me ask you this: If your aunt or your grandmother went to a doctor with bone-on-bone in a knee, so she couldn't even walk, it was so painful, a knee condition that was so unbelievably painful she could hardly move, what would we expect? Our families would expect she would get a knee operation and perhaps a new knee joint, have a replacement with a new knee.

I will tell you what happened to a woman who contacted me from the Indian Health Service. She went to the doctor with this unbelievable pain and the inability to move. She was told to wrap that knee in cabbage leaves for 4 days and it would be fine. That is not medicine, that is malpractice. What we would expect for our family would be to have a knee replacement. That is the kind of medicine we would expect. It is not the kind of medicine that is now being delivered.

Yes, there are some good people in the Indian Health Service. There are some who should not be there as well. There are people who work hard and long hours and do a great job, and my hat is off to them. There are some who, long ago, should have been fired, and no one seems willing or able to do it.

In this case, I say people are dying because we are rationing health care. That is a scandal.

I have offered an amendment that would restore $1 billion to this account. The money would be paid for by—I believe it is function 920 that will provide the payment for this. The question is, Will we decide this is a requirement, this is a responsibility? I don't know the answer to that. I have tried before. I guess some are willing to just blithely go along and act as if this doesn't exist, people are not dying, people are not suffering, or if they believe it exists, to say: You know what, it is a tough life out there, it happens. We don't have the funding.

It would have been nice, perhaps, to have told those first Americans, the American Indians, when they sat down at the table and signed the treaty and expected the Federal Government, the United States of America, to keep its promise—it would have been nice, perhaps, when the American Government signed it if they had just said: Look, we are going to try really hard, but we are not sure we can do what we are promising you we will do. We will do our best, but we are not sure we can do that.

We don't have the money, apparently, to help Ta'shon Rain Littlelight or Avis Littlewind, and we don't have the resources or the will, I guess. That is what we are told. I happen to know how much money we have to build health clinics in Iraq. I happen to know we are building 950 water projects in Iraq right now. I know how many electricity projects we are building in the country of Iraq. I know how much we are spending on road projects in the country of Iraq right now.

I went to a hearing yesterday and heard that $18 billion, most of it American money, is unaccounted for in Iraq and wasted. I went to a hearing yesterday to hear that $4 billion, most of it American money in Iraq to provide for additional equipment for Iraq's armed forces, is unaccounted for, and the head of their military who could not account for $4 million is now living in London, a big property holder. So don't tell me there is not money. How about taking some of that money and investing it here at home? How about taking some of that money and deciding to take care of our obligations and our commitments and our promises in this country?

We are going to have a long, tortured trail over this budget. I understand it. Everybody has their own sense of what is important and what is not. But if the health care for children and elders on our Indian reservations, for whom we have a trust responsibility for health care, with whom we have treaties—if that is not an urgency, if that is not something we are willing to commit to do, then, in my judgment, there is something wrong with the value system here.

I know there are so many other priorities. I look at this S. Con. Res. 70. It doesn't contain much but numbers. It is 69 pages of numbers. There are no jobs in here. There is no blood here. There is no health care here. It is just numbers. But all of these numbers mean something in a profound way. These numbers tell the American people what our priorities are and whether we are willing to keep our promises. I hope the answer from the Senate at last, at long, long last, is we will begin—at least begin to keep our promises.

If you few decide you want health care to continue as it is with respect to Indian Health Services, then you must stand up for saying: I believe in health care rationing; we are going to make a decision to withhold health care from people who need it.

The Indian Health Service—let me give an example, on the Fort Berthold Reservation, you go to a clinic that is open from 9 to 5 o'clock 5 days a week. You get sick on Saturday at 6 o'clock, or at night on a weekday, you are in trouble. You are 85 miles from the hospital.

So you go to the hospital in an ambulance that is paid for with contract health care, because they do not have that kind of capability on the reservation. So contract health care. What do they say on Indian reservations? Do not get sick after June, because there is no contract health money. If you are going to get sick, it has got to be before June. If you get sick, otherwise you end up on a gurney with a heart attack with a piece of paper attached to your leg. And the paper says: By the way, hospital, admit this woman and you may not get paid.

That is an unbelievable way for us to meet our obligations. The fact is, we are not keeping our promises. I hope somewhere in the long trail of paper, somewhere in the deep abyss of all of these numbers, perhaps there is a value system, somewhere there is a value system deep in the recesses that will get people here in the Senate to say:

You know what, one of the first obligations of this country is to keep its promises. One of the first obligations of the Senate is to stand up. It is too late for Ta'shon Rain Littlelight, it is too late for Avis Littlewind, but other children will survive and other children will live if we decide to do the right thing.

Now, I wish to say to my colleagues that I would like to offer this amendment. I am told that at some point I will be able to. If I can have a dialog with them, I wish to find out——

Mr. CONRAD. We can do that perhaps momentarily. We have worked out what we would like to be the order.

AMENDMENT NO. 4204

I send an amendment that is the side by side to the Bunning amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD] proposes an amendment numbered 4204.

Mr. CONRAD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. MENENDEZ.) Without objection, it is so ordered.

The amendment (No. 4204) is as follows:

(Purpose: To add a deficit-neutral reserve fund for repealing the 1993 increase in the income tax on Social Security benefits)

At the end of Title III, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR REPEALING THE 1993 INCREASE IN THE INCOME TAX ON SOCIAL SECURITY BENEFITS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would repeal the 1993 increase in the income tax on Social Security benefits, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

Mr. CONRAD. Next, Senator GREGG will have an opportunity to send up Senator SPECTER's amendment.

AMENDMENT NO. 4203

Mr. GREGG. Mr. President, I ask that the amendment for Senator SPECTER be called up. It is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for Mr. SPECTER, for himself, Mr. HARKIN, Ms. SNOWE, Ms. COLLINS, Mr. CASEY, Mr. KENNEDY, Mrs. DOLE, Ms. MIKULSKI, Mrs. CLINTON, Mr. LEVIN, Mr. SUNUNU, Mr. DODD, Mr. INOUYE, Mr. BROWN, Mr. MENENDEZ, Ms. STABENOW, Mr. COLEMAN, Mr. KERRY, Mr. DURBIN, Mr. STEVENS, Mr. SMITH, Mr. BINGAMAN, Mr. COCHRAN, Mr. CARDIN, and Mr. ROCKEFELLER, proposes an amendment numbered 4203.

Mr. GREGG. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4203) is as follows:

(Purpose: To increase funding for the National Institutes of Health and the Low Income Home Energy Assistance Program)

On page 19, line 16, increase the amount by $2,100,000,000.

On page 19, line 17, increase the amount by $2,100,000,000.

On page 21, line 16, increase the amount by $1,000,000,000.

On page 21, line 17, increase the amount by $700,000,000.

On page 21, line 21, increase the amount by $280,000,000.

On page 21, line 25, increase the amount by $20,000,000.

On page 27, line 16, decrease the amount by $3,100,000,000.

On page 27, line 17, decrease the amount by $2,800,000,000.

On page 27, line 21, decrease the amount by $280,000,000.

On page 27, line 25, decrease the amount by $20,000,000.

Mr. GREGG. I ask unanimous consent that after Senator DORGAN sends his amendment to the desk, that then Senator ALEXANDER will be recognized to offer an amendment.

Mr. CONRAD. With one alteration, if I could, that we would—if you recall, we talked about this—I would then discuss the side by side to Bunning, then the Alexander group would be recognized.

Mr. GREGG. Then the next amendment would be Senator ALEXANDER.

Mr. CONRAD. After I give brief remarks on the side by side I have sent up. Senator DORGAN can offer his amendment.

AMENDMENT NO. 4198

Mr. DORGAN. I have an amendment I have filed. It is amendment No. 4198. It is at the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mr. BINGAMAN, and Mr. JOHNSON, proposes an amendment numbered 4198.

Mr. DORGAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4198) is as follows:

(Purpose: To increase the Indian Health Service by $1 billion in FY 2009)

On page 19, line 16, increase the amount by $1,000,000,000.

On page 19, line 17, increase the amount by $915,000,000.

On page 19, line 21, increase the amount by $70,000,000.

On page 19, line 25, increase the amount by $10,000,000.

On page 20, line 4, increase the amount by $5,000,000.

On page 27, line 16, decrease the amount by $1,000,000,000.

On page 27, line 17, decrease the amount by $915,000,000.

On page 27, line 21, decrease the amount by $70,000,000.

On page 27, line 25, decrease the amount by $10,000,000.

On page 28, line 4, decrease the amount by $5,000,000.

Mr. DORGAN. Mr. President, I have described my amendment at some length. I shall not do so again. But I do appreciate the courtesy of my colleagues, Senator CONRAD and Senator GREGG.

I ask that as you consider what you would intend to vote on as we move along this process, that you will give me the opportunity to have a recorded vote as early as is possible.

Mr. CONRAD. By the sequence we have gone through, we have gotten you in the queue. And so that will be—as we work down the amendments that have already been in order, yours is now in order. And that will be the order that is followed. So the Senator can expect when we turn to amendments, yours will be in line. We very much appreciate the extraordinary courtesy of the Senator from North Dakota, who, as I know, has had to wait a couple of times here because of various snafus. We apologize to him and thank him.

The PRESIDING OFFICER. The Chair would ask the Senator from North Dakota or New Hampshire to restate what his unanimous consent request is of the order to be pursued.

Mr. GREGG. Mr. President, as I understand it, the sequence would be, of the amendments just offered, that the side by side for Senator BUNNING of Senator CONRAD, followed by Senator SPECTER, followed by Senator DORGAN, followed by Senator ALEXANDER, who has not yet sent his to the desk.

In the intervening period, I understand the chairman wishes to take some time. That is my understanding.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. That is precisely correct. I thank my colleague. I will take a few minutes to describe the side by side to the Bunning amendment earlier offered.

The Bunning amendment would repeal the 1993 increases on Social Security benefits—tax increases on Social Security benefits. The amendment would offset the $89 billion 5-year cost with reductions to function 920. What does that mean? Mandatory 920 offsets would lead to an across-the-board cut in all mandatory programs, programs such as Social Security and Medicare. I do not think that is the intention of the Senator.

If discretionary 920s were offset, it would reduce programs affecting education, veterans health, homeland security, and law enforcement. In addition, the amendment would remove a dedicated source of revenue through

the Medicare trust funds, adding to the financial problems of that key program.

Our alternative, the alternative I have sent to the desk, would provide for a reserve fund that would allow for the repeal of the 1993 increase on Social Security benefits in a way that would protect Social Security and Medicare, and not increase the deficit over the period of the resolution.

The budget resolution already includes a reserve fund with the primary purpose of providing a mechanism for enacting tax relief, provided it is paid for. This alternative would establish a new deficit-neutral reserve fund that specifically highlights repeal of the 1993 tax increase on Social Security benefits.

Over the 5-year period covered by this resolution, the cost of repealing the 1993 tax increase is about $89 billion as I earlier referenced. We have already acknowledged in the course of the debate on the resolution we have to limit ourselves when it comes to additional spending or additional tax cuts, because we need to balance the budget.

There are places we can go to cut spending or to raise revenue. I have addressed those repeatedly in terms of the tax gap, the offshore tax havens, and abusive tax shelters.

I ask my colleagues to support the alternative that I have sent to the desk that would not lead to a cut in Medicare or Social Security or other elements I identified.

With that, we would be prepared to go to Senator ALEXANDER for the presentation of his amendment. I see Senator ALEXANDER is in the Chamber. Would the Senator like a moment, or would the Senator prefer to proceed?

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I would be happy to proceed. Senator DOMENICI is going to join me in making our presentation.

Mr. CONRAD. I thank the Senator and indicate that the intention would be, after Senator ALEXANDER and Senator DOMENICI—Senator ALEXANDER, do you have anyone else whom you wish to speak on your amendment?

Mr. ALEXANDER. Mr. President, there is no other Senator whom I know wishes to speak at this moment. Senator DOMENICI will be to the floor shortly.

Mr. CONRAD. I wish to indicate that after you have presented, the intention was to go to Senator KENNEDY for the purposes of offering an amendment. Senator SALAZAR is here.

Mr. SALAZAR. Mr. President, if the Senator will yield, I was going to speak in connection with the estate tax amendment the Senator offered.

Mr. CONRAD. Very well. I offered it in the Senator's name. It is very appropriate that he is here to speak on it.

Senator ALEXANDER, could you tell us how much time you and Senator DOMENICI may consume?

Mr. ALEXANDER. I will consume not more than 20 minutes. I would assume Senator DOMENICI would consume not more than 20 minutes.

Mr. CONRAD. Could we then have an agreement that those two Senators have up to 40 minutes combined, 20 minutes to Senator ALEXANDER, 20 minutes to Senator DOMENICI; at the end of that time, which would be at 1:40, that Senator SALAZAR be recognized.

How much time does the Senator want?

Mr. SALAZAR. Fifteen minutes.

Mr. CONRAD. Yes, so that the Senator from Colorado be recognized for 15 minutes at that time. That would take us to roughly 1:55, and Senator KENNEDY be recognized for 15 minutes at that point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Let me add to that, after Senator KENNEDY, then Senator BIDEN be recognized for 10 minutes, not to offer an amendment but to talk about an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee is recognized.

AMENDMENT NO. 4207

Mr. ALEXANDER. Mr. President, I thank the Senator from North Dakota for his courtesy. Senator DOMENICI is here and Senator SALAZAR is here.

I send to the desk an amendment and ask for its immediate consideration.

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. ALEXANDER. 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 clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 4207.

The amendment (No. 4207) is as follows:

(Purpose: To establish a deficit-neutral reserve fund to improve energy efficiency and production)

At the end of title III, add the following:

SEC. 3_____. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ENERGY EFFICIENCY AND PRODUCTION.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would encourage—

(1) consumers to replace old conventional wood stoves with new clean wood, pellet, or corn stoves certified by the Environmental Protection Agency;

(2) consumers to install smart electricity meters in homes and businesses;

(3) the capture and storage of carbon dioxide emissions from coal projects;

(4) the development of oil and natural gas resources beneath the outer Continental Shelf; and

(5) the development of oil shale resources on public land pursuant to section 369(d) of the Energy Policy Act of 2005 (42 U.S.C. 15927(d)), without regard to section 433 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Public Law 110–161).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

Mr. CONRAD. Might I ask the Senator to withhold for 1 moment for a unanimous consent request?

Mr. ALEXANDER. I will be happy to.

AMENDMENT NO. 4196, AS MODIFIED

Mr. CONRAD. I appreciate the Senator's courtesy.

Senator SALAZAR's amendment was earlier sent to the desk. He wishes to modify his amendment. It has no effect on the policy, on the numbers, or the effect of the amendment. It is just language. I wonder if we would allow that to go forward?

The PRESIDING OFFICER. Is this amendment No. 4196?

Mr. CONRAD. That is correct. He is asking unanimous consent to modify the amendment.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the end of Title III, insert the following:

SEC. ____. ESTATE TAX REFORM INITIATIVE.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to $45,000,000,000 in tax relief over the period of the total of the fiscal years 2008 through 2013 for additional estate tax reforms that address the current flaws in the estate tax law in order to protect families, family businesses, and family farms and ranches from the estate tax, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

Mr. CONRAD. I thank my colleagues. I again thank Senator ALEXANDER for his courtesy.

Mr. ALEXANDER. Mr. President, we are talking this week about the Federal budget. Senator GREGG, Senator GRASSLEY, and others have pointed out, with appropriate response from the Senator from North Dakota, that in our belief we will wreck the Federal budget by raising taxes and increasing debt.

At the same time we have an obligation on our side to say what our plan is, and we have a progrowth Republican plan which we have been detailing this week which focuses on lower taxes, less government, lower energy costs, making health insurance affordable for every American, without the Government choosing your doctor, support for better schools, the support for the kind of investments it takes to increase science and technology. That has been

our plan. That has been our progrowth economic plan to help balance the family budget.

So while they would wreck the Federal budget, we would help balance the family budget, and no part of that would be more important than dealing with energy costs. Energy costs to most American families worried about the family budget come down to $3.50 gasoline or electric bills that might be constantly rising. We have the goal of making sure that in this Nation, which consumes 25 percent of all the energy in the world, that we have a realistic policy for making sure we have a low-cost supply of clean electricity, dealing with the clean air issues—nitrogen, sulfur, and mercury—and with the climate change issue, carbon, that we have a low-cost supply of clean electricity and that we gradually begin to reduce our dependence on foreign oil so we can clean up our environment, No. 1, and so we can stop shipping billions of dollars to people who are not friends of the United States, and so we can lower the price of gasoline over time to help balance the family budget.

We will have other opportunities during this year to offer proposals for keeping energy costs low, realistic proposals, not proposals that fit some desert island which uses electricity occasionally but for the United States which uses 25 percent of all the energy in the world and whose demand for energy is growing, not declining.

For example, in my part of the country, in Tennessee, we have the Tennessee Valley Authority, which is the largest utility in the country. It covers several States. They operate at about 27,000 megawatts all the time. Sometimes they go as high as 33,000 megawatts. That is 33 big, new nuclear powerplants and twice that many gas or coal plants. All that electricity for our local region is supplied by the Tennessee Valley Authority.

So we have selected five different proposals which would create a deficit-neutral reserve fund to lower energy costs for families by encouraging energy efficiency on the one hand and increasing oil and natural gas supply on the other. There are only two ways we can reduce the price of gasoline or electricity. One is to increase the supply and the other is to reduce the demand. There are other ideas, but particularly in a big economy, that is what we need to do.

No. 1, the Senator from Maine, Ms. COLLINS, has suggested one way to increase the supply of clean electricity would be to allow the Finance Committee or the Energy Committee to encourage the use of biomass by enacting legislation that would encourage the replacement of old, pre-1920s wood stoves with new EPA-certified wood pellet or corn stoves, Environmental Protection Agency certified. These new EPA-certified stoves will help families save money on heating bills because the new stoves are up to 50 percent more fuel efficient than the old stoves. Given the rise of oil and natural gas prices, this idea would produce savings that would be much appreciated by families in Maine, all of New England, and in much of America.

Secondly, the amendment allows the Finance Committee or the Energy Committee to encourage energy efficiency by enacting legislation that rewards the installation of smart electricity meters in homes and businesses. Let me give an example of what I mean by that. With this chart, we see how electricity is generated in America today. This is the reality. Half of it comes from coal, 19 percent from nuclear power, 7 from hydroelectric, 1.4 from biomass—that is what Senator COLLINS is talking about—and 20 percent from gas. We don't want the gas to go up because when it does, the price of natural gas goes up, and our chemical companies move to other parts of the world. Farmers pay four times as much for fertilizer. So we need to look for another way to create clean electricity. The first way to do that is through conservation.

Let me take the hometown example of Tennessee. The TVA is a big utility, maybe the biggest in the country, $10 billion of revenue a year. I saw an article in the newspaper that said if we have plug-in hybrid cars, we will create a lot more pollution because we will have to build new plants such as coal plants. That is dead wrong because the Tennessee Valley Authority, even though it operates at 27,000 megawatts on the average every day, that is between 3 and 7 o'clock when we are all turning on lights, coming home from work, using our electricity. The TVA has lots of spare electricity to use at night, 7 or 8,000 megawatts. That is 7 or 8 nuclear plants for the Tennessee Valley Authority. We could plug in our hybrid cars in the middle of the night without building another new nuclear plant, another new coal plant, another new any kind of plant because we have excess capacity in our region and so does virtually every other part of the country. We encourage consumers to use smart meters so they know that electricity is going to cost more between 4 and 7 o'clock and less at night.

Then if the car companies wanted to develop a plug-in hybrid car with advanced battery technology, we can operate on that electricity and reduce our dependence on foreign oil without building any new plants for that purpose. So that is the second proposal we have. The same applies to water heaters. People have their water heaters on at all times. Any utility should be able to make an agreement with the Senator from New Jersey or the Senator from Tennessee or from Colorado to say: Turn your water heater over to me and some of your other appliances, and I will turn them off and on at peak hours so your electric bill will stay flat or go down. We could save enormous amounts of electricity and avoid building new plants. That is what this amendment would do.

This would permit us to clean up existing coal plants. Here is how we would propose to do that. Forty-nine percent of our electricity is produced by coal. We are the Saudi Arabia of coal. Other countries in the world are building coal plants because it is the technology they know how to build. Some people are putting up large wind turbines. We are spending $11 billion of taxpayer money on wind turbines, but it is hard to find wind turbines on this list for the United States because it doesn't produce much energy. But coal does. What we need to do is clean up the coal production. This amendment would allow the relevant committees of Congress to give tax credits to recapture the carbon that comes from coal. A great many people are concerned about climate change and the use of carbon. This would help meet that demand in a realistic way in the near term.

A fourth idea: I said earlier there are two ways to lower the price of $3.50 gasoline. One is more supply, and one is less demand. The advanced battery technology car, the plug-in hybrid car that runs more on electricity than it does on oil, will help reduce demand. We have a proposal for that direction. Another proposal—and I am sure the Senator from New Mexico will want to say something about this—is the idea of, in appropriate places, using our existing oil and gas that exists offshore. Two years ago, the Senator from New Mexico, then chairman of the Energy Committee, pushed through legislation that permitted us to expand drilling in lease 181 in the Gulf of Mexico for oil and gas. We took some of those revenues and helped mitigate some of the problems that exist on the coast; in other words, used it for conservation purposes. For the first time, we put some of those revenues into the land and water conservation fund on a permanent basis, which has been a 40-year goal of the conservation community.

The Senator from Colorado, Mr. SALAZAR, was key to that effort. I am proud of that bipartisan effort. We could do more of that. This amendment doesn't specify exactly what we would do. That would be up to the authorizing committees. But an example of the next step might be to allow the State of Virginia, as it has asked Congress to permit it to do, to go 50 miles out and look for gas and then take half the revenue and put it in a trust fund for the State of Virginia to improve beach nourishment or to keep taxes down or to have a trust fund so the already excellent higher education system can be among the best in the world. If I were Governor of Virginia, I would want to do that. I was Governor of Tennessee, and we don't have an ocean. But many States do. If they asked for that and if they can produce more oil and gas, which will lower the price of $3.50 gasoline, then they ought to be allowed to do so.

Finally, oil shale development—the Senator from New Mexico will direct

more of his attention to the oil shale development issue—the amendment would allow the Energy Committee to enact legislation that would increase domestic oil supplies by allowing the development of oil shale deposits in green basins in Colorado, Utah, and Wyoming.

So what we have suggested is an amendment that is sponsored by Republicans, but we hope it is compelling enough to attract a great many Democrats to support it. It is an amendment that will help balance the family budget by lowering the cost of energy. It would be the Collins amendment to help use biomass—wood pellets, corn—in more efficient stoves in New England and other parts of America. It would be to create incentives for electricity meters, smart meters which could make more effective use of hybrid cars or water heaters and avoid building dozens of new powerplants. It would create room for the creation of incentives to allow existing coal plants to deal with carbon. If we want to deal with climate change in this generation, we have to deal realistically with the coal plants we have today which are producing one-half of the electricity we use in this country or 12.5 percent of all the electricity that is used in the world. To lower the cost of gasoline and natural gas or to stabilize it, we want to create new supply in two ways: By, in appropriate instances, allowing offshore drilling. We would suggest, not in this legislation but as the committee works on it, that it be offshore 30 or 50 miles and that the royalties go to conservation purposes or to the States. The final idea was to use our oil in shale.

In conclusion, there is one glaring omission in this set of five recommendations that we have made, and we need to work on it. The Senator from New Mexico is the leading Senator on this subject, but we don't have anything in our amendment about nuclear energy. I believe it is important to repeat, every time we talk about electricity, if we want to talk about realism, the United States, in the next 10 years, having control of mercury, having control of sulfur and nitrogen so it doesn't create health problems, and dealing with climate change in this generation, that after conservation, nuclear power is the only real technology we have today for that purpose.

We do want to recapture carbon from coal, but we cannot do that in a wholesale way yet. We will never be able to put up enough wind turbines to make much of a difference. Someday maybe solar thermal powerplants may make a difference. But if we are talking about the next 10 or 12 years, nuclear power will make the difference.

Here is why I am saying that. As shown on this chart, this is the clean electricity generated in the United States of America last year. Sixty-six percent of the clean electricity—meaning electricity with no sulfur, no nitrogen, no mercury, and no carbon—came from nuclear power, a technology we invented in the United States in the 1950s, that our Navy has used without one single incident in submarines since the 1950s; nuclear power that has now been adopted by France: 80 percent of their electricity is nuclear power; nuclear power that has been adopted by Japan: They build a new nuclear plant every year or so.

We appropriated $5 billion to lend to Westinghouse in this body to help China build nuclear powerplants. When are we going to get serious about cleaning up the air?

So we have ideas about that—not in this proposal. One would be to reprocess the waste, reduce it by 95 percent, so we can store it more safely. That is one idea. Another idea would be giving increased credits for the production of nuclear power. If we were to subsidize nuclear power by the kilowatt hour in way proportional to how we subsidize wind, we would be subsidizing nuclear power with about $340 billion a year.

So the Republican proposal to help balance the family budget on lower energy costs has five general areas as part of a reserve fund the appropriate committees can make a difference with. They have to do with conservation, and they have to do with increasing this supply. But what it means is, these are realistic ways to deal with the $3.50-a-gallon gas price and realistic ways to make sure we have large amounts of clean electricity, so we can deal with clean air as well as climate change in the near term instead of some later time.

This is a real proposal and not a fairytale. This is for the country that produces 25 percent of all the energy in the world and not for some desert island. This will help balance the family budget. We hope it earns strong Democratic support as well as Republican support.

Mr. President, I yield the floor. The next speaker is the Senator from New Mexico, the long-time chairman of the Energy Committee as well as the Budget Committee and the leading spokesman for nuclear power in the Senate.

Thank you.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank the Senator.

I wish to correct the record, if the Senator from Tennessee has no objection. The lease we modified, which had a moratorium on it in the offshore, was lease 181. I believe the Senator said: 187. I would not correct it, but it is commonly known as 181, so I thought we should fix it.

I am not going to speak very long because the truth of the matter is, the distinguished Senator, Mr. ALEXANDER, has done a marvelous job explaining this package. Everybody should know we Republicans tried, on a budget resolution, to come up with some ideas. Some of them are simple, but all of them are good. All of them will do some significant good for the energy problems that confront everyday people and that confront the budgets of everyday people.

It is good we sit down and say: Well, even though this is a budget resolution, can we come up with some things that will be helpful? I think we have. This amendment he has put in will attempt to bring down the price of gasoline, which would have the biggest effect on family budgets. As he says, we are looking at ways to help the family budget, while the Democratic budget we are on is going to wreck the Federal budget.

What I am going to do is talk about, quickly, things I see in this amendment that are important. First of all, as the price of gasoline at the pump continues to rise, and our level of dependence on unstable foreign regions continues to rise, we must take action every opportunity we get. But instead, when the majority has chosen to take action on their own—and they had a chance a couple months ago—they have taken action that moves things in the wrong direction.

Consider the Omnibus appropriations bill from last year. Hidden within those hundreds of pages, without transparency, were provisions that could have a profound negative effect on the Nation's energy security.

First, it contained a 1-year moratorium on final regulations on oil shale. This little amendment my good friend Senator ALEXANDER has offered says that regulation change—which was made in the back room, not open to daylight, not part of debate—be removed.

I suggest we have already, in the Omnibus Energy bill, provided whatever the citizens of this country need as protection—environmental protection and the like—for this shale development. We have a company, Shell Oil, that is spending a huge amount of money onsite to see if they can find a way to convert this shale oil so it can be used as part of America's ever-growing need for oil and related products. We should not have put a moratorium on final regulations in an appropriations bill. So it takes that away.

Secondly, in that same appropriations bill—in the dark of night, without being open to public discussion—a $4,000 fee was added to permits for drilling for oil. The Senate did not know anything about it. We have not debated it. It is the wrong direction. When you are producing something, you do not add more cost to the production and hope to get more. When you add a secret $4,000 fee, you cause less production, not more. This amendment does the right thing and says, openly and publicly: We want to address it. We take that $4,000 fee off because it never should have been there. It is moving in the wrong direction.

According to the Department of Interior, the oil shale in the United States is the equivalent of 1.23 trillion barrels of oil. As we import millions of barrels of oil and send $400 billion this year to

unstable regions of the world, the majority chooses to make it more difficult to produce American resources.

With the second provision, the majority chooses to increase the costs on small producers in my home State and others by putting this $4,000 permit fee on the drilling using ordinary rigs to drill for oil. That should not have been done, and we fix that.

The Alexander amendment takes a better approach than the majority did. It removes the impediments to producing more of the subject matter that will help us out of our dependence and makes things better for the average American in due course.

One last thing I would mention as my last observation: In this bill, we considered that on the Atlantic and Pacific side of the offshore waters, we are leaving over 15 billion barrels of oil and over 50 trillion cubic feet of natural gas in the ground. As we debate about the price impact of 60,000 barrels per day being put in the strategic petroleum reserve—our Nation's energy security asset—we leave over 1 million barrels per day locked up underground in Arctic Alaska, and we have allowed about 15 billion barrels of oil to remain locked up under our ocean.

The Alexander amendment does only what it can do, but it seeks to revisit the debate on domestic production in light of these new facts and new costs facing Americans.

The amendment also seeks to improve the efficiency and cleanliness of the way we produce and use electricity. The Senator has explained that as much as it needs to be, and better than I can, so I will say no more.

This amendment overall does not do all that we need to do to strengthen our Nation's energy security, but it is a vast progrowth improvement over the approach laid out by the majority in two provisions which I have talked about, and then we have added an additional three that are good and will help the American people.

I wish to close by saying, I am firmly convinced the American people are being hurt every day. We are being made poorer—day by day, week by week, month by month, year by year—because the cost of oil has gone up so high. Yet we have not been able to minimize our dependence, although we passed some very formidable laws to address it in time, in due course. But for now we continue to use more than we did last year and more than we did the year before. At $100-plus a barrel, there is no question we are not adjusting to that very well.

We must do everything we can to avoid that continued use. This amendment will do a little bit. If the committees that are charged with and given jurisdiction were to pass it, it would help. In the meantime, there is no question we should seek every opportunity to minimize our dependence upon foreign oil so as to permit our economy to grow again and become powerful again. This Senator is fearful we are going in the wrong direction, principally because oil is too expensive, and we must import too much of it.

Mr. President, I yield the floor and thank the Senator for permitting me to join him in his amendment today.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 4196, AS MODIFIED

Mr. SALAZAR. Mr. President, I ask unanimous consent to speak on amendment No. 4196, as modified, which Senator CONRAD offered for me earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, my amendment is a very simple amendment. It deals with the estate tax. What it does is set aside a deficit reserve fund that will protect family businesses and family farms and ranches from the estate tax. It is a straightforward amendment that will address the complexity of the changing estate tax law that we currently face.

Let me say at the outset that when one looks at what we are facing with respect to the estate tax in the years ahead, I think it is clear we must act to provide certainty to people with respect to their estates and to deal with issues that have been raised by Senators on the Democratic side of the aisle as well as Senators on the Republican side of the aisle.

It is clear, when you look at what is happening now with respect to current law—in 2007 and 2008, you have an effective exemption of $2 million and a top tax rate of 45 percent. When you look at the year 2009, under current law, we are looking at an effective exemption of $3.5 million and a 45-percent top tax rate. Then, in 2010, for that year, it is completely repealed, so there is no estate tax. Then, in 2011 and thereafter, you are looking at a framework of law that will effectively provide a $1 million exemption, and then we will have what is a 55-percent taxable rate, plus a potential 5-percent surtax, with respect to estates.

The reality of it is, no one knows when they are going to die. We do not know whether it is a 2008 event—2009, 2010, 2011, 2012 or 2013. So this is an area of the law which we must fix.

I am proud of the fact that our chairman of the Finance Committee, Senator BAUCUS, has started to hold hearings on the estate tax. We had one this morning in which we heard different concepts of how estates are taxed in places such as Canada, Australia, and New Zealand and different approaches to dealing with this issue. So I am hopeful as we move forward in the year ahead, we can find a bipartisan solution to deal with the estate tax issue that faces us.

For me, as one Senator, there are three principles that I will keep in mind, and I hope we all will keep in mind. First is fiscal responsibility. We have, in fact, as the chairman of the Budget Committee has so often stated over the last 7 years, created this huge mountain of debt. I think it is important for us to abide by the pay-go principles which we have adopted in this Chamber so that as we are creating new programs or as we are creating new tax cuts and we are finding ways of paying for those deficits or for those programs that we are creating, this will all become part of, hopefully, what will be a new wind that will blow upon Washington—that has started to blow upon Washington—as we need to be responsible with the fiscal resources of the Government.

The second imperative for me as we move forward with the estate tax is that we deal with those estates that don't have liquidity, as happens in the case of farmers and ranchers who sometimes have to split up their estates because of the fact that they can't find the money to be able to pay off their estate tax. That does, in fact, happen. It happens from time to time in my own State of Colorado. So I am hopeful we will be able to create a law that will allow farmers and ranchers to stay on their land.

Thirdly, as I said at the beginning, there is no way anybody can predict when they are going to die. It is important for those looking ahead at their own estates that there be some certainty with respect to the law that will apply to their assets and to their estate. Our amendment addresses all of those issues.

The estate tax is a complicated and intimidating law. It does need, in my view, serious reform. The Finance Committee will hold a number of hearings on this issue. The first amendment which Senator BAUCUS offered on a variety of middle-class tax cuts for Americans provides some relief and some certainty to American families and small businesses by ensuring that there will be no increase in the estate tax through a permanent extension of the 2009 estate tax law. I am a proud cosponsor of that amendment. I believe the manner in which we address the estate tax in that amendment is a minimal level of reform that the Congress can accomplish.

That is why I have introduced the amendment before us, which has created a deficit-neutral reserve fund for the purposes of providing additional estate tax relief. The reserve fund will provide sufficient funds to accommodate a proposal to raise the estate tax exemption to $5 million, indexed for inflation, and to lower the tax rate to 35 percent. But my amendment will not lock in the structure of the estate tax reform. It may be that we will need to provide additional relief and tailor the legislation in the Finance Committee in a manner that effectively addresses the needs of family farmers and ranchers and family businesses.

We also learned this morning in a hearing of the Senate Finance Committee there are many options for us to consider as we move forward with fixing the estate tax law. There are many

options to estate tax reform, and we should continue to work our way through the process to identify the most appropriate way to move forward on a bipartisan basis. This morning's hearing was the second estate tax hearing we have held in the Finance Committee, and we will hold a third hearing on this matter in early April. We are working through the process. We are examining the challenges posed by the current estate tax system, and we are considering a wide range of proposals to provide comprehensive, permanent, and fiscally responsible reform.

I remain committed to working with Chairman BAUCUS, Senator CONRAD, and other colleagues on the Finance Committee and in the Senate for achieving meaningful reform in the near term. My amendment and the amendment by Senator BAUCUS will help pave the way for that reform, and I urge my colleagues to support it.

I also wish to spend a few minutes speaking to the Baucus amendment, of which I am an original cosponsor. That amendment by Senator BAUCUS will take surplus funds in the budget resolution to make sure that we are taking care of the middle class of America as we move forward. What that amendment does again is, it makes the permanent extension of the 10-percent income tax bracket permanent. It addresses the extension of the increased refundable child tax credit with additional eligibility for lower income Americans and makes that permanent. It addresses the marriage penalty tax relief provisions and makes that tax relief provision permanent. It addresses the extension of the tax credit for childcare expenses, and it makes that credit a permanent credit. It addresses the increased adoption tax credit and makes that permanent, and it also addresses the estate tax issues, as I mentioned earlier.

I am hopeful that my colleagues will support both the Baucus amendment as well as the Salazar amendment.

Mr. President, I yield the floor.

Mr. CONRAD. Mr. President, is Senator KYL seeking recognition?

Mr. KYL. Mr. President, I thought I would like to respond to Senator SALAZAR while he is here, and I ask unanimous consent to have my time taken off the Republican side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, let me speak for just a few minutes in response to my colleague from Colorado because earlier today I offered an amendment which, as I gather, it would accomplish essentially the same thing as the amendment of the Senator from Colorado.

My amendment explicitly would provide in the budget an accommodation for an exempted amount of $5 million per spouse, for a total of $10 million, as part of the unified gift and estate tax exemption, and a top rate not to exceed 35 percent. As I understand it, the amendment of the Senator from Colorado would accommodate that same relief. I noted that with my amendment we also ensured that the $5 million per person exempted amount was indexed for inflation. We provide a step up in basis, the existing period of time to pay the tax. I presume, or I would gather, that those same items are included in the Senator's amendment, but he can respond to that.

I guess my point is that we have a difference between the amendment I have offered and the amendment of the Senator from Colorado. There is one difference between them, and that is this: Last year, we passed a similar amendment to the budget. No legislation was ever brought forward. Last year, the 10-percent tax bracket renewal or extension was passed unanimously, I believe, as part of the budget. The chairman of the Finance Committee never brought forth legislation to deal with that. He has advised me this year there will be no action on the death tax. We are going to have hearings, but there is not going to be any action on the Senate floor. I suspect that one of the reasons is because of the way he has approached it, the way the Senator from Colorado has approached it, which is to put the Government before the taxpayers; to say that before we can do any of this, we have to make sure the Government is made whole, which means we have to find a way to ''pay for'' the tax. That is the language that has been used. We have to ''pay for'' the tax.

I ask, why should the American taxpayers have to pay for a reduction in their own taxes, if you start with the premise that the American worker earns money, and we want the American family to keep as much money as possible in their own pockets so they can provide for the needs of their families? Also, in this time of economic downturn, we even decided we would try to put more money in their pockets, urging them to spend it as a way to try to stimulate the economy. I would think we would start from the premise that the money belongs to the taxpayers, and we want to allow taxpayers to keep as much of that money as possible.

If we are going to do taxes on one side, then we ought to hold them harmless; that is to say, if we believe their tax liability is too much or that a particular tax is wrong, as we believe that the estate tax is, that it is in desperate need of, if not repeal, at least significant reform, that the point is to reduce that estate tax burden and not to reduce it with one hand and then require a tax increase to ''pay for'' it on the other hand. How have you helped the American taxpayer if you say: We will reduce your taxes over here, but in order to keep the Government whole, we need to somehow make up the revenue for the Government because it matters more than you do, and therefore we are going to have to raise taxes on you someplace else in order to ''pay for'' this tax relief. We don't do that when we pass a farm bill around here.

The baseline for the farm bill, what we spent this year, is something just under $600 billion. If we spent the same amount of money on the farm bill next year, we would not have to ''pay for'' any of that. We would only have to ''pay for'' an increase. Yet if we are going to extend an existing tax rate, say, the 10-percent bracket of the amendment of the Senator from Colorado, the idea is somehow we have to pay for that, even though it is exactly the same bracket it is today. If we are going to extend the capital gains rate or the dividends rate or any other marginal rates, keep them exactly the same as they are today, why should we have to raise taxes permanently someplace else in order to ''pay for'' that? You only get to that conclusion if you think the Federal Government is more important than taxpayers.

Well, the way our country was founded is based on, ''We, the people.'' We created the Government. The Government is supposed to serve us, not the other way around. So you don't start from the premise that somehow, the Government has an amount of money today and no matter what happens, no matter how much we want to provide tax relief for people, the Government still has to have the same amount of money. So if we are going to provide tax relief for people, somehow we have to make up the money that we give back to the people.

If you want to provide tax relief for people, the whole idea is that they don't have to pay for it in some other way. They get to keep the money. We trust them to spend it. That is the fundamental difference I have with the amendment of the Senator from Colorado.

If the terms with respect to the amount exempted and the rate is the same—and I presume it would be—the question is, are we ever going to act on it?

My amendment will be acted on this year one way or another. We are not just going to pass it in the budget as we have in the past. This isn't just going to be a show exercise where we all vote on the budget to cut taxes, but the cuts never really materialize. Why don't they ever materialize? Because the majority doesn't bring a bill to the Senate floor and try to get the bill passed. If the bill doesn't pass, the President doesn't sign it, and there is no tax relief.

The budget is merely like the family budget. It is a goal. It is a blueprint. It is something you want to try to follow if at all possible. Yet when we pass tax relief in the budget, we are not really passing tax relief. We are just saying: This is something we would like to do. We would like to accommodate this in the budget. But if you never follow through with any action, what have you done except to fool the American people, make them think you are going to reduce taxes but you never, ever get around to actually doing it.

My amendment will be brought to the Senate floor. It doesn't have to put the Government first. We don't have to pay for it by increasing the taxes on you over here so we can cut your taxes here.

Now, my colleagues can either vote for it or against it, but we are going to get a vote on the floor of the Senate on reform for the death tax, and it will be very much along the lines of the amendment I introduced and the Senator from Colorado introduced. It will have a $5 million exemption per person, a step-up in basis for the property. It will be indexed to inflation, and it will either have one rate or two, but the top rate will not exceed 35 percent.

The difference will be we will either give tax relief to people or we won't. If we give tax relief to people, we are not going to then have to ''pay for'' it in order to keep the Federal Government whole. Government gets about a little over 1 percent of its revenues from the estate tax. This reform would still allow a huge amount of revenue to come in because there are still a lot of estates that will pay that 35 percent rate on amounts above $5 million or $10 million.

What it will do is take about 130,000 people who otherwise would have to file an estate tax return off of the rolls. They would not have to worry about it. They are the smaller businesses, the smaller farms—not the big estates but the smaller ones—that have to pay anywhere from $5,000 to $1 million to just plan around the eventuality of death, which, unfortunately, comes to all of us. So they buy insurance. They hire lawyers and accountants, and they pay a lot of money. In fact, in the aggregate, Americans pay as much money to avoid paying the tax as they pay to the Federal Government in the tax itself.

What we want to do is to get most of those people off of the rolls so they don't have to worry about it.

I certainly agree with my colleague from Colorado when he said the first principle should be certainty. We should know—especially with the death tax there should be some certainty. Well, you don't have any certainty if you don't know whether you are going to have to pay the tax. Unfortunately, the way it is right now, the way it is under the budget that has been brought before us is, you have at least 130,000 people who are going to have to file a return.

You don't know how many are going to have to actually pay the tax. What our amendment does is reduce that number to a little over 11,000, so that people don't have to spend a lot of money hiring lawyers and accountants and buying insurance on the off chance they are going to have to pay for it; nor do they have to expend large amounts of money in tax preparation—38 hours, on average, per tax form filed.

We don't want people to have to pay that amount of money. That is why we hope to get the number of filers down to something like 11,000. Then if they have to pay the tax, so be it. But the majority of Americans would be spared the tax.

Mr. SALAZAR. Will the Senator yield?

Mr. KYL. Yes.

Mr. SALAZAR. The Senator from Arizona is correct that this is a problem we have to deal with, and there are very significant similarities between our two amendments. In fact, the $45 billion fund we have created will allow for indexing and for a stepped-up basis. The key difference between the Senator's amendment and mine is that his is not paid for. The reality is we in this Congress and in the Senate and in the White House need to understand we need to be fiscally responsible. That is a debate we have had here with respect to pay-go. It is my view, given the fact we already have a $10 trillion national debt that continues to grow, we have a war that now is projected to cost over $2 trillion that we have not funded, but we have allowed that credit card debt to basically be passed on to our children, we need to be fiscally responsible.

So while we both recognize—the Senator from Arizona and I—that we need to have certainty with respect to estate tax reform—and I think we both recognize the Senator from Montana, the chairman of the Finance Committee, is doing his best to get ideas from around the country and the world on how to deal with this issue and move forward in a good-faith effort—the distinction here is whether you pay for this change.

My question to my good friend from Arizona, with whom I enjoy working on the Finance Committee, is: How would he propose that we pay for this $10 trillion mountain of debt, built up largely over the last 7 years?

Mr. KYL. Mr. President, I am happy to respond to my colleague. The debate now is not how to pay for a $10 trillion debt. We have a deficit of around $400 billion. We need to focus on not increasing the debt by increasing the amount of the deficit more than we have to. I share the Senator's goal for that.

There are three fundamental ways you can reduce the deficit. You can reduce spending—and I am going to pick two out of the three. First, you can reduce spending. I will vote for that. I have a good record around here on trying to reduce spending. Yet there isn't anything in this budget that reduces spending.

If we have a cost, the automatic action under the budget is to increase taxes, which is the second way you can do it. I reject that for the reasons I have pointed out. You don't help people by cutting their taxes here and raising their taxes over there. At best, you have created a neutral situation.

The third way, of course, is to ensure that our economic policies are progrowth policies. We don't have too much in the way of regulation, too much in the way of taxation, that the Government basically tries to get out of the way of our economy so it can grow, produce jobs, create more wealth and, with that wealth, by the way, pay more taxes, which is a good thing. One of the reasons why we are collecting today in Federal revenues above the 40-year average in tax collections, with our Federal tax policy—we are collecting roughly 18.8 percent of GDP, more than the 40-year average. The reason is we have a growing economy, although it is slowing right now, to be sure. But because that economy has been robust, even at slightly lower tax rates, we are paying more in taxes, tax revenue, because the economy has grown. So the textbook answer to my friend is you can reduce the deficit, and ultimately the debt, in one of three ways: reduce spending, increasing taxes—though it has diminishing returns; if you do it too much, you don't get revenue, you can promote economic growth and you can bring the debt down.

The last point. My colleague pointed out we were having hearings in the Finance Committee this morning and one of the witnesses there, as mentioned by my colleague, talked about what countries such as Canada, New Zealand, and Australia are doing. Do you know what they are doing? They are repealing their estate taxes. Why would they be repealing their estate taxes? This gets to the third way you make money. You grow. What happened in Australia is they found toward the end of life people with any means were moving to New Zealand, because they didn't have an estate tax. They wanted to keep them in Australia, so they decided, for competitive reasons, that they would eliminate the estate tax. So they stayed in Australia rather than moving to New Zealand. Canada and others are doing the same thing.

Our rate, now at 43 percent, which would be locked in by the budget, is far above the worldwide average, which is an 18-percent rate. A lot of countries don't have an estate tax. My answer is that our better response is, if we are not going to repeal the estate tax, reform it in a way that doesn't inhibit economic growth and enables us to compete, enables our economy to produce revenue, even at a slightly lower tax rate because, at the end of the day, that will do us all more good than trying to do what my colleague would do—raise taxes as the way to pay for a tax reduction. To me, that doesn't make the kind of sense I would want to be associated with in promoting legislation.

Let me simply yield the floor so my colleague can respond and not have to pose a question in order to make the point.

Mr. SALAZAR. Mr. President, I respect the Senator from Arizona and his raising the issue of the estate tax and its need to be reformed, as well as the fiscal crisis we face. Obviously, it will be a debate that will consume a tremendous amount of time on the part of

the Senate and the Congress and, hopefully, an administration that helps us get back on a line of fiscal integrity and honesty for the people of America.

Mr. President, I note that my friend from Massachusetts is on the floor. He has a very tight schedule. I will yield the floor. I ask unanimous consent that the Senator from Massachusetts be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts is recognized.

AMENDMENT NO. 4151

Mr. KENNEDY. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 4151.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 4151.

Mr. KENNEDY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To add a deficit-neutral reserve fund for increasing federal student loan limits to protect students against disruptions in the private credit markets)

On page 55, line 18, after the word ''program'' insert ''or increasing Federal student loan limits''.

Mr. KENNEDY. Mr. President, the amendment I am offering is intended to give additional protections for students and families struggling to pay for college.

Americans are anxious about the slumping economy and how it affects their families. They are losing their homes. They are seeing skyrocketing health costs. They wonder if they can afford today's gas prices to drive to work every day. The cost of heating their homes has jumped at least 50 percent in the last 2 years. And now they are hearing that the loans they rely on to afford the high cost of college may be at risk. Financial aid officers in some colleges are telling them that loans may not be available when the school year starts this fall.

What we are seeing is that the credit crunch that is affecting the mortgage industry and many banks and corporations may affect the ability of families to secure student loans at fair rates so their children can go to the college of their choice.

We are here today to say that we cannot allow the credit crunch to prevent our young people from going to college. The ability of young Americans to pay the high cost of college should not be determined by the quarterly earnings of banks.

There are three steps we must take to help families cope with the cost of college education. First, we must increase our commitment to Pell grants and other aid. We do that in this budget. This budget meets our promise to increase the maximum goal to $5,400 by the year 2012.

This chart represents the legislation that was passed last year where we provided additional funding for the Pell grants. The budget resolution showed that help is on the way for more than 5 million Pell grant recipients across the country. This chart illustrates how the budget resolution will help hard-pressed young people, who are in the educational system.

Second, we should make sure that secure loan options are available to students in case the market collapses. We have programs now that are backed up by the Federal Government that are not affected by the market. Those are the direct loan programs in which the Federal Government makes the loans and not the banks—and the lender of last resort program that allows guaranty agencies to become lenders with the backing of the Federal Government.

Congressman GEORGE MILLER, the chairman of the House Education Committee, and I have urged the Secretary of Education to make sure these two options are fully available to students and colleges should they be needed.

Third, we should strengthen the federally subsidized student loan program, and my amendment does that. We all know that student loans are indispensable for millions of students and parents struggling to pay for college. In the last 20 years, the cost of college has tripled, and more and more students are forced to rely on student loans to pay the high costs of a college education. In 1993, less than half of all students had to take out loans. But in 2004, nearly two-thirds had to take out loans to finance their education. This chart illustrates this point, showing the increase in students taking out loans from 1993 to 2004.

The average student now graduates with more than $19,000 in debt—a dramatic increase on the financial burden on the students and their families.

In Massachusetts, the cost of attending a 4-year public college increased 59 percent between 2001 and 2005, while family incomes only went up 20 percent. This chart illustrates where the family income increased and where the cost of attending college has increased even more.

The best way to help students and families afford college is to increase grant aid. More aid up front means fewer loans and less debt on graduation day.

Last year, the new Democratic Congress delivered on a 7-year old promise by President Bush to raise Pell grants. The maximum grant will increase to $5,400 by 2012—an increase of $1,350 over the level at which it had stagnated under this administration. This increase means that students eligible for the maximum Pell grant will have to borrow $6,000 less in loans over the course of their college career.

The effect of borrowing less saves the average student about $6,000 in a reduction of their debt. The legislation enacted last year also makes Federal loans less costly for students by reducing interest rates. These benefits, however, will be meaningless if students cannot obtain the loans to pay for the college of their choice.

The current crisis in the credit market is making it more difficult for student lenders to obtain capital. This has cut into the lenders' profit margins, causing some lenders to pull out of the student loan market and causing those operating outside the Federal loan program to cut back on lending to high-risk borrowers.

So far, the attractiveness of the guarantee in the federally subsidized program is encouraging other lenders to fill in the gaps in that program. Since interest rates in the Federal program are capped, students are protected from exorbitant interest payments.

But many families need additional loans beyond Federal loans while they are in college. We have a responsibility to ensure they can obtain the loans at affordable rates.

One step we can take is to increase the amount that students can borrow in low-interest, federally backed student loans, which means they won't have to rely on the higher cost, riskier private loan market.

The amendment I am offering today expands the deficit-neutral reserve funds for higher education in the budget resolution so that Congress can take whatever action is needed to increase the amount students can borrow under the Federal programs.

Over the last 20 years, as the cost of college has continued to skyrocket, Federal student aid has essentially remained flat. As this chart shows, the cost of attending a 4-year college has tripled—from about $4,000 in 1987 to $12,000 today. Over the same period, the amount of Federal assistance available to students in grants or loans has been essentially flat.

This goes back, if you extend these lines to 1965, to when they passed the Higher Education Act. The basis for passing the Higher Education Act in 1965 was a national commitment, which was debated in the 1960 campaign, heavily debated, that this Nation was making a commitment to the young people of this country. Any young person who was able to gain entrance into a school or college of their choice would be able to, on the basis of academic merit, put together sufficient grants and loans—and what they were able to earn themselves—to be able to go to any school or college in this country and come out relatively free from indebtedness. That was what the debate was at that time.

But look how we have betrayed that commitment.

We have seen that assistance to the students has become basically flat, but the extraordinary increase we have

seen in college costs has had a dramatic impact, obviously, on the students and their ability to go to school and on their income.

I wish to illustrate the point we are trying to make with this chart.

This is a typical family in my State of Massachusetts. Let's say the median family income is $68,000 which is higher than the national average but not by much, maybe $10,000 or so. Now, the expected family contribution is $8,000 to $10,000. The median cost of college is $17,000. So after all of the grants and loans, the family still has to make up $2,675 in unmet need. This assumes they can even, with this amount, put up the $8,000 to $10,000. Many of these families have two, three, four, or five children and are hard-pressed even to meet this kind of commitment, but they still have this to pay.

If a member of this family misses a payment, a car payment or some other credit card payment, they will be forced to pay the most exorbitant high interest rates, which will result in paying thousands and tens of thousands of dollars more in interest costs.

We address this very important point right here with this legislation. It might not seem like a very considerable amount, but it is the difference between a student going on to college or not attending college.

Mr. President, we have talked to the Budget chair on this issue, and we understand we will be moving on to other amendments. This is a very important area. The impact of the economic challenge we are facing is reflected most particularly in housing but spills over in terms of students and their families. This will only be used if we have the kind of emergency we hope will not take place, but it will ensure that this Senate is going on record to say to families in this country that we are aware of the challenges they may very well be facing, and if those develop, we are going to have some assistance for them and for their family so that the value and worthwhile effort to continue the education of their children in the family will be able to continue.

Mr. President, I thank the chairman of the committee for the opportunity to present this, and hopefully later in the discussion there might be an opportunity to have this favorably considered.

Mr. CONRAD. Mr. President, I thank Chairman KENNEDY especially for his passion and commitment to educating the children of our country.

I was raised by my grandparents. My grandmother was a schoolteacher and was only 5 feet tall. We called her Little Chief. She told us, as we were growing up, there were three priorities in our household: Education was No. 1, No. 2 was education, and No. 3 was education. We got the message.

I deeply appreciate the absolute passion and commitment that the Senator from Massachusetts shows to the education issues. It is inspiring that he is able to maintain this level of commitment over these many years and has achieved such extraordinary results, including last year.

I thought one of the greatest accomplishments of the budget resolution was the education package that Senator KENNEDY brought before the body and that passed and became law. It increased Pell grants, which reduced the cost of getting a college education by enhancing and improving the loan program. I thought it was one of the two most significant accomplishments of last year. I thought the other one was the expansion of assistance for veterans health care. That, too, became law, and it did so because it was included in the budget resolution. No one had more to do with that package than the Senator from Massachusetts, and we thank him for his leadership.

Mr. KENNEDY. Mr. President, I thank the Senator, and if he will yield for a moment, I want to thank him for his comments.

As he has mentioned, we had the opportunity to follow the rules of the Senate in getting the final resolution and judgment, which was basically supported in a very strong bipartisan way, ultimately, to move in that direction. But, as the Senator pointed out, we have provided increased opportunities to more than 5 million of the children of hard-working Americans who are hard-pressed trying to go on to continue their education with the enhanced Pell grants.

Included in that legislation was the loan forgiveness program that said: If you work in a public service profession, if you work with special needs children, if you work as an assistant district attorney, if you work as a legal aid officer, or if you work in areas of education, you will be able to get your loan forgiven.

We also, as the Senator knows, put the limitation on monthly repayment amounts, so that individuals, idealistic young people in America who want to go into some form of public service, would not pay more than 15 percent of their income to pay off their debt. This gives a pathway to millions of young people in this country who want to give something back to their local community or their State or their country through some form of public service. This will enhance their opportunity to do so.

I must say, of course, that we would not have been able to do that had we not had the chance through the Budget Committee, in compliance with the rules of the Budget Committee, to ensure that we were able to save hundreds of millions of dollars that went to deficit reduction. As a result of the leadership of the Budget chair, we were able to do something good for students but also to do something valuable and worthwhile in terms of the budget. So I thank the chairman of the committee for the opportunity and for all his cooperation and help.

Mr. President, I yield the floor.

Mr. CONRAD. I thank the Senator very much.

Next, we have Senator LINCOLN, and I would just like to ask Senator LINCOLN how much time she would seek.

Mrs. LINCOLN. No more than 10 minutes, or less.

Mr. CONRAD. We will provide up to 15 minutes off the resolution, and whatever the Senator consumes.

I would say to the Senator, at the end of her remarks, if she would withhold actually sending the amendment to the desk, that will allow Senator SUNUNU to come to the floor so that we maintain the back-and-forth order. Then, if the Senator is not here after her remarks, I will just enter her amendment so that it will be in the queue, but we will do this in a way that is fair to both sides.

Mrs. LINCOLN. Absolutely.

Mr. CONRAD. I thank the Senator very much. I thank her for all she has done to help us form this budget. I very much appreciate the effort and the energy she has brought to it.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mrs. LINCOLN. Mr. President, I, too, wish to thank the Budget Committee chairman and express my appreciation for his hard work and that of the ranking member for their diligence throughout this budget process.

I would also like to thank my colleague from Massachusetts for the many ways that he affects the lives of Americans all across this great Nation in support of a multitude of things but without a doubt in terms of higher education and in making that opportunity available to young adults across this country who want to reach their potential, who want to give back to their country, and through reaching that potential are able to add more of the gift they have to give this world and certainly to our Nation. His tireless work in those areas has been unbelievably important to students in Arkansas—I know myself, having gone to school with a student loan—but without a doubt realizing that potential, realizing that opportunity, and making it available for Americans all across this country. Senator KENNEDY has done tremendous work, and we applaud that.

I also again want to applaud Chairman CONRAD, who has done a phenomenal job in bringing together a budget that I believe truly reflects the values of this country and the values of the American people. The budget is a blueprint document. It is a place for us to really express our priorities as a Congress. We move forward with a budget that we hope reflects the things we hear from our constituencies and the ways they want to see their Nation, their Government, investing in this country.

They want to see us investing in the education, the human capital that is going to continue to make this country great. They want to see us investing in infrastructure and in children, in health care and in opportunity, where we can improve on all of these many

things; investments in rural America as well as the needs that exist in our urban areas.

It is a tough job to balance all of that and truly reflect our values as Americans, because we are diverse. It is one of the greatest things about being a part of this Nation, to know that region upon region is different, and individuals in those regions are different. But the fact is, we are all under one common denominator—Americans. As a country and as a government, we want to see that investment in who we all are. I think the chairman has painstakingly looked at how we combine in this budget the values, the morals, and the issues of who we are and the investments we want to make and setting those as priorities as we move forward in the process we have.

My purpose for rising today is a simple one, and that is to better ensure that the men and women who have courageously served our Nation in uniform receive the benefits to which they are entitled in a more timely manner.

Last year, we came before the Budget Committee and set forth our priorities. One was very similar to what Senator KENNEDY was just visiting about, and that was to ensure that our Guard and Reserve are going to get the educational benefits they deserve, the ones they had earned.

Our Guard and Reserve have been called to duty in a much different way in the conflict in Iraq and Afghanistan than we have seen ever before, and making sure their rewards and their incentives for education are commensurate with the Active-Duty members they are fighting alongside is important. We were successful with that, we were successful in ensuring their ability to access those benefits in a timely way, because before they only had 1 year. Now we have given them more time to be able to access those benefits when they return home out of theater and out of Active Duty.

This, again, is another issue in terms of timeliness, in how we respond to our veterans and the courageous men and women who serve us. The amendment that will be offered on my behalf momentarily—and I will be offering it with my friend and colleague from Maine, Senator OLYMPIA SNOWE—would do just that on timeliness. We are joined by Senators BIDEN, CLINTON, MIKULSKI, and PRYOR.

Mr. President, I would also like to ask unanimous consent that my colleague, Senator LIEBERMAN, be added as a cosponsor as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. LINCOLN. I would also note that we had 25 Senators who joined us in a letter to the Budget Committee recently requesting this as a priority in the budget, and I would encourage my colleagues to take a look at this amendment and join us because it is truly the right thing to do. This amendment would provide an additional $50 million for the Veterans Benefits Administration.

In the scheme of things, and how we talk about things in Washington, $50 million is not a great deal. It is not a huge amount in the overall scheme of the dollars we talk about in our Nation's budget. But we believe it can truly make a difference in providing the Veterans Benefits Administration with the additional resources it desperately needs to more effectively meet its increasing workload and its unacceptability in terms of the large backlog of pending claims.

In recent years, Congress has taken the lead in tackling the claims backlog and improving the management of the VBA. In last year's budget, much needed resources were provided to increase the number of claims processing staff essential to reducing the pending claims backlog and improving the timeliness of that claims process.

There is not a Member in this body, I am sure, who has not dealt with, in their constituent services and their casework, the issues of veterans' benefits that have been backlogged, the time it takes to get these veterans the benefits they deserve. They have fought hard for this country and need and deserve those benefits.

The leadership and guidance of Chairman AKAKA and Chairman CONRAD and their staffs certainly made all of this possible. Today we seek to invest further in the commitment we already made in last year's budget and what we were pushing forward and were successful in, in terms of additional funding for the VBA dealing with that backlog of cases.

According to the Veterans Benefits Administration's Workload Report from March 8, 2008, the total number of pending compensation and pension claims was 666,710. That was up from 627,429 this time last year. So we are seeing an increase in our caseload while all the while we still have a backlog in those cases that are pending.

The amount that has been pending for more than 180 days is nearly 27 percent. Additionally, claims requiring a disability rating determination, which are the most time consuming and resource intensive to the process, have increased more than 50 percent since 2003.

This is inexcusable—veterans who return home from Iraq and Afghanistan, veterans who are out there with disability claims from other circumstances, who have been put into these backlogs. It is continuing to grow. We are only asking for $50 million to be able to improve upon that situation for these veterans.

Between the fiscal year 2000 and fiscal year 2007, the number of filed claims increased 45 percent, from almost 579,000 to 838,000. For fiscal year 2009, the VA, which has consistently underestimated its workload in the past, projects the number to increase to approximately 872,000. These numbers are increasing and we have to get a handle on it so we can stop those overloads and certainly the workloads that are backlogged.

Further, the VA cautions that ongoing hostilities in Iraq and Afghanistan could increase its workload even further. So we know unfortunately there is not going to be a lessening. There is only, more than likely, going to be an increase. We have to make sure we have the resources there.

In light of all these mounting challenges, this amendment would provide an additional $50 million to the VBA's general administration account so it would have the flexibility to explore pilot programs and invest more in training or technology initiatives to help tackle the claims backlog. This is not a process that is going to go away if we do not address it. It is simply not fair to our veterans.

It complements the recommendations that are provided in the Budget Views and Estimates from both the House and Senate Committees on Veterans' Affairs. As discussed in those documents——

(Disturbance in the Visitors' Gallery.)

The ACTING PRESIDENT pro tempore. The Senator will suspend. The Sergeant at Arms will restore order.

Mr. CONRAD. I ask for a recess subject to the call of the Chair.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The ACTING PRESIDENT pro tempore. The Senate will stand in recess while the Sergeant at Arms clears the gallery.

Thereupon, the Senate, at 2:21 p.m., recessed until 2:22 p.m. and reassembled when called to order by the Acting President pro tempore (Mr. CARDIN).

The ACTING PRESIDENT pro tempore. The Senator from Arkansas may continue.

Mrs. LINCOLN. Mr. President, there are many passionate pleas we hear across our country. Hopefully, the passionate pleas we make here on the floor of the Senate on behalf of our constituents can be seen as passionate as many we witness—some here today, and certainly others. I continue with my passionate plea on behalf of the soldiers, the brave American men and women who serve this great country. In what we have seen in the backlog, through the Veterans' Administration, certainly it is an indication that we can do a better job in providing those benefits to the service men and women who have done such a courageous job on behalf of this great Nation and all of us.

What I recommended in my amendment are recommendations that I think complement the recommendations provided in the Budget Views and Estimates from both the House and Senate Committees on Veterans' Affairs. Again, I thank Chairman AKAKA for all of his hard work and Chairman CONRAD for working with us on this issue.

Our veterans are a very passionate issue to many of us, coming from a

family where my dad was an infantryman in Korea. We talked earlier about the impression our families leave on us. Senator CONRAD mentioned his grandmother who believed in education. I grew up in a household very much like that. My husband did as well. My husband's grandmother is going to be 111 this year and she is still preaching education. She is still on her own, still out there making sure that every child who got her Christmas letter this year knew the importance of education. Certainly, without a doubt, those of us who grew up in households that had tremendous respect for the patriots, the brave and courageous men and women who serve this country in the Armed Forces, deserve that same kind of passion.

We discussed in those documents, coming to a close here, that it is imperative for the Veterans Benefits Administration to make greater investments in the training programs to prepare new hires for the complicated process of compensation claims adjudication.

Additionally, workload production initiatives such as technological improvements offer the hope of reducing additionally the average time for a claims decision. The brave men and women who have served our Nation in uniform should be a priority for each one of us. As we hear all kinds of conversation and talk about people's positions on whether we should be in conflict, whether we should be engaged in war, there should be no debate, there should be no conflict, in whether those who are serving this country in uniform deserve to be sure that the benefits they have earned and they deserve are rightly in place for them, and something they can use, not set about waiting 180 days to hear back from somebody to tell them they have yet another 180 days to wait until they actually get those benefits. The number of veterans who contact my office for help grows each year, and I am sure it does in the offices of many of my colleagues. Unfortunately, the backlog is often denying them the benefits they desperately need for years; not just weeks or days, but years. It is simply unacceptable.

The lessons ingrained in me since childhood have taught me that after a person has served in the military, we should make absolutely every effort, not just priority but every effort, to fund and make real their benefits and to honor those individuals who have earned them and care for them and their families, those who have served this great country. It is the least we can do for those to whom we owe so much. It is the least we can do to reassure future generations, and those who are serving in the field today, that a grateful nation will not forget them when their military service is complete.

Mr. President, I thank the chairmen for working with us, hopefully, again, as passionately as the passion that has been displayed in this Chamber today about people's views on military service and certainly the conflict in Iraq. We can make good on the promise we made to our soldiers who have served so courageously and bravely.

I thank the Chair, and I yield back the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, under the agreed upon order, Senator SUNUNU was to be next. Do we know if Senator SUNUNU is on his way? Under the agreed upon order, Senator SUNUNU was to be next. He was to be here at 2:30.

The plan is this. I should do this through the Chair. I say to the Chair, the intention is, the agreement was Senator SUNUNU—we are running a little bit ahead of schedule, but Senator SUNUNU will be here shortly. He will go for approximately 15 minutes. Then we will come back.

Mr. GREGG. Then we will call up Senator LINCOLN's amendment?

Mr. CONRAD. Yes, we will call up Senator LINCOLN's amendment. So we will be back and forth.

Mr. GREGG. Then we are supposed to go to Senator ALEXANDER.

Mr. CONRAD. We will then go to Senator SANDERS for 15 minutes?

Mr. SANDERS. Twenty.

Mr. CONRAD. Then we will come back to Senator ALEXANDER and then we will come back to Senator NELSON.

Mr. GREGG. If the Senator will yield, then we will be out of order.

Mr. CONRAD. We will not let people send up their amendments. We will make sure that we maintain the order as we have previously, so that we will keep going back and forth.

Senator SUNUNU will send up his amendment; then we will send up Senator LINCOLN's amendment; Senator SANDERS, we will ask him to withhold so we are not out of order, we ask him to withhold; Senator ALEXANDER could send up his amendment; then we will enter Senator SANDER's amendment.

Mr. GREGG. Senator SUNUNU tells me he only needs 5 to 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

AMENDMENT NO. 4221

Mr. SUNUNU. Mr. President, I certainly wish to thank the Chairman of the Budget Committee for recognizing the frugality of us from the Granite State. Whether it is money or time, we try to be concise, try to be direct, and try to use what resources we have very wisely.

(Purpose: To save lives, promote overall health care efficiency, and lower the cost for the delivery of health care services by facilitating the deployment and use of electronic prescribing technologies by physicians)

I ask unanimous consent that any pending amendments be set aside and I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. SUNUNU] proposes an amendment numbered 4221.

The amendment (No. 4221) is as follows:

On page 62, between lines 3 and 4, insert the following:

(3) ELECTRONIC PRESCRIBING.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote the deployment and use of electronic prescribing technologies through financial incentives, including grants and bonus payments, and potential adjustments in the Medicare reimbursement mechanisms for physicians, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

Mr. SUNUNU. In calling up this amendment, I wish to make sure this budget resolution effectively addresses the issue of health information technology. I know the issue was addressed, in part, in the construction of the budget resolution, but I think we have a historic opportunity to enact legislation this year that makes a difference, and the kind of technology available to providers, to doctors and nurses, to patients, technology that improves efficiency, reduces medical errors, and improves the quality of care, not for thousands but for millions of Americans, especially older Americans on Medicare.

A lot of these benefits were recognized in the resolution, but I think we need to go further. We need to make sure this budget resolution, and the health care fund that was established in it, focuses on electronic prescribing in particular.

While there are a number of areas of health care information technology that have great potential, this is an area of health care IT, electronic prescriptions, whose time is now. In hundreds of thousands of places around the country, electronic prescribing systems are being used, being used effectively, to save time, to save money, to reduce unnecessary errors in the dispensing of medicine, ultimately improving the quality of care and reducing costs.

I think it is essential that this budget resolution focus on electronic prescribing and legislation to expand the use and access of electronic prescriptions because it is something we can get done this year. There is a lot of partisanship, a lot of differences of opinion on many different parts of this budget resolution. But in this particular area, we have a bipartisan approach. This has been introduced, and Senator KERRY, Senator ENSIGN, Senator STABENOW, and I have crafted electronic prescribing legislation that will do all these things and I think more.

It reduces the number of errors, it increases the usage of electronic prescriptions. As I say, in the end, I think

it significantly improves the Medicare Program for all our seniors. It is legislation that is ready to go. It is legislation that can be enacted today. It is legislation that has bipartisan support.

The way we make this difference, the way we improve the acceptance of electronic prescribing is, first and foremost, by providing some incentives, some costs and funding to physicians to purchase the systems, to purchase the software, to fund the hand-held units that are especially valuable in remote locations or rural areas.

So we have grants to make those systems available. Second, we provide a bonus, Medicare provides reimbursement to physicians who are using an electronic prescription system. We give them a 1-percent bonus in their reimbursement rate. We do this over a 3-year period. Then, at the end of that period, grants and incentives for those who have not been able to or have not been willing to use electronic prescription systems, we have a penalty.

Even with that penalty provision, we do allow the head of Health and Human Services to make exceptions because there are some underserved parts of the country, rural parts of the country, where such a system might not be as effective or as feasible. But in the vast majority of networks and provider systems and parts of the country, this is a technology whose time has come.

There are over 1 million cases a year where a mistake is made, where there is an adverse reaction because of a mistake in issuing a prescription. If this legislation can even reduce a fraction of those errors, we will have done a great deal to improve the health care system under Medicare for our seniors.

Because of the impact this legislation has, it has actually been evaluated as saving Medicare money in the near term, saving Medicare between $1 and $3 billion a year in the long term. There are not many pieces of legislation where you can say we are reducing the cost of the program for the taxpayers and improving the quality of care and the options available to the beneficiaries, to the seniors, and the retirees who depend on Medicare every day.

So this amendment would add to the language that establishes a health care technology fund to make clear that our priority within that fund needs to be on legislation to improve access to electronic prescriptions; that such legislation should use financial incentives; it should provide grants to purchase equipment; it should include bonus payments; in the long run it should even consider changing the allocations of those who are not willing to use this incredibly valuable technology that is available today.

I think this is an amendment that makes the reserve fund for health information technology even stronger. It sets the priorities in the right way. I urge my colleagues to support its adoption.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Washington.

AMENDMENT NO. 4194

(Purpose: To provide the Veterans Benefits Administration with additional resources to more effectively meet their increasing workload and to better address the unacceptably large claims backlog)

Mrs. MURRAY. Mr. President, before my colleague speaks, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, the pending amendment is set aside in order for the Senator to offer the amendment.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mrs. LINCOLN, Ms. SNOWE, Ms. MIKULSKI, Mr. PRYOR, Mr. BIDEN, Mrs. CLINTON, and Mr. LIEBERMAN, proposes an amendment numbered 4194.

The amendment (No. 4194) is as follows:

On page 23, line 16, increase the amount by $50,000,000.

On page 23, line 17, increase the amount by $44,000,000.

On page 23, line 21, increase the amount by $5,000,000.

On page 23, line 25, increase the amount by $1,000,000.

On page 27, line 16, decrease the amount by $50,000,000.

On page 27, line 17, decrease the amount by $44,000,000.

On page 27, line 21, decrease the amount by $5,000,000.

On page 27, line 25, decrease the amount by $1,000,000.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized.

Mr. SANDERS. My understanding, I ask Senator MURRAY, is that my amendment will be called up later this afternoon; is that correct?

Mrs. MURRAY. The Senator is correct. We will be offering his amendment later.

Mr. SANDERS. I thank the Senator very much.

Mr. President, I find it interesting that almost every candidate for President today is talking about change. It is not only the candidates for President. For candidates at every level across this country, the mantra out there is: change, change, change.

And the reason the candidates at all levels are talking about change is they understand something. They understand that from one end of our country to the other, by vast majority, the American people want to move America in a new direction. They want a new set of national priorities.

The American people are angry. They are frustrated with the status quo, with politics as usual, and they want action not talk. They want action from their elected officials.

The American people are tired of paying $3.20 for a gallon of gas, when ExxonMobil is enjoying recordbreaking profits. The American people are tired of paying more and more for health care, and over 8 million Americans have lost their health insurance since President Bush has been in office, while the insurance companies and the pharmaceutical industry continues to rip them off.

The American people are tired of seeing their good-paying jobs go to China or the other low-wage countries while they work 50 or 60 hours a week to pay the bills. When we talk about the economy today, let's not forget the American people now work the longest hours of any people in the industrialized world. People are working incredibly long hours, two or three jobs, to pay the bills.

Most importantly, the American people are deeply worried that the American dream is disappearing, that no matter how hard they work, no matter how many hours they spend on the job, that for the first time in the modern history of the United States, their kids will likely have a lower standard of living than they do.

From a values perspective, I believe the American people are tired of the culture of greed which has been so pervasive in recent years, a culture which says: Yes, I am rich and I am powerful and I have billions and I want billions more. I do not care about anybody else in our society; I have got it; I want more.

That is the culture of greed which is so pervasive in our society today. The amendment that will be offered today, that I am offering, is cosponsored by Senators KENNEDY, DURBIN, CLINTON, HARKIN, SCHUMER, BROWN, and MIKULSKI. I am quite confident that if this amendment is adopted, it will not be solving all the problems facing our country.

But on the other hand, if this amendment is passed, it will begin to move America in a very different direction, with a very different set of moral and economic values. This amendment will tell the American people we understand that Washington must adopt a new set of national priorities, that we must be concerned not with the wealthy and the powerful who have so much influence over what goes on in Congress but that the time is long overdue for Congress to begin paying attention to the needs of the middle class and low-income people who have been ignored and left behind year after year after year.

I am very proud to tell you my amendment has been endorsed by over 50 groups representing tens of millions of Americans. These groups include the AFL–CIO, AFCSME, the National Education Association, the Children's Defense Fund, the American Federation of Teachers, the YWCA, and the National Organization of Women, among many other groups.

The budget President Bush recently sent to Congress was nothing less than a disaster. It gave much to those who did not need any help, while it took from those who need help, including those living in desperation.

As I mentioned to the people in my home State of Vermont, it was a Robin Hood proposal in reverse. It took from the poor and it gave to the rich. As a member of the Budget Committee, I am happy to say that under Chairman CONRAD's leadership and hard work, the budget we passed out of committee was far superior to what the President proposed and is quite a reasonable document.

I think we can improve upon that document. We can improve upon that budget. That is why I am offering this amendment today with my colleagues who are cosponsoring it.

This amendment addresses three major trends in American society that we must deal with in the budget process.

First, the United States has the most unequal distribution of wealth and income of any major nation in the industrialized world; and the gap between the very rich and everyone else is growing wider.

Secondly, it is a national disgrace that here in the United States of America, this great Nation we are so proud of, that we have by far the highest rate of childhood poverty of any major country on Earth.

And third, year after year, we have had recordbreaking deficits, and our national debt is now approaching $10 trillion, a grossly unfair burden to leave to our children and grandchildren and, in fact, a staggering sum of money which is economically unsustainable.

This amendment addresses all three of those issues.

The amendment I am offering today puts the needs of our children, working families, seniors on fixed incomes, persons with disabilities, and the middle class ahead of the needs of the wealthy.

It says to the wealthy: You do not need any more tax relief when the middle class is shrinking, when poverty is increasing, and when the top 1-percent level has never had it so good since the 1920s.

It says to my colleagues in the Senate, let's get our priorities right. Specifically, this amendment simply restores the top income tax bracket to 39.6 percent for households earning more than $1 million per year and uses that revenue to address the most urgent unmet needs of our children, for job creation, and for deficit reduction.

Mr. President, 99.7 percent of Americans would not be impacted by this amendment. The only families that would be impacted are those earning at least $1 million a year. That is the top three-tenths of 1 percent. What we are simply doing is asking that the upper tax rates go back to where they were during the Clinton administration when, I remind my colleagues, the economy was far stronger.

According to the Joint Tax Committee, restoring the top income tax bracket for people making more than $1 million to what it was in 2000 would increase revenue by $32.5 billion over the next 3 years, including $10.8 billion in fiscal year 2009 alone. Instead of giving $32.5 billion in tax breaks to the very wealthiest people, including people who have billions and billions of dollars, people who really don't need any more tax breaks, this amendment would invest money in the following areas over the next 3 years.

It would put $10 billion into special education, into the Individuals with Disabilities Education Act. Over 30 years ago, the Federal Government made a promise that it would fund 40 percent of the cost of special education. Unfortunately, the Federal Government—shock of all shocks—has not kept its promise. Today we only spend about 17 percent of the cost of special ed. What does this mean? I can tell you what it means in Vermont and I am sure it is the same all over the country. School districts are faced with growing costs regarding an influx of special ed kids. Property taxes are going up to accommodate those increased costs, and kids with special ed needs do not get the attention they deserve. This amendment begins to reverse that process, begins to tell school districts all over America that we are going to keep our promise. We will begin adequately funding special education.

Secondly, this amendment increases Head Start funding by $5 billion over the next 3 years. The simple truth is, Head Start works. Its goal is to make sure that when low-income kids get into kindergarten or the first grade, they are not already far behind everybody else so that by the time they are in the fourth or fifth grade, they have given up, they have dropped out intellectually. Head Start works. The problem is, there are many families who want to take advantage of Head Start, but communities don't have the resources to open the doors for those kids. After adjusting for inflation, Head Start has been cut by 11 percent compared to fiscal year 2002. Boy, is that moving in the wrong direction. Meanwhile, less than half of all eligible kids are enrolled in Head Start and only 3 percent of eligible children are enrolled in Early Head Start.

This amendment will not solve all of those problems, but $5 billion will help open the doors to large numbers of kids who desperately need Head Start education.

This amendment would also provide $4 billion for the Child Care Development Block Grant Program. I can tell you the issue of childcare is one of those issues that we have managed in Congress to sweep under the rug, from one end of this country to the other. Where you have mom and dad both working, where is that working family going to find the affordable, quality childcare they desperately need? We tell single moms, go out and work, but we forgot to tell them where they are going to find the childcare they need to take care of their kids. This amendment begins to do that with a $4 billion increase for the Child Care Development Block Grant Program.

This amendment would provide $3.5 billion more for the Food Stamp Program. I don't have to tell my colleagues that in the United States, shamefully, disgracefully, we are seeing more and more of our citizens go hungry. I know in Vermont, and I expect in communities all over the country, we are seeing working people, not unemployed people, working people going to food shelves to get the food they need to take care of their families. That is not the way it should be. This $3.5 billion increase for food stamps is a step forward.

This amendment would also increase funding for LIHEAP, the Low-Income Home Energy Assistance Program, by $4 billion. In Vermont and other States, it gets very cold in the winter. We have seniors living on fixed incomes who cannot pay the rapidly escalating cost of home heating oil. LIHEAP is a successful program. It is underfunded. Nobody should go cold, and we put $4 billion into LIHEAP.

We also provide more for school construction. Not only is it terribly important that our kids study in decent schools, schools that are not falling apart, schools which are energy efficient, but by putting money into school construction, we create a lot of good-paying jobs, and that is what that provision does.

Finally, last but certainly not least, this amendment would also reduce the deficit by $3 billion. In other words, at a time when we have seen recordbreaking deficits, we are now closing in on a $10 trillion national debt. This amendment takes a small step forward in lowering this year's deficit.

Let me quote from a letter I received in support of this amendment from over 50 groups across the country, including the AFL–CIO, AFSCME, the NEA, the Children's Defense Fund, the American Federation of Teachers, the WYCA, the National Head Start Organization, SEIU, and the National Organization for Women, among others:

> The economic downturn is creating a crisis for parents who work hard but struggle to afford nutritious meals as food prices escalate; to pay for energy for their homes and fuel for their cars; to pay for child care so that they can work; and to assure that their young children receive the building blocks of a solid education to prepare them for the future. Programs that assist in meeting these needs have been cut significantly in recent years, while tax breaks for millionaires have soared. Your amendment addresses these needs. . . .We are urging the Senate to adopt your fiscally responsible amendment to address the pressing needs of working families while restoring greater progressivity to the tax system.

I thank these organizations that represent tens and tens of millions of working Americans.

The choice we face is simple. A lot of rhetoric goes on around here. It is pretty warm in this Chamber, and it is not only from the heat. It is from a lot of hot air from all of us. The time for talk is over and the time for action is now. This amendment will not solve all the

problems, but it does say to the American people that the time is long overdue for us to move in a new direction. It is a very simple choice we have to make. The richest people in this country have not had it so good since the 1920s. Frankly, they do not need any more tax breaks. They are doing just fine. But our children are not doing just fine. Senior citizens on fixed incomes are not doing just fine. What this amendment begins to do is to develop a new set of priorities for our Nation. It tells the people we understand that working people are in trouble, they need assistance, and that the time is now to ask the wealthiest people to rejoin the United States and to help us address some of our major social needs.

My understanding is that later this afternoon this amendment will be offered.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, the game plan, as the Presiding Officer laid out, is to go to Senator ALEXANDER and then come back. We will go to the Sanders amendment and then come back. I am not sure which is next, but there will be another amendment from our side.

I wanted to respond briefly to Senator SANDERS. I respect Senator SANDERS because he believes fervently in his view of the way Government should work, which is, we should keep making it bigger and keep raising taxes to accomplish that. I have to disagree with the basic philosophy that the present tax law isn't effectively raising taxes from high-income Americans. The simple fact is, over the last 4 years especially, we have seen a higher growth in revenues than we have ever seen before. That growth in revenues has come from wealthy, high-income Americans.

Today under this tax law, we have a more progressive tax system than was in place under President Clinton. The lowest 40 percent of wage earners who don't pay income taxes, for all intents and purposes—some pay, but the majority do not; they actually get money back under the earned income tax credit—are getting about twice as much back today under our tax laws than they got back under President Clinton's term. The highest percentage income earners, the top 20 percent, are paying more into the Federal Government than they were paying into the Federal Government under the Clinton years. I think it was 82 percent of Federal revenues came from the top 20 percent of income tax payers under President Clinton. Today almost 85 percent of revenues come from the top 20 percent of income earners. That is a progressive system—lower income people getting more back; higher income people paying more of the burden.

The reason it works this way under our tax laws is that we have created a fair and level playing field where people are willing to do taxable investment. Somebody who has income of significant levels has two options. They can take action to invest in a way which takes risks and generates jobs and also is taxable, or they can take action which takes risks, hopefully generates jobs, and probably isn't taxable because they use our tax laws in order to legally position their money so they don't have to pay the tax burden. It is only human nature, as has been proven over and over again, that if you get the tax rates up too high, higher income people start to use legal means to reduce their tax burden. But if you get the tax burden set correctly, then higher income people take the risk, pursue entrepreneurship, and create jobs, all of which generates income to the Federal Government. That is what is happening today.

Mr. SANDERS. Will the Senator yield?

Mr. GREGG. I will yield after I finish making my comment.

The point is, what is the right tax burden. If you have a progressive system where 85 percent of your revenue is coming from one group, the high-income people, and the bottom income folks are getting much more back than they got back historically, you have a progressive system. If you are generating more revenue than you have ever historically generated over a 4-year period, and you are well above the average amount the Federal Government receives, then you have a pretty reasonable tax structure which is giving a fair amount of revenue to the Federal Government. In fact, as a percent, we are well over what is the norm over the last 20 years.

I argue that the tax structure which we presently have in place is working to the benefit of the Federal Government in getting more revenue which is being spent rather aggressively by the other side of the aisle. The Senator from Vermont says: Let's just raise it some more. Raise that tax some more, and we will get even more revenue. I would argue that when you start to jump those rates back up, you will probably not get more revenue. You will dampen economic activity. You will cause people to take action which causes them to invest in a way which reduces their tax liability. You will probably end up reducing revenues with that type of action. It is human nature, and human nature in a capitalist system tends to produce revenues when you have fair taxes and tends to reduce revenues when you have an overly burdened tax system.

I am happy to yield.

Mr. SANDERS. I don't know if it is a New England characteristic that I share, but we make the same points over and over again. The Senator is the ranking member of the Budget Committee. He has heard my point. Let me make it again.

My friend from New Hampshire, from the other side of the Connecticut River, says we have a progressive system. My God, those rich people are paying a fortune. Well, wealthy people do pay a lot. Do you know why? The richest people in this country are earning far more than they used to, while the middle class is shrinking and poverty is increasing. For example, according to Forbes magazine, the collective net worth of the wealthiest 400 Americans increased by $290 billion last year—400 families, $290 billion. The wealthiest 1 percent earn more income than the bottom 50 percent. Yes, my friend from New Hampshire, I do know they pay more in taxes. The reason is, they get all of the money.

Every economist understands that in recent years what has been going on is the middle class is shrinking, real income is going down, and poverty is increasing. The rich are making out like bandits. Yes, they are paying more in taxes because they are making a huge amount more. That is not progressive taxation. What that is about is the fact that we have the most unfair distribution of wealth and income of any major nation on Earth.

I ask my friend, don't you agree with me? That is my question. Of course, you do.

Mr. GREGG. My answer to the Senator from Vermont is, we get two things from Vermont and New Hampshire: bad weather and bad economics.

At this point, I will yield the floor and allow the Senator from Tennessee to pursue his amendment.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Tennessee is recognized.

Mr. ALEXANDER. Madam President, I wonder if I might ask the Senator from New Hampshire a question before he leaves the floor.

Mr. GREGG. Madam President, if the Senator has time, I will be happy to try to respond to a question.

Mr. ALEXANDER. Madam President, I have some vague memory in my mind that in the late 1960s, or some time in that time period, a millionaire's tax was proposed. I am wondering if the Senator from New Hampshire remembers that and remembers how many millionaires it was to apply to, how many rich people was it whose money they were going to get?

Mr. GREGG. Madam President, if the Senator will yield, it is the Senator's time, so let me put it in the form of a question to ask him back.

It is my understanding—and I believe the Senator would agree with this—at the time it was supposed to be the top 1 percent of taxpayers. It turned out it exploded over the years. It was supposed to apply to 1 million people. It has ended up applying to potentially 20 million people.

Mr. ALEXANDER. Madam President, the great danger with these conversations about ''let's get the rich'' is, we got 115 of them, I think, with the so-called AMT tax. Today it traps, according to the Senator from New Hampshire, 20 million Americans. That seems to be the way things go.

So I thank the Senator for his time, and I wish to move on to a different

subject. We are talking really—it is the same subject—about the Federal budget and how to fix the family budget. The Senator from New Hampshire has eloquently described how the Democratic budget will wreck the Federal budget by raising taxes—which we have just had a beautiful speech about the need for higher taxes—more debt, and more spending. That is one view of how we move ahead in this country.

The view on this side is that we wish to help balance the family budget.

Now, the subject I wish to talk about has to do with where most families get their jobs. We balance the family budget by lower energy prices, which we talked about earlier, by lower taxes—that is one way to do that—by helping every American have access to health insurance without the Government picking their doctor.

Another way is to make sure the small businesses of America have the opportunity to make a profit, to create jobs, to take some money home, and to avoid unnecessary costs.

AMENDMENT NO. 4222

Madam President, I wish to speak for a moment about an amendment I propose to send to the desk in a moment that relates to keeping the family budget in balance by reducing the costs of small businesses, and it has the even more important advantage of helping to unify our country. The subject is the same subject that is chiseled into stone there: e pluribus unum—the motto of our country, what has been the motto of our country: one, from many.

Let me begin with this story.

In March of 2007, the Equal Employment Opportunity Commission, a Federal agency, sued the Salvation Army for allegedly discriminating against two of the Salvation Army's employees in a Boston area thrift store. What had the Salvation Army done to earn this lawsuit from the Federal Government? Well, it had required its employees to speak English on the job.

The English rule was clearly posted, and the employees were given a year to learn it. But this lawsuit, in plain English, means that a shoe shop in Tennessee or a small business in Missouri or in Washington State would have to hire a lawyer in order to make sure they have a clear business reason to require their employees to speak our common language on the job. So I have an amendment to bring some common sense to this subject. It would be to take $670,000 used by the Equal Employment Opportunity Commission, which it is using to bring actions against employers who require their employees to speak English, and instead uses the money to help teach English to adults through the Department of Education's English Literacy/Civics Education State Grant program, which is one of the principal ways we help American adults learn our common language.

So, Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 4222.

Mr. ALEXANDER. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To take $670,000 used by the EEOC in bringing actions against employers that require their employees to speak English, and instead use the money to teach English to adults through the Department of Education's English Literacy/Civics Education State Grant nrogram)

On page 4, line 14, decrease the amount by $583,000.

On page 4, line 15, increase the amount by $415,000.

On page 4, line 16, increase the amount by $134,000.

On page 4, line 17, increase the amount by $34,000.

On page 4, line 23, decrease the amount by $583,000.

On page 4, line 24, increase the amount by $415,000.

On page 4, line 25, increase the amount by $134,000.

On page 5, line 1, increase the amount by $34,000.

On page 5, line 8, decrease the amount by $583,000.

On page 5, line 9, decrease the amount by $168,000.

On page 5, line 10, decrease the amount by $34,000.

On page 5, line 16, decrease the amount by $583,000.

On page 5, line 17, decrease the amount by $168,000.

On page 5, line 18, decrease the amount by $34,000.

On page 18, line 16, increase the amount by $670,000.

On page 18, line 17, increase the amount by $20,000.

On page 18, line 21, increase the amount by $482,000.

On page 18, line 25, increase the amount by $134,000.

On page 19, line 4, increase the amount by $34,000.

On page 24, line 16, decrease the amount by $670,000.

On page 24, line 17, decrease the amount by $603,000.

On page 24, line 21, decrease the amount by $67,000.

Mr. ALEXANDER. Madam President, this is not the first time I have offered this amendment. I offered it in the Appropriations Committee of the Senate in June of 2007. Enough Democrats as well as Republicans voted for it to be reported to the Senate floor as a part of the Commerce, Justice, Science appropriations bill.

On October 16, 2007, the full Senate voted 75 to 19 to approve that appropriations bill, containing similar language to the amendment I have just sent to the desk.

On November 8, 2007, the House of Representatives, with the support of 36 Democrats, voted 218 to 186 to instruct its appropriations conferees to recede to the Senate position on the EEOC.

However, the Speaker of the House canceled the conference of the Commerce, Justice, Science Appropriations Subcommittees over this issue, even though the Senate and the House both voted that a Federal agency should not be suing businesses that ask their employees to speak English on the job. The Speaker of the House, for some reason, thought it was so important that she canceled the entire appropriations bill rather than accept this language. So it must be a matter of great significance. I hope the Senate, having already passed this language before in the appropriations bill, as I have said by a vote of 75 to 19, will do it again when the opportunity comes tomorrow.

Madam president, there are thousands of small businesses across America. They may be a Japanese restaurant where the owner may say: I would like for my employees all to speak Japanese. That is fine. They might be an Irish pub, and the owner might say: I would like for them all to speak with an Irish lilt. Or it might be a Chinese restaurant, and for a whole variety of reasons, the owner of the restaurant might say: We would like for all our employees to speak Chinese. That's fine. But in America, if the owner of a business wants to ask his or her employees to speak English on the job, that ought to not be an issue. You shouldn't have to go ask a lawyer to come up with a business reason why you can tell some Federal agency why you asked your employees to speak English on the job. There are practical reasons for it. There are safety reasons for it. There are communications reasons for it. There may be customer reasons for it. But it is a bigger picture than that.

We have, in this country, valued English as our common language for a long time, and let me go back to the reasons why. One of our country's greatest characteristics is its diversity. But diversity is not our greatest characteristic. Our greatest accomplishment as a country may be that we've taken all that diversity and molded it into one common country. It is a source of our great strength. No other country has been able to do it as well. We see many European and Asian countries that wish they had our practice in inviting people from all over the world to come to their country and becoming one country. How do we do it? Because we say at the beginning in our Constitution that we do not make any distinctions based on race or gender or where your grandparents came from.

We say to anyone who wants to become a citizen here: You must become an American. You have to raise your right hand. You have to say essentially the same oath that George Washington and his officers said at Valley Forge, and you basically renounce where you came from. You prove you are of good character. You wait for 5 years. You learn our history. You must learn our common language. Then we are all Americans.

We are proud of where we came from, but we are prouder to be Americans. We have made that a great part of our tradition.

The late Albert Shanker, the head of the American Federation of Teachers for many years, felt passionately about the importance of helping children and new Americans learn what it means to be an American. Once he was asked the rationale for a public school. He said the rationale of a public school is to help children learn English, to learn the ''three Rs,'' and what it means to be an American. The hope was that these students would then go home and teach their parents.

Since 1906, we have required every new citizen to learn English. Federal law requires that all children learn English in public school. We have programs to help adults learn English—including the program I wish to put the EEOC's lawsuit money into. We have in No Child Left Behind, passed not long ago by this Congress, programs to help children learn English, and schools are held accountable for students learning our common language.

When the Senate has recently debated immigration, it has passed two amendments to help value our common language. One was that by 64 to 33 we declared English as our national language. Another, I introduced, was to say that if a new citizen or an applicant for citizenship learned English to a proficient level, that person would be able to wait only 4 years instead of 5 years to become a citizen—a way of valuing our common language. We even said we will give a $500 scholarship to any applicant for citizenship who wishes to learn English, helping them learn English. So in many ways through the last century we have asserted the importance of our common language.

I am sure many of us in the Senate—and many Americans—saw Ken Burns' epic series on World War II. My wife and I went to see a preview of that series last fall, and we were struck by how magnificent it was. Ken Burns said he felt, after doing years of work on World War II, the war was the period of the greatest unity in our country's history. Quoting a book by the late Arthur Schlesinger, ''The Disuniting of America,'' which was written in the 1990s, Ken Burns said: Maybe what we need is a little less pluribus and a little more unum.

Where do we get our unum? We do not get it from race. We do not get it from gender. We get it from learning American history, and we get it from our common language.

The reason we learn American history is so we can understand and learn the principles that unite us. It is those principles and that language which makes it possible for us to say we are all Americans.

So the Equal Employment Opportunity Commission has turned the civil rights laws upside down when it sues the Salvation Army and says: You cannot ask your employees to speak America's common language on the job.

The purpose of the civil rights laws is to unify us, to say no distinctions based on race. We want to be one country. Well, if we want to be one country, we need to have a common language, and in this country that language is English.

It was my hope when I was Education Secretary that every child would grow up to speak at least two languages well. One of them would be English. That is still my hope today.

As I look at the motto above the Presiding Officer's desk, and I think about whose century this is going to be—is it going to be a Chinese century, a Japanese century, an Indian century, a European century, an American century?—part of it has to do with our economy, part of it has to do with our military strength, a big part of it is whether we can stay one country or whether we become just another version of the United Nations—the United States of America or the United Nations; whether we can say we are all Americans or whether we can't. One way to help us be able to say we are all Americans, one way to unite us is to value, not devalue, our common language.

So in some ways this is a very small and simple amendment, taking the approximate amount of money that a Federal agency is using to sue the Salvation Army and other businesses to say: You can't require your employees to speak English on the job, and let's instead use that amount of money to help adults who want to learn English.

We have been sacrificing our unity in the name of diversity for too long. Diversity is a great strength, but our most magnificent accomplishment is our unity. You can't become German, you can't become Japanese, you can't become French very easily, but in order to be a citizen of this country, you must become an American. The way you become an American is by showing good character, waiting 5 years, learning our history, and speaking our common language. The Federal Government ought to be consistently on the side of valuing that common language and not on the side of devaluing it.

So I hope the Senate, when it has the opportunity, will find the same sort of bipartisan support that it had last year, October 16, 2007, when the Senate voted 75 to 19 to approve the Commerce-Justice-Science appropriations bill containing substantially the language in this amendment. We will then be able to say to American small businesses, of which there are hundreds of thousands: No, you don't have to go hire a lawyer to come up with some business reason why you need to ask your employees to speak English on the job.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, the order is that we will go to Senator NELSON of Nebraska, and we will reserve the side-by-side for Senator ALEXANDER that I will offer on behalf of others at a subsequent moment. We will go to Senator NELSON, and I will ask Senator NELSON not to send his amendment up because in order to maintain the back-and-forth, we need to send a Republican amendment up next. Then, if the Senator from Nebraska is not here, I will send his amendment up so that it is in the queue.

How much time does the Senator require?

Mr. NELSON of Nebraska. Four or 5 minutes.

Mr. CONRAD. I yield up to 5 minutes off the resolution, and if the Senator needs more, we will provide it.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

AMENDMENT NO. 4212

Mr. NELSON of Nebraska. Madam President, I am here to speak about amendment No. 4212. It is already at the desk, and as Senator CONRAD said, he will call it up at the appropriate point. But I rise today to speak about this amendment to the budget resolution that will create jobs and make a lasting investment in our national infrastructure. I ask unanimous consent to add Senator CONRAD and Senator STABENOW to the amendment as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Nebraska. Let me thank as well the current cosponsors of the amendment: Senator BAUCUS, Senator VOINOVICH, Senator KLOBUCHAR, Senator DURBIN, Senator BILL NELSON of Florida, and Senator SCHUMER. I am pleased to work with my colleagues to increase our investment in infrastructure to help create jobs. I also wish to thank the National Conference of State Legislatures for supporting my amendment. I believe that as more information is developed about this amendment, others will seek to join as well.

This amendment is very straightforward. It says that if we are going to do additional economic stimulus, then we should invest, not simply spend, taxpayer dollars.

My amendment doubles the amount in the stimulus in the budget for ''ready-to-go'' infrastructure projects from $3.5 billion to $7 billion. It is fully paid for and does not increase the deficit compared to the underlying resolution.

The budget resolution before us sets aside $35 billion over 2008 and 2009 for a second economic stimulus package, if necessary, as we continue to keep a close eye on the economy. Included in this stimulus at the present time is $3.5 billion for these ''ready-to-go'' infrastructure projects—projects that can be up and running in a matter of weeks. My amendment would increase this amount to $7 billion and is paid for by reallocating a portion of the $30 billion of stimulus resources to transportation infrastructure.

If Congress decides that additional stimulus is necessary, we need to ensure that we make a real investment in the economy. Including infrastructure investment will create jobs and make a lasting investment in infrastructure that is so desperately needed. These are projects that will go wanting without the necessary financial support to have them concluded, but they won't go away. Infrastructure needs will continue, and the only way to reduce the need is by investing in them.

This amendment in effect kills two birds with one stone: We get the immediate boost to the economy by investment in job creation, and when the economy recovers, the roads we pave and the infrastructure improvements we make will last for years. They are truly, in that sense, an investment.

When the initial stimulus package was under consideration, the States identified nearly $18 billion in projects that would be classified as ready to go within 3 months. These are projects that are waiting for only one thing, and that is funding.

This amendment does, in fact, create jobs. According to a U.S. Department of Transportation study, over 40,000 jobs are created for each $1 billion we spend on roads and infrastructure. This amendment will create jobs in Nebraska and in all 50 States and will provide an important boost to the economy at the same time.

I also want to be clear what this money is intended for: projects that are ready to go, as I have said, projects that can begin nearly immediately and certainly as soon as funding is available. There are already ready-to-go projects in Nebraska and in all 50 States, as we have been able to determine.

States are crying out for help in this area. The National Conference of State Legislatures supports this amendment. Our Nation's infrastructure needs are immense and are continuing to the point of being staggering. We have an opportunity to stimulate the economy, make lasting improvements to our infrastructure, and assist in more job creation. We can invest more in this area, and we should invest more in this area. So I urge the adoption of this amendment by my colleagues. I ask that their support continue as others will join in over the next day or so.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, if I could ask a question of the Senator from Nebraska, this is $3.5 billion in spending which would occur in this budget year, not over the 5 years; is that correct?

Mr. NELSON of Nebraska. That is correct.

Mr. GREGG. This is not offset in any way, so it would just be added to the deficit; is that correct?

Mr. NELSON of Nebraska. This is part of the allocating, part of the stimulus package as it is right now for emergency spending. What it would do is it would allocate part of the $35 billion already set aside in the budget to be added to the $3.5 billion to make a total of $7 billion. It doesn't add any more to the deficit or outside of the deficit than is currently indicated in the current budget resolution. In other words, of the $35 billion right now, only $3.5 billion is allocated to infrastructure. With this amendment, $7 billion would be allocated to infrastructure.

Mr. GREGG. So if I could ask the Senator another question, the Senator from Nebraska is saying that his amendment simply reallocates the $35 billion——

Mr. NELSON of Nebraska. The $3.5 billion.

Mr. GREGG. But there was $35 billion put in the mark that was available for stimulus. Is the Senator reallocating those dollars or is the Senator putting $3.5 billion on top of those dollars?

Mr. NELSON of Nebraska. Not on top. We are reallocating, of that $35 billion, an additional $3.5 billion within the $35 billion to infrastructure, making a total of $7 billion within the $35 billion.

Mr. GREGG. And if I could ask further, where is the Senator taking the money from?

Mr. NELSON of Nebraska. It wouldn't be taking money from, it would be allocating money that has not yet been allocated. So there would be other projects that would not be funded because of this, but it wouldn't be taking any money away from anything already allocated because the balance of it is unallocated.

Mr. GREGG. So this is not a 920—this is not offset with a cut in the 920?

Mr. NELSON of Nebraska. It moved from function 820 over to 400.

Mr. GREGG. I am not sure I understand how this is paid for, to be honest. Maybe the chairman can help.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, the Senator from Nebraska is exactly right. What he is doing with this amendment, which I support, is of the $35 billion which is unallocated, the second stimulus package, an insurance policy against further economic downturn, he doesn't add any money. What he does is of the $3.5 billion that was reserved for infrastructure in the $35 billion, he is doubling that amount to $7 billion of the $35 billion for infrastructure.

I think that is a wise thing to do because I frankly think the infrastructure projects are the most stimulative. We know for every $1 billion spent on highways and bridges, 45,000 jobs are created, and those are jobs in America. As my colleague knows, the money is reserved—the Budget Committee doesn't have the ability to dictate at the end of the day how it is used. Committees of jurisdiction will do that. But what the Senator from Nebraska is doing is sending a message that of this $35 billion, instead of $3.5 billion dedicated for infrastructure projects that are ready to go—and, in fact, we know there are more than $3.5 billion of infrastructure projects ready to fund.

Mr. GREGG. Madam President, if I could reclaim my time, I think the explanation is that this is a reallocation within the $35 billion which was in the original budget, which basically was added to the deficit.

Mr. CONRAD. That is true.

Mr. GREGG. Thank you. I think Senator SESSIONS is ready to proceed.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

AMENDMENT NO. 4231

Mr. SESSIONS. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for himself, Mr. VITTER and Mr. DEMINT, proposes an amendment numbered 4231.

Mr. SESSIONS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund for border security, immigration enforcement, and criminal alien removal programs)

On page 69, after line 25, add the following:

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT, AND CRIMINAL ALIEN REMOVAL PROGRAMS.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution by the amounts authorized to be appropriated for the programs described in paragraphs (1) through (6) in 1 or more bills, joint resolutions, amendments, motions, or conference reports that funds border security, immigration enforcement, and criminal alien removal programs, including programs that—

(1) expand the zero tolerance prosecution policy for illegal entry (commonly known as ''Operation Streamline'') to all 20 border sectors;

(2) complete the 700 miles of pedestrian fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note);

(3) deploy up to 6,000 National Guard members to the southern border of the United States;

(4) evaluate the 27 percent of the Federal, State, and local prison populations who are noncitizens in order to identify removable criminal aliens;

(5) train and reimburse State and local law enforcement officers under Memorandums of Understanding entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); or

(6) implement the exit data portion of the US–VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the appropriations in the legislation described in subsection (a) would not increase the deficit over—

(1) the 6-year period comprised of fiscal years 2008 through 2013; or

(2) the 11-year period comprised of fiscal years 2008 through 2018.

Mr. SESSIONS. Madam President, we are dealing with an important issue; that is, the budget of the United States. Under the Budget Act and rules we have established, a budget can be passed without a 60-vote margin, a supermajority. Only a simple majority is required. I think that is a healthy rule because for years there were so many difficulties in creating a budget. So it really gives the majority party the power to pass a budget.

The power of a majority party alone to pass a budget means that document is a defining document, and it defines the agenda for that party. It tells where they stand on matters of taxing, spending, deficits, and the like.

I say that my colleagues on the other side of the aisle, who promoted their move to majority status—and I certainly understand that goal—indicated over the last several years President Bush was spending too much, they would be more responsible when given the control of the Congress and they would produce a better budget for working families in America.

I note that this budget has a major increase in spending—as did last year's—over the President's request for domestic discretionary spending. It contemplates a major tax increase and it will, fairly and objectively stated, increase the deficit. I am concerned about that and I wished to make that statement.

Chairman CONRAD is a wonderful gentlemen, a fabulous leader of the committee. He asked that I offer the amendment on the floor and not in the committee, and I agreed to do that.

I would like to explain the amendment I have offered. It creates a deficit-neutral reserve fund for border security, immigration enforcement, and a criminal alien removal program. It sets aside room in the budget to fully fund existing border security and immigration enforcement programs. It is another statement. Also, the members of this Congress meant what we said when we said we wanted border security and to complete the fence and many other immigration reform measures that we voted on last year. I will talk about that later. We voted on those things. One of the things that is eroding public confidence in this Congress is that we vote for things and we say we are for things and some of them pass and some of them are blocked, but even those that pass don't get carried out. So a Congressman or Senator can say I voted to build a fence, whereas, they may not at all be taking the necessary steps to fund or otherwise ensure that the fence gets built. There are other items that are necessary to create a lawful form of immigration, but that is where we are.

This amendment, I think, is another opportunity for the Members of our body to say we are prepared to move forward and do the things that are necessary to follow through on what we promised when we cast votes previously. My amendment is broad. It covers all border security and immigration enforcement programs. But, specifically, it highlights six programs that will need special attention in this year's budget cycle.

Those programs are: Operation Streamline, the so-called ''zero tolerance'' prosecution policy for illegal entry now in place and being utilized by the Department of Justice and Homeland Security in 4 of the 20 border sectors. I will go into detail about these later. Then there is the border fence construction amendment that would complete the 700 miles that we voted on. It would maintain the presence of a National Guard at the border. It would provide help and assets to effectively execute the criminal alien removal program, to remove those who have been convicted of crimes, as it is supposed to be. The section 287(g) program, which trains State and local officers, would be expanded, as we voted before to do. And the US–VISIT exit portion of the immigration law that was supposed to have been completed in 2005 yet remains uncompleted.

I offered this amendment earlier, but I think some objected that the amendment would create open-ended funding for immigration programs. But this money is not free to be spent. It is not open-ended in reality. It has to be paid for. Full funding for each of these items can only be approved if the proper committees come up with the proper funds.

Simply put, my amendment gives Congress budget flexibility to fund these immigration enforcement programs if we can find a way to pay for them. And we certainly can. These are not that expensive in the scheme of things. They are matters our constituents care about and that we have voted for on a number of occasions.

Also, I note the budget resolution our Democratic colleagues have passed includes at least 35 of these reserve funds, and only 4 of them have any limitation on funding. The other 31—88 percent—are drafted just like my amendment.

So here are the proposals. First, it would allow for funding to expand the zero tolerance prosecution policy for illegal entry. Until recently, only the most serious illegal entries and reentries were ever prosecuted. Routine offenders caught by the Border Patrol were processed in a matter of hours and, if they were from Mexico, they were simply returned to Mexico. If they were not from Mexico, they were released on bail and asked to come back so they could be shipped back to South America or the Middle East or wherever, and we would send them back to those locations. Of course, 90 percent never showed up once they were released because their goal was to get in illegally from the beginning. That has been improved a good bit. We are still, in most of our border sectors, releasing people immediately to return to Mexico. There was a CNN report on this recently. I saw the video. Within hours of two individuals being arrested, they videoed the Border Patrol agent walking them, escorting them, back to the middle of the bridge that divides our countries and basically sending them off back to Mexico. The conclusion of the program was that these individuals, probably the next day, again commenced their effort to enter illegally. Since they weren't recorded as being apprehended, the program indicated they probably successfully made it into the United States. The result has been a ''revolving door'' at the southern border.

According to the Department of Homeland Security, between 20 and 30 percent of all illegal immigrants physically removed from the United States will return within the same year. So a third of them come back, we know, the same year. In 2004, of the 169,000 illegal immigrants removed from the United States, 65,000 returned illegally. In 2006, 37,000 out of 195,000 returned.

In recent months, however, progress has been made. The new zero tolerance prosecution policy, called ''Operation Streamline'' by the Department of Homeland Security, has been put into place in 4 of the 20 border sectors—Del Rio, Yuma, Laredo, and Tucson.

In just over a year, the guaranteed jail time given under this program, the conviction process—instead of escorting them back but having an actual prosecution because it is a crime to enter illegally in that manner—has resulted in a 50-percent decrease in the number of arrests in Del Rio and a 68-percent decrease in the arrests in Yuma, proving, I think, with certainty that this kind of consistent prosecution and conviction is a critical factor in deterring illegal entry.

In fact, Secretary Chertoff, a former Federal prosecutor I served with and have known for some time, was in my office last week. I have been a critic of some of the things he has done, and I have admired some of the things he has done. Secretary Chertoff believes this prosecution sends a different kind of message—and I believe it, too—that the United States of America is serious about deterring illegal entry into our country. When you are simply escorted back to the border and turned loose, that sends a pretty clear message it is not a big deal to enter illegally. These people are not serving long periods of time in jail, but they are prosecuted. A record is made of it, they serve some time in jail and a second offense can lead to a higher punishment.

So I am strongly encouraging DHS and the Department of Justice to expand the zero tolerance policy to the entire southern border by the end of the year 2009. Their efforts ought to be praised. In fact, their success in deterring illegal entry exceeded what most people would have ever expected. It is a proven technique that ought to be replicated across the border. It would need extra funding to make this happen.

This amendment would allow for that. I will note, parenthetically, does it cost us more as taxpayers to prosecute everybody who comes across the border when, in fact, you see a 68-percent reduction in the number who come? I suspect that maintaining a clear message that our borders are not open will cause the number to reduce, and the number of illegal entries is what drives up our costs. If you reduce the number who attempt to come illegally, you reduce costs at the same time.

No. 2, the Secure Fence Act of 2006 required the construction of 700 miles of fencing on the southern border. Eighty Senators voted for the Secure Fence Act. 26 were Democrats. In the House, the bill passed 283 to 138. We know the fence construction, combined with other border enforcement increases, is already having some deterrent effect.

Last year, illegal entries at the border, across the entire border fell by 20 percent. Let me ask—I like to ask this question—how many people were arrested last year? That is how we determine basically what is happening. The number of arrests fell 20 percent. Well, last year we arrested, even after a 20-percent drop, 877,000 people trying to enter this country illegally. It was over a million the year before—1.1 million.

A survey conducted by the Mexican Government, released in November, showed a 30-percent drop since 2005 in the number of Mexican nationals ''looking for a job in another country, or preparing to cross the border.''

In other words, the message is getting out. The National Guard increased border patrol, fencing, and prosecution, but people will follow what reality tells them.

In San Diego, where the first 14 miles of fencing were built years ago, the results were significant and immediate. Crime rates fell dramatically. According to the FBI crime index, crime in San Diego County dropped 56 percent. Vehicle drive-throughs fell from between 6 to 10 per day, to only 4 drive-throughs in a year. Those occurred only where the secondary fence was incomplete.

It does make a difference. Good barriers make a difference. Good borders make good neighbors. If you want to enforce your immigration laws, you have a million people a year coming illegally, and if you are not prepared to build some sort of barrier that is effective, you are fooling yourself and attempting to fool the American people. That is the fact.

Drug trafficking dropped in the area—marijuana smuggling by 38 percent and cocaine smuggling by 88 percent. These new miles of fences along the other parts of the border are expected to mirror the San Diego success. There are news articles already describing the deterrent effect of the new fencing in Arizona. This is new fencing. On November 4 of last year, an article in the Houston Chronicle, titled ''Fences Presence Felt: Residents on both sides of one border crossing say barrier is doing what it was intended to do'' stated these things:

> The fence works, residents north and south of it say.
>
> ''From a law enforcement perspective, it's curtailed a lot of our problems,'' said Sharon Mitamura, a deputy sheriff who patrols the border on either side of Columbus.
>
> ''That fence, I love it,'' Robinson, a Minuteman in New Mexico said. ''But being a Minuteman in New Mexico is getting pretty boring. There's no illegals here to be found,'' he said wistfully.

The bottom line is, the message is being heard: Our borders are no longer open in certain areas. And to continue sending that message we must complete the 700 miles of fencing the Secured Fence Act of 2006 requires.

By the end of 2008, the administration, unfortunately, plans on completing only 370 miles of actual fencing. We need to ensure that funding for the construction of the remaining 330 miles are included in the budget. This amendment will help ensure that occurs.

Now, No. 3. This amendment would allow funding for the National Guard. In May of 2006, the President announced the deployment of 6,000 Guard members to assist Customs and Border Control with surveillance, installing fences, and vehicle barriers.

Since June 15 of 2006, the National Guard units have assisted the Border Patrol by executing logistical and administrative support, operating detection systems, providing mobile communications, and augmenting border-related intelligence.

Operational successes made possible with the National Guard members include direct assistance in 88,000 apprehensions. They cannot themselves apprehend because of the Posse Comitatus Act, but they are able to provide intelligence and surveillance. They accounted for increases in the amount of drugs seized. Marijuana seizures went up by 309,000 pounds, with the National Guard locating 201,000 pounds of that. There have been 91 aliens rescued from being in trouble in the desert. So they even help save lives in the desert.

Although Operation Jump Start has been effective, it is currently scheduled to end. Guardsmen currently stationed on the border number around 3,000. By this summer, the number will be zero—zero. The Senate has already voted twice that the Guard should stay on the border through the end of this calendar year at a minimum.

The Ensign amendment offered during comprehensive reform authorized Governors to deploy Guard troops through 2008 to engage in border control activities to meet training requirements. That was agreed to 83 to 10. My amendment, offered to the DOD appropriations bill, funded Operation Jump Start through the end of fiscal year 2008. It was agreed to by unanimous consent but was stripped from the conference committee.

See, we all agree to it. Everybody is for the Sessions amendment. Yes, we should keep the National Guard longer. But it goes off to a conference committee because we have a bill and the House Members have a bill and the conference committee meets—sometimes I refer to them as masters of the universe—and they just take them out, so the bill comes back to the floor and passes and funding for the National Guard on the border doesn't become law.

So I, along with the majority of the Senate, do not believe Operation Jump Start should end before operational control of the border has been achieved, as required by the Secured Fence Act, which 80 Senators voted for. If we want to continue stationing Guardsmen on the border in 2009, we must make sure the budget resolution permits funding for the continuation of Operation Jump Start.

The mission of the Department of Homeland Security's Criminal Alien Program is to identify criminal aliens—criminal aliens—who are incarcerated in Federal, State, and local facilities, evaluate whether they should be removed at the end of their sentences, and to coordinate a seamless transition from prison to DHS deportation proceedings. A perfectly logical thing. Despite this important mission, DHS is only just beginning to effectively implement the Criminal Alien Program. Congress provided $400 million in 2008 for this program.

The Director of the Bureau of Prisons, Harry Lapin, testified before the Senate Judiciary Committee that 27 percent of the entire Federal prison population is composed of non-citizens—individuals who committed crimes after they entered the country. They are not in jail for immigration offenses. I am not talking about that. We are talking about assault, robbery, drug trafficking, murder, and the like. That is a dramatic number.

We don't know the exact percentages for all State and local prison facilities, but we do have some snapshot statistics. These statistics illustrate that the percentage of State and local jail populations made up of illegal aliens is likely to be similar to Federal prison percentages in a number of areas.

According to a February 2008 California Public Policy Institute report titled ''Crime, Corrections, and California,'' 17 percent of California's jail population was born outside the United States. The New York Times reported that the Los Angeles County Sheriff has reported that 23 percent of inmates in county jails were deportable.

A Center for Immigration Studies study, authored by Manhattan Institute Scholar Heather McDonald, states that:

> In Los Angeles, 95 percent of all outstanding warrants for homicide (which total 1,200 to 1,500) target illegal aliens. Up to two-thirds of all fugitive felony warrants (17,000) are for illegal aliens.

A 2007 DOJ report indicates that 73 of 100 criminal aliens are rearrested at least once, and that the average criminal alien is rearrested six times before

deportation. A 2005 GAO report found the average arrest rate for a sample population of aliens incarcerated in Federal, State, and local jails to be even higher, an average of eight arrests per illegal alien.

In 2009, we have the opportunity to expand and carry out effectively the existing Criminal Alien Removal Program and to fully evaluate all non-citizens in Federal, State, and local prison populations. It would ensure that criminal aliens are deported to their home countries at the end of their sentences and that they are not released back into society first.

This is the problem. What if a person is in jail serving a sentence, is going to be released, and is an illegal who, by law, must be deported as a result of being convicted of a crime in this country. If you allow them to be released from the State or Federal jail before you set up the procedure to have them deported, how many do you think are showing up to be deported? They are not showing up. It completely eviscerates the whole concept of the system.

Of course, if we are going to have a deportation system, we need to be evaluating those persons who appropriately and lawfully should be deported as a result of their convictions for crimes—drugs, assaults, murder—and they ought to be deported. It is just not happening effectively, and it indicates to me that our Government still does not get it—about the things necessary to create a lawful system of immigration that we can be proud of. We ought to be encouraging law-abiding people to come here—people with skills, people who speak English, people who are going to contribute to our society—and not allowing our immigration slots to be filled with persons who come and commit crimes. How logical is that?

The success of any nationwide law enforcement effort depends on effective partnerships with all levels of law enforcement. Federal immigration agents alone—there are less than 20,000 in the interior of the United States—will not solve our interior enforcement problem. It is just a fact. A partnership with the 700,000 State and local law enforcement officers is essential if we want to make this system work. And everybody knows that, frankly. Some who don't want the system to work know it too, and that is why they oppose any effort to give any increased ability of local law enforcement to supplement our effort.

To achieve that partnership, cross-designation of State and local officers as Federal agents through the 287(g) program, as done in my home State of Alabama and some other States, should and can occur throughout the country.

We talked about this for years. The program was on the books. We had to push the Department of Homeland Security to partner with Alabama's State troopers to create these cross-designated officers, and it was not easy, but we finally got it done. It has worked exceedingly well and it should be done around the country.

The latest reported figures show that 34 law enforcement agencies in Alabama, Arizona, California, Colorado, Florida,—which has a pretty good program, I know—Georgia—and SAXBY CHAMBLISS and Senator JOHNNY ISAKSON have sponsored this legislation because it was first championed by Congressman Charlie Norwood from Georgia, now deceased, and they became interested in this—Massachusetts, North Carolina, New Hampshire, Oklahoma, Tennessee, and Virginia—have all signed memorandums of understanding with the ICE agencies, and nearly 600 officers have been trained.

But that is just a small fraction of the potential that is out there. Over the past 2 years, these officers have been credited with identifying more than 37,000 people with possible immigration violations. State and local law enforcement agencies that voluntarily—nobody is mandated under this—offer their services to help enforce Federal laws should be supported and affirmed. The training we require them to receive should be paid for, and the expenses they incur while assisting the Federal Government in enforcing our immigration laws should be reimbursed. So increasing this funding would be helpful.

My final point would be to the US–VISIT system. Researchers at the Pew Hispanic Center estimate that as much as one-half of the illegal alien population was admitted legally. Other numbers are about 40 percent. They come here on some sort of visa or legitimate crossing card but they just stay and do not return.

We don't know who the visa overstayers are because we don't record when visa holders leave or even if they do ever leave. Until the US–VISIT exit system is put into place, we are never going to be able to identify visa overstays. This system was first required 10 years ago. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 required an automated entry and exit data system that would track the arrival and departure of every illegal alien as they crossed our borders.

Following the September 11 attacks, Congress repeated the mandate. Several provisions in the USA PATRIOT Act, the Border Security Act of 2002, and the Intelligence Reform and Terrorism Prevention Act of 2004 require the immediate implementation of the automated entry and exit data system and call for enhancements in its development.

On September 2005, DHS announced that it would have the entry portion of the US–VISIT system installed at the land border ports of entry by December 31, 2005. Implementation of the exit portion at our land borders has yet to occur. Only pilot programs now exist at airports and seaports—this despite the fact that deadlines for US–VISIT exit completion are in current existing law. Are people upset about this? No doubt. We have passed law after law. They are just not getting executed. For example, December 31, 2003, was the deadline for exit system implementation at airports and seaports. December 31, 2004, was the deadline for exit system implementation at the 50 busiest land ports of entry. December 31, 2005, was the deadline for the exit system implementation at all ports of entry—land, air, and sea.

Failure to complete this system, I am sad to say, is an indication of a lack of seriousness about immigration reform by the executive branch, and it is an affront to Congress and to the rule of law. Until its completion, Congress cannot move forward responsibly on a myriad of other immigration-related issues, such as expanding a temporary worker program to meet domestic labor needs that may be critical.

How can you have a strong entry and exit system when you can't even know whether somebody leaves the country when they promised to leave or they exceeded their time limit? This is not impossible to do. Workers all over America clock in and clock out when they go to work every day with some card that is computerized. Americans can place their card in a bank machine in France or Brazil or anywhere else and get money from their banks in the United States. Surely we can clock out people who leave this country.

My amendment makes sure there is room in the budget resolution to fund the completion of the US–VISIT exit system and the other important components of a legitimate, workable, lawful system of immigration that we in this Nation should have.

The American peoples' instincts on this are absolutely right. We allow a million people to enter our country legally every year. We ought to improve that system in a lot of different ways, but we cannot allow large numbers of people to enter our country unlawfully because it makes a mockery of law. It breeds disrespect and anger in people who wait for months or years to be chosen to enter the country when somebody they know enters illegally.

It is the right thing for us to do, to create a lawful system of immigration that meets our highest standards as Americans. It is time to get that done. Each one of these things I have mentioned in this legislation is a critical component of creating that lawful system. It cannot be done without these. More needs to be done than these, but these are critical.

I hope my colleagues will support this amendment as they have supported most of these matters already that are referred to in the amendment.

I yield the floor.

Mr. CONRAD. Madam President, I thank the Senator from Alabama publicly for the courtesy he showed in the Budget Committee markup. We had a circumstance where he offered an amendment. I asked him to withhold a vote on the amendment until we had a

chance to see if we could work out the amendment. It turns out we kind of ran out of time, so we were not able to work out the amendment.

Another Senator wanted to have an alternative amendment offered, but Senator GREGG and I had already agreed that we would not have additional amendments.

The Senator from Alabama was a consummate gentleman and agreed to withhold his amendment until we got to the floor so as not to disadvantage a colleague, although he would have had the right to do so. I want to say how much I admire that. That, again, is in the best traditions of the Senate and I think reflects well on the whole body. Certainly it reflects well on the Senator from Alabama.

Mr. SESSIONS. Madam President, I thank the chairman. Senator GREGG and he have alternated chairmanships of the Budget Committee. It is a contentious committee, there is just no doubt about it, because we have things about which we disagree that are important to our members and our constituents. But I think both of them have done a really good job of conducting the committee with grace, gentility and courtesy, so it was not at all unusual that I would agree with that request, and I thank the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. I think the key to what the Senator from Alabama said is that we alternate chairmanships, and it is my turn.

Mr. CONRAD. You know, at about this stage, you might be careful what you ask for.

I ask Senator PRYOR if he would not send his amendment up at the end of his remarks about his amendment so we can maintain the going back and forth? We will slot it in as soon as we can.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

AMENDMENT NO. 4181

Mr. PRYOR. Madam President, I rise today to talk about amendment No. 4181 which, at the appropriate time, I would like to call up but not right now. I will defer to the wisdom of the bill managers and their protocol and procedure they have set up.

This is a deficit-neutral reserve fund amendment. Even though it is deficit-neutral and only a reserve fund, I do think it is important for this country that we agree to this amendment. It deals with science parks. Science parks provide a launch pad that startup companies need when they are spun out of a university or a company. Many are affiliated with a university. They do not have to be. I have legislation I will talk about in a minute that makes it clear that they do not have to be, but nonetheless one of the patterns we see is that they oftentimes are affiliated with a university and that becomes a symbiotic and very productive relationship.

Science parks go by many names. They are also called research parks, technology parks, incubators or business incubators, and technopoles. Whatever we call them, they are good at doing one thing; that is, creating jobs and spurring innovation. That has really been their hallmark, that they create jobs and they spur innovation. At a time when our economy is slowing and international competition is growing, we need to do everything we can in this country to spur innovation and create jobs. These are not just any jobs, these are good-paying jobs, oftentimes high-tech jobs.

Earlier this year, I introduced a bill called Building a Stronger America Act, along with Senators SNOWE, BINGAMAN, and seven other cosponsors. Many countries, including China, Hong Kong, Singapore, India, Japan, and the European Union, are investing heavily in science parks in order to attract a talented and educated workforce. America should too.

My amendment builds on a commitment we made through the America COMPETES Act to develop an infrastructure that will again enhance innovation and competitiveness in the United States. We see that things here in this country are undergoing a dramatic transformation. Our economy is changing. Now our economy is really based on knowledge and technology.

The world's first science park was started in the 1950s and led to what we now call Silicon Valley. Another park that was early on in this was designed in North Carolina to stop the brain drain in that State. Today, it is the Research Triangle Park, and it is home to many of the world's most advanced high-tech businesses, and they employ over 40,000 people.

Science parks are often recognized as the gold standard of technology-led economic development. These are formats, these are venues where smart people, scientists, innovators, and entrepreneurs can collaborate, come together and not just come up with ideas but actually come through with the commercialization of new products and new technology.

Last year in the Commerce Committee we had a hearing on science parks, and Dr. Randall Kempner of the Council on Competitiveness said:

> American job growth will come primarily from small- and medium-size businesses and science parks will play a critical role in accelerating entrepreneurship and innovation.

According to a study by Battelle, the typical North American science park is located in a suburban community with a population of less than a half million. Most parks are operated by university or university-affiliated nonprofits. More than 30,000 workers in North America work in a university science park. Every job in a science park generates an average of 2.57 jobs in the economy. Most of these parks were built in the 1980s and 1990s and really have outgrown their original space. Madam President, 78 percent of science parks expanded beyond their physical presence after they were created.

In Arkansas, we have two excellent examples of successful science parks, first with the Arkansas Research and Technology Park, which is affiliated with the University of Arkansas and within the city limits of Fayetteville. That park today has 27 companies. The average salary for the people who work in that park is $81,000. It is the home of GENESIS Technology Incubator, the Innovation Center, the Engineering Research Center, the High Density Electronics Center, and National Center for Reliable Electric Power Transmission. That is at the University of Arkansas in Fayetteville. At Arkansas State University at Jonesboro, AR, the Arkansas Bioscience Institute is focused on plant biotechnology and is completing its Commercial Innovation Center as we speak.

Last year, the Arkansas General Assembly established a research park authority to facilitate the development of research parks. The authority and the Little Rock Regional Chamber of Commerce are looking at establishing new science parks to leverage the basic research being done at the University of Arkansas at Little Rock and the University of Arkansas for Medical Sciences, which is also in Little Rock. All three of these groups have told me they need additional funding to meet the growing demand of companies that want to locate in their science parks.

Here again we see an opportunity for the Senate to spur innovation and create jobs for the U.S. economy. This is not a short-term game. But for a small financial commitment from the Congress, we can really spur innovation over the next several decades.

Again, I mentioned Silicon Valley. I mentioned the Research Triangle in North Carolina. Those are two great examples. There is no reason we cannot start this phenomenon all over the country and really build on this knowledge-based and technology-based economy we have today.

I am offering this amendment to try to build in the right budget room. Hopefully, what we will do is later this year, in the coming months—at some point we will pass the broader authorization bill, and then, of course, we will fight the fight when it comes to appropriations at the appropriate time. But I believe strongly this will be a very positive thing for the U.S. economy.

I ask my colleagues to consider this amendment and consider the bill. I definitely ask their support for this amendment today.

Madam President, I yield the floor.

I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to each side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

Mr. CONRAD. Madam President, I yield 5 minutes off the resolution to the Senator.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, I will speak for a few minutes about the amendment I have cosponsored with Senator DEMINT concerning the earmarking process in Congress.

It is very unusual that a problem is as bipartisan as this problem is. Spending public money is something we should take very seriously. It is one of the most important things we do. We all have to remember, it is not our money. This spending of public money should be done on merit; it should be done on a cost-benefit basis; it should be done on getting the most bang for our buck.

Spending public money should not be based on your political party. It should not be based on what State you come from. It should not be based on which committee you are assigned to. And it should certainly not be based on how politically vulnerable you might be in the next election.

If you look at the numbers, for example, the minority Members of the House of Representatives who represent primarily African-American districts, it is frankly hard to explain that they get less in earmarking money than even the Republican Members of the House. Why is that? Many of them are in politically safe seats.

In other words, what happens around here sometimes is you get more money if everyone thinks you need to be able to spend more money because that will help you get reelected.

Well, that is a goofy way to spend public money. That is not the way we should be spending public money. Many of these projects that are funded are great projects. Many of them I support. But distribution is not done on merit.

I have heard over and over again the arguments about the power of the purse, and that somehow if we do not do earmarking we are ceding congressional authority to the executive branch. Well, with all due respect, for 200 years we did fine without earmarking. I do not recall President Lincoln or Thomas Jefferson or FDR or LBJ saying it was essential for the balance of power in our constitutional form of Government to make sure that individual Members of Congress have the ability to personally decide how to spend public money.

So I think the idea that this practice, which started in the 1980s, late 1980s, and did not become an art form until the last 5 or 6 years, is kind of a hollow argument to say somehow this building is going to shake and lightning is going to strike and our power is going to dissipate.

We are debating this week all the power we have. The power of the purse is reflected in our budget amendments and is reflected in the appropriations. We continue to make the decisions. We will always continue to make the decisions about the priorities of the way our Government should spend its money. That is the way the Constitution was designed.

Finally, there are practices that continue to occur that hurt many States and hurt many citizens in terms of the way we are sacrificing the formula grants and the competitive grants in order to fund earmarks.

We give haircut after haircut after haircut to our formula grants and to our other grants. If you look at the Byrne grants, if you look at the violence against women grants, if you look at the COPS Program, all of these were based on merit. I know, because I used to apply for them when I was a prosecutor. They have been cut and cut and cut while earmarks have gone up and up and up. We are still air-dropping. We are continuing to fund private companies for projects not even requested by the Government.

It is time for, as I would say to my kids when they were young, a time-out. We need to take a deep breath, see if we can take another run at more reform and see if we cannot get to the business of spending public money based on merit and getting the best value for the dollar, not on the power of an individual Member or who you know.

I yield the floor and I suggest the absence of a quorum and ask that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Madam President, I thank the Senator from Missouri for her remarks.

Next up is Senator CORNYN. Could the Senator give us a rough idea of how long he will require?

Mr. CORNYN. Madam President, I should not take more than 10 minutes, perhaps as few as 5.

Mr. CONRAD. I thank the Senator, who is always a gentleman.

Then Senator REED wishes to speak or offer an amendment?

Mr. REED. I would offer an amendment. I need 5 minutes.

Mr. CONRAD. We will have to ask the Senator to speak on the amendment but to reserve sending it up, because we have this order where we have to go back and forth. If you are not here, I will send up your amendment when your slot arrives. It may be a while before your slot arrives. We are going to go back and forth. It requires a delicate balance. Is that okay with the ranking member?

Mr. GREGG. We wish to see the amendment.

Mr. CONRAD. If you could share the amendment with the Republican side so they have a chance. They give us their amendments, we give them ours.

I yield to Senator CORNYN.

The PRESIDING OFFICER. The Senator from Texas is recognized.

AMENDMENT NO. 4242

Mr. CORNYN. Madam President, I have an amendment that will create a 60-vote point of order against any legislation that raises income tax rates on the American people.

If this sounds familiar, it is. Last year the Senate voted, by a vote of 63 to 35, to pass this particular amendment. In a time when there is precious little bipartisan cooperation in the Senate on important matters, this is a list of the Senators on the other side of the aisle who, on March 21, 2007, voted in favor of this point of order that would require a vote of at least 60 Senators in order to raise income tax rates on the American taxpayer.

Now I know the distinguished chairman of the Budget Committee and others have claimed that this budget does not contemplate an increase in taxes for the American people. I frankly do not understand that, because I do not know how you raise the kind of revenue that is necessary in order to make this budget balance without raising taxes dramatically on the American people.

But I believe this point of order is an insurance policy, so when Congress decides to look into the pocketbook of taxpayers for more revenue, we ought to look first to eliminate Government waste, fraud, and abuse.

What concerns families and small businesses have about the economy is now is not the time to think about raising taxes. Of course, this amendment will not hinder our efforts to close down illegal tax shelters or close perceived loopholes in the Internal Revenue Service Code.

The amendment deals with the tax tables contained in 1040 forms that the IRS annually sends to every American taxpayer. Nor will it hinder efforts to overhaul the Tax Code. I believe the Tax Code is way too Byzantine and complex. We need to make our Tax Code fairer, simpler, and our tax rates flatter. But any tax simplification and reform effort will need bipartisan support from the Senate.

I believe the support for the amendment as we had last year would demonstrate a strong bipartisan commitment not to raise taxes at a time particularly when our economy is starting to show some softness.

As former Chief Justice John Marshall once said:

> The power to tax is the power to destroy.

The power to tax is indeed one of the most powerful tools available to the Congress. My amendment puts in place safeguards that will protect the pocketbooks of middle-class families, college students, and hard-working American taxpayers, put a safeguard in place that will protect them.

I know there will be strong bipartisan support for this amendment when it is offered. I believe it is important that the American people hear the Senate's voice that now is not the time to raise income tax rates. I ask my colleagues once again to support this strong bipartisan protection for American taxpayers.

I yield the floor.

Mr. CONRAD. Madam President, I would ask the Parliamentarian, through the Chair, a series of questions, if I could, about the Cornyn amendment.

Does the Parliamentarian have the Cornyn amendment?

The PRESIDING OFFICER. The amendment has not been proposed.

Mr. CORNYN. The amendment has not been called up. I would be happy to do so, but I was told that is not possible; that there was an objection to calling up the amendment at this time.

Mr. CONRAD. Actually, I would ask the Senator—we are in this situation in which we try to go back and forth on both sides. There are a number of other Senators who have preceded you in presenting the argument for their amendment, but they have had to withhold actually sending it up so we can go back and forth. I do not know if we are at the point where Senator CORNYN can send his amendment to the desk.

Mr. CORNYN. Madam President, I am happy to wait for my turn in line.

Mr. CONRAD. The Senator is next. The amendment can be sent to the desk.

Mr. CORNYN. Madam President, I certainly do not want to cut in line ahead of my other colleagues who have already talked about their amendments. I will patiently wait my place in line and then call it up.

Mr. CONRAD. It is OK. You would not be going out of line. We have cleared the others who are before you. It would be OK for you to send yours up.

AMENDMENT NO. 4242

Mr. CORNYN. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 4242.

Mr. CONRAD. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4242) is as follows:

(Purpose: To protect the family budget by providing for a budget point of order against legislation that increases income taxes on taxpayers, including hard-working middle-income families, entrepreneurs, and college students)

At the end of title II, insert the following:

SEC. ____. POINT OF ORDER ON LEGISLATION THAT RAISES INCOME TAX RATES.

(a) POINT OF ORDER.—

(1) IN GENERAL.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that includes a Federal income tax rate increase.

(2) DEFINITION.—In this subsection the term ''Federal income tax rate increase'' means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section.

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, dully chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. CONRAD. While we are giving a chance for the Parliamentarian to review this amendment, maybe we can go to Senator REED for discussion of his amendment.

How much time does the Senator require?

Mr. REED. About 5 minutes.

Mr. CONRAD. I yield up to 10 minutes to the Senator from Rhode Island off the resolution.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from New Hampshire is recognized.

Mr. GREGG. I am not sure the Senator from Texas heard that discussion.

Mr. CORNYN. I thought I had the floor, Madam President.

Mr. GREGG. If I could interject, what has happened is the Parliamentarian desires a few minutes to look at the amendment of the Senator from Texas. We thought we could grant him that and then during that period have Senator REED speak for 5 minutes and then come back to the amendment of the Senator from Texas, which would remain pending.

Mr. CORNYN. I have no objection.

Mr. CONRAD. I thank the Senator from Texas for his courtesy. We are trying to use the floor time as efficiently as possible. The Parliamentarian needs a chance to review the Senator's amendment.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. I thank Senators CONRAD and GREGG for graciously allowing me to speak.

We are debating the Federal budget today. While we do that, thousands of families in my State of Rhode Island and across the country are struggling to balance their household budgets. They are, in many cases, in dire circumstances. They are dealing with the effects of failed economic policies. Over the last several years, wages have been stagnant for most Americans. There has been no real increase in family income for almost a decade. In addition to a stagnant income, they have been assaulted by extraordinarily high prices. I had bakers in my office today whose bakeries in Rhode Island have to pay 100 percent more for wheat. What is staggering today is a fact my colleagues are probably aware of. The price of a barrel of oil is exceeding $110. That is the highest price ever for oil. It is even higher in real terms than we saw in the wake of the oil embargo of the 1970s. So wage growth and skyrocketing costs, particularly energy costs, are crushing and squeezing families. I regret that the President's budget proposal does not respond realistically to these current challenges. Instead, it offers more of the same.

Since he took office, President Bush and his allies in Congress have increased our national debt to over $9 trillion, which is roughly $30,000 for every man, woman, and child in America. They have also made it harder for working families to make ends meet. In contrast, the resolution advanced by Senator CONRAD and the majority would provide much-needed relief for millions of Americans and begin to reverse some of the negative trends that have accelerated with President Bush's term of office.

I am pleased, for example, that the Budget Committee has increased the fiscal year 2009 authorization for low-income home heating energy assistance to $2.5 billion, $500 million more than the President's request. But I believe we need to do more. We certainly need to do more when the price of oil is soaring above $110 a barrel. That cost will quickly translate into heating oil costs, increased prices at the pump, and other energy costs throughout the economy and will have dire impacts on families.

I will, at the appropriate moment, offer an amendment, along with Senator COLLINS, to provide an additional $2.6 billion for LIHEAP for a total level of $5.1 billion, the fully authorized amount. As my colleagues know, LIHEAP helps low-income families, seniors, and individuals with disabilities with their heating and cooling bills, bills that have become unmanageable, and with the skyrocketing price of oil, will become even more so. Family budgets have been squeezed. We have to do something to help them out.

For example, heating oil prices have increased 138 percent from January 2000 to January 2008. Paychecks for working families have not increased 138 percent and neither has LIHEAP funding. We are not even keeping pace with the acceleration in the cost of energy. LIHEAP helps these households avoid making the tough choices between paying their energy bill or putting food on the table or also, in this environment, paying their mortgage. So we have to increase, not cut, LIHEAP funding. Funding LIHEAP at $5.1 billion would help literally millions of families cope with high energy prices during bitter cold winters and accelerating costs of energy and hot summers for those who live in the Southeast and Southwest and other parts of the country.

I urge all my colleagues to join with me and Senator COLLINS in supporting

this vital amendment to the budget. At this juncture, I ask unanimous consent that in addition to the 16 cosponsors listed on amendment 4154, as submitted, further, Senators COLEMAN, KOHL, LEAHY, LIEBERMAN, LINCOLN, and SCHUMER be added as original cosponsors as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. In conclusion, this budget resolution and the amendment I have offered provide a blueprint for legislative action. The amendment that will be offered in its appropriate turn by Senator CONRAD will address the critical issue of helping families make ends meet by helping them with their energy costs, both in severe winters and scalding summers.

However, we have to do much more than this. We have to help people with mortgage bills, the rising cost of food and energy and stagnant wages. I hope the administration and my colleagues on the other side of the aisle will join us in the coming months to enact legislation that will make a huge difference for Americans in all phases of the economic issues that challenge them—paying the mortgage, feeding the family, heating their home, paying the health care bills, getting jobs in the United States that pay wages with which they can support their families. We could do that. We have done it in the past. There is no reason we cannot work together to make it happen now.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 4181

Mr. CONRAD. I send the Pryor amendment to the desk to be in order after the Cornyn amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for Mr. PRYOR, for himself, Ms. SNOWE, and Mr. BINGAMAN, proposes an amendment numbered 4181.

Mr. CONRAD. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To add a deficit-neutral reserve fund for Science Parks)

At the end of Title III, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR SCIENCE PARKS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

Mr. CONRAD. Maybe we should thank the desk crew for working under very challenging circumstances because we know we are sending them a tremendous flood of amendments and paper. They are having to keep it straight, and we very much appreciate their diligent work.

AMENDMENT NO. 4242

Mr. GREGG. I was wondering if we could set the order here before we go back to the Cornyn amendment.

Mr. CONRAD. I think we could.

Mr. GREGG. If the order is now, the Cornyn amendment is the regular order, that would be followed by the Pryor amendment in the voting sequence, followed by the Allard amendment, followed by a side-by-side to the Allard amendment.

Mr. CONRAD. Yes, we may have a side-by-side for the Allard amendment. We have reserved that slot at least.

Mr. GREGG. And then after this discussion, we would turn to Senator BIDEN.

Mr. CONRAD. After I ask the Parliamentarian a number of questions with respect to the Cornyn amendment, which we set aside so the Parliamentarian could study it.

I ask, through the Chair, the Parliamentarian if the Cornyn amendment is germane to the budget resolution.

The PRESIDING OFFICER. The amendment is not germane.

Mr. CONRAD. I ask further if this amendment was accepted on the floor, if that would be corrosive to the privileged nature of a budget resolution?

The PRESIDING OFFICER. It would be.

Mr. CONRAD. I ask further if the Cornyn amendment came back from conference committee, if that would be fatal to the privileged nature of the budget conference report?

The PRESIDING OFFICER. It would be.

Mr. CONRAD. Therefore, I have no choice but to raise a point of order on germaneness on the Cornyn amendment at the appropriate time. I will not do that now, but I wished to have this conversation in the presence of the Senator from Texas. We had this conversation last year. I alerted him that this issue was raised with us afterwards, and I wanted him to hear for himself the answers of the Parliamentarian.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I understand the concerns of the Senator. It will take 60 votes to waive the point of order. Sixty-three Senators voted for the amendment last year. My hope would be they would vote with me to waive the point of order. Unfortunately, the Senator is correct. After 63 Senators voted on a bipartisan basis for this amendment last year, it was stripped in the conference. Unfortunately, this is the kind of thing that tends to undermine public confidence in what we are doing, when we see a strong bipartisan show of support for a commonsense amendment and then, behind closed doors, it is later stripped from the legislation. I respect and understand the concerns of the Senator. I will move to waive the budget point of order at the appropriate time.

I thank the Chair.

Mr. CONRAD. I thank the Senator. Now we have time for Mr. BIDEN, the senior Senator from Delaware. Would 15 minutes be plenty?

Mr. GREGG. Madam President, I ask if the chairman would be agreeable to recognizing Senator ALLARD around 5:15 and that debate on his amendment and any substitute to his amendment be for 1 hour, up to an hour equally divided.

Mr. CONRAD. One understanding we might have, if that amendment consumes less time or the side-by-side consumes less time, that we go on to other business.

Mr. GREGG. Absolutely.

Mr. CONRAD. All right. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

AMENDMENT NO. 4164

Mr. BIDEN. Madam President, I thank the chairman of the Budget Committee. It is a job I don't envy.

Let me say at the outset, I have two purposes in rising today. One is, I am going to, at the end of my comments, introduce an amendment that restores full funding for the 150 function, the State Department budget, cosponsored by Senators FEINSTEIN, SMITH, DURBIN, SUNUNU, DODD, MARTINEZ, MENENDEZ, SNOWE, KERRY, COLLINS, LEVIN, VOINOVICH, OBAMA, CORKER, LEAHY, and HAGEL.

What I rise to speak to now is an amendment already at the desk, amendment No. 4164. That amendment will add $551 million to the $599 million already provided in the budget resolution for the COPS Program for a total funding of $1.15 billion. I thank the Budget Committee for allocating the $599 million to the COPS Program in this resolution. That is a significant increase from the President's priorities. In fact, for the first time since its inception in 1994, the President's budget proposes to eliminate the COPS Program entirely. I am offering my amendment to get us closer to full funding of the level of $1.15 billion that proved successful in driving down crime in the 1990s.

I realize I am a broken record on this issue. Each year my colleagues hear me come down and talk about the COPS Program, the fact that we have to fully fund the program. Why am I such an advocate for the COPS Program? Mostly because I wrote the original legislation. There is a tendency around here, if you write something, you hang onto it, even if it no longer functions. But that is not the reason. It is not pride of authorship. I support it because it works. It worked. It continues to work. And it will work even better if we fund it.

In the 8 years following the creation of the COPS Program, we have driven down violent crime by 30 percent in the United States. Cops and sheriffs themselves have told us the COPS Program works and is critical to their ability to keep communities safe. In addition, we have one dozen academic studies showing that COPS grants help reduce crimes in cities of all sizes.

If it ain't broke, as Ronald Reagan used to say, why fix it? I have never heard the other side argue that this program does not work. They all agree it works. But they choose not to fund it because they think funding of local law enforcement is not a Federal responsibility or that we need to defund the program to be fiscally responsible. The truth is, this devolution of Government argument I find not very compelling. The argument that the Federal Government has no responsibility for local crime would be true if the Federal Government had no responsibility, if the States were able to do something about the drugs pouring across our international borders, if, in fact, States were able to affect crime coming across their borders from some other States, if, in fact, they had jurisdiction to reach out and deal with 60 percent of the crime that occurs in their communities because of drug abuse and drug trafficking. So there is an overwhelming Federal responsibility here.

My view is that allowing crime rates to grow and not doing everything in our power to protect our constituents is irresponsible. It is not that we are being fiscally responsible, we are being irresponsible by not funding programs we know work.

I should point out, the COPS Program actually saves money in the long run. I hear from some of my neoconservative friends, who are big on the devolution of Government and fiscal responsibility, as they talk about it. I also hear them use phrases as businesspeople: You have to spend money to make money. Well, we should, as I say, change the paradigm here.

Last March, the Brookings Institute issued a study showing that the COPS Program greatly benefits society as a whole. The study found that every $1.4 billion invested in COPS generates a benefit to society of between $6 billion and $12 billion by reducing crime. According to Brookings scholars:

> COPS appears to be one of the most cost-effective options available for fighting crime.

That is because when you prevent a crime or you fight crime, you do not pay for the cost of the injury, you do not pay for the cost of the physical damage done to the community, you do not pay for all the ancillary costs that are associated with high crime rates. You actually save money by spending money on COPS.

The Bush administration argues that because crime is lower than it was in the early 1990s, we can afford to slash crime-fighting assistance. Well, I find that striking. I start with the basic premise that if we do not see a drop in crime rates each year, then we failed. The fact is, we talk about the number of crimes, violent crimes being committed in America. If you take the total number of crimes being committed, even though they have leveled out or are only slightly increasing, they are down from the high points in the mid 1980s and the early 1990s. The fact is, there are still over 1,400,000 of those crimes being committed. Is that OK? Should we not spend money to deal with what is still an incredible number of crimes committed in America—17,000-plus murders this year? We need to get back on track now.

Our law enforcement agencies are facing a perfect storm. Let me explain why I mean by that.

Since he took office, the President has cut annual funding to COPS and Byrne Justice Assistance Grant Programs by $1.7 billion. The President's budget proposes now to eliminate these programs entirely. At the same time, he asks State and local law enforcement to take on new responsibilities—new responsibilities—relating to counterterrorism, homeland security, and immigration duties. The President is asking cops to do much more and giving them considerably less.

The FBI agents reassigned away from fighting crime to terrorism—and they must do that—have not been replaced. One investigative report last year stated that the number of criminal cases investigated by the FBI has dropped by 34 percent. I am not being critical of the FBI, nor critical of the commitment to counterterrorism. But in our effort to protect America from terrorism, we cannot leave them vulnerable to violent crime on their streets. It does not matter if you get blown up by a terrorist or shot by a drug thug on the street, you are dead. You are dead. Family members do not make a distinction between how you die. We have to protect them from both the crime on the street and from terrorism. That takes a commitment of resources that has been lacking in recent years.

Finally, the economy has slowed down. The Washington Post reported recently that next year 20 States expect their budgets to be in the red. As State governments are forced to tighten their belts and cut back on critical law enforcement funding, as they do that, Federal assistance is going to become even more important.

Many of you have heard me say this before: Fighting crime is like cutting grass. This spring, when the grass begins to grow, you go out and cut it. For 1 week, it is going to look great. Don't cut it for 2 weeks, it looks a little ragged. Don't cut it for a month, it is really ragged. Don't cut it for the summer, and you have a jungle in your front yard.

Ralph Waldo Emerson once said in another context: Society is like a wave. The wave moves on, but the particles remain the same.

God hasn't made a new brand of man in a millennia. As long as there are people and the population is increasing, there is going to be continued crime. The idea that we can spend less money one year than the year before in fighting crime I find preposterous because you do not change human nature.

Many of you have, as I have said, heard me say this for a long, long time. But the fact is, we have neglected State and local law enforcement for much too long, and we have an increasing problem on our hands.

A recent poll published by the nonpartisan Third Way indicates that 94 percent of Americans view crime as a ''very serious'' or ''fairly serious'' problem. Sixty-nine percent of Americans think violent crime is a bigger threat to them than the possibility of terrorist attacks. It is sort of a self-evident proposition, but it is interesting to know they feel that way.

The concerns of these Americans are serious, and they are real. Last year, 1.4 million Americans were victims of violent crime. Now, if crime is down from what it was a decade ago, is that an acceptable rate? Is it acceptable to say we do not have to spend any more money, we can level off violent crime at 1.4 million violent crimes a year? Are we doing our job? Are we winning the war? Are we protecting Americans? How can we justify spending less money when there are still 1.4 million violent crimes in America? More than 445,000 Americans were robbed. More than 17,000 were murdered. Is there anyone in this body who does not think these numbers are unacceptably high for a civilized nation? We know what the solution is. We know how to make American communities safer. But we know it takes a commitment, and it takes a financial commitment.

In all my years dealing with this issue of crime and the criminal justice system, there are only a few things we know for sure. One is, the older you get, the less violent crimes you commit because it is harder to run down the street being chased by a cop and to jump a chain-link fence when you are 50 years old. So violent crime decreases as you get older. The other thing we know for sure is that cops matter. If there is going to be a crime committed at an intersection and there are three cops at that intersection, the crime is going to be committed on the corner of the intersection where the cops are not standing. Cops matter.

So I find it preposterous that no one has argued against the merits—the merits—of the COPS Program and the crime bill originally written. No one argues that it does not work, but they argue we fiscally cannot afford it. Can we afford 17,000 murders in this civilized country? Can we afford 1.4 million violent acts against our fellow citizens? Can we afford 445,000 robberies, for which we know if we commit these resources of $1.15 billion a year we can significantly reduce the number

of people being victims of violent crime?

My amendment will add $551 million for the COPS Program to support the local law enforcement officials on the front lines, and it is fully offset by an across-the-board cut to nondefense, discretionary spending.

So when the appropriate time comes, I will urge my colleagues to vote for this amendment. I might add, it passed last year. It passed, and it passed the appropriations process until we ended up with a continuing resolution. So there has been overwhelming support for this, and I think it is needed.

Now, Madam President, I would like to turn, in the moments I have left, to an amendment I would like to offer at this time for myself and Senator LUGAR. We are joined by a number of our colleagues whom I mentioned earlier. Our amendment builds on similar work done by Senator FEINSTEIN. We all share the same goal.

My amendment restores the full amount of the President's requested $39.5 billion to the international affairs budget. To put this in perspective, for every $19 we spend on the military, we spend $1—$1—on diplomacy and development.

Last week, two distinguished former senior military officers, GEN Anthony Zinni and Admiral Smith, came before the Foreign Relations Committee to tell us that we must reorder our Nation's priorities in order to protect our national security. With more than 50 of their fellow former flag officers behind them, they are calling for a new emphasis on smart power—using our Nation's diplomatic and economic resources to protect our interests.

Secretary of Defense Gates has made the same point absolutely clear. He said:

> Having robust civilian capabilities could make it less likely that military force will have to be used in the first place.

We can all see the results in both Iraq and Afghanistan of not having those capabilities, the resources, or the plan to turn military action into a sustainable peace.

But Secretary Gates was also perfectly clear about the real issue. In his words:

> Sometimes there is no substitute for money.

He was talking about the need for an international affairs budget that can do the jobs that are now increasingly shifted onto our overburdened military or simply are not being done at all. The way we do things now, we have, in his words, ''field artillerymen and tankers building schools and mentoring city councils—usually in a language they don't speak.''

We have to do better. We face many challenges around the world in the rise of religious fundamentalism, the proliferation of weapons of mass destruction, the spread of disease, and failed states. They are all vectors that, in fact, intersect and cause great threats to us. Not one of them can be met solely or even primarily with military force. No one knows that better than our men and women in uniform.

The message we heard in our committee last week was: ''We cannot rely on military power alone to make our nation secure.'' Yet, as I said, for every $19 we spend on military resources, barely $1 goes toward civilian programs that can prevent military action, support a balanced response to security threats, or secure the peace once the shooting stops. We spend more in 3 weeks on military operations in Iraq, for example, than we have spent since 9/11 to rebuild and secure Afghanistan—the total amount of money spent in Afghanistan, which is one end of the superhighway of terrorism between Afghanistan and Pakistan. We have spent less money, since 9/11, in Afghanistan defeating the Taliban and dealing with its civilian as well as military needs than we spend for 3 weeks in Iraq. This amendment will not fix that problem, but it will keep us from making it worse.

Last month, I wrote to my colleagues on the Budget Committee asking them to treat the President's budget for international operations ''as a floor, not a ceiling.'' I ask unanimous consent, Madam President, to have a copy of my views printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, February 26, 2008.

Hon. KENT CONRAD, *Chairman,*
Hon. JUDD GREGG, *Ranking Member,*
Committee on the Budget, U.S. Senate,
Washington, DC.

DEAR CHAIRMAN CONRAD AND SENATOR GREGG: I write in response to your request for the views and estimates of the Committee on Foreign Relations, as required by Section 301(d) of the Congressional Budget Act of 1974, regarding the budget for programs under the jurisdiction of the Committee. Most, but not all, of the programs within function 150 are under the jurisdiction of the Committee on Foreign Relations.

At the outset, I repeat my suggestion made in years past that the Committee consider functions 050 and 150 as part of a ''national security budget.'' Both national defense and international affairs programs are essential to the security of the country, and we should fund both adequately. This was true before the attacks on the United States in September 2001, and is even more so today.

International affairs funding is the ''first line of defense,'' and the request should be treated as a floor, not a ceiling. The international affairs agencies remain underfunded and understaffed, in spite of increases in the last decade. That is not my conclusion alone, but that of several recent studies performed within and without the government. Therefore, in preparing the budget resolution, I urge you not to reduce the money allocated to function 150 under the President's request.

I also urge the Committee to bear in mind the difficulty of estimating foreign affairs funding over the duration of the budget resolution. Predicting the future in foreign policy can be difficult, because so many events outside the control of the United States can affect the course of American policy. I think it safe to say, however, that our international interests are unlikely to diminish over this period; the opposite is true. In the age of globalization, with ever-increasing links in commerce, travel, and communications, it is more likely that our interests will increase. Most important, we face a continuing threat of attack by international terrorist organizations. The unclassified portions of a National Intelligence Estimate, issued in July 2007 (entitled ''The Terrorist Threat to the U.S. Homeland''), stated that the ''U.S. Homeland will face a persistent and evolving terrorist threat over the next three years.'' The main terrorist organization threatening the United States—al Qaeda—has its base of operations overseas. Our foreign policy institutions devote substantial resources to combating al Qaeda and its affiliates in numerous countries overseas. In sum, our security and economic interests dictate that we continue to provide adequate funding for the international activities of our government.

Against this background, let me discuss several specific items that your Committee should consider in preparing the budget resolution.

Funding for Iraq and Afghanistan

The President has requested a relatively small amount of foreign affairs funding for Iraq in the FY 2009 budget—$397 million in foreign assistance funds, and $65 million for State Department operations. But this modest request obscures a much larger supplemental request of over $2 billion for State Department operations in FY 2008. I would expect additional supplemental funds to be requested in FY 2009. This continues an objectionable practice of treating these costs as somehow unforeseen and worthy of exemption from the normal budget discipline. We should not force the taxpayers of tomorrow to bear the costs of today's military and foreign policy priorities.

I am pleased that the President's budget contains over $1 billion in additional assistance for Afghanistan, but I remain concerned that the level of commitment falls far short of the President's pledge, made in 2002, of a reconstruction program modeled on the Marshall Plan. In fact, over the past six years the funds spent on Afghanistan's reconstruction equal what we spend on military operations in Iraq every three weeks. The budget presents little cause for optimism that the Administration will adopt a coherent plan for combating the illicit narcotics trade, which remains a major threat to the objective of establishing a secure and stable society. We, and the Afghan people, have waited half a decade for the President's promises to be fulfilled for Afghanistan. It is in our vital national interest to see that this budget funds a new strategy for success rather than a continuation of the failing policies of the past. Accordingly, I expect that the Committee on Foreign Relations will closely review the ongoing programs in Afghanistan and will reauthorize the Afghan Freedom Support Act (P.L. 107–327) at levels higher than those in the President's budget.

Non-proliferation programs

An ongoing priority of the Committee will be to improve the non-proliferation and counterterrorism posture of the United States. The Administration has emphasized military action against states, but has paid insufficient attention to. non-military efforts to keep the world's deadliest weapons, materials, and technology out of the hands of the world's most dangerous people.

Committee priorities in this area will include: ensuring that sufficient resources and authority are available to take advantage of opportunities to verifiably disable and dismantle sensitive nuclear facilities in North Korea and, if possible, Iran (additional resources will be of particular importance if

Congress is unable to enact a budget-neutral Glenn Amendment waiver for disablement, dismantlement, and verification activities related to North Korea's nuclear programs, a proposal that is supported by the Administration, Senator Lugar and me); providing robust funding in a timely manner to key international organizations carrying out critical nonproliferation tasks, such as the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons; funding new State Department efforts to promote biosecurity worldwide; and enacting the Global Pathogen Surveillance Act to strengthen the ability of developing countries to detect and combat bioterrorism threats and infectious diseases. I first developed this legislation in 2002, and it has been approved by the Senate twice (most recently in December 2005 as S. 2170, a Frist-Biden-Lugar bill). The authorization of appropriations for these initiatives is expected to be $150 million in FY 2009 and $180 million in each of the out years.

Lastly, I would highlight a need that Senator Lugar has rightly raised in the past. The Department's Directorate of Defense Trade Controls (DDTC) is seriously understaffed and in need of funds to hire more full-time personnel to process munitions license applications. Without an increase in funds for the activities of DDTC, license applications for critical arms sales to support our allies and their activities in Afghanistan and Iraq will continue to be processed far more slowly than we believe would be the case if more funds were available. Last year, for instance, DDTC had to process more than 40,000 cases with only 34 licensing officer positions filled. By comparison, the Bureau of Industry and Security at the Department of Commerce has far more staff to process far fewer cases involving dual-use export licenses. Yet the President's budget request for FY 2009 includes no funding for additional staff at the Licensing Office at the Directorate of Defense Trade Controls. The Foreign Relations Authorization Act for Fiscal Year 2003 (P.L. 107–228) authorized $10 million to be available in FY 2003 for DDTC salaries and expenses. Six years later, the Administration's request for FY 2009 is only $6.9 million. A doubling of that figure is warranted, to ensure that DDTC has sufficient funding to hire additional licensing officers.

Reconstruction and stabilization assistance

A priority for Senator Lugar and me continues to be to significantly improve the U.S. civilian capacity to undertake stabilization and reconstruction missions in countries that are recovering from War or conflict. I am encouraged that the President has requested $248 million for the Civilian Stabilization Initiative (CSI), and I urge your Committee to assume funding for this initiative. The request level for the CSI would support a civilian active response corps of 250 personnel, a standby response corps of 2,000, and a civilian reserve of 2,000 drawn from the general U.S. workforce. This capacity is the core of legislation which Senator Lugar and I have introduced in every Congress since the 108th Congress. The Senate approved our bill in the 109th Congress and, with strong support from the Administration, we are working for enactment of the current version (S. 613).

Global health

Progress in the battle against HIV/AIDS constitutes one of the leading accomplishments of this administration and U.S. foreign policy in recent years, but the President's request for global health funding, including HIV/AIDS, will fail to build on those achievements. The request includes a very small increase for HIV/AIDS funding overall, but it cuts funding for the multilateral Global Fund to Fight AIDS, Tuberculosis, and Malaria by $340 million from the enacted funding level for FY 2008, requesting only $200 million within State and Foreign Operations and $300 million within the Health and Human Services budget. In keeping with Congress's strong support of the Global Fund, I urge that the budget resolution assume additional funds for a U.S. contribution that will be provided within the 150 account. The President's budget request also significantly reduces funding for Child Survival and Health, including a substantial cut in bilateral funding to combat tuberculosis, despite the fact that drug resistant strains of tuberculosis are growing increasingly common and more dangerous.

Additionally, I would note that the authorization period for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 will expire at the end of FY 2008, unless extended by Congress. I believe that a strong, bipartisan majority in Congress is committed to the reauthorization of these important and successful programs. I expect that the Committee will initiate and Congress will pass reauthorization legislation. Therefore, the budget resolution should assume the continuation and, I hope, expansion of these programs.

International Violence Against Women

Current U.S. efforts to address violence against women are well intentioned, but fragmented and piecemeal, and lack systemic integration into current U.S. foreign assistance programs. Our approach to this issue can, and needs to be, more effective. Senator Lugar and I recently introduced comprehensive legislation to address the issue, entitled the International Violence Against Women Act (S. 2279). The bill contains three primary components: First, it reorganizes and rejuvenates the gender-related efforts of the State Department by creating one central office, directed by a Senate-confirmed Ambassador who reports directly to the Secretary. The Coordinator will be charged with monitoring, coordinating, and organizing all U.S. resources, programs and aid abroad that deals with gender-based violence. Second, we know that in humanitarian crises, conflict and post-conflict environments, women and girls are even more vulnerable to horrific acts of violence. The legislation requires training, reporting mechanisms and other emergency measures for those who are working directly with or protecting refugees and other vulnerable populations. Finally, the Act mandates a 5-year, comprehensive strategy, with coordinated programming, to prevent and respond to violence against women in 10 to 20 targeted countries. The Act authorizes $175 million a year to support programs to prevent and address violence. against women in areas such as strengthening criminal and civil justice systems, enhancing women's access to property and inheritance rights, improving access to health care and education, and supporting public awareness campaigns to change social norms. I urge your support for the additional funding contemplated by this bill.

Millennium Challenge Corporation

The President has requested $2.225 billion to fund the Millennium Challenge Corporation (MCC) in FY 2009, which is significantly below the FY 2008 request of $3 billion. I remain concerned about the lack of funds disbursed by MCC and delays in implementing its Compacts. Of the nearly $7.6 billion appropriated to MCC since 2004, only $145 million has been disbursed to date. At the same time, MCC enjoys the continued support of the development community and represents one of the few institutions in the U.S. Government dedicated to providing longterm development funding. Given the slow pace of disbursements, Congress has continued to reduce the President's requests. This year, he has scaled back his budget request to an appropriate level. Therefore, I request the Committee assume MCC will receive its full funding request.

Development Assistance funding

The President requests an increase in funding for the Development Assistance account to over $1.6 billion, reversing a declining trend in this account as well. I have watched with increasing concern as the Administration has diverted funds from the development assistance account to the shorter-term Economic Support Funds. I believe adequately funding both accounts is critical to supporting a multi-faceted and balanced foreign policy. The programs supported by Development Assistance funds—basic education, water and sanitation, agriculture and trade capacity building—are essential building blocks for developing countries. I support the request level for this account.

Humanitarian assistance

I am concerned by the President's reduced request for humanitarian assistance funding, especially funds for the International Disaster and Famine Assistance account. The Administration has conveyed that it intends to request additional funds for this account through a budget supplemental. I do not believe this represents the best approach for dealing with emergencies as they arise. In each of FY 2004 through FY 2007, the total appropriation for the International Disaster and Famine Assistance account has exceeded $500 million. There is little reason to expect this year to be any different, yet the President's request stands at $298 million. As a result, humanitarian agencies working on the ground are forced to plan in a vacuum, leading to lives lost and inefficient expenditure of taxpayer funds. I believe it is much more sensible to fully fund these accounts in the regular budget.

Contributions for International Peacekeeping Activities

The President's request for Contributions for International Peacekeeping Activities—the account through which we pay the U.S. share of United Nations peacekeeping operations—significantly underestimates the amount that we will be required to pay for the United States' proportionate share of assessments in 2009. The estimate of U.S. payments for fiscal year 2008 was $2.3 billion; the budget request for fiscal year 2009 is $1.5 billion. We know that the need for peacekeepers in Africa alone is immense, and projected to remain the same, if not grow. Darfur, Chad, and Somalia are still in the grips of terrible conflicts. The Democratic Republic of Congo, which has seen horrendous violence in recent years and contains the largest of the U.N. peacekeeping missions, may be on the verge of a breakthrough toward genuine peace and needs a stable environment to support such a breakthrough. The President's budget request, however, would effectively cut funding for nearly all of the U.N. peacekeeping operations from estimated 2008 levels, and in particular a cut of $75 million for the Congo mission, a $56 million cut for the mission in Liberia, and a cut of $39 million in the Cote d'Ivoire mission. No justification for these reductions is provided in the budget request; the budget resolution should assume that these projections are inadequate.

Migration and Refugee Assistance

The request for $764 million for the Department of State's Migration and Refugee Assistance (MRA) account represents deep cuts from the Fiscal Year 2008 appropriation of $1.023 billion. These cuts are most troubling at a time when significant refugee crises

continue in nations such as Thailand and Chad. and where refugees remain in camps for a decade or more in some regions of the world. Of greater concern is that the President's request makes these cuts following a year where up to two million Iraqis have now sought refuge in neighboring countries in the Middle East, millions more Iraqis are internally displaced within Iraq, and at a time when the world community is struggling to address the needs of these populations. The budget resolution should assume a higher level of funding, at least consistent with last year's level.

USAID operating expenses

The President reverses a declining trend of funding towards USAID's operating expenses by increasing its FY 2009 funding request to over $767 million. This will cover critical salary, operational, administrative, IT and central support costs. I believe it is a well-needed and much delayed step in the right direction. In particular, this request will allow the Agency to recruit, hire and train 300 new Foreign Service Officers, barely covering attrition rates. We have asked the Agency to expand its mission and operations into new theaters like Iraq and Afghanistan. We cannot expect it to achieve U.S. foreign policy objectives if we do not provide appropriate resources. I view this request as just the first step in a comprehensive reform and overhaul of how USAID operates.

State Department operations

The President has requested a 6.5 percent increase in the operating budget of the Department of State. Much of this is devoted to addressing personnel shortfalls and the need for more officers trained in difficult languages. The lack of experienced officers with adequate language skills in languages such as Arabic or Chinese is well known. In addition, several studies in the past few years—including by the Government Accountability Office and the Center for Strategic and International Studies—have noted that the Department suffers from serious personnel shortages. Altogether, the budget requests 1,543 new positions in the Department, of which 448 would be funded by fees in the Border Security program (i.e., visa and passport fees). I support this increase in personnel.

Extension of Overseas Private Investment Corporation

The basic authorities of the Overseas Private Investment Corporation (OPIC), set forth in Section 234(a), (b), and (c) of the Foreign Assistance Act of 1961, expired at the end of FY 2007, but have been extended by Congress to April 1. The House has approved a four year reauthorization (H.R. 2798); the Committee on Foreign Relations ordered reported a substitute version of this bill on February 13. I believe a majority of the Senate supports OPIC programs. Therefore, the budget resolution should assume the continuation of OPIC operations.

Direct spending

I request that the Committee provide the Committee on Foreign Relations with a small allocation (not more than $10 million) for direct spending for Fiscal Year 2009. In recent authorization legislation for the Department of State, the Committee has approved provisions related to management and personnel in the Department that have resulted in small amounts of direct spending, though most of these provisions affect direct spending and revenues by less than $500,000 annually.

I appreciate your consideration of these views and look forward to working with you on the budget resolution.

Sincerely,

JOSEPH R. BIDEN, Jr.,
Chairman.

Mr. BIDEN. Madam President, working under tight constraints, the committee reduced the President's budget request by $4.1 billion. I understand they have a difficult task and a great staff, but I believe we have to do a lot better.

I ask my colleagues today to join me, when this amendment comes forward, in restoring the full $39.5 billion the President requested. That will allow us to at least continue the work now underway to help rebuild Iraq and Afghanistan, to support our ongoing nonproliferation programs, to provide the manpower and skills for our Civilian Stabilization Initiative, to fight AIDS, and to do all the things that reduce threats, relieve human suffering, and help to rebuild the moral stature of the United States in the world.

Our amendment is supported by the One Campaign, Interaction, the U.S. Global Leadership Campaign, and many other groups, many of whom are men and women who have worn the uniform their whole life.

The money we are asking for is less than a couple weeks of military operations in Iraq. It is an absolutely essential investment in our national security. So at the appropriate time, I will urge my colleagues to support this amendment.

Madam President, I thank my colleagues for the time on the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCHUMER). Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I want to enter a plea to my colleagues: We need an attitude adjustment around here. We need an attitude adjustment around here. Here it looks pretty placid. Underneath all of this, there is a great deal of turmoil. If we are going to complete this in any reasonable way, we have to have people be more cooperative, less confrontational, less insistent on side-by-side amendments for even minor matters. I plead with my colleagues. I have a feeling what we have here is a lot of staff members who have gone into hyperactive mode, insisting on things in the name of their boss, and I bet their boss doesn't even know. I bet a lot of bosses would be a little embarrassed, frankly, about the insistence being made here from their staffs about how they have to have this and they have to have that, no matter how minor, no matter how insignificant, no matter how petty. I will tell my colleagues, it is wearing pretty thin with me. It is wearing real thin with me. I want to send that message.

Senator GREGG and I have been here for hours, we will be here hours more. We were here all day yesterday. Let's get serious. If we want to get done, then everybody is going to have to start getting a little better attitude about getting done. I hope people think very carefully about what I have said.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. What is the regular order?

The PRESIDING OFFICER. The Senator is recognized.

Mr. ALLARD. What is the regular order?

The PRESIDING OFFICER. The pending amendment is the Conrad-Pryor amendment.

AMENDMENT NO. 4246

(Purpose: To raise taxes by an unprecedented $1.4 trillion for the purpose of fully funding 111 new or expanded Federal programs)

Mr. ALLARD. Mr. President, I ask unanimous consent to set aside the pending amendment, and I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

Mr. ALLARD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The clerk has not yet reported the amendment.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. ALLARD] proposes an amendment numbered 4246.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. GREGG. Mr. President, I simply ask—we have an order to go through. We will protect the rights of the Senator from Colorado to have it voted on and he is actually in the queue to come after Senator PRYOR at this point. So I don't think the Senator from Colorado needs to ask for the yeas and nays right now.

Mr. ALLARD. I thank the Senator from New Hampshire, and I will respect those wishes. I will move right to the debate on the amendment.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, one of my goals for this debate is to fight what I see as an erosion of fiscal discipline in the budget. I have offered an amendment to fully—I planned on offering an amendment to fully budget for the war, a war we know we are going to pay for but we are underbudgeting for by about $100 billion. I had planned on offering an amendment to tighten the requirements on reserve funds so they cannot be gimmicked into adding billions of dollars in spending. I plan on offering an amendment to curb the use of time shifts to allow budgets to falsely make claims on spending levels when the true picture is unchanged. I had planned on offering an amendment to allow authority to fight Medicaid waste, fraud, and abuse to be extended.

I am offering another ''truth in budgeting'' amendment now. I think we

need to work harder to tie what is in this budget with what is actually going to be spent by the U.S. Government.

As a component of that work, I want to add an amendment—an amendment I intend to vote against, but an amendment I think needs to be a part of this process—that will budget for some of the rhetoric we are hearing on the campaign trail. Three of these amendments could be offered, but I am going to offer only one.

Senator OBAMA has offered 188 campaign proposals that would add up to at least $300 billion in new annual spending. That has a 5-year cost of more than $1.4 trillion. Of the 188 new spending proposals, the $300 billion pricetag only covers 111 proposals. There are another 77 proposals with unknown cost estimates that will add billions to this number. This new spending, if enacted, would represent an almost 10-percent increase over the President's budget for fiscal year 2009.

To put this in perspective, this $300 billion spending proposal would cost more than 42 States' budgets combined when we look at their general fund expenditures. It is more than the United States spent last year on imported oil, and it is more than 60 percent larger than any 1-year Federal spending increase ever.

Who will pay for the proposed $300 billion increase in spending? The middle-class American taxpayers and small businesses, which are the engine of growth for our economy, that is who. Raising taxes on just the rich simply won't cover it.

Under pay-go budget rules, new spending or tax cuts are paid for by spending cuts or tax hikes. The CBO budget baseline already incorporates the extra revenue due to higher tax rates, so the end of the Bush tax cuts won't pay for the proposed spending and still satisfy our pay-go requirements.

Senator OBAMA has promised to pay for his record new spending increases with a tax increase on families making $250,000 and over. However, this increase would only yield $225 billion over 5 years. Now, that is a far cry short of the $1.4 trillion required under his new spending plan. So we will need to raise taxes on the middle class and small businesses or deficit spend. Those are the choices we have.

According to CBO, President Clinton's 1993 tax increase raised taxes $240.6 billion over 5 years. The late Senator Patrick Moynihan called it the ''largest tax increase in the history of public finance in the United States or anywhere else in the world.'' This proposal will increase spending $300 billion in a single year.

To finance the first year of this proposed spending—the $300 billion—Congress would need to increase taxes on the top 1 percent of taxpayers by 57 percent. Under that scenario, taxpayers with incomes over $365,000 would see a tax hike of at least $40,300 on top of what they are currently paying. That is simply not realistic. So if Congress decides to widen the pool of taxpayers footing the bill, it would have to raise taxes on the top 5 percent by 38 percent. It would have to raise—the top 10 percent of taxpayers, it would have to raise their tax rates by 32 percent; or the top 25 percent by raising their tax rates 26 percent; or the top 50 percent of taxpayers by raising their tax rates 23 percent.

The top 50 percent of American taxpayers, who already pay 96.9 percent of all Federal income taxes, are those who earn $31,000 of adjusted gross income or more.

To translate this point into language everyone can understand, if you have an income of $104,000 or more, the plan would cause your tax bill to go up at least an additional $5,300 a year. If you have an income of $62,000 or more, the plan will cause your tax bill to go up at least—at least—$2,300 a year. This is on top of the $2,300 increase already assumed by the failure to extend the current tax policy that was put in place by this President and a Republican Congress. But we are not just looking at new spending. He also wants to balance the budget and stop spending the Social Security surplus. If he follows through with these promises, it would mean the average taxpayer earning $62,000 would see their income tax bill rise 5,300 or 61 percent, or the average taxpayer earning $104,000 would see their income tax bill rise by 12,300, or 74 percent. The average taxpayer earning $365,000 would see their income tax bill rise by an astounding $93,500. That is a 132-percent increase.

Keep in mind that all these tax increases would be on top of the $2,300 tax increase 43 million families will feel, when the current tax policy expires; the $2,200 tax increase seniors will experience, when the current tax policy expires; and the $4,000 tax increase small business will have to pay, when the current tax policy expires.

If such a massive hike is deemed politically undoable, all of this staggering spending would simply be added to the Federal debt each year, to the tune of over $1.4 trillion over 5 years. That debt would be passed along to our children and grandchildren, with interest.

I will oppose this amendment. But I think we need to include these proposals in our budget debate. I refer to, and other Members have referred to, this as the ''Obama spend-orama.'' It is a huge spending proposal that he is talking about in the campaign, which we can expect him to present to Congress if he is elected President. The consequences are a huge increase. When you pay for that, he is going to have to implement a huge tax increase. That is on top of the expiring taxes that will be taking place in the next 2 or 3 years.

So we have a tax increase built into current law that will be compounded by this type of spending plan.

My point is that the taxpayers of this country simply cannot afford this kind of budgeting. Their taxes are too high. They are going to be too high in the next 2 or 3 years. We are going to have tax increases when our economy can least afford to deal with them.

So I ask my colleagues to join me in voting against this ''Obama spend-orama'' amendment. I think it is the wrong answer in today's world. We need to have the American people keep their money in their own pockets so they can spend it on their own family needs, so it can be used in their local communities to take care of the needs of those communities in which they live. Sending it to Washington and sending it back in some type of programmatic dollars simply will not do the trick to keep our economy growing, and that is certainly not what I want to see.

I came to Washington to make sure we kept power at the State and family level. So I am proposing this amendment so we can have this debate and move forward with this budget policy, which we may have to deal with after this particular Presidential election.

Mr. President, I see Senator BURR. I will yield the floor so he can raise his concerns.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. BURR. Mr. President, I thank my colleague for his amendment. I want to make it clear to my colleagues in the Senate that you should not vote for this amendment. I will say that again. You should not vote for the Allard amendment.

The amendment reflects the proposals that one candidate made in the Presidential race to, in a blanket way, spend $300 billion a year—the first year. We all know if you have 1 year of spending up here, all you need to do is multiply it by how many years you are going to watch it because you will end up close to what the total is. If you look at over a 5-year period, you are looking at a tremendous growth in spending.

Now, this may be considered by some an economic stimulus package—I think that is probably the only way it could be billed—and that we are going to grow the size of the Federal Government through what they spend. That is not how I envision economic growth. I envision that when you fuel, through policies, the commitment by the private sector to invest in bricks and mortar and buy new equipment, to create jobs and hire our children and grandchildren, to continue to innovate to bring new resources to the marketplace and make sure the U.S. economy grows—not the U.S. Government—I think if the American people wish for anything today, they wish we would slash the size of the Federal Government. They wish we would cut the number of employees and that we would actually take a look at the programs that the Federal Government has that we have funded—and that we created many times—that don't work today, and actually fix them and make

them work or get rid of them. But, no, in typical fashion, every election year we say the Government is broken, this or that doesn't work, so let's create new programs. Let's not try to fix the ones that are there. Maybe they will just go away on their own. But they never do. Spending piles up and piles up.

So there is a big difference as we go into this budget debate, and as we go into this election year. The question is, are you going to ask the private sector to fuel the economic growth? Are you going to ask the private sector to invest in bricks and mortar and job creation or are you going to let the Federal Government do it? Our track record in the Federal Government is not too good.

Senator OBAMA's $300 billion spending proposal—in one year, again—would cost more than 42 State budgets combined; 42 of the States in this country, in total, have a smaller budget than the $300 billion that Senator OBAMA is proposing to spend in the first year of his administration.

Quite frankly, who will pay for the $300 billion increase in the size of the Federal Government, the spending and the number of employees in the Federal Government? The American people will, the middle class will. I think my colleague from Colorado said it very well—that even though the rhetoric says we are going to target those people at just the top of the income level, that Congress would need to increase taxes on the top 1 percent of taxpayers 57 percent, which would be a $40,000 increase, if you want to try to raise it just on the backs of the wealthiest or highest taxpayers. In all likelihood, the average taxpayer earning $62,000 a year would see their income tax rise $5,300 or 61 percent. That is how low you would have to go on the taxable scale to be able to raise the money you need to fund the $300 billion increase in the Federal Government.

Let me put things into perspective. CBO said that President Clinton, in 1993, raised taxes in this country $240.6 billion over 5 years. The late Senator Moynihan, from New York, called it the ''largest tax increase in the history of public financing in the United States or anywhere else in the world.'' Now, what Senator OBAMA is proposing for a spending increase in 1 year is bigger than the 5-year increase that President Clinton imposed on the American taxpayer, which was the largest in the history of the country or, as Senator Moynihan said, anywhere else in the world. Senator OBAMA has promised to pay for this new record spending with tax increases on families making over $250,000 a year. That is a pretty attractive target, as we have learned. I think more Americans aspire to get there than worry about getting there.

However, as my dear friend from Colorado points out, this increase would only yield $225 billion over 5 years, which is a far cry from what the amount is that we will need, which is $1.4 trillion. I will say that again. It is $1.4 trillion, which is required under the new spending program.

So in typical Washington fashion, we have a proposal by somebody to spend $1.4 trillion and to pay for it in total with the taxes on just families making over $250,000 in income, which would equal $225 billion over 5 years. Somehow in Washington that is understood as a promise to pay for it in total—$225 billion collected in taxes and $1.4 trillion spent.

I don't need to belabor the point. I am here to beg my colleagues to vote against this amendment. Vote against my friend from Colorado. Turn him down. America doesn't need us to spend more money. They need us to fix the programs designed to affect the American people today. We don't need to tax the American people more. We need to tax them less. We need to look at corporate taxes in this country and we need to reduce them. We need to look at health care and fix it. We need to look at education and we need to figure out how every child crosses the goal line of graduation on time. Government is not going to do that. Communities and the private sector are the ones that will invest in bricks and mortar and will create the jobs. If we create them here, it is not the job most Americans want. If we allow the private sector to create those jobs, the future of every child in this country is unlimited, only controlled by their commitment and their willingness.

Let's make sure our investment is to make sure our policies support the private sector, our programs help the American people, and that we don't fuel the economy fictitiously by proposing that the Federal Government can increase spending and, in fact, balance it on the backs of a select few. It will be like every other tax increase. We will balance it on the backs of Americans who cannot afford any more taxes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, I thank the Senator from North Carolina for his comments. He is entirely right. This is an appropriate time to consider this because we are talking about the budget of 2009. Whoever is going to be the next President, we are talking about his or her budget. We are talking about the same year he or she will be in his or her first year in office.

There is a debate going on out on the campaign trail for President, and I think we need to seriously look at the proposals that are being put forward on the campaign trail. This particular amendment looks at, right now, the leading Democrat candidate for President, the proposal he is going to be making, with the 188 programs he is promoting out there. We have done an analysis on 111 of them. Spending just goes through the roof. Consequently, taxes will go through the roof. If you don't raise taxes to take care of the spending program, then your deficit spending is going to go through the roof.

I think this is a meaningful amendment. I urge my colleagues to vote no, and my view is that, if you make this argument that you are going to make the rich pay for all these programs, that just cannot happen. It will filter down, and the middle class and small businesses are the ones that will carry most of it.

I have mentioned this before on the Senate floor, and I will say it again. If you want economic growth in this country, it comes out of the small business sector. When you raise their taxes markedly, it is going to have an adverse effect on the economy. So this is the wrong solution at the wrong time. I ask my colleagues to vote no on this important amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, how is the time being charged now?

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

Mr. GREGG. Then I ask that the time I am on the floor and the time going forward be charged against the bill.

The PRESIDING OFFICER. That is the order. Time is being charged against the resolution.

Mr. GREGG. Mr. President, if I might have the floor, there are a number of folks who wish to speak to this bill and have amendments relative to the bill. I strongly urge them to wander over here in the next few hours and give their talks and talk about their amendments. It is possible that we will start the vote-arama tomorrow. Once we start, there is not going to be any discussion. There will be one vote after another, with a very brief time period in between equally divided. If people want a substantive discussion on their amendments, now is the time to come over and make their presentation.

Taking my own advice, I will mention an amendment I intend to offer which deals with the H–1B issue. H–1Bs are visas which go to people who can contribute immensely to our economy. We have an economy that depends on value added—smart people creating ideas which create jobs. A lot of those smart people come from overseas, and we should take advantage of them wanting to come to the United States. One of our great strengths as a nation is people want to come here, and we should take advantage of that strength and convert it to an economic engine.

The way to do that, of course, is to encourage people who want to come here and who are going to contribute to the economy by being job creators—rather than taking jobs, they will be actually job creators—to come to the United States. So I will have an amendment to expand the H–1B program. This is critical to the high-technology industry especially.

I expect that this amendment will be strongly supported by those who wish to expand our economy, especially by advancing our leadership in the area of technology, and I know it will be strongly supported by everybody——

Mr. DURBIN. Mr. President, will the Senator yield for a question?

Mr. GREGG. I am happy to yield to the Senator from Illinois for a question. There will be no dead people brought over to the United States.

Mr. DURBIN. Lucky 7,000.

I would like to ask the Senator from New Hampshire, if I might, is he aware of the companies that took advantage of the H–1B visas in 2006, which companies led in the number of H–1B visa awards?

Mr. GREGG. Well, I know the Senator from Illinois doesn't like the H–1B visa program, doesn't desire it to be expanded. I appreciate that and I understand we have a difference of opinion on that, and when he wants time, I will be happy to listen to his views again. But the fact is I happen to think, even though there may have been abuses in the program, I don't think they were at the core of the problem; that the primary energy of this program has been to create jobs in the United States by bringing smart people here.

We should be going across the world and saying to the best and the brightest——

Mr. DURBIN. Will the Senator yield?

Mr. GREGG. I will in a second—and saying to the best and the brightest in the world, if you want to come to the United States and be a job center that adds to the value of our economy, we would like to have you come. We would like to consider you as being a participant under an H–1B visa program.

Mr. DURBIN. Will the Senator yield for a question?

Mr. GREGG. Yes.

Mr. DURBIN. The Senator inadvertently misstated my position. I know it was an accident. We are good friends. He is probably not aware I do support the H–1B.

But is the Senator aware that out of the top 10 companies that secured H–1B visas, 6 of those companies were Indian corporations; 5,000 visas to Infosys, an Indian corporation which is a body shop which moves H–1B engineers from India to the United States for a fee and then back to India to compete with American companies; WoodPro, which is the second largest company, 4,000 visas; and the first American company on the list for H–1B visas was Microsoft, with 3,000. So 9,000 had already been awarded to Indian companies, and the Government of India has said the H–1B is what they consider their outsourcing visa so they can send engineers to the United States to learn how to compete against American companies.

Does the Senator believe that is an abuse which should be addressed?

Mr. GREGG. Well, I would say to the Senator from Illinois that when you bring a person here who has the capacity to add to the strength of a Microsoft, for example, which is probably our single biggest international producer of economic activity for us as a nation, after maybe, I don't know, Wal-Mart, but it is a value-added company of the first level, and that when you bring somebody here who Microsoft feels adds to their ability to be more competitive, if that person decides to go back to India or back to China, well, that will be a choice they make.

But I suspect the odds are pretty good if that person has the opportunity to stay here under an H–1B visa program, they will probably end up staying here, or at least a large enough percentage of them will stay to add to our economy.

Now, what my amendment does——

Mr. DURBIN. Will the Senator yield?

Mr. GREGG. I will in a second. What my amendment does, to make it clear, is it recaptures visas that are unused and it uses those visas now. It also specifically targets bringing in high-skilled nursing, people who are trained in the nursing facility area, which is very much in demand right now.

Mr. DURBIN. Will the Senator yield?

Mr. GREGG. Certainly. Of course.

Mr. DURBIN. Does the Senator feel the option of job vacancies that may be filled by H–1B visa holders should first be offered to Americans to fill those jobs before an H–1B visa is given to a person coming from another country?

Mr. GREGG. I happen to believe the H–1B program is one of those programs that expands jobs in the United States, and by getting people here, you actually create jobs and you will create more jobs for Americans rather than lose jobs.

So, no, I don't happen to think you create a uniform rule that says nobody can come here if somebody else can take the job because then you are going to get the bureaucracy behind that which would basically bar those people from ever getting here. That becomes then a bureaucratic nightmare for building those jobs. It makes much more sense to bring these smart, intelligent people here, have them create jobs here, rather than leave them creating jobs in China and India.

Bill Gates speaks to this far more eloquently than I do. He speaks to most things more eloquently than I can because he can pronounce the words. But as a practical matter, he says these people are centers for the energy that creates the ideas, that creates the jobs that drive the economy. And if you leave them in China, if you leave them in India, as those types of individuals creating jobs, they become huge competitors to the entrepreneurship of America. If you bring them here, they become adjuncts to our economy.

I think the proposal makes a lot of sense from the standpoint of job creation and from the standpoint of making our economy stronger, so I will be offering it later in the day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. REID. Mr. President, if I can ask my friend to withhold for a minute.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I have had a conversation with Senator MCCONNELL, and he and I have had a discussion as to what is going on here and what needs to go on. We believe we should start voting about 11 o'clock tomorrow, or maybe a half-hour earlier. We have an event in the Rotunda that he and I have to attend, and there is a moment of silence for our troops, so we can start about 10:30 or 11 o'clock.

Tonight, Members should offer any amendments they want, talk as long as they want. But it appears, based on my conversation with the Republican leader, it will not be necessary that we be in all night. So that would be all I have to say, and that is also based on the conversation we had with the two managers of the bill earlier in the evening.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I would ask the leader, for the purposes of clarification, if Members would be permitted to speak tonight on their amendments but to call them up tomorrow. We already have a very long line of amendments in the queue. I think the ranking member would probably agree that we would permit Members to speak tonight, but they would have to sequence their amendments tomorrow because we already have a long line of amendments in the queue. I think that would provide a better discipline for the process tomorrow.

Mr. REID. I would say to my friend, if the managers of the bill agree to that, I am sure Senator MCCONNELL would agree to that. So unless we hear from the Republican leader to the contrary, I would say, based on that, there will be no rollcall votes tonight and that we will proceed along that line. Staff will draw up a consent agreement the two of you can take a look at and make sure it is in order.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. I take it the Senator from North Dakota is suggesting we will continue this evening, but in debate only, unless the chairman and the ranking member of the committee agree to put an amendment in order.

Mr. CONRAD. I think that would be the best way to proceed, don't you, to maintain some discipline for what is to come tomorrow?

Mr. GREGG. I agree. I wished to make certain.

Mr. REID. Mr. President, I ask unanimous consent that be the order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I understand that Senator DODD is going to speak for 20 minutes. At the end of Senator DODD's presentation, I ask unanimous consent that Senator ENSIGN be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. I would not object, but if Senator ENSIGN can give an idea, for the knowledge of other Members, how long he will take. An approximation.

Mr. ENSIGN. About 20 minutes.

Mr. CONRAD. That might be helpful to our colleagues who might be listening, in knowing how much time it would take.

The PRESIDING OFFICER. So the order will be the Senator from Connecticut for 20 minutes and the Senator from Nevada for 20 minutes?

Mr. CONRAD. That is correct.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator the Connecticut is recognized.

Mr. DODD. Mr. President, I wish to talk about a couple amendments I will be offering, but let me inquire, if I may, of the chairman of the Budget Committee, if it would be appropriate for us to submit our amendments this evening. I understand the sequence will be left to the committee, but I am not sure whether I should be submitting an amendment or whether we can do that tomorrow.

Mr. GREGG. If the Senator will yield.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I think you can file one, but it can't be called up.

Mr. DODD. I understand that. That is the point.

Well, Mr. President, what I will do, then, is I would like to file two amendments, and I send them to the desk and ask they be filed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, let me discuss these two amendments, and I will reserve about 5 or 6 minutes at the end to talk about the present housing issue that is critical to all of us. I wish to take a few minutes, which is far more than I will probably get tomorrow with the 1 minute allocated to talk about these amendments that are important in a number of aspects.

I wish to thank Senator ORRIN HATCH of Utah, Senator SCHUMER, the Presiding Officer, and Senator DURBIN for joining me in the first amendment I will be offering to increase funding for the Maternal and Child Health Block Grant. This amendment that I will be calling up is supported by a large coalition of organizations, and I ask unanimous consent that the list of organizations and letter from the organizations be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FRIENDS OF THE TITLE V MATERNAL AND CHILD HEALTH PROGRAM,

DEAR SENATOR: As organizations committed to improving the health of America's women, children, and families, we urge you to support full funding for the Title V Maternal and Child Health (MCH) Services Block Grant. Full funding at the authorized level of $850 million will enable all states and territories to provide vital public health and health care services to millions of women, infants and children, including children and youth with special health care needs.

The MCH Block Grant is the only Federal program that focuses solely on improving the health of all of our nation's mothers and children. State and territorial health agencies and their partners use MCH Block Grant resources to reduce infant mortality, deliver services to children and youth with special health care needs, support prenatal and postnatal care, screen newborns for genetic and hereditary health conditions, deliver childhood immunizations, and prevent childhood injuries. MCH Block Grant funding assists states in addressing critical health workforce needs, including the training of health professionals, and supports the development and testing of innovative public health practices.

State and territorial MCH programs coordinate their work with Medicaid agencies, state Special Supplemental Nutrition Programs for Women, Infants and Children (WIC) and other programs serving vulnerable and at-risk populations. This collaborative work assures that every dollar is used to provide necessary services without duplication to underserved mothers, children, and families in your state.

Six years ago, funding for the MCH Block Grant was $731 million and has remained flat or has decreased ever since. The FY 2008 omnibus appropriations bill cut MCH Block Grant funding to $666 million, the lowest level since 1993. Five years of cuts have curtailed progress in improving the health of mothers, children, and families. Full funding for the MCH Block Grant will allow states to efficiently meet increased demand for public health and health care services in their communities.

We strongly urge you to fully fund the Title V MCH Block Grant at $850 million. Your support of this vital program is appreciated.

Sincerely,

Association of Maternal and Child Health Programs; American Academy of Pediatrics; American College of Obstetricians and Gynecologists; American Public Health Association; Association of Public Health Laboratories; Association of State & Territorial Health Officials; Association of University Centers on Disabilities; Autism Society of America; CityMatCH; Children's Dental Health Project; Division for Early Childhood of the Council for Exceptional Children; Epilepsy Foundation; Family Voices; Families USA; First Focus; IDEA Infant Toddler Coordinators Association (ITCA) March of Dimes Foundation National Association of County and City Health Officials; National Assembly on School-Based Health Care; National Center for Children in Poverty; National Healthy Start Association; National Hispanic Medical Association; Prevent Blindness America; The Arc of the United States; The Children's Defense Fund; The Children's Health Fund; United Cerebral Palsy.

SUPPORT FOR DODD AMENDMENT ON MATERNAL AND CHILD HEALTH BLOCK GRANT

Association of Maternal and Child Health Programs; American Public Health Association; Association of Public Health Labs; Association of State & Territorial Health Officials; Autism Society of America; AFSCME; Child FIRST, Bridgeport Hospital, Yale New-Haven Health System; Child Welfare League of America; CityMatCH; Division for Early Childhood of the Council for Exceptional Children (DEC); Easter Seals; Epilepsy Foundation; Family Voices; First Focus; IDEA Infant Toddler Coordinators Association (ITCA) March of Dimes Foundation; National Assembly on School-Based Health Care; National Center for Children in Poverty Mailman School of Public Health, Columbia University; National Center for Learning Disabilities; National Child Abuse Coalition; National Healthy Start Association; Prevent Blindness America; SEIU; Voices for America's Children.

Mr. DODD. Mr. President, among the associations and organizations that are supporting this amendment is the Association of Maternal and Child Health Programs, the American Academy of Pediatrics, the March of Dimes, and many others.

In a minute, I will speak to the second amendment I am offering relating to autism funding.

Under the President's budget, the Maternal and Child Health Block Grant will be funded at $666 million for the second consecutive year. This amount represents a cut of $65 million from 5 years ago, when funding peaked at $731 million. These persistent cuts and flat funding have a real impact on the services States are able to offer to nearly 35 million women, children, and youth affected by maternal and child health programs.

The Maternal and Child Health programs include direct health care for children with special needs, preventive and primary care for children and youth, integration of health care with other child and family services, newborn screening for genetic disorders, lead poisoning prevention, injury prevention, and public education.

We must ensure that the States are able to continue to offer these services to those in need. That is why I am offering this amendment, which will increase the funding of this block grant by $184 million to the authorized level of $850 million.

Again, I wish to thank Senators HATCH, SCHUMER, and DURBIN for supporting this effort in a bipartisan way. The Maternal and Child Health Block Grant services act as a critical source of care for many of our Nation's uninsured children. Of the more than 23 million children receiving services in 2006, 6.8 percent, or nearly 1.8 million children, had no known source of health insurance at all.

More than a third of MCH funds are used to provide primary and preventive health care services to children—including immunization clinics, outreach to enroll eligible children in Medicaid and the State Children's Health Insurance Program, SCHIP, and funding and technical assistance to school based health centers, that serve adolescents.

In other words, MCH funds are used to ensure that mothers and children in traditionally underserved populations receive absolutely necessary care.

Yet, despite this important mission, we continue to ask State MCH programs to do more with less. According to the Association of Maternal and Child Health Programs, the purchasing power of the MCH block grant has decreased close to 24 percent since 2003.

Consider this: at present, low birth weight and preterm births are increasing, the U.S. ranks 32nd out of 33rd of the world's industrialized nations in the rate of infant deaths with African American infants in the United States more than twice as likely as white infants to die before their first birthday, and childhood obesity rates for some age groups representing a three-fold increase in rates over the past two decades. We can do much better. This program has proven it works. Thus you have the support of Senator HATCH and others who know that this program has made a difference in the lives of millions.

Nearly one-half of all preterm births have no known cause but what we do know is that by reducing certain risk factors in the mother such as cigarette smoking and obesity, we can help reduce rates of prematurity.

I chair the Children and Families Subcommittee of the HELP Committee and authored the Newborn Screening Saves Lives Act with Senator HATCH—passed the Senate unanimously last December—and the Preventing Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act, better known as the PREEMIE Act with Senator ALEXANDER, enacted into law. These initiatives have made important steps toward giving children a healthy start at life. But now it's time for us to ensure that the money will be there to continue the success of these vital programs.

The MCH block grant is a proven success for helping ensure a healthy future for our Nation's children. States are required to match $3 for every $4 of Federal funds provided by the block grant. The MCH block grant has performance measures and evaluations that document the effective impact of this modest investment. To quote the Bush administration:

> The program is well designed. The [MCH Block Grant] serves as a safety net to help improve the health of mothers and children and has a positive impact on their health.

The MCH program is critical to the health and well-being of millions of families across this country, including some of the most vulnerable members of our society. Years of funding cuts and level funding have stretched maternal and child health programs to their limits. I urge my colleagues to support my amendment to increase MCH block grant funding to $850 million in this year's budget resolution. On behalf of Senators HATCH, SCHUMER, DURBIN and others, we hope that members will be in favor of something that has enjoyed broad support.

Mr. President, I would now like to speak on an amendment I will be offering with Senators COLLINS and KENNEDY. I thank Senator COLLINS and Senator KENNEDY, the distinguished Chairman of the Health, Education, Labor and Pensions Committee for their support for this amendment. I would also like to thank Autism Speaks for their support for this amendment.

The amendment increases funding for autism in the fiscal year 2009 budget by $197 million in a budget-neutral manner, bringing autism funding up to its authorized level and then doubling our commitment to funding research into the causes of and treatments for autism.

In 2006, the Congress unanimously passed the Combating Autism Act, which my colleague from Pennsylvania former Senator Rick Santorum and I authored along with the strong support of Senators KENNEDY and ENZI. This initiative was the largest Federal expansion of funding and programs for children and families with autism spectrum disorder. It authorizes $800 million to find the causes and decide how to treat the myriad of problems faced by families of children with autism.

At the time the bill passed, the Centers for Disease Control and Prevention, CDC, estimated that 1 in 166 children were diagnosed with autism. Today the CDC estimates that number to be 1 in 150. In fact, 67 children are diagnosed with autism spectrum disorder per day. A new case is diagnosed almost every 20 minutes.

It continues to be a challenge to determine how much Federal funding is actually going to study the causes of and treatments for autism. In fact, some estimates are that actual NIH funding for research specific to autism is less than half of what is being reported.

That is why this amendment is so critical. It will redouble our Federal commitment to funding autism, the fastest-growing developmental disability in the U.S.

At a time when the number of children and families living with autism has grown exponentially, the President's budget proposes to freeze Federal spending on autism at levels that are insufficient to make the kind of discoveries in autism that are needed.

Many of my colleagues no doubt have been visited by children and their families with autism. Autism is a complex neurological disorder, which manifests itself differently in each individual but occurs in all racial, ethnic and socioeconomic groups. It is a lifelong condition that affects not only the individual with the disability, but impacts the entire family, often requiring intensive levels of support and intervention.

There are so many unanswered questions about autism. And it will require a major scale-up in funding to bring us closer to answering them. We should close no doors on promising avenues of research into the causes of autism and my amendment allows all biomedical research opportunities on autism to be pursued.

The amendment I am offering would enable us to redouble our efforts on autism research and treatment services by increasing funding for research, treatments, education and interventions by $197 million in fiscal year 2009 and I urge my colleagues to support the amendment.

Again, I emphasize it is the fastest growing developmental disability in our country. The number of children who will be born with autism is increasing every day in this country. Again, on behalf of Senator COLLINS and myself, Senator KENNEDY and others, we urge you to be supportive of this amendment when it comes up. It is deficit neutral, which ought to make it easier for Members to support this amendment.

Lastly, I want to take a couple of minutes, to commend the chairman of the Budget Committee, Senator CONRAD and Senator JUDD GREGG, the ranking member as well, and the other members of the Budget Committee. I served on that committee for many years and have nothing but admiration and respect for those going through this process. This budget is a positive step to address the serious challenges our economy is facing today. Having just spoken on the specific issues regarding the resolution, on autism and maternal and child health, I want to take a moment to again address some of the problems that are plaguing our economy.

I have been coming to the floor with some regularity in recent weeks to speak on economic issues. I do not wish to test the patience of our colleagues. But I believe that these issues are of such paramount importance at this point in our national life that they merit the consideration of our colleagues.

Just yesterday the Federal Reserve announced a significant new action that attempts to address the liquidity lock-down that has spread through our credit markets and crippled the ability of lenders to lend and borrowers to borrow. The announcement by the Fed is a significant measure that is intended to address this very serious situation. The markets' strong positive reaction to the Fed's action demonstrates that policymakers can undertake actions which have the potential to improve our situation. However, I do not believe that the Fed's action alone will be enough to right our Nation's economic ship. Additional steps should also be considered to address the root cause of the present market turmoil—namely, the housing market and specifically the foreclosure crisis.

New data was released last week regarding the condition of America's homeowners. It is stark, even alarming in certain respects. Foreclosures have hit a new all-time record, according to the Mortgage Banker's Association, MBA. This data shows that more than 1 in every 50 homes with a mortgage in the country is in foreclosure, as of the end of last year. Foreclosure rates have been growing at record levels for some time. Foreclosures are increasing because people are continuing to struggle to make their payments, and because those payments are increasing for millions of Americans. The report tells us

that 1 in every 13 homeowners with a mortgage has fallen behind on their mortgage.

The Federal Reserve also released new data, which shows that Americans' equity in their homes is at a record low. Home equity has fallen for three straight quarters and now, for the first time in recorded history, which dates back to the end of the Second World War, Americans own less than 50 percent of the value of their home. By virtually all estimates, the housing problem is getting worse, not better.

Congress can and in my opinion, must, address the situation. There are several pieces of legislation that I, along with others, am working to do just that. I am working with my ranking member, Senator SHELBY and our colleagues in the House on legislation to reform the Federal Housing Administration. I remain committed to creating a world-class regulator for the GSEs. I also believe that we need to expand the community development block grant program to enable cities and localities with the tools and funding they will need to address the foreclosure crisis which is upon us. I have worked with Senators SCHUMER, the Presiding Officer BOND and others to make sure that high-quality counseling is available to homeowners who are facing the brunt of the storm, and I remain committed to this important program.

Congress should consider creating a home ownership preservation entity that can help restore stability and liquidity to the mortgage market and credit markets generally. Fed Chairman Bernanke called for such an entity in an important address last week.

In addition to addressing the problems in the housing market, which are at the epicenter of our current economic crisis, we also need to make sure that our economy is fundamentally strong for the future. One of the most effective ways to do that is to invest in our Nation's infrastructure. Just yesterday, I chaired a hearing of the Senate Banking Committee on the condition of our Nation's infrastructure and on ideas as to how to improve it. The hearing generated some good ideas that I believe we need to act on. One such idea is contained in legislation written by Senator HAGEL and myself to establish a national infrastructure bank.

I commend Senator RON WYDEN of Oregon and Senator JOHN THUNE for their efforts as well, on a similar idea which we intend to incorporate with our idea that can help us in this effort as well.

The budget resolution before allows for such action. It establishes a reserve fund for the specific purpose of meeting our infrastructure needs. The fund could encompass the legislation Senator HAGEL and I have introduced. I appreciate the willingness of the Budget Committee to work with us on this issue. I commend Chairman CONRAD and Senator GREGG for establishing this fund. It is evidence of a growing consensus in Congress and the country that complacency can no longer substitute for action.

From the days of the Roman aqueducts to the present, a nation's ability to grow and prosper rests upon its success at effectively moving people, goods, and information. Ask any American today how we are doing in achieving this objective, and chances are the response would be the same: we can do better. When the average American spends 51.5 hours a year in traffic congestion, we can do better. When 33 percent of all urban and rural roads are in poor, mediocre, or fair condition, we can do better. When the United States invests less than 2 percent of its gross domestic product on infrastructure while countries like China and India invest between 7 and 12 percent, we can do better.

Economist Stephen Roach, in a recent op-ed in the New York Times, suggests that investing in infrastructure would be an effective strategy for dealing with the current economic slowdown. Specifically, he recommends that:

> Fiscal initiatives should be directed at laying the groundwork for future growth, especially by upgrading the nation's antiquated highways, bridges, and ports.

I have been working closely with Senator SHELBY on these issues and remain hopeful that when the Senate returns after the Easter recess, we can get back to working on cost-effective approaches to allow people to keep their homes and bring liquidity to the housing market.

Lastly, the budget resolution was a good step to address the problems before us by allocating funds to existing programs, such as the Community Development Block Grant Program, as well as, of course, I mentioned the reserve account here to deal with infrastructure needs.

I commend the authors of this resolution. I urge my colleagues to consider the two amendments I will be offering dealing with maternal and general health offered by myself, Senators HATCH, SCHUMER, DURBIN, and others.

Dealing with autism, Senator COLLINS and I will be offering two critical issues. We are accounting for them here in the budget resolution, so they are budget neutral but also making a difference in the lives of people in the kinds of proper investments we may have.

I thank the chair for the time. I thank my colleague from Nevada.

I yield the floor.

Mr. CONRAD. Would the Senator from Nevada wait to proceed for one moment for a unanimous consent request?

Mr. ENSIGN. I would.

Mr. CONRAD. Madam President, I ask unanimous consent that this appear before the gentleman's remarks so his remarks are not interrupted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. I have talked with Senator GREGG about this matter. The one thing we did not agree to formally that needs to be agreed to is that Senator MENENDEZ would have a right to offer the side-by-side amendment to Senator SESSIONS' this evening. That would be the only thing that would be permitted tonight, other than additional agreements between the ranking member and the chairman.

But that is one piece of business we previously agreed to informally but have not done formally. We should do that at this moment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. I thank the gentleman for his courtesy.

Madam President, to modify that request, there are a number of Senators wanting to know what the order would be following the Senator from Nevada. I see Senator GREGG here. We have Senator AKAKA, Senator CORKER, Senator CHAMBLISS. How much time will the Senator from Georgia seek?

Mr. CHAMBLISS. No more than 10 minutes, probably less.

Mr. CONRAD. The Senator from Tennessee?

Mr. CORKER. Six or seven.

Mr. GREGG. Senator GRASSLEY is here.

Mr. GRASSLEY. May I speak at 8:05?

Mr. CONRAD. Yes. For how long at 8:05?

Mr. GRASSLEY. Six minutes.

Mr. CONRAD. Would you be again praising the resolution and the chairman of the Budget Committee or would it not be so favorable?

Mr. GRASSLEY. I know you will not believe it, but I will not have anything negative to say.

Mr. CONRAD. It is my birthday. I wonder if we can agree, after the Senator from Nevada, that Senator CHAMBLISS be recognized for 10 minutes, Senator AKAKA for 10 minutes, then come back to Senator CORKER for up to 10 minutes.

Mr. CORKER. Six will work for me.

Mr. GREGG. And that Senator GRASSLEY be recognized at 8:05.

Mr. CONRAD. After Senator CORKER, then Senator MENENDEZ have his opportunity for 15 minutes, Senator GRASSLEY at 8:05.

I ask unanimous consent that that be the order.

The PRESIDING OFFICER. Is there objection to the request, as modified?

Without objection, it is so ordered.

The PRESIDING OFFICER (Ms. CANTWELL.) The Senator from Nevada.

AMENDMENT NO. 4240

Mr. ENSIGN. I wish to speak on two amendments I will be offering to the budget. The first amendment has to do with means testing Medicare Part D, the new prescription drug benefit, by making sure that seniors who are wealthier pay a little more so that middle-class Americans are not subsidizing their prescription drug benefits to the extent they do today.

As Members of Congress, we have an obligation to all Americans to ensure that senior citizens and individuals

with disabilities have access to medical care. We must maintain that commitment by strengthening the program and controlling costs. We already means test Medicare Part B, which helps cover doctor services and outpatient care.

Today, I am proposing that we finish the job. In order to put the Medicare Program on better financial footing, we should means test the Medicare prescription drug program so that beneficiaries with higher incomes pay higher Part D premiums.

Five short years ago, many of my colleagues, both Democrats and Republicans, voted with me in support of a Feinstein amendment to require high-income Medicare beneficiaries pay a greater share of their Medicare Part B premiums. Many of these Senators are still with us in the Senate today. In fact, the current chairman of the Senate Budget Committee, Senator CONRAD, supported an amendment to means test Medicare Part B. Other Democrats who supported the measure include Senators BIDEN, CARPER, DODD, FEINGOLD, KOHL, LANDRIEU, and WYDEN.

I hope my colleagues on both sides of the aisle recognize that our entitlement programs are in serious danger. As our Nation grows older, these programs will only devour more and more of our Federal budget. Without reform, our entitlement programs will consume our entire Federal budget somewhere around 20 years from now, leaving no funds for national security, education, transportation, or anything else.

Unfortunately, the Democrats are not proposing anything to solve the problem of entitlements in this budget.

Today, I am asking my colleagues to again show the courage to make tough choices and to take our lead from American families across the country who make hard choices each and every day.

My amendment would impose an income test on the wealthiest seniors to ensure that they pay their fair share for prescription drug coverage. This amendment will extend the existing Medicare Part B income test to the Medicare Part D program, the prescription drug part of the program. By doing so, we will save almost $2 billion over the next 5 years.

Under the proposal, single Medicare patients with an adjusted gross income over $82,000 and couples with incomes of more than $164,000 will be responsible for a greater share of their Medicare Part D premium based on a sliding scale. For example, a single Medicare beneficiary with an adjusted gross income between $82,001 and $102,000 a year will see an increase of only about $10.41 in the monthly Medicare premiums they pay. These income levels will be adjusted in the future for inflation.

The vast majority of Medicare beneficiaries will not be impacted by this proposal. This chart shows the percentage of Medicare beneficiaries who are impacted: 96.6 percent of all seniors enrolled in Medicare Part D will not be affected by my amendment. Almost 3.5 percent of seniors will be affected, just the wealthiest of those seniors.

This proposal does not deprive senior citizens of the Medicare prescription drug benefit. What it does say is that if you can afford to pay a little more, then you should pay a little more. I believe it is wrong for the retired CEO of a Fortune 500 company not to pay a little more so that middle-income taxpayers are not subsidizing their prescription drug benefits. It really makes no sense for someone like Bill Gates' father to have his prescription drugs subsidized by a waitress in Las Vegas or a truck driver in Elko, NV. I strongly believe that American taxpayers, struggling to make ends meet, certainly should not be subsidizing, to the current extent, the Medicare Part D premiums of those seniors who can afford to pay for the cost of premiums themselves.

In this instance, means testing is fair. Remember, this prescription drug benefit is a new benefit. It is not something seniors paid for through their taxes, it is a new entitlement benefit that current taxpayers are subsidizing. I think it is only fair to the school teacher, the firefighter, the police officer, and the small businessperson who is struggling to make ends meet, that wealthy seniors pay a little more per month for this new prescription drug benefit.

Madam President, the second amendment I am going to be offering has to do with an issue that is fundamental to our country, the right of employees to have a secret-ballot election for determining whether you are going to have a union represent you in the workplace. This issue is also known as ''card check.'' We need to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board. My amendment will create a reserve fund to ensure that the National Labor Relations Board has sufficient resources to conduct secret-ballot elections.

The NLRB is a Federal agency that was created by Congress in 1935. It is responsible for administering the Labor Relations Act, which is the primary law governing relations between unions and employers in the private sector. The NLRB works to protect the rights of employees to organize and collectively bargain with or without a union.

We need to ask a fundamental question: Should Americans have the right to a secret ballot in choosing whether to have a union represent them?

The Democrats offered a bill last year, that passed in the House, which was filibustered by Republicans in the Senate. Their bill would say: No longer are we going to allow employees the ability to have a secret ballot on whether to have a union represent them. Instead, they say: We are going to have a card check.

The Democrats have offered something they deceptively title the Employee Free Choice Act. As I was saying, instead of secret ballot elections to determine whether or not to be represented by a union, they would pass out cards, have employees sign them, and as long as they get 50 percent of the employees, plus one, to sign a card saying they wanted a union, they automatically have a union.

The problem is that when you use these cards, instead of a secret-ballot election, coercion and intimidation can take place. That is why we have secret-ballot elections to elect our representatives virtually everywhere. Right here in the Senate, when we elect our leaders in each party, we do secret-ballot elections. This reduces the opportunity for intimidation.

People want secret-ballots so that they are free to exercise their right and their conscience while voting. In whatever they do, whether it is a union or electing somebody to represent them in the Halls of Congress, they elect them through the use of a secret ballot. It is fundamental to the American system of government and the American way of life.

Unfortunately, the Democrats have sided with the big labor bosses on this, and not with the union members. If you read the polling data, 80 percent of union members want to maintain their right to secret ballot elections. As a matter of fact, that number is pretty consistent whether you are in a labor union or not. Eighty percent of the American people support the right to secret ballot elections to decide whether or not to have a union represent them.

We have had actual experiences with this in my hometown of Las Vegas.

Bruce Esgar, then an employee at the MGM, testified in front of a House Committee about his experience. He talked about how, when the union wanted to come into his workplace, he and others asked for a secret ballot vote. They were labeled ''anti-union.'' And when the card check campaign began, they were threatened that if they did not sign the card and the union came in, they would lose their jobs and their benefits.

He said that employees were harassed in the dressing rooms before shifts, and that these tactics worked. Employees got tired of being harassed all the time so they signed the cards. Mr. Esgar testified about a coworker whose wife was the union at another casino, and that the union threatened to fire her if her husband did not sign the card at MGM. Another coworker was told that the union knew where his wife worked and where his kids went to school. He was told, ''accidents happen.'' I wonder which of these workers feels that the union is standing up for them?

Bruce summed it up pretty well. He said:

> These are the things that the employees put up with. We did it for two years. And all we were asking for was our right to vote. In America, you vote for your future.

My amendment is fundamental. It says, let's preserve the secret ballot right that Americans have in choosing whether to have a union represent them in the workplace. This is a critical issue facing our country today. It literally goes to the very fabric of our society. I realize that labor unions are big supporters of the Democratic Party across the country. I realize this is their No. 1 issue, the labor unions' No. 1 issue. It is and the labor union bosses No. 1 issue, but it is not for the labor union members. We need to make sure we are standing up for the rights of American workers everywhere, of union workers everywhere and make sure that we preserve their right to a secret ballot in the workplace.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I ask unanimous consent that after Senator MENENDEZ speaks, Senator ENZI be recognized for 10 minutes, then Senator CASEY for 15 minutes, and then if Senator CARDIN seeks time, he be recognized for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

AMENDMENT NO. 4230

Mr. CHAMBLISS. Madam President, I rise to discuss and support amendment No. 4230 which has been filed by Senator FEINSTEIN and myself. While this amendment is identical to amendments Senator FEINSTEIN and I have offered previously to budget resolutions and that have been adopted by unanimous consent, Senator FEINSTEIN has been an excellent partner and colleague in developing this amendment. She has been a strong supporter not just of this particular provision but of law enforcement in general. It has been a pleasure to work with her.

What this amendment does is to provide for an increase in the funding level for the Edward Byrne Memorial Justice Assistance Grant Program, which we commonly refer to as the Byrne/JAG provision, to a total of $906 million. This amendment is fully offset, and I am pleased to say that the following Senators have asked to be added as cosponsors in addition to myself and Senator FEINSTEIN: Senators BOND, HARKIN, CANTWELL, BIDEN, INHOFE, BROWN, COLEMAN, CLINTON, BINGAMAN, OBAMA, COLLINS, DURBIN, ISAKSON, KERRY, BURR, LINCOLN, FEINGOLD, and DOLE.

The Byrne/JAG program is the primary provider of Federal criminal justice funding to State and local jurisdictions, and the funding supports all components of the criminal justice system—multijurisdictional drug and gang task forces, community crime prevention programs, substance abuse programs, prosecution initiatives, domestic violence programs, and information-sharing initiatives. Our law enforcement officials, our sheriffs, prosecutors, and drug court professionals, and many other public servants in the law enforcement community, rely on these particular grants to fight the drug issue in their particular jurisdictions. They are making their communities safer because of the awarding of these grants over the years.

According to a survey conducted by the Iowa Governor's Office of Drug Policy, in the 2004 grant year, multijurisdictional drug enforcement task forces, funded by the Byrne/JAG program, made more than 221,000 drug arrests. Almost 18,000 kilograms of cocaine was seized, with an estimated consumer street value of $1.6 billion. Almost 5,500 kilograms of methamphetamine was seized, with an estimated street value of $518 million. The total value of drugs seized was over $12 billion, representing $63 in seized drugs for every $1 spent on drug task forces.

I know the results our law enforcement community gets with Byrne/JAG funding are tangible and real. In my State of Georgia, we have used this program extensively. It has been essential to fighting crime, drugs, and gangs across the State. Last year in Georgia, with Byrne/JAG funding, the following successes were achieved: Multijurisdictional task forces were able to make 5,600 drug arrests and seize almost $50 million in drugs; 2,500 law enforcement officers were trained in more than 100 different classes offered by the Georgia Public Safety Training Center through its drug enforcement training program; the Georgia Bureau of Investigation's State drug task force led a cooperative investigation resulting in an interstate drug enforcement effort with Alabama that received national recognition. The Georgia Information Sharing and Analysis Center is Georgia's Homeland Security State-level fusion intelligence center. The center expanded its Southern Shield initiative and widened the focus for intelligence integration in the region by coordinating with 12 other States within the Southeast on intelligence collection and dissemination. Nine drug court programs were supported, as was a mental health court diversion program.

One great thing about this Byrne/JAG program is that the money is allocated so that 40 percent of the funding is distributed to local governments. In many cases, grants from the Byrne/JAG program are the only source of Federal funding for sheriffs and police in smaller communities. I hope all of my colleagues will join me in supporting this amendment.

The former president of the National Sheriffs Association happens to be a good friend and constituent of mine, Sheriff John Cary Bittick in Forsyth County, GA. Sheriff Bittick was here recently when Senator FEINSTEIN, Senator HARKIN, Senator BIDEN and I, along with Senator BOND, talked about the Byrne/JAG program. During that conversation, my friend Sheriff Bittick related the fact that there are a number of joint programs in our State that, due to the decrease in the funding last year in the omnibus bill, were having to eliminate their programs. If we eliminate these programs in small rural communities around my home State and the other 49 States, what we are going to see is certainly an increase in drug and illegal trafficking activities in those rural areas. This program is essential to fighting the drug problem in rural America.

Our amendment is supported by the following organizations: the National Criminal Justice Association, the National Sheriffs Association, the American Correctional Association, the American Probation and Patrol Association, the National Narcotic Officers' Coalition, the National Association of Drug Court Professionals, the National Association of Police Organizations, International Association of Chiefs of Police, Major County Sheriffs' Association, National Center for Victims of Crime, National Association of Counties, International Community Corrections Association, and Boys and Girls Clubs of America.

It is pretty obvious that this program is very popular in the law enforcement community. The reason is because it works. Lives are being saved. More drugs are being confiscated. More bad guys who are manufacturing and distributing drugs around America are being locked up and put away because of this program.

I urge my colleagues to support amendment No. 4230 sponsored initially by Senator FEINSTEIN and myself.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Madam President, I am pleased to discuss funding for VA in the budget resolution for fiscal year 2009. Chairman CONRAD and his colleagues on the Budget Committee have done impressive work on this resolution.

They have demonstrated sound judgment in their funding recommendation to address the needs of our country.

Service members returning from Iraq and Afghanistan, like those who returned from Vietnam, Korea, World War II and all previous wars, bear the effects of their service.

They show us that the costs of war do not end on the battlefield. In crafting this budget, we are in a position to ensure that care for returning service members, of every war, is a top priority.

The Department of Veterans Affairs provides superior health care to millions of veterans every year.

It is widely regarded as one of the top health care systems in America. Today, VA faces a growing wave of new demands—veterans of past wars are aging and making greater use of the system, and younger veterans of the current conflicts require a new range of services from VA.

Congress must provide the resources for VA to meet all of these demands.

This budget resolution acknowledges the challenges facing VA. It meets our responsibility of caring for our Nation's service members and veterans.

In recent years, VA and Congress have made a tremendous investment in mental health services. I am pleased that this budget reflects an ongoing commitment to better serve the needs of veterans with mental health concerns.

Madam President, I remind my colleagues that battle wounds frequently manifest themselves as invisible wounds. These wounds can be just as devastating as physical wounds. Indeed, many mental health disorders, including substance use disorder and PTSD, have both physical and mental manifestations.

They impact the veteran's relationships and his or her ability to work and to interact in society. The effects of many mental health disorders can be limited or even avoided if they are caught and treated promptly, before long-term disabilities develop.

This budget resolution provides the funds to continue the essential task of providing timely access to mental health care for all veterans.

Families play a critical role in the well-being of veterans. As chairman of the Committee on Veterans' Affairs, I held a hearing yesterday on the role of families in veterans' lives, and on the support VA and DoD provides them.

Families are often the primary caregivers for injured veterans, and provide essential assistance in recovery and rehabilitation through reintegration into civilian life. The degree of support provided by family members is directly related to a veteran's ability to deal effectively with readjustment and mental health concerns.

Providing support to veterans' families is in VA's vital interest.

One of the harshest realities of the wars in Iraq and Afghanistan is the number of soldiers who have sustained complex and multiple injuries in combat.

Significant improvements in battlefield medicine have enabled many seriously wounded servicemembers to survive their injuries. These men and women are coming home with extraordinarily complex health care needs.

VA and Congress have focused on addressing the needs of these veterans. There have been improvements in screening and care for service members with traumatic brain injury, but much remains to be done.

In addition, Congress directed VA to establish specialized centers for rehabilitative care in response to the challenging medical and rehabilitative needs of veterans with multiple and complex injuries.

VA's four lead polytrauma rehabilitation centers are essential to meeting the needs of the most severely injured veterans and their families.

As we work to meet the needs of all returning servicemembers, we must pay close attention to the full range of war wounds—from eye trauma and damage to servicemembers' hearing, to PTSD and depression, to burn injuries.

Another important tool which VA is still developing is comprehensive health screening for returning servicemembers. This is absolutely essential. Without effective screening for mental health disorders, traumatic brain injury, hearing and vision loss and other injuries or disorders, VA will miss opportunities to help veterans in need of services.

Further, I believe comprehensive health screening before deployment is essential to help with the evaluation and understanding of the effects of combat on servicemembers. As chairman of the Committee on Veterans' Affairs, I have worked to ensure that all veterans receive appropriate health screenings. I will continue to advocate for these screenings.

On the benefits side of the ledger, in the last year, Congress has provided a significant amount of funding to VA for much-needed staffing to adjudicate claims. Our Nation's veterans deserve nothing less than having their claims rated accurately and in a reasonable period of time. Now, the American people, especially veterans, will expect to see a decreasing backlog and increased timeliness and quality.

I pledge my continuing support to get veterans the benefits they need in an appropriate amount of time. Congress must now assure that VA has sufficient funding for technology and training initiatives to aid in its endeavor to reduce the backlog of claims. This budget resolution is certainly a step in the right direction.

The entitlement funding provided to veterans in this budget resolution reflects the Nation's continuing responsibility to care for he who has borne the battle, long after the last shots of war have been fired. Indeed, I view funding for veterans' entitlements as a continuing cost of war.

The administration's VA budget request proposed severe cuts to many essential programs and accounts. Research, the inspector general, the National Cemetery Administration, and grants for State home construction would all be unnecessarily cut.

I am particularly troubled by the proposed cuts of nearly 50 percent to the VA construction accounts. Over the past year, internal reviews identified widespread maintenance concerns, in addition to already planned construction projects. I find it unconscionable that in the face of the pressing demands across the country, the President would suggest such cuts. The budget proposal advanced by Chairman CONRAD and his colleagues rectifies these mistakes in the President's request, and I appreciate their foresight on these issues.

I am pleased with the investment in veterans programs that is made in this budget resolution. I again commend Chairman CONRAD and the Budget Committee for their thoughtful and responsible work. Care for our Nation's veterans is truly a cost of war, and it is our responsibility to meet their needs.

I urge my colleagues to support swift passage of the resolution before us.

I thank you, Madam President.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I know Senator CORKER is next. I ask unanimous consent that Senator VOINOVICH be recognized for up to 10 minutes at the conclusion of Senator CARDIN's remarks and that Senator BARRASSO be recognized at 8:45 for 15 minutes and that after Senator VOINOVICH, Senator BROWN be recognized for 10 minutes.

So the order, as it presently stands, is: Senator CORKER, Senator MENENDEZ, Senator ENZI, Senator CASEY, Senator CARDIN, Senator VOINOVICH, Senator BROWN, then Senator GRASSLEY, who would like his time to be expanded to 20 minutes, and then Senator BARRASSO at 8:45. Senator GRASSLEY is recognized at 8:05.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee.

Mr. CORKER. Madam President, it sounds like it is going to be a long night. I hope you have some relief coming. But I wish to thank the Senator from New Hampshire.

I rise today to talk about the budget that is getting ready to be put forth. I do not wish to talk specifically about this budget. But having gone through this process once before, it is obviously a very undignified process we are getting ready to enter into tomorrow, where we will have 30, 40, 50, maybe 60 amendments to a budget, many of which are set up solely to send messages, cause people to vote on things that might make them look good in the next election so that 30-second ads might be generated. I do wish to say I have tremendous respect for our budget chairman and ranking member. I think they are outstanding leaders in the Senate. I realize they are dealing, if you will, with the process that has been set forth in the Senate. I think they both exercise their duties very diligently.

I know there are differing points of view as to how we might deal with this next year's budget. Let me say in general I think this entire process is not what it ought to be. It is, to me, a great disservice to our country the way we handle our budgeting, and appropriations processes that follow. I wish to talk about a couple things as it relates to this issue.

First of all, I know one of the amendments that will come up tomorrow will be the DeMint amendment relating to earmarks. It is an amendment I will support because I do believe earmarks have gotten way out of control in the Senate. I do not believe people who earmark necessarily in any way are doing bad things. I think it is actually an outcome that has been generated due to processes breaking down in the Senate.

When various Senators want to see road projects go forward or other things that are needed, they have now sort of sidelined the processes we ought

to be going through, which requires planning and responsibility on our part—a little bit of discipline. Instead, now we have moved to this very cumbersome and, I will say, most inefficient earmarking process. I think that is not a good thing.

I realize, in essence, in the Appropriations Committees earmarking pots are set up and allocated based on numbers of things, in most cases having nothing to do with the priorities of our country. I do wish to say that while I support this amendment in the hopes that together somehow or another through a moratorium this year on earmarks we will begin to look responsibly at ways of funding—funding infrastructure, funding projects that are very needed in our country—that is done so on merit and with oversight, I do not believe that solving the earmark problem in any way is going to deal with our overall budgetary process, nor with the appropriations process that follows that.

As a matter of fact, I worry sometimes that we talk so much about earmarks that we feel like if we were to solve this earmark issue—and the American public, I think, is beginning to buy into this—we would solve all the financial woes this country has. Earmarks—as bad as I think they have gotten out of control and need to stop—do nothing of that sort. It is a small piece, very small piece, in a bigger picture that needs to be solved. As a matter of fact, I hope at some point all of us in this body will realize how ridiculous the processes are that we go through and realize we are not in any way dealing with the longer term issues our country faces. One of those things I would like to see us do—I know there is an amendment that has been brought forth before: the biennial budgeting process, where we would actually look at the budget in a 2-year process.

I know Ranking Member JUDD GREGG has brought forth such an amendment—I am a cosponsor of that amendment—so that in the odd years we are actually allocating resources and in the even years—election years—we are actually doing oversight and making sure we are spending money wisely.

One of the things in the process we go through right now that I think we are totally blind to is the tremendous entitlement tsunami that is getting ready to face our country. I think most people realize we as a body are not dealing with that issue. For us to even be down here passionately debating amendments over a budget and not dealing with that, again, does not serve the country well. I think everybody knows we have huge problems that are coming up in the future. Let me give a little bit of a picture of that.

Today, if you took in all the money we have set to come in over the next 75 years and then looked at the liabilities we have toward Social Security, Medicare, and Medicaid, we have $66 trillion in unfunded liabilities. Yet tomorrow you are going to see us on the floor haggling over amendments that, at the end of the day, will have no effect whatsoever on this huge problem we have to deal with in the very near future.

To put that in perspective, today if you looked at the entire net worth of our country, it is only $57 trillion. So because of the Social Security, Medicare, and Medicaid entitlement issues, we have a greater unfunded liability than the entire net worth of our country. I think that is a pretty big issue.

To put that in perspective, since our Government was formed a couple hundred years ago, we have taken in during that entire time only $42.7 trillion in revenues.

So, Madam President, I look forward to coming tomorrow and going through an exercise—an exercise that I realize will have some impact, if you will, on the amount of money we spend on various programs. Then I realize at the end of the year we will have an appropriations process. Then, during that period, unless we are able to have a moratorium on earmarks, we will have another 10,000 or 15,000 earmarks that direct money out in various places. But I know in the process of all that occurring, we still will not have dealt with the major issues this country has to deal with. I hope somehow this body will have the courage, in a bipartisan way, to come together and deal with this issue.

I strongly support the Gregg-Conrad amendment that would cause this body, in a bipartisan way, to bring forth solutions to this problem—to this entitlement problem—in a manner that can only be voted on up and down, with no amendments, so we as a body, hopefully, will have the courage to deal with the real issues our country has to face as it relates to fiscal issues.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

AMENDMENT NO. 4259

Mr. MENENDEZ. Madam President, pursuant to a previous unanimous consent agreement, I ask that the pending amendment be set aside and that amendment No. 4259, which is at the desk, be reported.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] proposes an amendment numbered 4259.

Mr. MENENDEZ. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a reserve fund for immigration reform and enforcement)

On page 69, after line 25, add the following:

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR IMMIGRATION REFORM AND ENFORCEMENT.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports, by the amounts provided in such legislation for the purposes described in paragraphs (1) through (7), that—

(1) provide for increased border security, enforcement of immigration laws, greater staffing, and immigration reform measures;

(2) increase criminal and civil penalties against employers who hire undocumented immigrants;

(3) prohibit employers who hire undocumented immigrants from receiving Federal contracts;

(4) provide funding for the enforcement of the employer sanctions described in paragraphs (2) and (3) and other employer sanctions for hiring undocumented immigrants;

(5) deploy an appropriate number of National Guard troops to the southern or northern border of the United States provided that—

(A) the Secretary of Defense certifies that the deployment would not negatively impact the safety of American forces in Iraq and Afghanistan; and

(B) the Governor of the National Guard's home State certifies that the deployment would not have a negative impact on the safety and security of that State;

(6) evaluate the Federal, State, and local prison populations that are noncitizens in order to identify removable criminal aliens; or

(7) implement the exit data portion of the US–VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the legislation described in subsection (a) would not increase the deficit over—

(1) the total period comprised of fiscal years 2008 through 2013; or

(2) the total period comprised of fiscal years 2008 through 2018.

Mr. MENENDEZ. Madam President, I rise today to offer an amendment, an alternative to the amendment offered by Senator SESSIONS, an alternative that I think actually has a chance to help fix our broken immigration system.

My amendment would increase border security and enforce immigration laws without wasting our resources in unnecessary and potentially even dangerous ways. We have to be smart when we think about solutions to the immigration problem. We have to enact measures that do more than sound tough. They have to be tough. We have to consider the impact our legislation will have on other programs and other priorities, and we cannot just throw money and personnel at the border without thinking carefully about the consequences.

My amendment gets to the real heart of the problem. It provides for increased border security and increased enforcement of immigration laws. It gives us the manpower we need to address our immigration problems by providing for greater staffing for the Department of Homeland Security because the Department can't do its job if it simply doesn't have sufficient staff.

My amendment addresses the real root of the immigration problem: the incentive—the incentive for crossing

the border without a visa. It helps eliminate this incentive by getting tough on employers who hire undocumented immigrants. We know undocumented immigrants come to the United States—for what? They come looking for a job. They want a better life. They see an American paycheck as the means to get it. Well, without the draw of the job, without the draw of income, the motivation to risk it all to cross the border illegally dries up. Building a bigger, stronger, taller fence simply doesn't cut it because, as we all know, if there is a will, there is generally a way. Rather than create new obstacles that undocumented immigrants are going to try to figure out how to get around, we need to address the underlying motivation that is the magnet that drives them to migrate in the first place. The way to do this is to come down harder on the employers who provide them the incentive.

My amendment would do this by increasing criminal and civil penalties against employers who hire undocumented immigrants. It seems clear that today's penalties are not a sufficient deterrent for these companies. So my amendment sends them a clear message: we are going to hold you accountable for your actions. There are going to be real consequences for breaking the law.

My amendment would also prohibit employers who hire undocumented immigrants from receiving Federal contracts. There is simply no reason any company that receives a Federal contract should be breaking the law by hiring undocumented immigrants. It is interesting that there are some news stories about those who are actually building the wall doing exactly that. Isn't that ironic? The amendment I am offering isn't just about getting tough; it is about getting smart.

Senator SESSIONS and others on the other side of the aisle would not only build a bigger, longer, taller fence along the border—something we have seen which simply will not work on its own—they also want to deploy a significant number of our National Guard to help support the Border Patrol.

Let me say from the outset I am not at all opposed to sending reinforcements for the Border Patrol. I voted for those increases in the Border Patrol agents. They are understaffed and underfunded, and they need all the help they can get. What I am opposed to is taking one resource away from a desperate situation in order to give that resource to another allegedly desperate situation. Just like our Border Patrol, our National Guard is stretched thin. Right now, there are over 15,500 members of the National Guard deployed in Iraq and Afghanistan. In the time between September of 2001 and November 30, 2007, close to 255,000 National Guard troops have been deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom. This year, my home State of New Jersey, by way of example, will witness the largest deployment of National Guard personnel since World War II.

So before we rush to act, we should know what the impact of moving the National Guard would have on the safety of our troops in Iraq and Afghanistan in terms of those needs. That is why my amendment would prohibit deployment of the National Guard—would ensure, I shouldn't say prohibit—would ensure that deployment of the National Guard to the borders could take place, but two important things would have to happen first. First, the Secretary of Defense would have to certify that the deployment would not negatively impact the safety of our troops in Iraq and Afghanistan. Second, the Governor of the home State of the National Guard must certify that the deployment would not have a negative impact on the safety and security of that home State. After all, protecting the people of the home State is the whole reason States have National Guard units in the first place.

We cannot endorse a policy that robs Peter to pay Paul. We have to think long and hard about the impact of taking resources away from Iraq or Afghanistan, taking resources away from the States that face the risk of natural disasters as big and as devastating as Hurricane Katrina. We have to know that taking these resources away will not hurt us more than it helps us. My amendment makes sure that before we act, we know what we are getting into.

Now, I do not disagree with every aspect of my colleague's amendments. In fact, there are two provisions in the Sessions amendment that I wholeheartedly support and they are in my amendment as well. I, as Senator SESSIONS, believe we can do more to remove those undocumented immigrants in our prison system who should be removed. That is why my amendment would evaluate the Federal, State, and local prison populations that are noncitizens in order to identify removable, undocumented immigrants.

I also believe, as Senator SESSIONS does, that we need to do more to implement the US–VISIT entry and exit data system to make sure we are keeping track of those who actually exit our country once their visas expire. That is why my amendment would help to implement the exit data portion of that program.

So I will close on this issue by simply saying it is interesting to see some of those who have some of the harshest rhetoric, as well as some of the harshest legislative initiatives, then come and say: But while I am doing this, we need ag workers, we need H–1B high-tech workers, or we need H–2B lower skilled workers. So they want their piece of the immigration pie, but they also want to portray themselves as sentries at the border. It just doesn't quite work that way. It just doesn't quite work that way.

Immigration is a difficult problem to tackle. That is something I think we can all agree on. Any solution needs to be smart, it needs to be tough, and it needs to be effective. That is what my amendment is—smart, tough, and effective. It provides for enhanced, improved border security and enhanced enforcement of immigration laws, while allowing the Department of Homeland Security and the States to determine how best to use Federal resources. It provides support for our Border Patrol without threatening the safety or security of our troops serving overseas, or for that matter, people of our States. It gets to the root of the immigration problem by beefing up enforcement against employers acting illegally by hiring undocumented immigrants, the very essence—the magnet—of what drives people to this country.

So I urge my colleagues to vote for this amendment when we have the opportunity tomorrow rather than the amendment offered by Senator SESSIONS. I think it gets to the heart of the problem that all of us are challenged to achieve.

Very briefly, let me move to one other issue while I still have time. I have said before that our debate over this budget is a fight for the economic future of America. The core of our economy is America's middle class: How productively they work, how much they save, how much they spend. It is clear as day, clear from the tsunami of foreclosures, clear from the reports that are coming in about thousands of people losing their jobs, clear from rising gas prices and health care bills and college tuition, it is clear that the middle class needs help.

What the middle class does not need is another round of tax giveaways for some of the richest members of our society in which their collective taxes are being used in a way that is disproportionate to those who least need it.

Budgets are about priorities; they are about choices. We have to choose. Are we going to do what many of my colleagues on the Republican side of the aisle are advocating and spend the people's money helping a billionaire avoid taxes when he bequeaths his mansion to his child or are we going to help out two parents who are struggling with the mortgage payments on a house for them and their children?

When Senate Democrats put together this budget, we made the choice to put middle-class families first. I am proud to join Senator BAUCUS in offering a responsible plan for expanded middle-class tax relief.

The amendment he is offering will take some of the pressure off the families who are most in need of help by providing $300 billion in tax relief for working families.

First, it provides tax benefits to members of America's armed services. It is up to us to make sure that when our men and women in uniform risk their lives overseas, they have some measure of financial security at home. This amendment would help those servicemembers in need by allowing combat pay to count toward eligibility for

the earned income tax credit. It would also provide additional relief to small businesses that continue to pay the salaries of National Guard and Reserve members who are called to duty.

The amendment extends relief to parents and married couples. It would expand the child tax credit to provide relief to more families, provide permanent relief for married couples from the marriage penalty, and make the 10-percent tax bracket permanent.

I am also especially pleased that this amendment includes a provision that I have worked closely in the past with Senator BAUCUS on expanding Federal tax relief for property taxes. It is a provision that would be welcome news to thousands of New Jersey families since property taxes are always a top concern. We would create a new standard deduction for property taxes that could benefit more than a half million New Jersey taxpayers alone, and could send $86 million to the people across the State. So that is only one example of how it is replicated across the country.

So I say to my colleagues: remember that American families are all watching us right now to see what we are going to do. Are we going to spend $51 billion to hand out tax breaks to Americans who are earning over $1 million a year? Or are we going to focus our resources, spend them wisely, to put tax breaks in the hands of those who need it: families, service men and women, and Americans who are working hard every day to achieve the American dream? Are we going to do the same on the amendment on immigration? Are we going to focus our resources against the very essence—the magnet—of what drives people to come to this country in an undocumented fashion and to make sure that our National Guard and Reserves are used the right way and to pursue the assistance of the Border Patrol where they ultimately need the help? Those are our choices. That is what we will have tomorrow.

I hope we will join together to give this responsible tax relief to middle-class families in America who need it most.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Madam President, I am here today to explain the three amendments I have filed to the fiscal year 2009 budget resolution.

The Federal Government is now telling a majority of the States, which of course includes Wyoming, Montana, Colorado, New Mexico, and other States that allow for the production of minerals in their State, that an even split is not enough for the Federal Government, even though the law—the agreement in effect for years—says there will be a split. So in an attempt to satisfy an insatiable appetite for money, the administration's budget is to take more of it away from these States—$40 million more every year. I am referring to net receipt sharing. That title kind of gives you an idea that these Federal mineral royalties are divided in half—net—that is after expenses—the sharing of receipts from mineral leasing activities on public lands. This is money that our State governments actually use for roads, for health care, for residents of our States, for education for our children, and more efficient and environmentally friendly development of our energy resources. It is money that finds its way directly to the people, not down in some bureaucratic black hole. Similar policy that was implemented in 1991 was repealed in 2000. At that time, they were stealing 1 percent after the net receipts. That led to a loss of nearly $250 million in State revenues. Now they are back again, trying to take more money away from the States. This time they said 2 percent is better. The Federal Government has maneuvered itself to be in a position where it can take an even higher percentage of our mineral royalty money.

Last year, the fiscal year 2008 Consolidated Appropriations Act took 2 percent of the net receipt sharing of Federal mineral royalties from the States. Furthermore, the administration's budget includes a plan to make permanent a 2-percent net royalty receipt sharing provision in fiscal year 2009.

I ask my colleagues now whether your State is being taken advantage of, whether you are a Democrat or a Republican, I am asking you to stand with us and support this amendment, amendment No. 4214, to restore the 2-percent net receipt sharing of Federal mineral royalties lost to the States in last year's appropriations bill. You know as well as I do that your State's money could be next.

The Federal Government collects mineral royalties from States that allow for energy production on lands in their State. Under the law, the States are entitled to half of the loyalties collected. To distribute the State share, the law intends for the Minerals Management Service to divide the amount of mineral royalties collected by two, write a check for that amount, and mail it to the States. That is all it entails. But the Federal Government's feeble excuse was that it needed an extra 2 percent share for ''administrative costs.'' Now, they have been doing this for years without the administrative costs, but they remembered there was this time they were able to steal it before, so now they are trying to steal it again and decided to double the amount. It is not anything that is done from an accounting standpoint. It is a Washington shakedown.

As an accountant, I can tell you that dividing by two and writing a check doesn't take a significant amount of time. Somehow the administration believes it deserves approximately $40 million per year to do this activity. This is logic that only happens inside the beltway, and I am telling you that it is patently unfair. If they can do it here, they will do it on other things. It drastically affects my State of Wyoming, which supplies a disproportionate share of energy to our country. Yet the Federal Government still wants more.

We need to pass my amendment not only to keep the mineral royalty system fair and equal, not only to ensure that more money is used directly to help people rather than for trumped-up administrative charges, but also to ensure that a few States aren't trapped in a corner by the administration and some in Congress who have their ideas for the money.

Unlike bureaucrats, we answer to our constituents. Mine are telling me they don't want the Federal Government to take anymore of the State's money. I am sure yours will tell you the same thing, either now or later. Think about that and support my amendment, which will help ensure the Federal Government gets a fair share but just a fair share.

I also want to speak about two amendments I filed earlier today and I will offer at a later time. One amendment, No. 4215, is designed to ensure that our States continue to receive formula funding for animal health research and disease programming. It is administered by the Cooperative State Research, Education, and Extension Service in the Department of Agriculture. This assistance allows State research institutions to carry out critical animal health research that is used in our communities.

We know that animal health is one of the greatest threats to the animal agriculture in our Nation. Recent experiences in other countries with foot-and-mouth disease, avian flu, and mad cow disease bring home the importance of how animal diseases can affect the food supply, human health, and even national economies.

In Wyoming, these funds have been used to help State officials and researchers respond to outbreaks of brucellosis in cattle and help stop incidences of blue tongue in livestock. This Animal Health Research and Disease program is an excellent investment in American agriculture. This amendment seeks to ensure that animal health formula funding is fully funded so our Nation can continue to enjoy the benefits of healthy animals and a safe food system.

The third amendment, No. 4216, concerns Ryan White CARE Act funding. Some have wondered why we need to discuss this issue. The answer is simple: We need to ensure that the authorization process and the appropriations process work in sync with each other. The budget is the first step in doing that.

I worked diligently with Senator KENNEDY and others for over a year to retool our discretionary domestic HIV/AIDS care program—the Ryan White CARE Act. In putting that reauthorization together, Senator KENNEDY and I did some background research. We learned that more African Americans,

more women, and more individuals in rural areas—especially in the South—are infected and dying from HIV than ever before. We learned that the old Ryan White formulas didn't count someone until they had AIDS, instead of trying to help them when they had HIV only—that is ''only'' with a very small ''o.'' We learned that the funding formulas hurt areas where most African Americans lived because they were more likely to have HIV and not AIDS. Given what we learned, Senator KENNEDY and I had a principle that the money should follow the person. We realized the program had to be fairer, the money had to follow the person.

The Senate passed the revised Ryan White funding formulas by unanimous consent on December 6, 2006. A few days later, the House also passed the Ryan White program unanimously. We were all pleased when the President signed that bill and that formula into law a week or so later. Then, of course, we all worked to ensure that the Ryan White program received the appropriate funding for those newly revised funding formulas. You can imagine my dismay when, during the appropriations process last year, the Ryan White funding formulas were hijacked for other purposes. As noted by the GAO, one provision, which was called on the Senate floor a ''Pelosi fix,'' funneled $4.8 million away to the San Francisco metropolitan area, or EMA, from all of the other cities receiving funding. In other words, one city changed the formula in appropriations, as opposed to authorization, and stole money from the other cities to give themselves a level of funding that was not related to the people who had HIV. GAO also noted that ''the San Francisco EMA continues to be the only urban area whose formula funding is based on both living and deceased AIDS cases.'' I will repeat that—''deceased AIDS cases.'' San Francisco continues to receive funding for dead people.

So, in effect, this misguided appropriations process took money from the growing population of individuals infected with HIV, including African Americans, women, and people living in rural areas, so that San Francisco could receive more dollars. This is further infuriating because a recent report by the HHS Office of the Inspector General noted that in the last 5 years, San Francisco has been unable to spend all of the funds it has received. This simply doesn't make sense.

Therefore, I hope this year we will start the debate off right and reaffirm our commitment to those who have the HIV domestically by standing by our newly revised Ryan White funding formulas, which passed by unanimous consent in both Houses, and were addressed in an amendment referred to the budget where, again, those people objected to having money stolen from their funds to go to a community that didn't follow the authorization funding. So we don't want it funneled off for inappropriate purposes. That is why I will be offering this amendment, and I hope the Senate will be able to accept it.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, the next speaker in order is in the chair. When somebody replaces him, I will yield the floor. I rise to say a couple of words about what I consider to be a very dangerous precedent that appears about to be reset through the House resolution on the budget. There is something called reconciliation, which is the true hammer in the budget resolution. It allows changes in things such as Medicare, Medicaid, entitlement programs, or tax policy to be passed under an expedited procedure here in the Senate with only 51 votes. It is at the essence of the Budget Act.

Its whole purpose, and the reason it was created, was in order to discipline the rate of growth of entitlement programs as its primary cause and to address tax policy.

Last year, there was a token reconciliation instruction given of $750 million. I say that because reconciliations passed always have been used to save considerable sums of money, or reduce the rate of growth of programs by considerable sums.

When I chaired this committee, we reconciled primarily Medicare, but other spending accounts, including agriculture, to the tune of almost $40 billion. In 1996, reconciliation was used for, I believe, $96 billion of savings and reductions in the rate of growth of programs. So this $750 million alleged savings put in the House vehicle last year was essentially a fig leaf to cover up not a use of reconciliation for the purpose it was originally designed, which is to control the rate of growth of spending, but to actually use it as a stalkinghorse to radically expand programmatic activity, with the protection of a 51-vote procedure that is basically not amendable.

What happened last year was that under that $750 million of savings, almost $19.2 billion of new spending occurred—new spending, new programs, expanded programs.

As a result of that, the Government grew by $19.2 billion in the long run. Yes, there were savings taken from other accounts, basically reducing the reimbursement to student lenders, but those savings pale compared to the outyear costs of what the programmatic activity that was added under reconciliation will be in last year's bill. Now we see this game being played again.

This is a cynical game, because reconciliation applies only to the Senate. The House doesn't need reconciliation protection. They have a House Rules Committee. No bill in the House can come to the floor without a rule, and the Rules Committee has the ability to enforce the will of the majority—without the filibuster.

In the Senate, of course, there is the filibuster. Reconciliation was designed for the sole purpose of addressing these very significant programmatic activities, and trying to control their rate of growth in a way that would not have the filibuster applied, because these programs were so significant and because making progress on controlling the rate of growth is always a challenge.

So reconciliation is a vehicle that only disciplines the Senate activity. It doesn't discipline House activity. What it does in the Senate is denies the minority rights, because it basically eliminates the filibuster, as things are put under reconciliation.

Why would the House of Representatives include reconciliation instructions? The Senate bill doesn't have any reconciliation instructions—none. Well, there is a game going on. As I said, it is cynical, and it is a game that undermines the basic purpose of the Budget Act. This is a direct attack on the rights of the Budget Act and the rights given under that act. When the House puts in that reconciliation instruction for a token amount of money—it is a lot of money, but under the terms of this budget, it is a fig leaf event—$750 million. What happens is when they go to conference, they will claim they have the right to pursue reconciliation instructions, which will not affect the House's ability to pass a bill, but it will affect the Senate's bill and how the Senate proceeds. We may see that reconciliation instruction—in fact, I almost guarantee we will see it in conference balloon into a massive programmatic expansion of some nature, and it could be two or three different programs, protected by reconciliation, and then passed in the Senate under a procedure of reconciliation; and while the savings may be a token amount that is put forward in the House bill, the expansion in the size of the Government will be extraordinary.

The whole purpose of the Budget Act, which is to discipline the rate of growth of the Federal Government and put some discipline into the process of budgeting, will have been made a farce by this procedure. It truly damages and destroys the Budget Act, in my humble opinion, for this process to go forward. It is also an incredibly cynical act.

If the Senate leadership wants to expand programs in the Senate with reconciliation protection, have the courage to bring the language to the floor of the Senate and let us vote on it during the budget process. Don't use this backdoor procedure of having the House Budget Committee do your dirty work, which is what is happening in this situation.

So this, regrettably, appears to be the game that is about to be played. I happen to think it violates the privilege of the budget resolution. I think when something like this happens, which is such a clear and obvious affront to the process of the budget and is so outside the scope of what was

originally considered as the purpose of reconciliation, that basically undermines the privilege of the budget resolution. Clearly, if it does not do it from a standpoint of a parliamentary situation, it does it from a standpoint of what is fair play around here and what is a proper procedure and the proper way to budget.

Mr. President, I yield the floor, and whoever is in order next I guess will be recognized.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 4238

Mr. VOINOVICH. Mr. President, I have an amendment at the desk, amendment 4238, which I will call up at the appropriate time, but for now I would like to explain to my colleagues what this amendment is about.

This amendment is very similar to a provision Senator GREGG included in the Fiscal Year 2007 Budget resolution. It would stop Congress's addiction to emergency spending. It would create a point of order against any spending over a designated amount set aside for emergencies—called an ''emergency reserve fund.'' By now Congress knows that we will have emergencies every year.

We should, therefore, set aside a designated amount for true emergencies to meet that obligation and try to stick to it, rather than continuing on with an unlimited emergency designation that just invites abuse and irresponsible budgeting.

When I was Governor of Ohio I had a rainy day fund, or a savings account, for those economic downturns or unforeseen events beyond the control of even the best money managers. Soon after I arrived at the statehouse, I discovered that Ohio's rainy day fund was at 14 cents, but by the end of my eight years as Governor, I had increased the rainy day fund balance to $906.9 million.

Again and again, the United States Congress has abused the emergency designation to skirt around budget limits and pay-go. We all understand that on occasion we face natural disasters or unanticipated crises such as Hurricane Katrina and 9/11 that require emergency resources. For this reason, we cannot estimate all of our emergency spending in the budget each year.

But I am extremely concerned that Congress has abused the emergency designation in recent years to spend large sums of money outside the budget for purposes that are not true emergencies. Congress doesn't even count the money as spending. If spending is designated as ''emergency,'' it is exempted from budget controls and spending limits. Congress doesn't even count the money on spending.

An example of the sort of abuse of emergency spending that concerns me is the designation of funding for the 2000 Census as an emergency, even though the U.S. Constitution has required a census be conducted every 10 years since 1790. The definition of ''emergency'' uses words like ''sudden'' and ''unforeseen.'' But in 2000 we had known about the census for 210 years. This is absurd.

As part of my effort to reign in wasteful spending and conduct meaningful oversight of government programs, I asked the GAO to review trends in so-called ''emergency'' and ''supplemental'' spending over the decade stretching from 1997 through 2006, as well as propose reforms to ensure that emergency funding truly is for real emergencies and not simply a way to camouflage spending that is driving up the national debt.

GAO found that $31 billion over a 10-year period did not fit the definition of an ''emergency,'' 35 spending accounts received emergency funding in at least six out of 10 years, and over one-third of emergency spending has no time limit on when agencies can spend the money.

My amendment would state that the fiscal year 2009 emergency designation can only be used for $65 billion worth of spending-reserving $50 billion for the global war on terror and leaving another 15 billion for any legitimate emergencies. Of course, this $50 billion would be in addition to the $70 billion already in the Budget for Iraq and Afghanistan-and so my amendment would allow $120 billion total for the global war on terror outside the discretionary spending limits.

This point of order could be raised against any spending over the designated amount set aside for emergencies and would make clear that this increase in spending would have to bust through the regular budget. Of course, the Senate could still bust the budget with 60 votes, but at least someone would be throwing a penalty flag so that we are being honest about it, instead of using the emergency label to claim we are staying within the budget when we are not.

Mr. President, $50 billion is based on the 5-year average for emergency defense spending and $15 billion is based on the 10-year average for certain other types of emergencies, as estimated by the GAO. These levels are based on a recent study conducted at my request by the Government Accountability Office evaluating recent trends in emergency spending.

I hope that my amendment can find broad bipartisan support, and that we can begin to eliminate some of the outright abuses of the emergency designation.

It is time for us to be honest with the American people about the true state of our nation's fiscal health and stop relying on smoke and mirrors. The longer Congress waits before it gets serious about fiscal responsibility, the heavier the burden will be for our kids and grandkids. And it all starts with honest and transparent budgeting.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I appreciate the fact that the Presiding Officer has the right to the floor as soon as someone comes over and helps him out. Pending him being relieved of his duties as the Presiding Officer, I ask unanimous consent that we yield to Senator COLLINS 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maine.

AMENDMENT NO. 4209

Ms. COLLINS. Mr. President, this is the only time I am happy that a Democratic Senator is in the chair. It actually worked out well tonight. I thank Senator GREGG for his courtesy as well and also for his tremendous leadership on budget issues.

Senator LEVIN and I have filed an amendment, No. 4209, that will help set us on a path toward energy independence, as well as provide a more sensible and balanced energy tax policy.

This has been a very long, hard, cold, and snowy winter in the State of Maine. As I have visited communities across the State, I hear time and again that the high cost of energy is imposing such a burden on our citizens.

My hometown of Caribou, ME, saw 17 days of at or below zero temperatures in February. Caribou is only inches short of setting a record for snowfall in the winter. The previous record was 181 inches of snow. It is clear that record is going to be broken. In fact, more snow and cold weather is forecast for this weekend. It takes a great deal of energy to heat a home under such conditions.

Rapidly increasing prices for home heating oil, gasoline, diesel fuel, and other products refined from fuel are a huge burden for most Maine families, for our truckdrivers, for our small businesses, for so many people. High oil prices affect virtually every corner of our economy in Maine and throughout the Nation, and they are a significant cause of the current economic downturn.

With net profits of a single oil company reaching almost $10 billion in a single quarter, I believe we should not expect taxpayers struggling to pay their bills to continue to subsidize the oil industry through tax incentives.

Last year, I introduced a bill that would take away needless tax breaks for the oil industry, and along with my colleague, Senator LEVIN, I am proposing much the same approach today with the Collins-Levin energy independence amendment. These are the very tax breaks that at a hearing in November of 2005 executives of the big oil companies themselves conceded are not necessary. I simply see no justification to continue to provide reduced tax rates for one of the world's most profitable industries at a time when so many families and small businesses are struggling due to the high cost of oil.

Mr. President, does it not make sense for us to take a look at these tax subsidies which the oil companies themselves have admitted they do not need

as incentives? In fact, obviously, with oil over $100 a barrel, it is difficult to think that price alone is not a sufficient incentive for exploration and drilling to find additional supplies.

We also must embrace the goal of energy independence. I think we should establish the year 2020 as the date by which we want to be energy independent. We need to pursue this goal of energy independence with just as much fervor and commitment as we pursued the goal of landing a man on the Moon in the 1960s.

I am pleased that the Budget Committee included provisions to extend the renewable energy production credit, the clean renewable energy bonds, and provisions for energy-efficient buildings, products, and powerplants in section 304 of the budget resolution. But we need to do more. We need to develop policies that are all aimed toward the goal of freeing us from our dependence on imported oil.

I know it must trouble you, Mr. President, as much as it does me when I hear the dictator in Venezuela threatening to shut off oil to this country. The fact is, with 12 percent of our oil coming from Venezuela, that would hurt our economy. I don't think we should be dependent on Middle East oil given the instability of that region as well.

So we can embrace the goal of energy independence by the year 2020. We have taken a step toward that goal by increasing the fuel-efficiency standards for our cars, light trucks, and SUVs. That will help save a million barrels of oil a day. But there is more we can do.

In addition to the energy tax credits that I have mentioned that are in the budget resolution, the Collins-Levin amendment would provide for a tax credit for replacing old, inefficient wood stoves with clean-burning, more efficient wood stoves and pellet stoves that can provide much more heat for far less fuel than was once the case.

In addition, we should provide a production tax credit for cellulosic ethanol and a vehicle tax credit for plug-in hybrid electric drive vehicles. I know that has been a goal of the Senator from Utah for many years as well.

Unlike the current language in the budget resolution, the Collins-Levin amendment also proposes offsetting some of the costs of these renewable energy credits and other kinds of conservation credits by pulling back some of the tax breaks for the large oil companies. Estimates of savings from this proposal range up to $6.4 billion over 5 years. I think that is reasonable, and that will help shift our tax policy toward credits and other incentives that will help us reach the goal of energy independence.

Let me describe a little bit more the provisions having to do with a tax credit for clean-burning wood stoves or for wood pellet stoves.

During the height of the oil crisis in the 1970s, many families throughout the country turned to wood as an affordable way to heat their homes. With oil prices soaring once again, wood is the fuel of choice for an increasing number of households, particularly in a heavily forested State such as the State of Maine. But, unfortunately, many of the wood stoves purchased decades ago are outdated, inefficient, and are contributing to both indoor and outdoor air pollution. The emissions from these old-style wood-burning stoves present a serious health concern, contributing to respiratory ailments such as asthma.

There have been great, exciting advances in wood stove technology. I saw them personally at a Jotul plant in Gorham, ME. They now have a second burn of the emissions, which makes them far more efficient and also far cleaner burning. New EPA-certified wood and wood pellet stoves can cut emissions by more than 70 percent and use as much as a third less firewood for the same amount of heat.

But it is expensive to make that transition from the old, dirty, inefficient wood stove to the clean-burning stove. That is why our amendment includes a $500 tax credit to help consumers purchase and install these new clean-burning stoves as well as the efficient, clean wood pellet stoves.

We also provide a tax credit for the production of cellulosic ethanol. While there has been a great deal of focus on corn-based ethanol in order to decrease our reliance on foreign oil, there are other renewable plant-based energy sources.

Mr. President, I ask unanimous consent to have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, the University of Maine is doing exciting work in this area.

In addition and finally, our proposal would provide a tax credit for plug-in hybrid vehicles. That, too, would help reduce our reliance on foreign oil.

This amendment takes a balanced approach toward our tax policy, and it will help advance us toward the goal of energy independence.

The Collins-Levin amendment would provide for a tax credit for production of cellulosic ethanol. While there has been a great deal of focus on using corn-based ethanol in order to decrease our reliance upon foreign oil, there are other renewable, plant-based energy sources that are more environmentally friendly and have greater potential to reduce greenhouse gas emissions. These technologies will help move our petroleum-based economy toward a renewable, sustainable forest bio-economy. In fact, researchers at the University of Maine recently teamed up with a local pulp mill to demonstrate cellulosic ethanol production at a commercial scale. It is an exciting time for this new technology.

Finally, the Collins-Levin amendment would provide for a tax credit for plug-in hybrid vehicles. If all new vehicles added to the U.S. fleet for 10 years were plug-in hybrids, an additional 80 billion gallons of gasoline could be saved each year. Obviously, we won't be replacing all new vehicles with plug-in hybrids, but that statistic illustrates the large impact plug-in hybrids can have on reducing our use of oil.

The provisions in our amendment are in addition to renewable energy production and energy efficiency provisions already in section 304.

Section 304 would allow for extension of the renewable electricity production tax credit. I believe it is important to give companies certainty now to plan investments in renewable electricity generation for the near future. These efforts represent a large up-front capital investment. Thus, companies will not continue to expand renewable energy production in the absence of this credit, which makes such projects cost competitive with traditional energy sources.

Section 304 also would allow for legislation to encourage energy efficient buildings, products, and powerplants. Making buildings more energy efficient can dramatically reduce our use of oil and save money for consumers at the same time. For example, on average, weatherizing a home reduces heating bills by 31 percent and overall energy bills by $358 per year.

Mr. President, as I mentioned at the beginning of my remarks, this amendment provides for the rescission of tax breaks that the oil companies themselves testified they do not need. It uses that revenue for additional renewable energy and energy efficiency initiatives. I urge my colleagues to support the Collins-Levin energy independence amendment.

Mr. President, I urge my colleagues to support the Collins-Levin amendment when it is voted on.

Mr. GREGG. Mr. President, I ask unanimous consent that at the close of business tonight, all statutory time be yielded back, except for 30 minutes to be equally divided and controlled between the chair and the ranking member for their use when the Senate resumes consideration of the concurrent resolution on Thursday, March 13.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

Mr. HATCH. Mr. President, I compliment my distinguished colleague from Maine. She does such a great job around here, and we all respect her and know how hard she works. She has terrific ideas, so we are very grateful to have her as a colleague.

Mr. President, I rise to offer an amendment designed to protect Medicare beneficiaries' coverage choices. It will protect beneficiaries living in rural areas. It will protect beneficiaries with chronic conditions such as diabetes, congestive heart failure, and even cancer. It will protect beneficiaries who use preventive health screening benefits. It will protect low-income Medicare beneficiaries from high out-of-pocket costs.

Simply put, my amendment creates a budget-neutral reserve fund so that if Congress takes action to improve the Medicare, Medicaid, or CHIP Programs, it may not limit coverage choices for Medicare beneficiaries. It also may not reduce the benefits of those who are enrolled in Medicare Advantage Plans.

The Medicare Advantage Program was established by the 2003 Medicare Modernization Act. I know; I was on the conference committee and one of the key people in helping to pass that bill. Through the Medicare Advantage Program, health plans receive a monthly payment to provide beneficiaries at least all of the health benefits covered by traditional Medicare.

Prior to the MMA, these plans had difficulty existing in rural areas, such as Utah, due to very low monthly payments. In fact, Utah did not have Medicare Plus Choice Programs for any length of time because the plans simply could not exist due to low reimbursement rates, and that was true in almost every rural area in the country. The Medicare Modernization Act of 2003 increased payments to these plans, and as a result, every State now has Medicare Advantage Plans that are offered to its residents, and each State's residents are benefiting greatly from this.

Medicare Advantage Plans provide a lot more to beneficiaries than traditional Medicare. Medicare Advantage Plans provide a range of additional benefits not available in traditional Medicare, such as vision and dental care, annual physical exams, and hearing aids. Medicare Advantage Plans also have chronic-care programs for beneficiaries with chronic diseases, such as diabetes or congestive heart failure. Through chronic-care plans, these beneficiaries are able to manage their illnesses because their doctors provide a coordinated care approach to their conditions. That is why these plans work. That is why they are so much appreciated by seniors, especially, all over this country. In other words, health care providers actually talk to each other under Medicare Advantage, and they try to figure out the best course of action so that the patients will stay healthier longer.

This is not the case in traditional Medicare. A beneficiary in traditional Medicare may see as many as five or six physicians for various health problems—a nephrologist for kidney failure, an orthopedic surgeon for a broken ankle, an endocrinologist for an underactive thyroid, and an internist for general health issues. In addition, medicines are prescribed by each of these physicians without consultation, which sometimes may have disastrous results, all maybe not even understanding the others in the picture. Would these physicians talk to each other when the beneficiary is covered by traditional Medicare? Chances are very high that they would not. That is why Medicare Advantage Plans are so good for beneficiaries. These plans encourage providers to approach health care collaboratively—something that I believe is in the beneficiary's best interest.

Health plans have been covering Medicare beneficiaries for many years through programs authorized by Congress. However, these Medicare health plans were typically limited to beneficiaries living in urban areas. The Balanced Budget Act of 1997 prompted Congress to take action to provide more coverage choices for beneficiaries living in rural areas.

Mr. President, in Pennsylvania, in your State, there are a lot of rural areas. In fact, I remember my good friend, Senator CHUCK GRASSLEY, the ranking Republican of the Senate Finance Committee, pushing for equitable payments in rural areas so that plans could be offered to beneficiaries living in areas such as Pennsylvania, Utah, and Iowa. At that time, payment rates to plans offered in urban areas were higher—in some cases, a lot higher—than payments in rural areas. Unfortunately, we didn't quite get it right in the BBA 1997, the Balanced Budget Act of 1997. We should have listened to Senator GRASSLEY because he was right. In fact, my home State of Utah could not keep Medicare Plus Choice plans in the State primarily because the payment rates were too low, and that is true of every rural State. Ironically, many Utahns wanted to participate in these plans because they were the only ones offering the supplemental benefits such as vision care, preventive benefits, and prescription drugs to Medicare beneficiaries at that time.

Now, let me go to chart one here. We finally were able to achieve the appropriate payment rates for both rural and urban parts of the country through the Medicare Modernization Act of 2003. In fact, this chart shows how many Medicare Advantage Plans are available throughout the country since its passage. While this chart illustrates the different payment levels of Medicare Advantage Plans across the country, it also shows that many Medicare Advantage Plans are available in every county in every State in this country. Think about that. In other words, all Medicare beneficiaries have access to at least one Medicare Advantage Plan, but every part of the United States of America is covered by Medicare Advantage. It has been a terrific thing for our people who have suffered in these areas and who now are covered under Medicare Advantage.

Now, these people may choose between traditional Medicare or a Medicare Advantage plan. They can make the choice of whatever plan they want. The primary goal of the Medicare Modernization Act was to give beneficiaries a choice of coverage.

Now, again, when we first established ceilings for Medicare Plus Choice plans, we discovered that our floor payments for rural areas were too low. Medicare Plus Choice plans simply could not exist in rural areas.

Congress learned an important message from that experience, and that is why we adjusted the payment ceilings and floors for Medicare Advantage Plans in the Medicare Modernization Act, to ensure access to Medicare Advantage Plans in both rural and urban parts of the country. They are in all parts of the country today because of the changes we made in that bill. This chart proves that we accomplished that goal.

Now, let me go to chart two. This next chart will give my colleagues and everybody in America who is watching an idea of what could happen if Congress eliminates the rural and urban floor payments for Medicare Advantage Plans. The white parts of this map highlight the regions of the country where Medicare Advantage Plans may no longer be offered. It is the vast majority of America, if we do what some are saying we should do. It is very disconcerting to me that my very home State of Utah is almost completely white—right over there. There is only one little yellow spot and one dark-blue spot. In other words, we would decimate one of the programs that has worked so doggone well.

In essence, if we eliminate these payments from Medicare Advantage Plans, we will have a repeat of what happened with Medicare Plus Choice. Plans will pull out of the rural parts of the country, and beneficiaries will be left without any choice at all. It will be deja vu all over again. I, for one, do not want to see that happen again.

Now, let me go to chart three. This is important because another interesting point about the Medicare Advantage Plans is that beneficiaries are less likely to have problems accessing care compared to beneficiaries enrolled in traditional Medicare.

This chart shows that Medicare Advantage beneficiaries, as represented by the light blue on the left—there is light blue, green, then dark blue—Medicare Advantage beneficiaries have an easier time accessing care compared to those in traditional Medicare with and without supplemental health care. The light blue are Medicare Advantage enrollees, the green are all fee-for-service enrollees, and the dark blue are all fee-for-service who get supplemental coverage. When we were creating the Medicare Advantage Program, we strongly believed that beneficiaries should be able to have access to health care similar to the health care plans of Members of Congress.

Now, let's take a couple of minutes to go through this chart. It is an important chart. Only 2.8 percent of Medicare Advantage beneficiaries have no usual source of care, compared to 11.8 percent of those beneficiaries in traditional Medicare who do not have supplemental health coverage. Only 7.7 percent of Medicare Advantage beneficiaries do not have a usual doctor, compared to 24.6 percent of beneficiaries in traditional Medicare without supplemental coverage. Only 4.5

percent of Medicare Advantage beneficiaries had trouble getting care, compared to 8.4 percent of those beneficiaries in traditional Medicare without supplemental health coverage. Only 6.5 percent of Medicare Advantage beneficiaries delayed getting their care due to costs, compared to 18.6 percent of those beneficiaries in traditional Medicare without supplemental coverage. Only 7.5 percent of Medicare Advantage beneficiaries needed to see a doctor but didn't, compared to 14.3 percent of those beneficiaries in traditional Medicare who do not have supplemental coverage.

Look at it, starting on the left. No usual source of care—the light blue shows that they do have care compared to the other two. No usual doctor—the light blue again shows that they have their doctors. The third one over in from the left had trouble getting care, and you can see the light blue had less trouble than the other two. Then you go to delayed care because of cost. The light blue again was not delayed, compared to the green and the dark blue. Needed to see a doctor but didn't—the light blue, compared to green, compared to the dark blue didn't see the doctor and saved money over that time.

These statistics, based on the 2006 Medicare Current Beneficiary Survey, make one point very clear: Beneficiaries in Medicare Advantage Plans have been getting better care.

So let me conclude by urging my colleagues to keep in mind the following:

Today, beneficiaries across the country, whether they live in a rural State, such as Pennsylvania, Iowa, Utah, or in almost every State in the Union, or urban areas such as Boston, they have better coverage choices.

Today, beneficiaries are offered more choices in Medicare Advantage, more benefits, and lower out-of-pocket costs. Today, most beneficiaries are satisfied. Over 90 percent of beneficiaries are satisfied with their Medicare Advantage plans. That is historically an astounding success story. We all need to remember that these policy decisions, in creating the Medicare Modernization Act, were created on a bipartisan basis. I was there.

These bipartisan decisions helped achieve these impressive results, and these results should be protected. This is really important, and unfortunately we have people who want to get money out of Medicare Advantage and take away these benefits that have helped so many people in our country today, especially in the rural areas. We just cannot let that happen. I urge my colleagues to support my amendment to protect these Medicare Advantage plans and to quit playing with something that is working so wonderfully well.

I hope my colleagues on the other side will listen to these remarks I have been making. I know some of them know this is true, and the others, who have not studied it, ought to study it. They should not carve money out of a program that is as effective as is this one. It has exceeded the expectations we had when we were negotiating the Medicare Modernization Act by far. It is one of the most successful Federal programs. Frankly, it has done an awful lot of good to bring health care to those throughout our country and all of those States where plans have proliferated because they work.

I hope everybody will vote for this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 4268

Mr. THUNE. Mr. President, I rise to speak to amendment No. 4268. This amendment would provide for a total of $200 million over the next 5 fiscal years for tribal justice and law enforcement. Specifically, this amendment would do two things in a fiscally responsible way. First, it would increase the BIA's public safety and justice account, which funds tribal law enforcement, tribal court systems, and tribal detention centers by $25 million a year for the next 5 years. Second, it would increase funding for U.S. attorneys to prosecute crimes in Indian Country by $15 million a year for the next 5 years. The need for this amendment on our Nation's reservations cannot be overstated, as the absence of basic levels of public safety is reaching a crisis point.

The statistics are startling. Nationally, studies show that one of every three Native American women will be raped in their lifetime. Crime rates on remote reservations are an average of 10 times higher than the rest of the Nation. The Department of Justice has found that American Indian women are 2½ times more likely to be raped or sexually assaulted than women throughout the rest of the country.

In my home State of South Dakota, homicide rates within reservations are almost 10 times higher than those found in the rest of South Dakota. According to the BIA, Standing Rock Sioux Tribe has the second highest rate of crime of all the reservations in the Nation.

In order to start to help improve public safety on our Nation's reservations, there needs to be a two-part solution. First, we have to ensure there are adequate law enforcement personnel on the reservations to respond to, to investigate, and to deter crime—something that is not currently happening. For example, again, my home State of South Dakota, the Standing Rock Sioux Tribe, which sits on the border of North and South Dakota and occupies over 2 million acres of land, currently has only 16 commissioned police officers. That works out to no more than three officers a shift for over 2 million acres of land.

To put that in perspective, the Standing Rock Sioux Tribe land is more than two times larger than the State of Rhode Island, which has 200 sworn State troopers plus additional county, city, and Federal officers. That means Rhode Island has 12 times as many State troopers as the Standing Rock Sioux Tribe has law enforcement officers, to police half the land.

Rhode Island also has 10 State trooper police dogs, meaning that at any given time, Rhode Island has more canine officers patrolling than Standing Rock Indian Reservation has human law enforcement officers. While there are population discrepancies between the Standing Rock Sioux Tribe and Rhode Island, the differences between the two are still startling. My amendment addresses this need to increase the number of law enforcement officers on reservations by increasing funding for the BIA's public safety and justice account.

Second, there has to be some assurance that those who have been arrested, especially those arrested for violent crimes, are prosecuted to the fullest extent of the law. Over the past two decades, only 30 percent of tribal land crimes referred to U.S. attorneys were prosecuted, according to Justice Department data compiled by Syracuse University. This compares with 56 percent of all other cases.

My amendment addresses this need with an increase in the BIA's Public Safety and Justice Account, which also funds tribal courts, and an increase for U.S. attorneys to prosecute crimes in Indian country.

The bottom line is that violent crime has become a serious problem on our reservations, particularly on our reservations in South Dakota, and I am determined to help reduce it. This $20 million increase in spending in fiscal year 2009 is small, less than 4/1000 of 1 percent of the total discretionary spending in fiscal year 2009 in this budget resolution, but it will have a big impact on the reservations that are truly in need.

I hope my colleagues will support this amendment so we can start restoring basic public safety to our Nation's Indian reservations.

METH HOT SPOTS BUDGET AMENDMENT

Mr. President, I would also like to speak about an amendment that I filed earlier this afternoon, amendment No. 4269.

This amendment, which would provide for a total of $99 million in COPS meth hot spots funding for fiscal year 2009.

The underlying budget resolution assumes $70 million for this program, and my amendment simply provides the additional funds needed for a total of $99 million, as authorized by the Combat Meth Act. This important program trains State and local law enforcement to investigate and lock up meth offenders.

In 2006, we passed the Combat Meth Act, which authorizes an additional $99 million per year for 5 years under the COPS Meth Hot Spots Program. During the budget debate last year, I offered a similar amendment that was accepted by unanimous consent.

Like last year, my amendment this year would simply provide, in a fiscally responsible way, the authorized $99 million for fiscal year 2009.

Meth abuse has become one of the most dangerous problems impacting small-town rural America and our Indian reservations.

As the Department of Justice's 2007 National Drug Assessment notes, Mexican criminal groups have expanded direct distribution of methamphetamine, targeting smaller communities across the Midwest as new markets.

Young people, ages 12–14, who live in small towns, like those across South Dakota, are 104 percent more likely to use meth than those living in large cities.

Sadly, hundreds of young children are brought up in households every year by parents who are hooked on meth. Studies show that children were present in more than 20 percent of the meth labs seized.

In addition to the costs associated with investigating, locking up, and prosecuting meth offenders, there are significant environmental clean-up costs involved.

The chemicals used to make meth are toxic, and meth producers and users often dump waste into our streams, rivers, fields, and sewage systems. Cleaning up these sites requires specialized training and costs an average of $2,000–$4,000 per site. My amendment would not only provide much-needed funding for law enforcement expenses associated with meth, but also for environmental clean-up to protect our lands and water systems from the harmful effects of this toxic drug.

I strongly urge the adoption of this amendment, so we can continue to crack down on the growing meth abuse problem in rural States like South Dakota and other states across the country.

Mr. President, I would like to speak, if I might, as well, to the broader issue of the budget resolution. There has been a lot of debate about it. We are in the 50 hours leading up to tomorrow when we have the so-called vote-arama when many of the amendments that have been filed will ultimately be voted on, but I want to make some observations about this budget because I think it is important.

I think the American people derive from this an idea about where the political parties in Washington want to take the country, what their priorities are in this budgeting process. Of course this is now a $3 trillion budget that we deal with every single year. The budget resolution is a statement of priorities. In many respects, because it is nonbinding, it doesn't have the force of law. Sometimes it seems this whole exercise would appear at times, perhaps, to the watching public, to be somewhat more symbolic than anything else. But I do think it is important in that it does set the direction, the tone, the agendas in Washington, DC. It is a statement of priorities, and it is a blueprint for how the two respective political parties in the Senate would govern the country.

If you look at where we are in terms of the economy today, and you look at where we have come from in the last 7 years, we did enact over the past several years some historic tax reductions for all Americans. Despite a recession, terrorist attacks, corporate scandals, the collapse of the Internet bubble, these tax cuts have resulted in 52 consecutive months of job growth, the second longest period of job growth on record. Thanks to the progrowth tax policies that were put in place by previous Congresses, unemployment remains relatively low and productivity is higher than the previous three decades. Additionally, significant job growth followed the 2001 and 2003 tax cuts. Since 2003, nonfarm employment has increased by 8.3 million jobs, including 1.7 million new jobs last year alone.

There is a simple fact of fiscal policy: reducing taxes, reducing marginal income tax rates and capital tax gains rates puts more money back into the economy, encourages investment, and creates jobs.

On the other hand, tax increases drag the economy down and discourage job creation.

Unfortunately, on account of high energy prices and falling home values, our economy faces several short- and long-term challenges. In the fourth quarter of 2007 gross domestic product only increased by .6 percent. Payroll employment declined in January and February. Oil traded for almost $110 per barrel this week. Subprime mortgage foreclosures are at an all-time high, and the dollar is at an all-time low.

In response to these economic challenges, the budget resolution put forth by the majority in the Senate calls for a dangerous combination of larger Government bureaucracies and higher taxes. In total, the Democratic budget includes a $1.2 trillion tax increase on over 116 million families and 27 million small businesses.

Under the Democratic budget, the reduced individual tax rates are set to expire within 20 months. As millions of families prepare their taxes ahead of the April 15 deadline, I think it is important to point out that this deadline will be even more painful in future years under the Democrat budget resolution, if it is ultimately here adopted.

On January 1 of 2011, the 10-percent tax bracket would expire; the 25-percent tax bracket would increase to 28 percent; the 28-percent tax bracket would go up to 31 percent; the 33-percent tax bracket would go up to 36 percent; and the 35-percent tax bracket would increase to 39.9 percent.

On top of the increased tax rates, the increased child tax credit will expire. In other words, in the tax cuts of 2001 and 2003, the per-child tax credit was increased to $1,000 per child. Under this budget, if the tax cuts are allowed to expire, that would fall back down to $500. Families with children would see their tax burden increase substantially when that $1,000 tax credit is reduced to $500 after the year 2010.

Additionally, the marriage penalty is reinstated and the 31 million filers who report dividend income, and the 26 million filers who report capital gains income, would see taxes on their investments go up as well. That impacts, significantly, senior citizens. We have a lot of senior citizens around the country who have investments that they live on—dividend income, capitol gains income. So these particular tax increases are going to strike disproportionately harshly on those senior citizens across the country who depend on investment income.

Finally, the death tax is reinstated at pre-2001 levels. If you took a look at the 2001 levels, it allows a $1 million exemption and a maximum statutory level of taxation of 55 percent, which is one of the highest death tax rates in the world.

Ironically, under the current law, in the year 2010, the death tax would completely disappear, which has prompted a lot of people who do estate planning to suggest that, if somebody wants to be able to pass on their earnings and their lifetime of assets tax free to the next generation, it would behoove them to decease or to pass away in the year 2010. But the bad news is in 2011, if you are still around, the death tax kicks back in and it kicks in at enormously high levels: 55 percent maximum tax rate and a $1 million exemption. In a State such as mine, South Dakota, where you have a lot of farm and ranch families who are asset rich but cash poor, in many cases it causes them to liquidate their assets; in other words, to sell the farm in order to pay the IRS.

That is something that makes absolutely no sense. I hope we can avoid that happening. There is going to be an amendment offered by some of my colleagues that would reform the death tax and reform it in a way so that in 2011 we don't go back to the old law, which is incredibly restrictive in terms of the way it takes the money away from those who have accumulated it and worked hard, including a lot of hard-working farmers and ranchers in South Dakota, over the course of their lifetime putting away some of their investments and acquiring land and farm equipment and that sort of thing.

They want to pass it on to the next generation. The next generation wants to stay on the farm. But, unfortunately, in many cases, as I said, they have to sell their assets in order to pay the IRS. In total, the average family is going to see their taxes increase by approximately $2,300 per year, which is enough to buy 8 months of groceries for the average family or a year's worth of health care.

Over the past few years, there have been a lot of misconceptions about the tax cuts that were enacted in 2001 and

2003. The first misconception is that the tax cuts are too expensive and cost the Federal Government too much in terms of lost revenue. If you look at what has happened in terms of Federal receipts, Federal receipts have dramatically increased since we enacted the 2001 and 2003 tax cuts. In fact, in 2000, the Federal Government raised $1.99 trillion in revenue. In 2007, after those historic tax cuts had spurred increased economic growth, the Federal Government collected an all-time record of $2.57 trillion. So, from the year 2000, where it was just a little under $2 trillion, to the year 2007, where $2.57 trillion was collected, over a half trillion dollars additional revenue is now coming into the Treasury on an annual basis as a result of the tax cuts that were enacted in 2001 and 2003.

So for somehow to believe for a moment that the Federal Government has been deprived of revenue as a result of tax rates being reduced does not at all jibe with the facts.

The first misconception, I would argue, is the one that is held around here and often used in debates around here, and is very misguided because tax rates, when they were cut, actually led not to less Government revenue but to more Government revenue, and not only that but dramatically more Government revenue.

The second misconception is tax cuts created an overly regressive tax structure that only benefits the wealthy. But if you look at recent data from the Congressional Budget Office, the effective Federal tax rate for middle-income households is the lowest it has been in the past 25 years, thanks to the 2001 and 2003 tax cuts.

For the bottom 20 percent of U.S. households, the total effective Federal tax rate fell by nearly a third from the year 2000 to the year 2005.

According to the Tax Foundation, approximately 30 million tax returns had no income tax liability in 2000. After enactment of the historic tax cuts, an additional 13 million returns had no income tax liability. So now there are 43 million tax returns in this country where there is no income tax liability, as I said, an increase of 13 million returns from the year 2000.

Add that to the 15 million households and individuals who do not file tax returns at all, and you have 41 percent of the U.S. population completely outside the Federal tax system as a result of the tax cuts that were enacted in 2001 and 2003.

Now, under the Democratic budget plan, millions of low-income Americans are going to be put back on those tax rolls. My colleagues on the other side of the aisle will claim they are extending middle-class tax cuts by voting for the Baucus amendment.

I wish to make a couple of points about the Baucus amendment. First, we heard this very same claim last year. This is the same song that we heard last year, that the Senate is going to pass an amendment that addresses some of these, or puts back or restores some of these tax cuts.

We passed an amendment on the budget resolution last year, a similar Baucus amendment, as part of the fiscal year 2008 budget resolution. But we were falsely promised action to extend selected tax cuts as part of that budget process.

Here we are a year later, the same promises are being made, and the same wall of tax increases is 1 year closer. Now, second, the Baucus amendment excludes a whole lot of tax cuts that are absolutely critical to the well-being of the middle class. Even after the $320 billion Baucus amendment, if it is adopted on the budget resolution tomorrow, Americans are still faced with one of the largest tax increases in American history.

Now, those taxpayers who are following this year's budget process are probably asking themselves: If the Democrats in Congress are going to raise taxes by $1.2 trillion, certainly they are going to bring stability and solvency to entitlement programs and reduce the Federal debt.

Unfortunately, the answer to both those questions is no. The Democratic budget does nothing to rein in out-of-control entitlement spending. Rather than enact meaningful reform, the Democratic budget resolution leaves our children and grandchildren with $66 trillion worth of unfunded Government liabilities.

The baby boom generation has already started to retire this year. And the over-65 population will nearly double by the year 2035 to 75 million people. These demographics, coupled with increasing health care costs, create a $34 trillion unfunded Medicare liability and a $4.7 trillion Social Security liability over the next 75 years.

The spiraling cost of entitlement spending is the single greatest threat to the long-term health of our economy, and under the Democratic budget, entitlement spending grows by $488 billion over 5 years. If left unchecked, entitlement spending will account for 70 percent of our Federal budget by the year 2017.

Under the Democratic budget resolution, the gross Federal debt climbs by $2 trillion by 2013. Every American child will owe an additional $27,000 to pay down the national debt on account of this budget. This debt will create an economic drag on our Nation for generations to come.

The bottom line, the budget resolution that will be voted on tomorrow, offered by the majority in the Senate, raises taxes. The largest tax increase in American history we had was back in the 1990s, when taxes went up about $250 billion under the Clinton administration.

At that time, Senator Patrick Moynihan described it as the largest tax increase in American history. This will be four times that level of tax increase. It increases spending, discretionary spending, increases mandatory spending dramatically and does nothing to curb entitlement spending to reform entitlements or reduce our Federal debt.

In the coming days, Senators are going to have several opportunities to correct the shortfalls in this budget. There are going to be a number of amendments offered tomorrow. I encourage my colleagues to take a good look at these amendments and take advantage of the opportunity they have to do what is right for the Federal budget and for hard-working taxpayers across this country and to hopefully adopt some amendments that will make this budget better.

But, in the end, I am afraid that in light of the fact that it is going to increase taxes by $1.2 trillion and increase spending and do nothing to reduce the Federal debt, this is a budget I do not think many right-thinking people in the Senate are going to be able to vote for.

I would close by noting that as you listen to the Presidential campaign this year, it has been a great experience in democracy. You have seen candidates running out there holding townhall meetings, listening to constituents. It is a wonderful example I think of our Democracy at work and in action.

But as typically happens during the course of Presidential campaigns, there are lots of promises that get made on the campaign trial. And in many cases, the other side of the story does not get told; that is, how are those programs going to be funded? How are they going to be paid for?

That is the side of the story I hope that at some point in the campaign we are going to hear, because if you add up all the new programs that were gathered together into one Cabinet-level department, these programs, posed by our colleague, the Senator from Illinois, you could call it the Department of Unfunded Campaign Promises. There are 188 new Federal programs that add up to $300 billion a year in new Federal spending—$300 billion a year. And that is only 111 programs added up. The other programs they have not been able to score yet.

But of those they have been able to attach a cost to, $300 billion a year in new spending. That would constitute the third largest Federal department in our entire Federal Government, behind only the Department of Defense and the Department of Health and Human Services.

That new department, consisting of 111 new programs, would have a larger budget than the Department of Housing and Urban Development, the Department of Commerce, the Department of the Interior, the Department of State, the Department of Homeland Security, the Department of Labor, the Department of Energy, and the Department of Justice combined.

To look at it another way, this new Department of Unfunded Campaign

Promises would cost more than 42 States' budgets combined. Not only do we have a budget in front of us today that leads to higher taxes, more spending, more debt, we have a lot of obligations that are being promised out there on the campaign trail.

It seems to me at least that we ought to start tomorrow by defeating this budget that takes us down the wrong path of more Government, higher taxes, and does not do the right thing for the taxpayers of this country.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Pennsylvania.

AMENDMENT NO. 4171

Mr. CASEY. Mr. President, I am going to speak to two amendments that I have at the desk that I will be able to talk more about tomorrow. But I wished to describe them tonight.

First of all, amendment No. 4171 is an amendment that focuses on a problem we see all around us. It seems we cannot go too long in a week when we do not pick up a newspaper that talks about the safety of the food we eat. It has been an issue of concern for Americans and certainly from people in my home State of Pennsylvania.

Over the past year, there have been a steady stream of news reports on countless incidents of recalled or otherwise contaminated food products.

To mention a few: Spinach contaminated with E. coli; peanut butter contaminated with salmonella; imported fish containing high levels of antibiotics; and, finally, culminating last month with the largest meat recall in the history of the United States, 143 million pounds of ground beef.

The safety of our food supply is an issue we can no longer afford to ignore. My amendment would expand the deficit-neutral reserve fund to allow for legislation that enhances the protection and safety of the Nation's food supply.

The funds of this legislation would allow for congressional action. It would do the following: First of all, expand Federal food inspection field forces; second, develop risk-based approaches to inspecting the food supply; third, develop the infrastructure to ensure a coordinated Federal food safety approach; No. 4, we would enhance the Food and Drug Administration's recall authority; and, finally, expand foodborne illness awareness and education programs.

This is a critically important issue, and I know the current cosponsors include Senator GRASSLEY, who is on the floor with us tonight; Senators DURBIN, BROWN, SCHUMER, LAUTENBERG. So that is the food safety amendment No. 4171. I would urge my colleagues to support that amendment.

AMENDMENT NO. 4172

The second amendment is No. 4172, the Wounded Warriors Bonus Equity Act. I am proud to introduce this bipartisan amendment to the budget resolution calling for payment of bonuses to troops who have retired or separated for combat-related injuries.

I wish to thank Senator CLINTON and Senator SESSIONS for agreeing to be original cosponsors on this amendment. The three of us introduced legislation in December of last year in response to reports that wounded troops were asked by the Department of Defense to return their enlistment bonus. I will say that again. These were troops asked by the Department of Defense to return their enlistment bonuses after they retired or separated from the Armed Services due to combat-related injuries.

These troops and tens of thousands of others across the country that were injured in Iraq are struggling to support themselves and their families. We owe them what we promised, and we must not drop our commitment to our troops at the shoreline of the United States.

The Senate passed our bill, S. 2400, the Wounded Warriors Bonus Equity Act, last year by unanimous consent. But we have not reconciled our version with that of the House of Representatives which does not require retroactive payment of the bonus that has already been withheld or returned.

I wished to commend Congressman JASON ALTMIRE from my home State of Pennsylvania, in the Fourth District, who helped bring this problem to light when one of our constituents faced the loss of his enlistment bonus.

I am hopeful that expanding the deficit-neutral reserve fund for veterans and wounded servicemembers will include legislation that will require the Department of Defense to return promised bonus payments and conduct an audit to identify any servicemembers who are owed payments.

This will pave the way for signing this legislation into law. We have often heard the words of Abraham Lincoln when he talked about those who perished in war, those who gave the last full measure of devotion.

He also spoke, in his Presidency, of those who have been injured in war. He talked about those who have borne the battle and what we owe them. Abraham Lincoln was right. We owe them much. The least we can say is we owe them, to fulfill the promise we made to them for those who have indeed borne the battle.

I would urge all my colleagues to support this amendment as well, amendment No. 4172, the Wounded Warriors Bonus Equity Act.

Mr. KENNEDY. Mr. President, as we all know, the Federal budget is a statement of the Nation's priorities. I want to commend my good friend from North Dakota who chairs the Budget Committee for setting the right priorities for America in this budget resolution.

Our Nation is enduring profound changes as we adapt to the global economy. It seems like every day there is more bad economic news. Savings are falling and debt is rising. Americans now collectively owe more than $900 billion in credit card debt.

Foreclosures are skyrocketing: 200,000 families each month are at risk of losing their homes. Bankruptcies soared by 40 percent last year, and are expected to rise even more this year. Entire industries are disappearing, leaving workers and communities devastated in their wake. And unemployment is up and going higher.

And there is more bad news for America's working families. Now, for the first time in 5 years, we have seen job losses for 2 months in a row, a sure sign that the economy is headed for a recession. Employers cut 63,000 jobs in February, the worst job losses since March 2003. And it is only likely to get worse.

Economists foresee a significant unemployment problem for at least the next 2 years. Goldman Sachs has predicted that the national unemployment rate will rise to 6.5 percent by the end of 2009. Many States around the country are already struggling with high unemployment. Michigan's unemployment rate is 7.6 percent. South Carolina's is 6.6 percent. Ohio just hit the 6 percent mark as well.

And workers who lose their jobs are having more and more trouble finding work. Today, roughly 18 percent of unemployed workers have been looking for a job for more than 26 weeks, compared to only 11 percent before the last recession. That is a dramatically higher level of long-term unemployment, and it is a deeply troubling sign.

These aren't just statistical trends or indicators. Every bad number reflects a real hardship in people's lives. For these workers and their families, a recession isn't just part of the business cycle; it is a life-altering event from which they may never recover.

With this kind of uncertain economic future, we need a budget that puts a priority on stimulating the economy and giving hardworking Americans the support they need to weather the storm. If we want an economic recovery that works—if we want real opportunity and sustainable growth—that effort must start and end with working families.

This budget sets the right priorities to address these challenges. I commend Senator CONRAD for including room in the budget for a second stimulus package. This will allow us to take what Democrats know is the right path during a recession, putting working people's needs first. That means extending unemployment insurance benefits for the long-term unemployed, increasing food stamp benefits, and providing State fiscal relief.

This budget further aids those caught up in the economic downturn by setting aside funds that can be used for unemployment insurance modernization, a much needed reform to our social safety net. Many workers who lose their jobs today are finding our unemployment insurance system leaves them out because federal laws haven't changed since the 1960s, even though the American workforce has changed

dramatically since then. In 2006, only one third of unemployed Americans received unemployment benefits.

These workers have paid into the system for years and it is wrong to leave them out when they need help the most. This budget will help us to give States the resources and flexibility they need to serve working families more effectively.

These are all important measures, but strengthening the safety net during a crisis is not enough. We need to redouble our efforts to restore economic opportunity for working families. This budget looks beyond the short term. It makes a priority of investing in the preparation workers need to compete in the 21st century global economy. Comprehensive education and job training programs are the keys to that preparation.

At times like this, we have turned to education to help strengthen the Nation. We did so when developing and expanding the Nation in the early 1800s, when transitioning World War II veterans back into society, when launching the war on poverty.

We have seen time and again that education is one of the best investments we can make in the Nation's economic strength. For every dollar invested in the GI bill, the Nation reaped $7 in return. Research from the OECD shows that when we increase the average number of years of education by just 1 year, we can increase our GDP by 3 to 6 percent. For every $1 invested in high quality early preschool programs, our society benefits from a $13 return.

The Nation's prosperity depends on our ability to prepare our citizens to face a changing economy. But as other nations modernize their education system, America must also break free of the shackles of a school system designed for the industrial age, not the information age.

We know the school model of centuries past doesn't cut it in today's economy:

A single, isolated teacher lecturing to a class of 30 students reflects the production-line model of the Industrial Age. Today, our knowledge economy demands smaller classes with individualized instruction and a focus on more advanced skills.

Fifty years ago, only one-third of mothers worked outside the home. Today, twice as many do, which means nearly 7 million children are left without adequate supervision after school.

High schools were designed in the last century with the goal of graduating only 20 percent of students. A 16-year-old could drop out of school, get a job, and support a family. Today, over 60 percent of jobs require not only a diploma, but postsecondary skills—either a college education or advanced career and technical education. We need high schools graduating all students with college- and work-ready skills.

We wouldn't think of sending our astronauts to Mars in the same spaceship in which President Kennedy sent them to the Moon.

We wouldn't think of defending our troops with the armor they used in World War I.

Why do we teach our students using outdated schools?

This budget provides investments critical to ensuring that we have an education system compatible with the 21st century knowledge economy.

The resolution increases funds for education programs by $6 billion.

It provides $3.5 billion for our public schools, the largest increase in funding for K–12 education since 2002.

This increase can put us on track to double title I funding in 5 years.

With those funds, our schools can:

Hire 35,000 new teachers to reduce class sizes and provide students with individualized attention; provide high quality professional development for 100,000 teachers to assist them in teaching 21st century skills; and enroll 1 million more children in high quality afterschool programs.

This is a real investment of new resources to help struggling schools. The funding for K–12 education will enable schools to implement needed reforms to turn around. It will allow states, districts, and schools to improve middle and high schools, so that students will stay in school and graduate.

The budget resolution also provides $424 million for Head Start, which will provide more children with the services they need to ensure they start school ready to learn.

It increases funding for the Individuals with Disabilities Education Act by $340 million, so that students with disabilities have the support and opportunities they deserve.

It also provides needed increases in funds for higher education. Last year, we passed a historic student aid bill and, with the Budget Committee's efforts and leadership, we were able to chart a course to increase the maximum Pell grant to $5,400 in 5 years. This budget resolution helps fulfill that promise by providing funds for a $4,800 maximum Pell grant in fiscal year 2009.

This budget also includes $414 million more for job training programs, which is greatly needed after years of cuts in job training programs under this administration. This funding will allow 165,000 more workers to retool their skills for 21st century jobs.

We know job training helps workers learn new skills, become better equipped for jobs in demand, and earn higher wages. As families across America struggle to make ends meet, and watch as foreclosures increase, jobs go oversees, and benefits vanish, job training can help provide real security for workers.

The Senate budget resolution makes key investments in strengthening our economy and provides the building blocks for a prosperous future. It supports good schools for our children, good jobs for workers, and a fair shot at the American dream. It puts the Nation on a path to reinventing our public schools and strengthening our education system so that we are competitive in today's knowledge economy.

Unlike the budget before us, the President's budget ignores the demands of today's economy and the needs of our students, our teachers, and our schools.

In his message to Congress, the President said his budget was based on ''clear priorities that will help us meet our Nation's most pressing needs while addressing the long-term challenges ahead.''

But those priorities are not reflected in the numbers I see in the President's budget proposal for the Department of Education.

For too many years under a Republican Congress and administration, we have seen a great contradiction between the administration's rhetoric on education and their budgets.

They say that education is the cornerstone of our competitiveness in the global economy, but then they underfund the No Child Left Behind Act by $14.7 billion this year alone—leaving 3 million children without needed services.

They say that education levels the playing field for disadvantaged students, but then they deny a million poor students the ability to come to school ready to learn by flat funding Head Start.

They say that education is the key to America's future, but then they allow children to attend crumbling schools by blocking funding for school construction.

They say that a good teacher can erase the harmful effects of poverty, but then they cut funding for teacher preparation and support.

They say that education is the gateway to the American dream, but then, with 7,000 students dropping out of school each day, they cut a $1.3 billion program to provide career and technical education for at-risk high school students.

They say that the good jobs of the future require a college education, but then they cut campus-based grant and loan programs and eliminate programs that ensure that low income, first generation students are prepared for and successful in college.

We must do better than this. The Nation, and the Nation's children, deserve better than this.

It is time to stop making empty promises. It is time to act.

It is time for a new, bold commitment to investing in education, to give teachers the support they need and the opportunity to go further in their careers, to support schools that need to turnaround, to help every student reach graduation day, to open the gates to college for all students, regardless of family income.

When a student walks through the doors of a public school, they should be opening the doors to opportunity, to

higher education, to a good job, to a better life.

The Senate budget resolution puts an end to the empty promises. By making education a priority, it takes bold action to address the mounting economic concerns and it is about time.

Likewise, this budget takes action to address the growing health concerns that threaten the not only the health of our families, but also our economic well-being. It rejects the irresponsible budget cuts for NIH included within the administration's proposals, which would result in NIH being funded at $1 billion less than is needed just to keep pace with inflation. The budget resolution is a good basis for further strengthening of the NIH budget, and I look forward to working to see that NIH has the support it deserves.

Investment in NIH is essential not just for medical progress, but for our economic security too. The United States has a long tradition of being a global innovative leader but we can't take our leadership for granted. Today, it's at risk. Thirty years ago, U.S. researchers published 90 percent of all scientific literature on information technology. Today, it's less than half. Unless we invest in the life sciences, the story will soon be the same for biotechnology.

The budget also includes an important reserve fund for the millions of Americans suffering from mental illness whose insurance does not cover their treatment. Lack of equitable insurance coverage for mental illness is not only a civil rights issue, but it's also an economic issue with serious consequences. Recently, the National Institute of Mental Health revealed that mental and addictive disorders cost our country more than $300 billion annually. This includes productivity losses of $150 billion and $70 billion in healthcare costs. The reserve fund provided in this budget is a major step forward in end insurance discrimination and making our country more productive.

The budget before us today also makes a commitment to our elderly and disabled citizens who are capable of living in their community, but are denied the supports they need. With the proper support, these Americans are able to live and flourish in the community. But too often they have to give up the dignity of a job, a home, and a family so they can qualify for Medicaid, the only program that will support them. That is why we introduced the CLASS Act last summer, so citizens get the services they need so they can remain in their community and lead a full life. This budget includes a reserve fund to support the infrastructure necessary to save Medicaid over the next decade and help all our citizens have a chance realize the American dream. It also will allow the parents and children of these citizens who have had to quit their jobs to care for a loved one to reenter the workforce.

I commend my colleagues on the Budget Committee, and all their staff, for their hard work in recent months. The Senate budget resolution represents a strong commitment to American families across this country in this time of economic uncertainty, and I strongly urge my colleagues to support it.

Mr. COCHRAN. Mr. President, I am opposed to the amendment offered by the Senator from South Carolina that would create a point of order against consideration of any legislation that contains an earmark.

Since the earliest days of our country's existence there has been tension between the executive and the legislative branches. Each has attempted continually to gain power at the expense of the other. The balance of power has tended to ebb and flow over time. The instances where one branch gets absolute advantage over the other are rare. That is the fundamental genius of the system created by our Nation's Founding Fathers. It is a system that is unique because of the balance of power that exists between the Congress and the Chief Executive. We should honor this unique relationship that has made our country the envy of the world for stability, and fairness for our citizens.

The President has said that he believes earmarking has gotten out of control, notwithstanding the many pieces of legislation containing earmarks that he has signed into law over the last 7 years. The President has further stated that he will now veto any fiscal year 2009 appropriations bill if the number and cost of earmarks isn't cut in half.

It is the President's right to veto bills. I don't deny that the practice of earmarking should be the subject of review and debate and I don't deny the right of the President to express his views on the subject and to use his veto pen if he feels that it is justified.

What I cannot understand is why the legislative branch would unilaterally relinquish a fundamental power granted to it in article I of the Constitution; the power of the purse.

This debate is not about the level of Federal spending, the size of the deficit, or the national debt. Nothing in this amendment would change the level of discretionary spending called for in the budget resolution. Nothing in this amendment issues reconciliation instructions to committees that might begin to address the entitlement crisis that faces our Nation. This debate instead is about who decides how Federal dollars are spent, and where?

Proponents of this amendment apparently are content for Congress to provide large sums of money to Federal agencies for general purposes, either to be distributed by a formula or by some sort of executive branch allocation process. Congress's only input would be after the fact. I fundamentally disagree. Congress is well within its rights to target spending for purposes that the legislative branch concludes are in the public interest.

Senators and Members of Congress represent the several States and the American people. While some funding formulas or agency-run processes may have their rightful place in the allocation of Federal dollars, there should be an opportunity for Congress to identify its own priorities, as the Constitution contemplates.

There have been cases where the power of the purse has been abused for personal or political gain, just as other aspects of the legislative process have been abused. That is an unfortunate truth. But it is also true that nearly all earmarked projects are put forth by Members with honorable intentions. Nearly all earmarked projects match the general purposes of the programs within which they are funded. The question is, who decides how the people's money is spent. I think it is the people's representation in Congress.

I am aware that my own party's nominee for President, the Senator from Arizona, supports this amendment. I am also aware that Senator MCCAIN has stated that, if elected President, he would veto any bill that includes an earmark. Even though I disagree with him on this issue, I understand he thinks the executive branch of government should decide how taxpayers' money is spent.

It doesn't surprise me that the other Presidential candidates in this body support this amendment. Any President would want the ability to allocate Federal funding as he or she sees fit.

Why would the Senate assume it would be preferable for the executive branch to allocate funds based on the whims of an assistant secretary, or on the political pressures that can influence the White House or the Office of Management and Budget? Do we have faith that executive branch agencies will not embarrass themselves with inappropriate grants for art exhibits, overpriced hammers for the Pentagon, or million dollar outhouses in our national parks? History tells us otherwise.

I think Congress should continue to hold the purse strings as the Founders of our great country contemplated. We should not shirk our duty to make spending decisions. If the President disapproves, he can veto the bill.

This amendment doesn't fix anything. It doesn't save any money. It doesn't propose any reforms. And in spite of its supposed 1-year duration, the amendment will do nothing to mollify those who wish to put Congress permanently on the sidelines of the process of allocating Federal dollars.

This amendment will most assuredly do nothing to help Congress and the next President of the United States address the budgetary challenges facing our country in Medicare, Social Security, and tax policy. We shouldn't be seduced into thinking that a 'timeout' on Congressionally directed spending will somehow help us deal with those issues. What we should do instead is stay in the game, consider spending

bills on a timely basis, and carefully scrutinize the spending in those bills. Then we need to engage the President on those proposals through established, constitutional processes and determine the collective will of the people as determined by all of their elected officials.

I urge my colleagues to oppose the amendment offered by the Senator from South Carolina.

AMENDMENT NO. 4233

Mr. ALLARD. Mr. President, I come to the floor today to discuss my amendment to codify the unborn child rule in the pending budget resolution, by modifying the SCHIP reserve fund.

This needs to be done, and it needs to be done during this budget year.

I am not here to argue SCHIP. There is a SCHIP reserve fund already in the budget. I am merely seeking to ensure that since it looks like we are going to pass this reserve fund, we make sure to address the unborn child as a patient.

We attempted to codify the unborn child rule during the SCHIP debate, but unfortunately we were not successful. I am hopeful that we will be successful on this attempt.

The unborn child rule is a regulation that, since 2002, has allowed States to provide prenatal care to unborn children and their mothers. It recognizes the basic fact that the child in the womb is a child.

When a pregnancy is involved there are at least two patients—mother and baby.

It only makes sense to cover the unborn child under a children's health program.

We have previously modified the SCHIP statute to allow States to cover ''pregnant women'' of any age.

My amendment would codify the principle of the rule, by amending the SCHIP reserve fund to codify the current unborn child rule to clarify that a covered child includes ''the period from conception to birth.''

Many States' definition of coverage for a pregnant woman leads to the strange legal fiction that the adult pregnant woman is a ''child.''

Surely it was not the intent of anyone who developed the State Children's Health Insurance Program to allow a loophole for States to define a woman as a child.

Surely we can agree that the child who receives health care in the womb is a child receiving care along with his or her mother.

There are many conditions that can affect a mother's health during pregnancy that are not related to her pregnancy.

Under current statute pregnant mother could not get coverage for any condition that isn't related to her pregnancy. Without a codification of the unborn child rule, we cannot guarantee that these services continue.

Many medical advances, such as surgeries, have allowed for the unborn child to be treated as a patient separate from the pregnant mother. They should therefore be able receive coverage as a patient.

We should be allowing mothers to stay healthy, so that they will have healthy babies.

This also leads to reduced costs associated with premature or low-birth weight babies.

Eleven states are already using this option to provide such care through the State Children's Health Insurance Program.

If the intent of the Senate is to provide coverage for the pregnant woman and her unborn child, then there should be no problem in supporting my amendment.

We should ensure that pregnant women and their unborn child are both treated as patients.

This is a matter of common sense.

Every obstetrician knows that in treating a pregnant woman he is treating two patients, the mother and her unborn child.

Keeping this coverage in the name of the adult pregnant woman alone is bad for the integrity of a children's health program, bad for the child, and even bad for some of the neediest of pregnant women.

I urge my colleagues to support my amendment.

AMENDMENTS NOS. 4234 AND 4235

Mr. President, unfortunately, the resolution before us continues the erosion of fiscally responsible budget processes. I have offered four amendments to this budget that will, I believe, increase economic discipline.

I joined the Budget Committee because I believed the best way to enforce fiscal responsibility and guarantee appropriate Federal spending was to have a rigid and meaningful budget. Fiscal discipline begins in the planning—the budgeting—stage. This is where the choices are made, and the decisions are reached, that will ensure that the income matches the spending and that taxpayers dollars are used wisely. But the budget has been moving away from this. Our discipline has been eroding.

We have seen increases in ''reserve fund'' shenanigans, we have seen the use of reconciliation—a process originated to cut government spending for spending increases, and we have seen a mockery of the pay go rules; there was $143 billion in pay-go violations last year.

I believe this Budget Committee should be committed to rigid budget discipline, not politically expedient gamesmanship.

One of my amendments is to fully budget for the expected costs of the war. I know there will be those who say that they are just following the President in allocating $70 billion in fiscal year 2009. But the budget is a congressional document. Say what you want about the genesis of the ideas in this document, but let me repeat—it was written and prepared on the sixth floor of Dirksen, not in the White House.

We know the war is expected to cost $170 billion this year. Everyone knows this. We had testimony in committee supporting this number. And so we have an obligation to budget for that amount.

If we are going to pay for this war, fiscal discipline and legitimate budgeting requirements demand that we include those costs. There is no legitimate reason to fail to include the known estimates of the war into our budget. Failure to do so is gimmickry, and devalues the budget exercise we are engaged in. Hiding the war costs from view, when every Member knows we will be spending, is ridiculous.

On another matter, this budget resolution has an increase in ''reserve funds.'' There are 37 this year, up from 24 last year. They contain up to $300 billion in spending that hangs over our treasury and taxpayers as a threat. I have heard them referred to as harmless, but any device that serves to weaken the authority and legitimateness of our budget is not harmless.

Many feel that these reserve funds have become an over complicated type of sense of the Senate, but I feel they weave weakness into what should be a rigid and honest document. I have offered an amendment that will prohibit time shifting tax receipts or spending levels to exploit the reserve fund language. If these reserve funds and their spending assumptions are going to be included, we need to see that they are fully walled off and under strong restrictions that will prohibit them from being realized without proper spending reductions.

I have also offered an amendment to prohibit time shifts on a larger scale, not just in reserve funds but in the budget itself. Time-shifting incomes and spending to change where they impact the budget cycle produces no real economic effect, except allowing more spending by evading limits. This practice needs to end.

The last amendment I have offered will ensure the ability of the Secretary of HHS to combat waste, fraud and abuse in Medicaid and SCHIP.

My amendment is very simple. It will make sure that the Secretary of Health and Human Services has continued authority to prevent fraud and protect the integrity of the Medicaid Program and SCHIP and to reduce inappropriate spending under these programs.

This should be a very bipartisan amendment. Waste, fraud and abuse should not consume even $1 of taxpayer's money.

The Secretary should have the ability to see that tax dollars are being spent appropriately.

As long as providers are acting appropriately my amendment would have no affect on them. Good actors in the Medicaid Program and SCHIP will feel no impact by my amendment.

My amendment would guarantee the Secretary's ability to enforce any anti-fraud provisions of law in effect as of the date of enactment of the budget with respect to the Medicaid Program or the State Children's Health Insurance Program, and would allow the

Secretary to develop new proposals during such period to eliminate fraud in such programs.

My amendment would not harm beneficiaries' access to health care under such programs, and only states that the Secretary has the ability to seek out bad actors.

Combating waste, fraud, and abuse in any program should be a bipartisan issue. Combating waste, fraud, and abuse to ensure the integrity of the Medicaid Program and SCHIP is a necessary objective to so that taxpayer dollars are being spent appropriately to provide patients with access to care.

I urge my colleagues to support my amendments, and help move the budget back towards fiscal discipline, improving our financial standards and accountability for taxpayer's dollars.

AMENDMENT NO. 4232

Mr. President, my amendment will pay down the Federal debt and eliminate government waste by reducing spending 5 percent on programs rated ineffective by the OMB Program Assessment Rating Tool.

Some of my colleagues may be unaware that the PART reviews were mandated under the Government Performance and Results Act, Public Law No: 103–62. This law was written by Senator Roth of Delaware and sponsored by 20 of his then-colleagues, 10 of whom are still here.

I mention this only to make sure that my colleagues are aware of the fact that the PART Program was not invented whole cloth by the current administration. OMB is under mandate from Congress to review and make budget recommendations on all Federal programs. Let me read from the purposes of that act:

(1) improve the confidence of the American people in the capability of the Federal Government, by systematically holding Federal agencies accountable for achieving program results;

(2) initiate program performance reform with a series of pilot projects in setting program goals, measuring program performance against those goals, and reporting publicly on their progress;

(3) improve Federal program effectiveness and public accountability by promoting a new focus on results, service quality, and customer satisfaction;

(4) help Federal managers improve service delivery, by requiring that they plan for meeting program objectives and by providing them with information about program results and service quality;

(5) improve congressional decision-making by providing more objective information on achieving statutory objectives, and on the relative effectiveness and efficiency of Federal programs and spending; and

(6) improve internal management of the Federal Government.

So, again, 15 years ago Congress demanded that the Office of Management and Budget review Federal spending programs with a nonpartisan analysis to determine if taxpayers are receiving value for their tax dollars. The Clinton administration worked on this, and the current administration developed their plan as well.

The current implementation of this is the Program Assessment Rating Tool, or PART. You can go on line and see these reviews at www.expectmore.gov.

I use this Web site with every meeting I have with Federal agencies, with every appropriations hearing, every Federal appointee. I ask constituents, when they come in to share their support for a certain program, to look at that program's PART review and hold the programs accountable for it.

A small percentage of programs receive an ''ineffective'' rating. Programs receiving this rating are not using your tax dollars effectively. As they elaborate on the Web site, ''ineffective programs have been unable to achieve results due to a lack of clarity regarding the program's purpose or goals, poor management, or some other significant weakness.''

I hold no ill will towards any specific program, I just believe in accountability for Federal spending. Everyone agrees we have to start somewhere, and the nonpartisan, agenda-free and mutually-conducted PART Program seems to me to be the best place.

My amendment cuts 5 percent of the funding under this bill for programs labeled ''ineffective'' under the OMB PART Program and uses that funding to cut the deficit. This is about the amount that these programs will see in increases under this budget. They won't face cuts, but given the failure to pass a mutually conducted performance review with OMB I don't think they should see an increase.

We are not ending any programs or zeroing out any agencies. All we are doing is taking 1 dollar in 20 under this budget from programs that cannot justify their effectiveness and using it to begin to address our over $9 trillion national debt.

I understand many people have fond thoughts for some of these programs, but fond thoughts and good intentions do not equal good government. This is the barest babystep forward for good government and fiscal responsibility.

So I urge my colleagues to join me in voting for this amendment. I believe it is a commonsense amendment to a problem we need to address. We wish to make sure our taxpayer dollars are being used in a way that can be described as effective. That is the ideal situation.

Certainly for those programs that are classified as ''ineffective'' we can at least question their budget. Even though they may have a mission statement drawn up that may be somewhat appealing, when OMB gets right down into the workings of the agency and finds nothing much is happening to accomplish the goals and objectives the Congress had in mind at the time it passed the legislation, how can we consider increasing their budget?

I think this is a commonsense amendment that brings some fiscal sanity to the process. I urge my colleagues to join me in voting for the amendment.

AMENDMENT NO. 4247

Mr. President, I rise today to talk about the importance of making permanent a progrowth tax cut passed and signed into law earlier this decade.

I was proud to join my colleagues in passing and implementing landmark tax legislation. Unfortunately, if Congress does not act soon to make this critical tax cut permanent, I believe that we will see the upcoming economic downtime be worse than it should be.

Small business expensing is a key component of the progrowth tax legislation. It played a vital role in promoting economic growth and raising revenues.

As a former small business owner, I know and understand the hardships of running a small business. That is why I strongly supported and continue to support the small business expensing provisions of the Jobs and Growth Act of 2003. The small business expensing provisions in this bill increased the amount small businesses can expense from $25,000 to $100,000.

I have had occasion to discuss this small business expensing with former Fed Chairman Alan Greenspan.

Small business expensing lowers the cost of capital for small businesses and helps them expand, which in turn helps the Nation's economic growth. Encouraging new business purchasing has helped kick-start certain sectors of the economy, created new jobs, and helped to increase productivity.

Congress has increased the amount a small business can expense in the Jobs and Growth Act of 2003, and just recently in the economic stimulus package last month, but these increased expensing levels are set to expire. Unless Congress acts to make these provisions permanent, expensing levels will revert back to $25,000, with a phase-out cap of $200,000, in 2011.

Allowing small business owners to keep more of their hard-earned profits will enable them to hire new employees and buy the technology and equipment needed to expand their business. By relieving the tax burden placed on small business owners, all Americans will benefit.

I call on my colleagues today to work together on implementing legislation that would make permanent this progrowth tax cut.

AMENDMENT NO. 4194

Ms. SNOWE. Mr. President, I rise today in strong support of an amendment that my friend and colleague from Arkansas, Senator LINCOLN, and I have offered to the budget resolution, which would provide an additional $50 million to the Veterans Benefits Administration, VBA, allowing our Nation to continue investing in the programs and resources necessary so that

our courageous veterans may receive the benefits that they have earned in a timely and efficient manner.

Every year, hundreds of thousands of America's finest look to the VBA to process their claims for disability compensation, pensions, and other entitlements due them as a result of their unselfish and steadfast service to our Nation. However, according to a VBA Workload Report from February 16, 2008, the total number of pending compensation and pension claims once again increased to 663,319, up from 626,429 this time last year and 517,574 from 2006.Additionally, the VA is currently projecting claims receipts to increase to approximately 872,000 in fiscal year 2009 and cautions that ongoing hostilities in both Iraq and Afghanistan may further burden the workload.

Furthermore, although the VA attempted to reduce the average number of days that claims were pending from a high of 182 days at the end of fiscal year 2001 to 111 days at the end of fiscal year 2003, the average age of pending claims has crept back up to 132 days by the end of fiscal year 2007.

Despite this unfortunate trend, we must not discount the initial steps that Congress has taken in order to alleviate many of the challenges facing our Nation's veterans within the VBA system. The first crucial step over the past year was to improve the management of the VBA, by providing welcome resources to boost the number of claims-processing staff, essential to curbing the backlog and improving the timeliness of the claims process. In fact, at this time last year, Senator LINCOLN and I introduced an amendment to the fiscal year 2008 Budget resolution to address staff and resource shortages at the VBA by providing $64.5 million in order to hire an additional 600 disability claims processors and $4.1 million to hire an additional 32 processors at the Board of Veterans Appeals, BVA, to expedite the adjudication process to acceptable levels.

Overall, the President's fiscal year 2009 budget request funds nearly 11,000 full-time equivalent employees working on compensation and pension claims, and represents an additional 2,600 positions, or 32 percent above fiscal year 2007.

Notwithstanding the recent actions that I have outlined and the VA's expectation that productivity will expand in the long term, veterans continue to endure lengthy delays in order to receive their benefits from the VA—and this is simply unacceptable. Therefore, I believe it is vital for the VBA to maintain the resources necessary to seek and implement fundamental reforms that will help bolster recent gains in manpower in order to enhance both productivity and efficiency throughout the disability claims process. That is why Senator LINCOLN and I have introduced an amendment that will provide the VBA with an additional $50 million in funding to initiate innovative pilot programs that will decrease this unprecedented backlog of disability claims.

Given how integral disability payments are for veterans and their families, especially in a lagging economy, the VA has an undeniable responsibility to sustain an effective delivery system and look for solutions that honor our veterans' service. The funding provided within the Snowe-Lincoln amendment would allow the VBA to build upon recent efforts to streamline the claims process through such initiatives as amplifying staff training, improving data collection, or streamlining data transmission.

As we continue to debate this year's budget resolution, I applaud the Senate Committee on the Budget and its strong commitment to veterans, by providing $48.2 billion in discretionary funding within the budget resolution for fiscal year 2009, which is equal to $3.2 billion above the President's request and $5.2 billion more from fiscal year 2008 budget levels. Certainly, this increase in veterans' health care funding is timely as Congress strives to address an ever-growing contingency of new veterans, who will transition from active duty into the VA system during the upcoming year, while an aging general veteran population continues its increased demand for acute medical and long-term-care services.

It is profoundly imperative that we in Congress fulfill our obligation to America's best and bravest, whose selfless sacrifices on behalf of us and the freedoms we cherish are immeasurable. I urge my colleagues to support the Snowe-Lincoln amendment, which will help the VBA take the additional steps towards realizing our nation's pledge to give our veterans the compensation and benefits they have rightfully earned.

Mr. KOHL. Mr. President, this amendment to S. Con. Res. 70 requests the Senate to take action to stop the abuse, neglect, and exploitation of vulnerable individuals who reside in the Nation's 17,000 nursing homes and receive services in thousands of other long-term care facilities.

It proposes that the Senate reserve $160 million over 3 years in a deficit-neutral reserve fund to pay for a nationwide expansion of a successful background check pilot program enacted as part of the Medicare Modernization Act, MMA, of 2003. This seven-State pilot program has already prevented more than 7,200 people with records of substantiated abuse or a violent criminal record from working with and preying upon frail elders and individuals with disabilities.

The amendment's reserve fund would be triggered only if the Finance Committee reported out legislation or submitted a conference report providing for a nationwide expansion of the MMA pilot program. If this occurred, the reserve fund amount would be offset by the Finance Committee.

Today, abuse, neglect, and exploitation of vulnerable individuals within long-term care facilities result in costly consequences or elderly or disabled victims, their families, and society as a whole. Numerous reports issued by GAO, the HHS Office of Inspector General, and State governments have recommended that comprehensive background checks should be a routine part of preemployment screening for all workers serving vulnerable populations, including frail elders and individuals with disabilities.

A nationwide system of background checks for long-term care workers would offer greater protection to seniors across the country in a wide variety of settings s—including the home. The policy would decrease not only physical abuse but also financial exploitation of vulnerable home-dwelling seniors, and would produce significant crime prevention savings.

The policy has broad-based support from outside groups, including the National Association of State Attorneys General, the National Association of Medicaid Fraud Control Units, the Elder Justice Coalition, the nursing home industry, and eldercare advocates in States and communities across the country.

Mr. LIEBERMAN. Mr. President, I rise to commend the Budget Committee for its efforts to fund a strong homeland defense, and to introduce an amendment with my friend Senator COLLINS on one issue where we think additional work is needed—funding to continue building the new Federal Emergency Management Agency.

First, I want to praise the Budget Committee for working within our difficult budget environment to find adequate funding for critical homeland security needs, especially support to our State and local partners in homeland security.

The President's fiscal year 2009 budget request for the Department of Homeland Security, DHS, includes some useful increases for targeted programs, but comes up short overall. It is basically a steady State budget with the glaring exception of homeland security grants, where the administration has once again proposed aggressive and unwise cuts to core Federal grant programs that States, tribes, cities, and towns rely on to keep their citizens safe.

If the President's budget were enacted, it would mean a 48-percent drop in overall grant funding—seriously limiting the ability of State and local officials to prevent, prepare for, and respond to acts of terrorism and natural disasters and to protect their communities the way they should be protected. The threats we face have not diminished over the years and neither should the funding to combat those threats.

Most dramatically, the fiscal year 2009 budget request cuts the State homeland security grant program, SHSGP, from $950 million to $200 million—a whopping 79-percent reduction from fiscal year 2008. SHSGP grants

are basic preparedness grants to States, and the failure to fund them would significantly undermine national preparedness efforts.

I am pleased that the budget resolution before us rejects those proposed cuts and funds SHSGP at its current level of $950 million, which also happens to be the level we authorized in the Implementing the 9/11 Commission Recommendations Act of 2007, which for the first time set forth statutory requirements for the grants' allocation and use.

The budget resolution also rejects proposed cuts to other vital grant programs including grants to firefighters, for emergency management, and for port and transit security. All of these important programs are restored to fiscal year 2008 levels, adjusted for inflation, in the pending budget resolution, and I thank the Budget Committee for that.

On the critical matter of interoperable communications, the Budget Committee has done better still—increasing funding for the interoperable emergency communications grant program, IECGP, from $50 million this year to $200 million in fiscal year 2009. State homeland security directors recently identified the development of interoperable communications as their top priority, and it is a complex problem that will be resolved only through strong—Federal leadership, coordination at all levels of government, and a substantial commitment of dedicated funding. This grant program, which was authorized in the recent 9/11 Act, will help achieve this critical goal.

I also want to thank the Budget Committee for providing funds to begin building a new DHS headquarters at the St. Elizabeths West Campus. We cannot expect DHS to succeed at its many challenging missions without the fundamental management tools that are taken for granted by much smaller organizations. Today, DHS is spread throughout 70 buildings across the national capital region making communication, coordination, and cooperation between DHS components a significant challenge. A unified headquarters, which would bring together many of the Department's components into a single facility and allow employees to work more efficiently and interactively. I believe it is a critical cornerstone of the efforts to improve management at the Department of Homeland Security.

I am concerned, however, that the budget resolution does not provide enough to continue reforms underway to strengthen and rebuild FEMA, which is why Senator COLLINS and I are offering this amendment today, to increase FEMA's operations, management and administration account by $141 million.

Following Hurricane Katrina, the Homeland Security and Governmental Affairs Committee conducted an extensive bipartisan investigation into the failed response at all levels of government, especially and including FEMA's response. We found that FEMA was woefully unprepared—and in fact had never been prepared—to deal with a catastrophe on the magnitude of Hurricane Katrina, lacking essential capabilities and resources. Our committee subsequently made significant recommendations to strengthen FEMA's capabilities and resources. Congress implemented many of those recommendations in the Post-Katrina Emergency Management Reform Act, which was intended to recreate FEMA into a stronger, more robust agency that would, for the first time, be equipped to prepare for and respond to a true catastrophe. The legislation also reunited the agency's preparedness and response functions; strengthened FEMA's regional offices and emergency response teams; and fortified its emergency planning and preparedness responsibilities.

Last year, FEMA received a much needed funding increase, enabling it to take the essential first step in the long process of rebuilding. While the budget resolution would sustain FEMA operations at current levels, it does not include the increases needed for it to continue strengthening its core capabilities. Our amendment proposes an additional $141 million to fully fund the Administration's requested increase to pay for modernizing the agency's IT systems; strengthening and expanding key teams and other personnel that handle disaster operations, logistics and other vital capabilities; and converting certain temporary disaster support employees to permanent staff, which should help provide a more stable and professional workforce for this program. The cost of the amendment would be offset by reductions in a government-wide, general account.

The President's request does not provide enough to strengthen these core FEMA capabilities, and I would readily support a larger increase. But at a minimum, we should all be able to agree on the administration's proposed figure to correct the significant deficiencies we witnessed during the response to Hurricane Katrina. Therefore, Senator COLLINS and I are offering this amendment to ensure that FEMA continues its transformation into the agency envisioned by the Post-Katrina Emergency Management Reform Act, which is an agency prepared to respond to the many potential catastrophes—from natural disasters to manmade terrorists acts—that we face today. Without additional funds, significant deficiencies exposed by Hurricane Katrina will persist and FEMA simply will not be able to protect the American people the way we want it to.

I ask my Senate colleagues to join me in supporting this amendment to improve our homeland security.

MORNING BUSINESS

BIRTHDAY TRIBUTE TO GENE SEGERBLOM

Mr. REID. Mr. President, it is my great pleasure to extend the best wishes of the United States Senate to Genevieve ''Gene'' Segerblom on the occasion of her 90th birthday.

Born, raised and educated in Nevada, Gene is one of our State's most treasured citizens. She served the public as a nurturing teacher, a Boulder City councilwoman, and a State assemblywoman. Throughout her career, she has been a tireless leader in the fields of historic preservation, sustainable development, cultural affairs, and ethical government practices.

Those familiar only with Gene's family tree might assume that a political career was her destiny. After all, she followed in the footsteps of her mother, Hazel Bell Wines, and her grandfather, William J. Bell, both of whom served in the State legislature. But anyone who knows Gene sees her not as a politician, but as a mother, wife and teacher who took her passion and wisdom into the realm of public service.

A few of the things I treasure are paintings I own, painted by Gene's husband Cliff. He was one of Nevada's all-time great painters. Cliff was also a judge of quality, serving the people of Boulder City and other places where he was called upon to render justice.

Gene's son Tick Segerblom is now serving with distinction as a Nevada State assemblyman.

Gene Segerblom has enriched countless lives, including mine. Landra and I are proud to call her a friend, and I wish her health, happiness, and joy as she celebrates this milestone birthday.

THE MATTHEW SHEPARD ACT

Mr. SMITH. Mr. President, I wish to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would strengthen and add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On the morning of February 23, 2008, Melbourne Brunner and his partner were eating at the Floridian restaurant in Fort Lauderdale, FL, when they were verbally and physically assaulted. According to Brunner, a man at the restaurant began calling the couple antigay slurs, threatening to break their necks and kill them. After a few moments of suffering the man's insults, Brunner and his partner decided to leave. When Brunner attempted to enter his car, the man came from behind him, blocked his path, and struck Brunner in the face, causing him to hit his head on the pavement. The assailant then reportedly walked back to his

car, covered up the license plate with his shirt so that his tags would not be identified, and sped away. The owner of the Floridian restaurant is offering a $5,000 reward for any information leading to the capture of this suspect. Brunner was treated at a local hospital for severe bruising around his eyes.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. Federal laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. This legislation would better equip the Government to fulfill its most important obligation by protecting new groups of people as well as better protecting citizens already covered under deficient laws. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

RECIDIVISM REDUCTION AND SECOND CHANCE ACT OF 2007

Mr. BIDEN. Mr. President, I rise today to thank my colleagues for passing yesterday by unanimous consent the Recidivism Reduction and Second Chance Act of 2007, which I introduced in March of last year. I am delighted that my colleagues, Senators SPECTER, BROWNBACK, and LEAHY, and I were able to bring Democrats and Republicans together to support this very important piece of legislation.

The bill aims to reduce the rate of recidivism by improving the transition of offenders from prison back into the community. Preventing recidivism is not only the right thing to do, it makes our communities safer and it saves us money.

Today, we have over 2 million individuals in our Federal and State prisons and millions more in local jails. Our Federal and State prisons will release nearly 650,000 of these offenders back into our communities this year. A staggering two-thirds of released State prisoners will be rearrested for a felony or serious misdemeanor within 3 years of release.

It is not difficult to see why. These ex-offenders face a number of difficult challenges upon release. The unemployment rate among former inmates is as high as 60 percent; 15 to 27 percent of prisoners expect to go to homeless shelters upon release; and 57 percent of Federal and 70 percent of State inmates used drugs regularly before prison. This addiction and dependency often continues during incarceration.

Unless we address these problems, these individuals will commit hundreds of thousands of serious crimes after their release, and our communities will bear the human and economic cost. If we are going to reduce recidivism and crime, we simply have to make concerted, common-sense efforts now to help ex-offenders successfully reenter and reintegrate into their communities.

The Recidivism Reduction and Second Chance Act of 2007 confronts head-on the dire situation of prisoners reentering our communities with insufficient monitoring, little or no job skills, inadequate drug treatment, insufficient housing, lack of basic physical and mental health services, and deficient basic life skills. Through commonsense and cost-effective measures, the bill offers a second chance for ex-offenders, and the children and families that depend on them, and it strengthens our communities and ensures safe neighborhoods.

The Second Chance Act provides grants for the development and implementation of comprehensive substance abuse treatment programs, academic and vocational education programs, housing and job counseling programs, and mentoring for offenders who are approaching release and who have been released. To ensure accountability, the bill requires grantees to establish performance goals and benchmarks and report the results to Congress.

The bill authorizes $324 million over 2 years in competitive grant funding. These funds represent an investment in our future and an acknowledgement of the problem we face. We must remember that the average cost of incarcerating each prisoner exceeds $20,000 per year, with expenditures on corrections alone having increased from $9 billion in 1982 to $60 billion in 2002. That is more than a 6-fold increase, and the costs keep going up.

A relatively modest investment in offender reentry efforts today is far more cost-effective than the alternative—building more prisons for these ex-offenders to return to if they can't reenter their communities and are convicted of further crimes. An ounce of prevention, as the saying goes, is worth a pound of cure.

I am proud today to witness the passage of the Recidivism Reduction and Second Chance Act, a bill that will transform offender reentry policy in this country. The safety of our neighbors, our children, and our communities depends on it. I urge the President to quickly sign this bill into law.

I would particularly like to thank Nancy Libin on my staff, Lisa Owings on Senator SPECTER's staff, LaRochelle Young on Senator BROWNBACK's staff, and Noah Bookbinder on Senator LEAHY's staff, all of whom worked tirelessly to get this bill passed.

PASSAGE OF THE SECOND CHANCE ACT

Mr. SPECTER. Mr. President, I seek recognition to comment on the passage of the Second Chance Act. I thank my colleagues Senators BROWNBACK, BIDEN, and LEAHY, who are original cosponsors of this bill, for their tireless advocacy for this long-needed legislation and my other colleagues for their support of the bill, which passed the Senate by unanimous consent.

Each year, as many as 700,000 offenders will be released from prison or jail. Unfortunately, approximately two-thirds of those individuals will be rearrested within 3 years of their release. The consequences of such high recidivism rates are disastrous for our Nation. Each year, approximately 1.5 million Americans become victims of violent crime. The total pecuniary and non-pecuniary cost of crime has been estimated to be as much as $2 trillion annually—or 17 percent of the gross domestic product. Much of this cost comes directly out of taxpayers' pockets—the cost of keeping a prisoner in jail is as high as $30,000 per year. The cumulative cost to the Federal Government is approximately $60 billion annually. High crime and recidivism rates have also proven cyclical in nature: with 2.3 million of offenders in prison and jail, nearly 2 million American children spend part of the year without their parent—a factor known to put those children at risk of later committing crimes themselves.

The likelihood that a prisoner will leave prison or jail, return to their family and community, obtain a job, and lead a productive and law-abiding life increases dramatically with increasing levels of education, job training, and substance abuse treatment. Yet, a few basic statistics demonstrate just how ill-equipped the 650,000 prisoners who will return to our neighborhoods and communities are to accomplish these basic objectives. Seventy percent of ex-offenders operate at the lowest levels of literacy. The majority struggle with drug and alcohol addiction—as many as 70 percent of prisoners were regular drug users prior to being convicted. Nearly 60 percent of ex-offenders will be unemployed a year after they are released from prison.

The Second Chance Act will help break this dangerous cycle of recidivism. The bill will encourage realistic rehabilitation by providing prisoners who seek to turn their lives around with the education, literacy training, job training, employment assistance and substance abuse treatment they need to do so. The Second Chance Act will also enhance the proven-effective prison mentoring programs through which church members and community members provide individualized mentoring to prisoners who want to turn their lives around. The Second Chance Act draws on the experiences of many governmental, community, and nonprofit organizations that are operating successful reentry programs around the country. For example, Pennsylvania's Community Orientation and Reintegration project, the Boston Reentry Initiative, and the Kansas Reentry Program have shepherded the way toward achieving lasting reductions in recidivism rates through innovative approaches to job training and education, family reunification, and public safety.

The Second Chance Act that will be signed by the President represents the tireless efforts of a tremendous bipartisan coalition from both houses of Congress. I am particularly thankful for the leadership of Senator

BROWNBACK, Senator BIDEN, and Senator LEAHY who have worked with me for years to negotiate the bill's final language. As a result of these negotiations, the grant programs in the bill are focused and streamlined, and provide for the kind of accountability we need to ensure that the programs operated under the bill meet their goal of achieving real reductions in recidivism rates. I am pleased that the bill has the support of over 200 organizations from both ends of the ideological spectrum and is supported by the Department of Justice and the Department of Labor.

I thank my colleagues for their support of this important legislation. The Second Chance Act takes an important step toward closing the revolving doors of our prisons and keeping our neighborhoods and communities safe.

I yield the floor.

TRIBUTE TO POPE AIR FORCE BASE

Mr. SHELBY. Mr. President, I rise before you today to express my sincere appreciation for the men and women of a C–130 Hercules crew out of Pope Air Force Base, NC.

MAJ Paul Pepe, 1LT Robert Davidson, 1LT Robert Gillis, Staff Sergeant Adam Monroy, Captain Kaly Godfrey, SSgt Kyle Anderson, SSgt Charles Jones, and CPT Jessica Kehren were responsible for transporting me and three of my congressional colleagues from Baghdad, Iraq, to Amman, Jordan, the night of August 30, 2007.

Approximately 5 minutes into the flight, I looked out of my window and noticed flashes of light coming from the ground—our aircraft was taking on surface-to-air rocket fire. The C–130 Hercules crew immediately began taking evasive maneuvers to successfully defeat the three rockets fired at the aircraft.

Throughout the incident, our crew remained calm and professional. I could not have been prouder of the way they worked together to safely avoid a very dangerous situation. Our warfighters face threats in Iraq and Afghanistan every day. While I know this type of danger was not new to them, the incident enhanced my already deep appreciation for the danger they face on a daily basis.

For their actions, the crew was recently awarded the Air Mobility Command's 2007 Field of Aeronautics and Astronautics Aviator Valor Award. The award is given for a conspicuous act of courage or valor performed during aerial flight during either combat or noncombat. Without question, the C–130 Hercules crew is most deserving of this high honor.

The training and extensive preparation that our crew undoubtedly went through at Pope Air Force Base has paid dividends. These men and women performed a stellar job without showing even the slightest bit of apprehension. I know my colleagues on the flight would agree; our military is fortunate to have this crew serving our nation in such a fine manner.

COMMEMORATING THE 40TH ANNIVERSARY OF THE DEATH OF THE REV. DR. MARTIN LUTHER KING, JR.

Mr. CARDIN. Mr. President, I wish today to commemorate the 40th anniversary of the death of the Rev. Martin Luther King, Jr. April 4, 2008, marks the 40th anniversary of the assassination of the Rev. Dr. Martin Luther King, Jr., an iconic leader of the American civil rights movement. In death, the legacy of Dr. King continues and so does his call for tolerance, justice, and equality.

April 1968 was a tragic time for the King family and for our Nation. Our cities erupted as people were overcome by rage and horror at his assassination. We all suffered in the knowledge that someone who had been an inspiration to millions had been taken from us by an assassin's bullet.

It has been 40 years since his murder, but his legacy remains with us as we continue to pursue his vision of equality, fairness, and justice. Today, we are a nation of 300 million people; a nation in which one out of three Americans is a member of a minority group. His vision is just as important and inspirational today as it was 40 years ago.

We must never forget that our diversity is one of our greatest strengths and one of our most important challenges. We must find a way to work and live together and to respect each other. Dr. King's legacy of social justice charted the path for us. As he once said: ''We must learn to live together as brothers or perish together as fools.''

We have not always succeeded in achieving that goal. Dr. King's work remains unfinished as we witness a resurgence of hate crimes and injustice and inequality still exist. We must always remain vigilant against those who preach hate and intolerance and believe that it is acceptable to deny others the rights that are guaranteed under the U.S. Constitution and bill of rights.

Dr. King stood up to violence, bigotry, and intolerance in our country to ensure that all of us can live free of prejudice and hatred. Today, on the 40th anniversary of his death, it is important that we remember his sacrifice and pledge to continue his fight for greater opportunities for all.

NATIONAL EYE DONOR MONTH

Mr. BROWN. Mr. President, March is National Eye Donor Month. In fact, it's the 25th anniversary of that proud tradition.

Each March since 1983, the eye donor community has gathered to celebrate the gift of sight, to honor past donors and their families, and to raise awareness about eye donation.

I want to thank those who have given this amazing gift and to encourage more Americans to become eye donors.

Eye donation is an incredible thing. Precious corneas harvested from donated eyes can restore vision that's been lost to disease or injury or infection. Most of us take our vision for granted.

We read our books, watch our children grow, and find our loved ones in a crowded room—and don't give it a second thought. But what if you lost that ability, that gift of sight—or never had it at all. An estimated 11.4 million people have severe visual problems that are not correctable by glasses.

Eighty million people suffer from potentially blinding eye disease; 1.1 million people are legally blind. But there is hope. Through the miracle of transplantation, it is possible to restore sight.

Each year, 44,000 sight-restoring corneal transplants are performed.

Eye banks like the Central Ohio Lions Eye Bank change people's lives. Shirley Jacobs knows this first hand. Shirley was living with Fuchs dystrophy, a genetic degenerative corneal disease. The disease robbed her of clear vision. It limited her independence and her ability to do her job. Then she received a corneal transplant at the Central Ohio Lions Eye Bank. Her first words after the surgery were, ''This is a miracle! I can see you, I can see you!''

That is amazing. But so many more people are waiting.

In Ohio alone, 1,600 people each year could have their sight restored through corneal transplants. But there aren't enough organs available. We need to get the word out and reach people who would donate if given the choice. We must raise public awareness of the need for eye donors and the ways to sign up.

I encourage my colleagues to work with their local eye banks and the Eye Bank Association of America to promote the precious gift of eye donation. I also encourage Americans to consider designating themselves as organ donors on their driver's licenses. It is the best way to make your end-of-life wishes known and to give the gift of sight. I urge my colleagues and fellow citizens to consider becoming an eye donor. Thousands of people around the country are waiting for it.

PRESIDENT'S VETO OF THE INTELLIGENCE AUTHORIZATION ACT

Mr. LEAHY. Mr. President, America is a great and good Nation that has been a beacon to the world on human rights. Nothing should be simpler than for a President of the United States to stand up and say, clearly, that this country does not engage in cruel and abusive interrogation practices such as waterboarding; that those practices are abhorrent and illegal. It saddens me greatly—but does not surprise me—that this President has, once again, refused to make that simple statement. By vetoing the intelligence authorization bill because of a provision that would reemphasize that waterboarding

and other forms of torture are illegal, he has added to the shameful legacy of this administration.

Let me be clear. This provision should not have been necessary. Waterboarding and other forms of torture are already clearly illegal. Waterboarding has been recognized as torture for the last 500 years. President Teddy Roosevelt prosecuted American soldiers for waterboarding more than 100 years ago. We prosecuted Japanese soldiers for waterboarding Americans during World War II.

I supported this provision, despite the fact that there is no question that waterboarding is already illegal, because this administration has chosen to flout the rule of law. They have admitted they have engaged in waterboarding, otherwise known as water torture, and they refuse to say they will not do it again. The positions they have taken publicly on this subject are so destructive to the core values of this Nation and our standing in the world that both Houses of this Congress have chosen to emphasize, again, that our Government is not permitted to use these shameful techniques. His veto, while another in a series of self-interested acts, does nothing to make waterboarding any less illegal and abhorrent.

Waterboarding is torture. It always has been torture. William Safire in a recent article in The New York Times Magazine traced the derivation of the term ''waterboarding.'' It was a chilling history, but most disturbing was this recitation of how it was performed on our own servicemembers:

> [I]n 1953, a U.S. fighter pilot told United Press that North Korean captors gave him the 'water treatment' in which 'they would bend my head back, put a towel over my face and pour water over the towel. I could not breathe. . . . When I would pass out, they would shake me and begin again.'

The greatest tragedy of the President's veto is that he has made it harder to protect Americans and our own servicemembers from this form of torture. This administration has so twisted America's role, law, and values that our own State Department and high-ranking officials in our Department of Defense, and even our Attorney General, are not permitted to say that the waterboarding of an American is illegal. Only our enemies can take comfort in the President's veto. It sacrifices America's high moral ground and the force of international standards and says that high-ranking American officials agree with them that waterboarding is a legal and a useful interrogation ''technique.'' It sends the signal that they are as free to use the ''technique'' as the Bush administration was, if they determine it to be in their best interest. That is how low we have sunk.

I confirmed in questioning the Director of the FBI just last week that in its counterterrorism efforts, the FBI continues to follow proscriptions against coercive interrogations. Our top military lawyers and our generals and admirals also understand this issue. They have said consistently that waterboarding is torture and is illegal. They have told us again and again at hearings and in letters that intelligence gathered through cruel techniques like waterboarding is not reliable and that our use and endorsement of these techniques puts our brave men and women serving in the Armed Forces at risk. That is why they have so explicitly prohibited such techniques in their own Army Field Manual, and it is an example that the rest of the Government and the rest of the country should follow.

Yet it is a provision that would have required compliance with the Army Field Manual that caused the President to veto this bill. He said it would ''harm our national security.'' He could not be more wrong.

When the Senate was considering the nomination of the current Attorney General, I read in The Washington Post and heard from some Members of this body that we could ignore the nominee's refusal to recognize that waterboarding is illegal because he had assured us that he would enforce a new law against waterboarding if Congress were to pass one. I said then that we needed no such law because waterboarding was already illegal. I said then that such an assurance was hollow and dangerous because this President would surely veto any such prohibition. Now he has.

This is about core American values, the things that make our country great. America does not torture. It should always stand against torture. This veto is another sad moment for America. America is better than this.

TRIBUTE TO GLEN GOODALL

Mr. LEAHY. Mr. President, one of the advantages of growing up in Montpelier, VT, is that I still see friends of mine and my family when I am back home. Glen and Esther Goodall were dear friends of my parents, Howard and Alba Leahy, and it is always nice to catch up with them, especially at the farmers' market in Montpelier in the summer.

Recently, Glen Goodall wrote a superb article for the Times Argus newspaper, and I ask unanimous consent that it be printed in the RECORD. In the article, he tells what happened when the USS *President Coolidge* struck anti-submarine mines and sank. Glen is one of those unsung heroes of World War II, and it is an honor to know him.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FROM THE BIG SWIM TO MAIN STREET

VETERAN RECOUNTS FIGHTS IN PACIFIC THEATER

Sixty-six years ago, at the age of 23, I was headed for Camp Blanding in Florida with the Vermont National Guard 172nd Infantry regiment of the 43rd Division. Our division was inducted into federal service on Feb. 24, 1941. After 18 months of training at Camp Blanding in Florida and Camp Shelby in Mississippi, plus maneuvers in Louisiana and North Carolina, we received orders to Fort Ord, Calif., where we were to embark shortly for the Pacific Theater.

The 172nd Combat team set sail on the U.S.S. President Coolidge. As we arrived at Espiritu Santo, an island of the New Hebrides group, on Oct. 26, 1942, the Coolidge accidentally struck and detonated friendly anti-submarine mines and sank. About 95 percent of the men on ship swam the 800 to 1,000 yards to shore through heavy oil, as lifeboats milled about to take others to shore. Brigadier Gen. Rose, the island commander, simply stated: ''Without discipline of a superior kind, the feat of abandoning a rapidly sinking ship by some 4,000 men in less than an hour could never have been accomplished. Coolness which forestalled panic, trust in their leader, considering the safety of others, agility in scrambling down nets and ropes, all revealed the quality of their training and what soldiers call 'what it takes'.''

After five months on Espiritu Santo, our supply ship from the states arrived to re-equip the regiment with all the supplies we lost when the Coolidge went down. We left then for Guadalcanal for a mopping-up operation and jungle training to help us for our drive toward the homeland of Japan. Those orders arrived in May 1943 to invade the New Georgia group of islands. We landed on Rendova Island, from there to Munda, fighting along the Munda Trail to Arundel along the Diamond Narrows.

On Aug. 2, 1943, Brigadier Gen. Leonard F. Wing of Rutland became the commanding general of the 43rd Division. Because of his red hair, he became known as ''Red Wing'' and his division known as the famous Red Wing Victory Division.

We landed in Luzon on the Philippine Islands on Jan. 9, 1945. The battle lasted 175 days. During that time we lost 965 men, 2,988 wounded and 11 missing. In the rest area in Luzon we trained to invade the homeland of Japan, and while we were training the atomic bomb was dropped on Hiroshima and Nagasaki on Aug. 7, 1945, and the Japanese surrendered. We left for Japan as occupational troops and saw the horrific devastation of the atomic bombs as well as the earlier fire bombing of Tokyo and Yokohama.

Two weeks later, we were relieved and headed back to the states, arriving on Oct. 6, 1945 where three years earlier we had embarked for combat on Oct. 6, 1941. Peace at last had cost us 1,561 killed, 6,049 wounded, a total of 7,610. A lot of soldiers were returning to 3-year-old children they had never seen.

I left for duty with the 172nd Infantry Regiment on Feb. 14, 1941 as a supply sergeant and ended my military career as a warrant officer on Jan. 6, 1946. I returned to Vermont and my wife on Oct. 6, 1945. I was in fairly good health but continued to have malaria for a few years.

Major Gen. Wing was the only National Guard commander to stay with the same division from the beginning to the end of the war. The 43rd Infantry (Winged Victory) Division was the only division privileged to participate in the South Pacific, Southwest Pacific and the Philippines Campaign and continue on to the Japanese homeland.

As I reflect back on my World War II memories it was always meaningful to me to be a member of the Vermont 172nd Infantry Regiment of the 43rd Division. I was born in Vermont and it has been my home for 89½ years. Some of the other Montpelier National Guard friends were Harry Seivwright, Olisse Melada, Tom Guare, Francis Carey and Ernest Gibson, who later became governor of Vermont. Some of these friends,

Harry Seivwright and Tom Guare, went into the European theater and left us after training. Ernest Gibson was wounded on one of the islands we invaded in the Pacific.

My wife and new bride, Esther, anxiously waited three years for my safe return, and we were writing and exchanging letters daily. Our local post service was super and a blessing when even on a Sunday afternoon a letter from the Pacific would be delivered to her personally sometimes by the Postmaster Ed Henry or our local carrier, Stan Fournier. Esther worked for the war effort the first year I was away, making her home with her sister in Connecticut. She worked for an industry that made fine glassware but had converted to making bomb site lenses for planes and she rode a victory bike to work daily. The last two years she returned to Montpelier and worked in the state Education Department and after working hours rolled and knitted bandages, sold war bonds, mixed the coloring in the margarine, grocery shopped with meat coupons, continued her daily letter to me and bonded with other Army wives and friends.

Vermont celebrated the victory of World War II in November and the celebration and parade were held in Montpelier marching down Main and State Street. Col. Jim Walsh of St. Albans from my outfit and I were asked to lead the parade. For Esther and me, the memories and the celebration of that day are the fondest, most emotional, happiest and proudest moments of our lives. War is a bittersweet experience.

TRIBUTE TO STEPHEN AND GWEN HUNECK

Mr. LEAHY. Mr. President, recently the Associated Press wrote a great article about Stephen and Gwen Huneck and their Dog Mountain studio. I have seen this article reprinted throughout the country.

If one goes into my office in Washington, my office in Vermont, my home in Vermont, or my home here, one would see many pieces of Stephen's artwork. Both Marcelle and I are great fans of his.

One of the pleasures of living in a small State like ours is that we had the opportunity to get to know Stephen and Gwen and realize what real human beings they are. They are among our valued friends, and I want the Senate to have the opportunity to read this article as part of an insight into why we think so highly of them. I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(By John Curran)

Degas had his ballerinas, Monet his water lilies. For Stephen Huneck, inspiration comes on four legs—its teeth dug into a stick, or tugging on a piece of rope, or playing on a beach.

The eclectic Vermont folk artist, who started out whittling wooden sculptures of dogs and now specializes in dog-themed furniture, woodcut paintings and children's books, has carved out a unique niche with his whimsical reproductions of Labrador retrievers and other dogs.

And his Dog Mountain studio and dog chapel—on a picturesque 175–acre hillside farm in rural northern Vermont—have evolved into a kind of doggy Disneyland, drawing animal lovers and their pets from all over, and some to mourn.

To Huneck, dogs are more than man's best friend.

''I really believe they're the great spirit's special gift to mankind,'' said Huneck, 59. ''Dogs teach us more than we teach them.''

But his first lessons were tough ones.

He was bitten by a German shepherd as a toddler, terrorized by a St. Bernard on his newspaper route as a teenager and left heartbroken once when his father bought a puppy for the family—but took it back to the pound the next day.

''Through it all, I just loved dogs,'' he said.

A longtime antique collector, the Sudbury, Mass. native turned to art professionally in the early 1980s, using old-fashioned chisels, saws and planes to hand carve his first few canine creations. Much of the basswood, cherry, maple and pine he works with comes from his farm.

His woodcuts—dogs with halos, dogs peaking out from under bedcovers, dogs sniffing each other—brim with the playfulness of a 6-week-old puppy. His sculptures and furniture, meanwhile, range from his Angel Dog statues— a black lab with golden wings—to coffee tables with sculpted dog likeness legs, from night tables with dog head handles to rocking dogs.

Dog lovers fairly hound him for commissioned works. His client list includes actress Sandra Bullock (a dog sculpture wedding present for her husband), Dr. Phil McGraw of TV talk show fame (a drawing of his dog) and U.S. Sen. Patrick Leahy, whose Washington, D.C., office is decorated with Huneck art.

''I think, to describe his work to someone who has never seen it, you simply say 'You have to see it, I can't describe it to give it the credit it deserves,''' said R. Scudder Smith, publisher of Antiques and The Arts Weekly, in Newtown, Conn. ''It is too full of fun, imagination and talent to put into words.''

His books, including ''Sally Goes to the Beach,'' ''Sally Goes to the Farm'' and the new ''Sally Gets a Job,'' feature woodcut prints accompanied by simple, pithy captions that celebrate man's unique relationship with dogs.

''Like a dog, he has no inhibitions,'' said Rob Hunter, gallery manager for Frog Hollow Vermont State Craft Center. ''He goes all over the place with his work. He has tapped into that playfulness you get with a dog.''

The dog chapel grew out of a bit of inspiration after his 1994 hospitalization with Adult Respiratory Distress Syndrome, which nearly killed him. When he came out of it, he says, he had a vision.

''I kept thinking what a great thing it could be, for people not only to mourn the loss of a dog but to celebrate nature and their relationships with their dogs,'' he said.

Using wood harvested from his own property, Huneck modeled the one-room chapel after 19th-century Vermont churches, with vaulted ceilings, stained glass windows and wooden pews.

Built at a cost of ''several hundred thousand dollars'' and completed in 2000, it has stained glass windows with images of dogs pieced into them.

The wooden pew-style benches in the 30-by-22 foot main room have one-dimension dog likenesses at either end that are so realistic, Huneck says, that live dogs sniff their bottoms.

Outside, a sign welcomes all: ''Welcome all creeds, all breeds. No dogmas allowed.''

''I wanted the dogs to know this is their place,'' he says.

It's also a place for their owners—many of them still grieving over their loss, years later.

The walls are covered in handwritten remembrances and photographs left by owners. It's no accident: Paper and pencils are stocked on a door near the entrance, next to the statue of Artie the angel dog, a black Labrador with golden wings.

''We came with Webster, to remember Boris,'' reads one. ''He passed this week. He was a good dog and we will miss him. Webster will miss him too. But our visit today will help us all. Thanks. Cambridge, Mass.''

Another: ''Roxie: you are the dog of my heart. You taught me so much about life and love. Always, N.''

Another: ''In memory of Rebel, our beautiful greyhound, who died when I was giving birth to my daughter, Kyra.''

''I got this idea that I wanted people to be able to put up pictures of their dogs and put up a short paragraph about their dogs and that they could share that with other people and that it would always be there,'' said Huneck. ''To my great surprise, the place is almost completely, totally full of photographs.

''It brings tears to your eyes, or you could start laughing. It's just incredible insight,'' he said.

Weddings and civil union ceremonies have been held in it, although whenever someone makes such a request, Huneck and his wife, Gwen, explain that the chapel has to remain open for others while the ceremony is being held.

The chapel, which is unheated and never closes, is busy and full of life in summer and fall, but quiet, empty and solemn on most winter days.

''It's just so unique,'' said Jennifer Goodman, 29, of Boston, who made the three-hour drive to it last month, accompanied by her boyfriend and her 7-year-old basset hound, Beans.

''My friends were like 'You're going to Vermont? Are you going to go skiing?' I'm like, 'No, we're going to a dog mountain,' and no one quite understands it. We literally just got here, checked into a hotel.''

Twice a year, Huneck and his wife throw outdoor barbecues—with food for everyone, two legs or four.

''When dogs pull up in here, they may never have been here before, but it's like they saw the 'Disneyland' sign. They just get so excited, so happy,'' he said.

ADDITIONAL STATEMENTS

TRIBUTE TO TEMPLE EMANU-EL

• Mr. ISAKSON. Mr. President, I wish to honor in the RECORD Temple Emanu-El in Dunwoody, Georgia.

On March 29, 2008, Temple Emanu-El will celebrate its 30th anniversary with a black tie gala. This traditional reform synagogue was founded in 1978 by a small group of families determined to create a spiritual home where they and their children could live and grow in the Jewish faith, and they certainly have grown. Temple Emanu-El now serves over 800 Jewish families in the metro Atlanta area. The members of this thriving and vibrant congregation should be commended for their dedication to their faith as well as their community.

It gives me a great deal of pleasure and it is a privilege to recognize on the floor of the Senate the contributions of Temple Emanu-El. I congratulate Rabbi Julie Schwartz and the entire

congregation on its 30th anniversary and its bright future.●

TRIBUTE TO SHANNON HARPS

● Mrs. MURRAY. Mr. President, I would like to express my sorrow regarding the tragic death of one of Washington's finest young environmental advocates Shannon Harps on December 31, 2007. She was killed by an unknown assailant as she was returning to her Capitol Hill apartment in Seattle from the grocery store. Shannon's death is a tremendous loss to our community and the many issues to which she devoted her life. I join with Shannon's family, friends, and colleagues in the Sierra Club in mourning the loss of this wonderful person and fine community organizer. Though her life was cut short, she was able to make a large impact on the quality of the Northwest environment.

Shannon came from her home State of Ohio to Seattle, WA, in February 2004 to join the staff of the northwest office of the Sierra Club. This move joined two of Shannon's strongest desires to work to protect our environment and to live in the Northwest where she could more vigorously pursue her strong love for the outdoors.

Shannon had a wonderful sense of humor and a style of working with people that immediately put them at ease and made it easy for them to join her in protecting our environment and quality of life. Shannon particularly enjoyed working with high school and college students to help them develop their interests and talents in working to create a better world. While Shannon's work was directly focused on protecting our environment, from wilderness to global warming, her values were deeply embedded in a strong sense of fairness and justice for all people.

In the 4 years that Shannon lived in Washington State she helped to protect some of our finest lands. Shannon worked with Sierra Club volunteers and staff from the many groups to help move the Wild Sky Wilderness proposal through the various steps of its arduous journey through the congressional process. She spent countless hours on the phone, in meetings, and on the trail helping to bring people together to advocate for protection of these spectacular wild lands. Shannon believed that people were better advocates if they had firsthand knowledge of the places they were advocating for. As part of this belief she led countless hikes into some of Washington's wildest lands.

Shannon's was a natural leader in the State of Washington and worked with colleagues around the country to help thwart the various efforts to open up America's Arctic Coastal Plain to oil and gas drilling. She was a lead organizer in the successful effort in 2006 to pass the renewable energy portfolio standard for Washington State. And, in the recent 2 years, much of her work focused on building relationships with local officials and creating public support so they would endorse the mayor's Climate Protection Agreement.

In her all-too-short life, she made contributions that benefited our community, State, and the world. She lived her life as an example of living lightly on the planet and engaged the people and world around her with grace, humor, kindness, and respect. Everyone who worked with her admired her style, tenacity, and sense of purpose, along with her sparkling smile and laugh.

Shannon loved living and working in the Northwest. She reveled in the outdoors and nothing made her happier than to participate in a competitive run, or hike our high mountain trails. Her death is a loss for us all. But her spirit still resides with all of those with whom she worked and walked the trails, and those who continue the struggle to protect our lands and environment and create a more just and fair world for us all.●

TRIBUTE TO MARC HERSHMAN

● Mrs. MURRAY. Mr. President, today I honor Marc Hershman, a professor and former director of the University of Washington School of Marine Affairs and adjunct professor at the school of law, for his exceptional public service to our country. Since 1972, Professor Hershman has been a valued leader, colleague, and mentor in the fields of marine policy, coastal zone management, marine ports and transportation, and law.

Mr. President, it is my sad duty today to report that Professor Hershman passed away on Monday, February 18. Today, I want to extend my condolences to his entire family, including his wife Carol, his daughter Carla, his son Jordan, and his sister Susan.

Professor Hershman led faculty and students engaged in teaching and research on integrated coastal zone management, ports and transportation, living marine resource management, marine protected areas, impacts of climate change, and other ocean issues. He had more than 30 years of experience in the study of ocean and coastal law and policy. In 1972, he founded the Coastal Management Journal and served as its editor in chief. He served as president of The Coastal Society, was a cofounder of the Marine Affairs and Policy Association, and was an active member of the nationwide Ocean Governance Study Group. He was the founder and a board member of Odyssey Maritime Discovery Center on Seattle's central waterfront.

Over the years, Professor Hershman was the recipient of several awards in the marine policy field. As voted by his peers, he was the first to receive the biennial Orville T. Magoon Service Award, which recognized his long-time Achievement Award and was twice presented with the Distinguished Service Award from the Coastal Society. In 2001, at the recommendation of U.S. House Minority Leader Richard A. Gephardt, Professor Hershman was selected by President George W. Bush to serve on the U.S. Commission on Ocean Policy.

Recently, Professor Hershman was working on ocean policy in Washington State. He led 25 students in preparing ocean policy recommendations to the Governor's Ocean Policy Working Group. In collaboration with NOAA's Sea Grant Program and various State agencies, Professor Hershman developed the groundwork for a marine policy fellowship program in the State government, to be called the Hershman Fellowship.

I extend my condolences to Professor Hershman's family and friends. His passing is a loss not only to his family and those who knew him but to academia and the entire field of marine policy.●

HONORING KAREN HONTZ

● Ms. SNOWE. Mr. President, I wish to recognize the outstanding service Karen Hontz has provided to the Senate Committee on Small Business and Entrepreneurship in her capacity as a detailee from the Small Business Administration, SBA. Karen came to the Senate last June and quickly established herself as an invaluable asset from her first days on the job when the committee held a roundtable and subsequent markup on venture capital legislation. As Congress prepares to take a short recess, Karen will begin her transition back to the SBA, as well as her 20th year of distinguished service to the Federal Government. This will certainly be SBA Administrator Preston's gain and my and my staff's loss. Thank you Administrator Preston for allowing us to work with Karen over the last 9 months.

As I reflect on Karen's tenure, I will always remember how she far exceeded all expectations, working long hours to provide me with clear and succinct materials about critical issues facing America's small businesses. This was particularly impressive given the volume of activity before the committee and the fact that Karen was new to the Senate. Indeed, since Karen came to Capitol Hill, the committee held seven oversight hearings on issues ranging from Government contracting, to women's business ownership and grant programs, to the SBA's budget. The committee also held two markups, sending venture capital, entrepreneurial development, and contracting legislation to the Senate floor. My staff and I could not have navigated these committee actions without Karen's sage counsel and invaluable insight gained from years of experience at the SBA.

Not only was Karen extremely helpful in assisting me with committee hearings and markups, but she also played an integral role in moving legislation on the Senate floor, a rare feat for a new employee. For example,

Karen, together with other members of my staff, successfully negotiated with House and Senate committee, floor, and leadership staff with respect to controversial provisions in the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007, H.R. 4253, critical legislation that will expand business opportunities for veterans and help reservists keep their businesses afloat during and after deployment. Karen was instrumental in helping the Senate to clear this bill by unanimous consent in late January before President Bush signed it into law in mid-February. Karen was also pivotal in helping to include a bipartisan and bicameral small business title to the energy bill that was signed into law last December. In addition, Karen also helped the Disaster Response and Loan Improvement Act, S. 163, to pass the Senate last August. It was her political savvy and innovative thinking that helped produce a less costly bill that met both the Senate's and the administration's objectives and was able to garner the support of the entire Senate Chamber.

Finally, I would also be remiss in not pointing out that there are often concerns when an executive branch employee comes to the Senate for a work assignment, as Congress and the administration sometimes approach issues from differing viewpoints. Karen carefully and gracefully fulfilled her fiduciary duties relating to confidential information received from the two branches of Government, which could not be shared between those entities. She was also able to give fair and balanced advice, explaining in an unbiased manner both sides of an issue. In addition to Karen's in-depth knowledge of the SBA, she also provided broader insight into executive branch operations, including the Federal rulemaking and administrative processes, as well as the Office of Management and Budget's role in the budget and appropriations process.

Karen has truly been a vital part of my team and has provided a unique viewpoint and voice that has truly broadened this committee's grasp on the SBA and small business issues. Karen's extraordinary performance has far exceeded my expectations, and she will be greatly missed. I wish Karen and her husband Stephen all the best as she returns to the SBA.●

RECOGNIZING THOS. MOSER CABINETMAKERS

● Ms. SNOWE. Mr. President, I congratulate Thos. Moser Cabinetmakers, a family-oriented business from my home State of Maine that continues to thrive after 36 years of producing extraordinary furniture. With galleries open in nine locations, including one in South Korea and its newest in Los Angeles, Thos. Moser Cabinetmakers has truly exceeded expectations while staying true to its Maine roots.

Thos. Moser Cabinetmakers' founder, Thomas Moser, began his professional career as a professor both throughout the United States as well as in Saudi Arabia. Shortly after getting married in 1957, Mr. Moser and his wife began purchasing old furniture, refurbishing it, and then reselling it to supplement their income. Realizing how passionately he enjoyed woodworking, Mr. Moser gave up teaching to pursue the legacy that has now propelled his product into a household name. Working with his sons, Mr. Moser is dedicated to maintaining a family business for years to come and credits his success to his partnership with his wife.

What has always stood out about Thos. Moser is that the company adheres to a creed that stresses function over fashion, creating beautiful works for everyday living. From dining tables and stools to beds, benches, and rocking chairs, Thos. Moser's furniture belies a unique and timeless quality. The company's various collections and pieces have frequently resulted from Mr. Moser's worldwide travels and experiences. The inspiration of Danish furnituremaking provided the impetus for the curved Astral Bench while the Eastward Stool pays tribute to the famed Japanese-American woodworker George Nakashima. Mr. Moser's furniture additionally celebrates places of natural beauty in Maine, from its largest peak, Mount Katahdin, to the island-laden coastal town of Harpswell, to farm-draped New Gloucester, the placid town where Thos. Moser Cabinetmakers got its start. One of the company's most admirable aspects is its warranty. Guaranteed for life, Thos. Moser furniture is ensured to be replaced if it is ever found to be faulty.

To continue constructing such superb furniture, and to stay competitive in the woodworking industry, Thos. Moser recently teamed up with the Maine Manufacturing Extension Partnership to incorporate the Lean manufacturing program into its regular business practices. This program helps workers and management alike think in an innovative, goal-oriented manner, and as a result, many employees at Thos. Moser have taken up leadership positions they never would have attempted otherwise. In all, 35 employees were trained through the program, but the benefits were far-reaching.

Thos. Moser Cabinetmakers grew out of a passion for woodwork, and the current operation has sacrificed none of that early fervor. The company is a strong example of Mainers' determined entrepreneurial spirit, and it shows no signs of letting up. I congratulate Thos. Moser Cabinetmakers and its over 200 employees for their steadfast enthusiasm and committed work ethic, and wish them much continued success.●

MESSAGES FROM THE HOUSE

At 2:46 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5492. An act to authorize the Board of Regents of the Smithsonian Institution to construct a greenhouse facility at its museum support facility in Suitland, Maryland, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 290. Concurrent commemorating the 175th anniversary of the special relationship between the United States and the Kingdom of Thailand.

At 5:27 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 316. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

At 6:28 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2733. An act to temporarily extend the programs under the Higher Education Act of 1965.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 290. Concurrent resolution commemorating the 175th anniversary of the special relationship between the United States and the Kingdom of Thailand; to the Committee on Foreign Relations.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, March 12, 2008, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 25. Joint resolution providing for the appointment of John W. McCarter as a citizen regent of the Board of Regents of the Smithsonian Institution.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions:

Report to accompany S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act (Rept. No. 110–274).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 980. A bill to amend the Controlled Substances Act to address online pharmacies.

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. HARKIN (for himself and Mr. CHAMBLISS):

S. 2745. A bill to extend agricultural programs beyond March 15, 2008 , to suspend permanent price support authorities beyond that date, and for other purposes; considered and passed.

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 2746. A bill to amend section 552(b)(3) of title 5, United States Code (commonly referred to as the Freedom of Information Act) to provide that statutory exemptions to the disclosure requirements of that Act shall specifically cite to the provision of that Act authorizing such exemptions, to ensure an open and deliberative process in Congress by providing for related legislative proposals to explicitly state such required citations, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON:

S. 2747. A bill to grant a Federal charter to the National American Indian Veterans, Incorporated; to the Committee on the Judiciary.

By Mr. HARKIN (for himself and Mr. BROWNBACK):

S. 2748. A bill to direct the Secretary of Health and Human Services to publish physical activity guidelines for the general public, and for other purposes; to the Committee on Health, Education, Labor, and Pensions .

By Mr. COBURN (for himself, Mr. BURR, and Mr. KYL):

S. 2749. A bill to ensure that the highest priority for HIV/AIDS-related funding is saving lives most immediately and urgently threatened by HIV-AIDS, including babies at risk of being infected at birth; to the Committee on Foreign Relations.

By Mrs. FEINSTEIN:

S. 2750. A bill to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 2751. A bill to facilitate foreign investment by permanently reauthorizing the EB-5 regional center program, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH (for himself and Mr. DURBIN):

S. 2752. A bill to authorize the President to award grants to improve the capacity of nongovernmental organizations and individuals in foreign countries to provide appropriate mental disability and mental trauma care training, and for other purposes; to the Committee on Foreign Relations.

By Mr. MENENDEZ:

S. 2753. A bill to protect consumers, and especially young consumers, from skyrocketing credit card debt, unfair credit card practices, and deceptive credit offers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself, Mr. ENZI, Mr. WICKER, Mr. WARNER, and Mr. WHITEHOUSE):

S.J. Res. 29. A joint resolution expressing Congressional support for the goals and ideals of National Health Care Decisions Day; 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. INHOFE (for himself, Mr. MARTINEZ, Mr. BROWNBACK, Mr. HAGEL, Mr. ALLARD, Mr. ISAKSON, Mr. WARNER, Mr. VOINOVICH, Mr. HATCH, Mrs. DOLE, and Mr. CHAMBLISS):

S. Res. 480. A resolution recognizing the strategic importance of the African continent and welcoming the establishment of AFRICOM, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 211

At the request of Mr. CHAMBLISS, his name was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services. volunteer services, and for other purposes.

S. 356

At the request of Mr. BROWNBACK, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 356, a bill to ensure that women seeking an abortion are fully informed regarding the pain experienced by their unborn child.

S. 367

At the request of Mr. DORGAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 367, a bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes.

S. 772

At the request of Mr. KOHL, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 772, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 881

At the request of Mrs. LINCOLN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 988

At the request of Ms. MIKULSKI, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 988, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 1042

At the request of Mr. ENZI, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1042, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 1166

At the request of Mr. WARNER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1166, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain zone compensation of civilian employees of the United States.

S. 1924

At the request of Mr. CARPER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1924, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 2002

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2002, a bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts, and for other purposes.

S. 2075

At the request of Mr. BROWNBACK, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2075, a bill to ensure that women seeking an abortion receive an ultrasound and the opportunity to review the ultrasound before giving informed consent to receive an abortion.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2166

At the request of Mr. CASEY, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2166, a bill to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes.

S. 2505

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2505, a bill to allow employees of a commercial passenger airline carrier who receive payments in a bankruptcy proceeding to roll over such payments into an individual retirement plan, and for other purposes.

S. 2575

At the request of Mrs. HUTCHISON, the name of the Senator from Idaho (Mr.

CRAPO) was added as a cosponsor of S. 2575, a bill to amend title 38, United States Code, to remove certain limitations on the transfer of entitlement to basic educational assistance under Montgomery GI Bill, and for other purposes.

S. 2577

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2577, a bill to establish background check procedures for gun shows.

S. 2586

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2586, a bill to provide States with fiscal relief through a temporary increase in the Federal medical assistance percentage and direct payments to States.

S. 2598

At the request of Mr. DORGAN, the names of the Senator from Montana (Mr. TESTER), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2598, a bill to increase the supply and lower the cost of petroleum by temporarily suspending the acquisition of petroleum for the Strategic Petroleum Reserve.

S. 2606

At the request of Mr. DODD, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2606, a bill to reauthorize the United States Fire Administration, and for other purposes.

S. 2687

At the request of Mr. ROCKEFELLER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2687, a bill to amend title XVIII of the Social Security Act to enhance beneficiary protections under parts C and D of the Medicare program.

S. 2717

At the request of Mr. CHAMBLISS, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. DEMINT), the Senator from New Mexico (Mr. DOMENICI), the Senator from North Carolina (Mrs. DOLE), the Senator from Louisiana (Mr. VITTER), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2717, a bill to provide for enhanced Federal enforcement of, and State and local assistance in the enforcement of, the immigration laws of the United States, and for other purposes.

S. 2718

At the request of Mr. BARRASSO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2718, a bill to withhold 10 percent of the Federal funding apportioned for highway construction and maintenance from States that issue driver's licenses to individuals without verifying the legal status of such individuals.

S. 2731

At the request of Mr. BIDEN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2731, a bill to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes.

S. CON. RES. 60

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Con. Res. 60, a concurrent resolution expressing the sense of Congress relating to negotiating a free trade agreement between the United States and Taiwan.

AMENDMENT NO. 4148

At the request of Mr. KENNEDY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 4148 intended to be proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

AMENDMENT NO. 4153

At the request of Mr. BURR, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from New Hampshire (Mr. GREGG) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of amendment No. 4153 intended to be proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

AMENDMENT NO. 4154

At the request of Mr. REED, the names of the Senator from Minnesota (Mr. COLEMAN), the Senator from Wisconsin (Mr. KOHL), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 4154 intended to be proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

AMENDMENT NO. 4160

At the request of Mr. BAUCUS, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Delaware (Mr. CARPER), the Senator from New York (Mrs. CLINTON) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 4160 proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

AMENDMENT NO. 4171

At the request of Mr. CASEY, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 4171 intended to be proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

AMENDMENT NO. 4173

At the request of Mr. BINGAMAN, the names of the Senator from Delaware (Mr. BIDEN), the Senator from Massachusetts (Mr. KERRY), the Senator from Illinois (Mr. OBAMA), the Senator from Florida (Mr. MARTINEZ), the Senator from Hawaii (Mr. INOUYE) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 4173 proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

AMENDMENT NO. 4182

At the request of Mr. PRYOR, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 4182 intended to be proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

AMENDMENT NO. 4183

At the request of Mr. PRYOR, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 4183 intended to be proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

AMENDMENT NO. 4185

At the request of Mr. PRYOR, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 4185 intended to be proposed to S. Con. Res. 70, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 2746. A bill to amend section 552(b)(3) of title 5, United States Code (commonly referred to as the Freedom of Information Act) to provide that statutory exemptions to the disclosure requirements of that Act shall specifically cite to the provision of that Act authorizing such exemptions, to ensure an open and deliberative process in Congress by providing for related legislative proposals to explicitly state such required citations, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, as we approach the national celebration of Sunshine Week 2008, I am pleased to join with Senator CORNYN to introduce the OPEN FOIA Act of 2008, a concise and straightforward bill to further strengthen the Freedom of Information Act, FOIA. This bill is the next step in the important work that Senator CORNYN and I have undertaken to reinvigorate and strengthen FOIA, and it follows the enactment late last year of the Leahy-Cornyn OPEN Government Act, a law which made the first major reforms to FOIA in more than a decade.

The OPEN FOIA Act simply requires that when Congress provides for a statutory exemption to FOIA in new legislation, Congress must state its intention to do so explicitly and clearly in that bill. This commonsense bill mirrors bipartisan legislation that unanimously passed the Senate during the last Congress, S.1181. I hope that the Senate will once again promptly and unanimously pass this good-government bill.

While no one can fairly question the need to keep certain government information secret to ensure the public good, excessive government secrecy is a constant temptation and the enemy of a vibrant democracy. For more than 4 decades, FOIA has served as perhaps the most important Federal law to ensure the public's right to know and to balance the government's power with the need for government accountability.

FOIA contains a number of exemptions to its disclosure requirements for national security, law enforcement, confidential business information, personal privacy and other circumstances. The FOIA exemption commonly known as the ''(b)(3) exemption,'' requires that Government records that are specifically exempted from FOIA by statute may be withheld from the public. Of course, neither I nor Senator CORNYN would quibble with the notion that some Government information is appropriately kept from public view. But in recent years we have witnessed an alarming number of FOIA (b)(3) exemptions being offered in legislation—often in very ambiguous terms—to the detriment of the American people's right to know.

The bedrock principles of open government lead me to believe that (b)(3) statutory exemptions should be clear and unambiguous, and vigorously debated before they are enacted into law. Of course, sometimes this does happen. But more and more often, legislative exemptions to FOIA are buried within a few lines of very complex and lengthy bills, which are never debated openly and publicly before becoming law. The consequence of this troubling practice is the erosion of the public's right to know and the shirking of Congress' duty to fully consider these exemptions.

Senator CORNYN and I both believe that Congress must be diligent in reviewing any new exemptions to FOIA, to prevent possible abuses and a situation where the exceptions to disclosure under FOIA swallow this important disclosure rule. The OPEN FOIA Act will ensure openness and clarity about how we treat one of our most important open Government laws. Our bill will also shine more light into the process of creating legislative exemptions to FOIA—which is the best antidote to exemption creep.

Democratic and Republican Senators alike have rightly supported and voted for this bill in the past. As I have said many times before, open Government is not a Democratic issue, nor a Republican issue. It is an American value and a virtue that all Americans can embrace. I urge all Members to support this bipartisan good-government bill to strengthen the public's right to know.

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. 2746

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 ''OPEN FOIA Act of 2008''.

SEC. 2. SPECIFIC CITATIONS IN STATUTORY EXEMPTIONS.

Section 552(b) of title 5, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) specifically exempted from disclosure by statute (other than section 552b of this title), if that statute—

''(A)(i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue; or

''(ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld; and

''(B) if enacted after the date of enactment of the OPEN FOIA Act of 2008, specifically cites to this paragraph.''.

By Mr. HARKIN (for himself and Mr. BROWNBACK):

S. 2748. A bill to direct the Secretary of Health and Human Services to publish physical activity guidelines for the general public, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, some time back, a principal of a school in Atlanta, GA, explained why his school had eliminated recess from its school day, and why new elementary schools in Atlanta were being built without playgrounds: He told The New York Times: ''We are intent on improving academic performance. You don't do that by having kids hanging on the monkey bars.''

Now, there is no reason to pick on Atlanta alone. Nationwide, only 8 percent of elementary schools provide daily physical education or its equivalent for all students.

We are building schools without playgrounds, subdivisions without sidewalks, roads without bicycle lanes. The average American spends more than 4 hours each day sitting passively in front of the TV set—that is equal to 2 months of nonstop TV-watching per year.

Then we are shocked, shocked to find that rates of overweight, obesity and diabetes are skyrocketing, and cardiovascular disease remains the No. 1 cause of death in our country. Among children, we have what the Centers for Disease Control describes as an ''epidemic'' of obesity and juvenile diabetes.

The shame is that so much of this is entirely preventable. Americans are suffering from a range of diseases and conditions—obesity, heart disease, diabetes, stress, and depression. All of these are largely preventable by changes in diet and lifestyle; specifically, by increasing the amount of physical activity in our lives.

I am a firm believer that people want to stay healthy, and that Government can help out by giving Americans the tools they need to take charge of their own health.

But, right now, individuals do not know how much physical activity they should be getting daily. They don't have a target to shoot for.

That is why, today, I am joining with Senator SAM BROWNBACK, Congressman MARK UDALL, and Congressman ZACH WAMP to introduce the Physical Activities Guidelines for Americans Act of 2008.

Our bill would direct the Department of Health and Human Services to prepare and promote science-based physical activity guidelines for Americans, similar to the dietary and nutritional guidelines, commonly known as the Food Pyramid. Our bill also would require that the guidelines be updated every 5 years.

I believe that the Physical Activity Guidelines will assist many Americans in living longer, healthier, and more active lives.

By Mrs. FEINSTEIN:

S. 2750. A bill to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce legislation that will help address a troublesome byproduct of our Nation's mining history: abandoned mines.

The 1872 Mining Law created national standards to regulate gold and silver mining operations on Federal lands. Since then, hundreds of thousands of gold and silver mines have been abandoned.

There are roughly 500,000 abandoned mines across the U.S., and nearly 47,000 abandoned mines in my home State of California.

According to the California Department of Conservation, all but two of California's 58 counties have abandoned mines; and close to 70 percent of California's abandoned mines are located in the ''Mother Lode'' area in the Northern Sierra or San Bernardino, Inyo and Kern Counties in the southeastern part of the State.

Because the 1872 Mining Law is so outdated, we have been unable to adequately clean up and remediate these abandoned mines.

The need for action is great.

The bill that I am introducing today, is not intended to be a comprehensive hardrock mining reform bill, but it is an important piece of the reform that is needed in hardrock mining.

The Abandoned Mine Reclamation Act of 2008, will reform the 1872 Mining Law by: establishing fees to support abandoned mine cleanup; establishing a royalty payment system; and creating an Abandoned Mine Cleanup Fund.

Unlike the coal industry, the metal mining industry does not pay to clean up its legacy of abandoned mines, making lack of funding the primary obstacle to abandoned hardrock mine cleanup.

This legislation would help fund the cleanup of abandoned mines by placing an Abandoned Mine Reclamation fee on all hardrock minerals, using the underground coal industry fee program as a model.

Here is why—the condition of abandoned coal mines has greatly improved since the Surface Mining Control and Reclamation Act of 1977 established a fee to finance restoration of land abandoned or inadequately restored by coal mining companies.

This fund has been able to raise billions of dollars for coal mine reclamation—and I believe that a similar program could be part of the solution to the hardrock abandoned mine cleanup.

This legislation also establishes a royalty on Hardrock Mining Claims.

Companies that mine for gold and silver on Federal lands are not currently required to pay any royalties to the Federal Government—even though we are experiencing near record high gold prices, around $900 an ounce.

These companies should be required to pay their fair share.

The Abandoned Mine Reclamation Act establishes an 8 percent royalty on new mining operations located on Federal lands, and a 4 percent royalty for existing operations.

These royalties are at the same level as the Hardrock Mining and Reclamation Act, H.R. 2262, which was passed by the House late last year.

The legislation I am introducing today also creates an Abandoned Mine Fund.

In these times of budget deficits, it's clear that we will not be able to simply appropriate the funds necessary to clean up the hundreds of thousands of abandoned hard rock mines.

So, this legislation will create an abandoned mine cleanup fund to ensure that we have a lasting source of funding for this critical cleanup effort.

Specifically, the fund will direct the royalties, as well as other payments collected from mining operations, and dedicate them to the cleanup of abandoned hardrock mines.

Now I would like to take a moment to talk more about why abandoned mines are so problematic.

First, members of the public are in danger of getting seriously hurt or killed by falling down old mine shafts.

In the past 2 years, eight accidents at abandoned mine sites were reported in California. These accidents resulted in four fatalities and seven others were injured and/or required rescuing.

But the even greater threat from abandoned mines comes from the danger of groundwater pollution.

Environmental impact studies have shown that important watersheds are being polluted by high levels of mercury or increased sedimentation.

This in turn exposes people who drink this water to harmful minerals like mercury, chromium and asbestos and the fish who swim in streams fed by these waters are likewise contaminated.

The Bureau of Land Management reports that abandoned mines have contaminated 17 major watersheds in California, which supply water for millions of people and provide habitat for important species like salmon and other fish that are caught and consumed by the public.

So, the threat to public health is critical.

Mining has played in California's history. The discovery of gold at Sutter Mill near Placerville, California in 1848 was a defining moment for California and the U.S.

It is fair to say that without mining and the Gold Rush, California and the entire country would be a far different place than it is today.

The great history of mining in California, however, is tarnished by the legacy of tens of thousands of abandoned mines. In particular, abandoned mine sites on Federal lands.

Let me illustrate a few examples of abandoned mine sites located on Federal land in California.

These sites are causing serious public safety and environmental problems: Rand Historic Mining Complex located on BLM land in eastern Kern County and northwestern San Bernardino County.

This area includes the Kelly Silver Mine and the Yellow Aster Gold Mine near the communities of Johannesburg, Randsburg, and Red Mountain.

The problem is this: The sites contain extensive arsenic-bearing mine waste and numerous open mine shafts that could cause safety hazards.

The Pond Gold Mine Site located in Placer County on BLM land.

This mine site consists of an extensive network of sluice tunnels and a large waste rock pile.

Here's the problem: The Pond Mine has been determined to be a source of mercury to Pond Creek and the Middle Fork of the American River.

The Golinsky Mine located on Forest Service land located in Shasta County.

The Golinsky mine is an abandoned copper mine that is releasing acid mine drainage into Shasta Lake.

The responsible party has been identified, but has declared bankruptcy. This has forced the Forest Service to spend more than $2.2 million dollars investigating and mitigating the environmental problems while they try to recoup the costs.

There are numerous abandoned mine sites that may not yet have been discovered all across California.

One place where we expect the problem to grow is in Joshua Tree National Park.

Joshua Tree has numerous former mine sites that contain a series of shafts near trails and roads. These mine shafts vary in size and the depth ranges from 20 to 200 feet deep—and are extremely dangerous, potentially causing people to fall into them.

So, these abandoned mines are a serious problem throughout the State. We need to take action soon to clean them up.

The problems caused by abandoned mines are not going away—and with each passing day, the health danger will continue to rise.

It is important to our children and grandchildren that we start the process of cleaning up the abandoned mines that were left to us. But we cannot do it without a substantial and reliable source of funding.

Here is the key: this legislation doesn't reinvent the wheel. It implements solutions that have been working for a similar problem. It uses many of the ideas that have helped the coal industry to raise over seven billion dollars for abandoned mines.

It is time to expect the same from the hardrock mining industry.

Though this legislation is a significant step forward for the funding of abandoned mines, I know that there is much more mining reform to be done.

I look forward to working with my colleagues to ensure that the 1872 Mining Law is reformed—so that 21st Century mining regulations will be applied to 21st Century mining operations.

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. 2750

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Abandoned Mine Reclamation Act of 2008''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions and references.
Sec. 3. Application rules.

TITLE I—MINERAL EXPLORATION AND DEVELOPMENT

Sec. 101. Royalty.
Sec. 102. Hardrock mining claim maintenance fee.
Sec. 103. Reclamation fee.
Sec. 104. Effect of payments for use and occupancy of claims.

TITLE II—ABANDONED MINE CLEANUP FUND

Sec. 201. Establishment of Fund.
Sec. 202. Contents of Fund.
Sec. 203. Use and objectives of the Fund.
Sec. 204. Eligible lands and waters.
Sec. 205. Expenditures.
Sec. 206. Availability of amounts.

TITLE III—EFFECTIVE DATE

Sec. 301. Effective date.

SEC. 2. DEFINITIONS AND REFERENCES.

(a) IN GENERAL.—As used in this Act:

(1) The term ''affiliate'' means with respect to any person, any of the following:

(A) Any person who controls, is controlled by, or is under common control with such person.

(B) Any partner of such person.

(C) Any person owning at least 10 percent of the voting shares of such person.

(2) The term ''applicant'' means any person applying for a permit under this Act or a modification to or a renewal of a permit under this Act.

(3) The term ''beneficiation'' means the crushing and grinding of locatable mineral ore and such processes as are employed to free the mineral from other constituents, including but not necessarily limited to, physical and chemical separation techniques.

(4) The term ''claim holder'' means a person holding a mining claim, millsite claim, or tunnel site claim located under the general mining laws and maintained in compliance with such laws and this Act. Such term may include an agent of a claim holder.

(5) The term ''control'' means having the ability, directly or indirectly, to determine (without regard to whether exercised through one or more corporate structures) the manner in which an entity conducts mineral activities, through any means, including without limitation, ownership interest, authority to commit the entity's real or financial assets, position as a director, officer, or partner of the entity, or contractual arrangement.

(6) The term ''exploration''—

(A) subject to subparagraphs (B) and (C), means creating surface disturbance other than casual use, to evaluate the type, extent, quantity, or quality of minerals present;

(B) includes mineral activities associated with sampling, drilling, and analyzing locatable mineral values; and

(C) does not include extraction of mineral material for commercial use or sale.

(7) The term ''Federal land'' means any land, and any interest in land, that is owned by the United States and open to location of mining claims under the general mining laws.

(8) The term ''hardrock mineral'' has the meaning given the term ''locatable mineral'' except that legal and beneficial title to the mineral need not be held by the United States.

(9) The term ''Indian lands'' means lands held in trust for the benefit of an Indian tribe or individual or held by an Indian tribe or individual subject to a restriction by the United States against alienation.

(10) The term ''Indian tribe'' means any Indian tribe, band, nation, pueblo, or other organized group or community, including any Alaska Native village or regional corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(11) The term ''locatable mineral''—

(A) subject to subparagraph (B), means any mineral, the legal and beneficial title to which remains in the United States and that is not subject to disposition under any of—

(i) the Mineral Leasing Act (30 U.S.C. 181 et seq.);

(ii) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.);

(iii) the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 et seq.); or

(iv) the Mineral Leasing for Acquired Lands Act (30 U.S.C. 351 et seq.); and

(B) does not include any mineral that is subject to a restriction against alienation imposed by the United States and is—

(i) held in trust by the United States for any Indian or Indian tribe, as defined in section 2 of the Indian Mineral Development Act of 1982 (25 U.S.C. 2101); or

(ii) owned by any Indian or Indian tribe, as defined in that section.

(12) The term ''mineral activities'' means any activity on a mining claim, millsite claim, or tunnel site claim for, related to, or incidental to, mineral exploration, mining, beneficiation, processing, or reclamation activities for any locatable mineral.

(13) The term ''operator'' means any person proposing or authorized by a permit issued under this Act to conduct mineral activities and any agent of such person.

(14) The term ''person'' means an individual, Indian tribe, partnership, association, society, joint venture, joint stock company, firm, company, corporation, cooperative, or other organization and any instrumentality of State or local government including any publicly owned utility or publicly owned corporation of State or local government.

(15) The term ''processing'' means processes downstream of beneficiation employed to prepare locatable mineral ore into the final marketable product, including but not limited to smelting and electrolytic refining.

(16) The term ''Secretary'' means the Secretary of the Interior, unless otherwise specified.

(17) The term ''temporary cessation'' means a halt in mine-related production activities for a continuous period of no longer than 5 years.

(b) REFERENCES TO OTHER LAWS.—(1) Any reference in this Act to the term general mining laws is a reference to those Acts that generally comprise chapters 2, 12A, and 16, and sections 161 and 162, of title 30, United States Code.

(2) Any reference in this Act to the Act of July 23, 1955, is a reference to the Act entitled ''An Act to amend the Act of July 31, 1947 (61 Stat. 681) and the mining laws to provide for multiple use of the surface of the same tracts of the public lands, and for other purposes'' (30 U.S.C. 601 et seq.).

SEC. 3. APPLICATION RULES.

(a) IN GENERAL.—This Act applies to any mining claim, millsite claim, or tunnel site claim located under the general mining laws, before, on, or after the date of enactment of this Act, except as provided in subsection (b).

(b) PREEXISTING CLAIMS.—(1) Any unpatented mining claim or millsite claim located under the general mining laws before the date of enactment of this Act for which a plan of operation has not been approved or a notice filed prior to the date of enactment shall, upon the effective date of this Act, be subject to the requirements of this Act, except as provided in paragraph (2).

(2)(A) If a plan of operations is approved for mineral activities on any claim or site referred to in paragraph (1) prior to the date of enactment of this Act but such operations have not commenced prior to the date of enactment of this Act—

(i) during the 10-year period beginning on the date of enactment of this Act, mineral activities at such claim or site shall be subject to such plan of operations;

(ii) during such 10-year period, modifications of any such plan may be made in accordance with the provisions of law applicable prior to the enactment of this Act if such modifications are deemed minor by the Secretary concerned; and

(iii) the operator shall bring such mineral activities into compliance with this Act by the end of such 10-year period.

(B) Where an application for modification of a plan of operations referred to in subparagraph (A)(ii) has been timely submitted and an approved plan expires prior to Secretarial action on the application, mineral activities and reclamation may continue in accordance with the terms of the expired plan until the Secretary makes an administrative decision on the application.

(c) FEDERAL LANDS SUBJECT TO EXISTING PERMIT.—(1) Any Federal land shall be subject to the requirements of section 101(a)(2) if the land is—

(A) subject to an operations permit; and

(B) producing valuable locatable minerals in commercial quantities prior to the date of enactment of this Act.

(2) Any Federal land added through a plan modification to an operations permit on Federal land that is submitted after the date of enactment of this Act shall be subject to the terms of section 101(a)(3).

(d) APPLICATION OF ACT TO BENEFICIATION AND PROCESSING OF NON-FEDERAL MINERALS ON FEDERAL LANDS.—The provisions of this Act shall apply in the same manner and to the same extent to mining claims, millsite claims, and tunnel site claims used for beneficiation or processing activities for any mineral without regard to whether or not the legal and beneficial title to the mineral is held by the United States. This subsection applies only to minerals that are locatable minerals or minerals that would be locatable minerals if the legal and beneficial title to such minerals were held by the United States.

TITLE I—MINERAL EXPLORATION AND DEVELOPMENT

SEC. 101. ROYALTY.

(a) RESERVATION OF ROYALTY.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subject to paragraph (3), production of all locatable minerals from any mining claim located under the general mining laws and maintained in compliance with this Act, or mineral concentrates or products derived from locatable minerals from any such mining claim, as the case may be, shall be subject to a royalty of 8 percent of the gross income from mining. The claim holder or any operator to whom the claim holder has assigned the obligation to make royalty payments under the claim and any person who controls such claim holder or operator shall be liable for payment of such royalties.

(2) ROYALTY FOR FEDERAL LANDS SUBJECT TO EXISTING PERMIT.—The royalty under

paragraph (1) shall be 4 percent in the case of any Federal land that—

(A) is subject to an operations permit on the date of the enactment of this Act; and

(B) produces valuable locatable minerals in commercial quantities on the date of enactment of this Act.

(3) FEDERAL LAND ADDED TO EXISTING OPERATIONS PERMIT.—Any Federal land added through a plan modification to an operations permit that is submitted after the date of enactment of this Act shall be subject to the royalty that applies to Federal land under paragraph (1).

(4) DEPOSIT.—Amounts received by the United States as royalties under this subsection shall be deposited into the Abandoned Mine Cleanup Fund established by section 201(a).

(b) DUTIES OF CLAIM HOLDERS, OPERATORS, AND TRANSPORTERS.—(1) A person—

(A) who is required to make any royalty payment under this section shall make such payments to the United States at such times and in such manner as the Secretary may by rule prescribe; and

(B) shall notify the Secretary, in the time and manner as may be specified by the Secretary, of any assignment that such person may have made of the obligation to make any royalty or other payment under a mining claim.

(2) Any person paying royalties under this section shall file a written instrument, together with the first royalty payment, affirming that such person is responsible for making proper payments for all amounts due for all time periods for which such person has a payment responsibility. Such responsibility for the periods referred to in the preceding sentence shall include any and all additional amounts billed by the Secretary and determined to be due by final agency or judicial action. Any person liable for royalty payments under this section who assigns any payment obligation shall remain jointly and severally liable for all royalty payments due for the claim for the period.

(3) A person conducting mineral activities shall—

(A) develop and comply with the site security provisions in the operations permit designed to protect from theft the locatable minerals, concentrates or products derived therefrom which are produced or stored on a mining claim, and such provisions shall conform with such minimum standards as the Secretary may prescribe by rule, taking into account the variety of circumstances on mining claims; and

(B) not later than the 5th business day after production begins anywhere on a mining claim, or production resumes after more than 90 days after production was suspended, notify the Secretary, in the manner prescribed by the Secretary, of the date on which such production has begun or resumed.

(4) The Secretary may by rule require any person engaged in transporting a locatable mineral, concentrate, or product derived therefrom to carry on his or her person, in his or her vehicle, or in his or her immediate control, documentation showing, at a minimum, the amount, origin, and intended destination of the locatable mineral, concentrate, or product derived therefrom in such circumstances as the Secretary determines is appropriate.

(c) RECORDKEEPING AND REPORTING REQUIREMENTS.—A claim holder, operator, or other person directly involved in developing, producing, processing, transporting, purchasing, or selling locatable minerals, concentrates, or products derived therefrom, subject to this Act, through the point of royalty computation shall establish and maintain any records, make any reports, and provide any information that the Secretary may reasonably require for the purposes of implementing this section or determining compliance with rules or orders under this section. Such records shall include, but not be limited to, periodic reports, records, documents, and other data. Such reports may also include, but not be limited to, pertinent technical and financial data relating to the quantity, quality, composition volume, weight, and assay of all minerals extracted from the mining claim. Upon the request of any officer or employee duly designated by the Secretary conducting an audit or investigation pursuant to this section, the appropriate records, reports, or information that may be required by this section shall be made available for inspection and duplication by such officer or employee. Failure by a claim holder, operator, or other person referred to in the first sentence to cooperate with such an audit, provide data required by the Secretary, or grant access to information may, at the discretion of the Secretary, result in involuntary forfeiture of the claim.

(d) AUDITS.—The Secretary is authorized to conduct such audits of all claim holders, operators, transporters, purchasers, processors, or other persons directly or indirectly involved in the production or sales of minerals covered by this Act, as the Secretary deems necessary for the purposes of ensuring compliance with the requirements of this section. For purposes of performing such audits, the Secretary shall, at reasonable times and upon request, have access to, and may copy, all books, papers and other documents that relate to compliance with any provision of this section by any person.

(e) COOPERATIVE AGREEMENTS.—(1) The Secretary is authorized to enter into cooperative agreements with the Secretary of Agriculture to share information concerning the royalty management of locatable minerals, concentrates, or products derived therefrom, to carry out inspection, auditing, investigation, or enforcement (not including the collection of royalties, civil or criminal penalties, or other payments) activities under this section in cooperation with the Secretary, and to carry out any other activity described in this section.

(2) Except as provided in paragraph (3) of this subsection (relating to trade secrets), and pursuant to a cooperative agreement, the Secretary of Agriculture shall, upon request, have access to all royalty accounting information in the possession of the Secretary respecting the production, removal, or sale of locatable minerals, concentrates, or products derived therefrom from claims on lands open to location under this Act.

(3) Trade secrets, proprietary, and other confidential information protected from disclosure under section 552 of title 5, United States Code, popularly known as the Freedom of Information Act, shall be made available by the Secretary to other Federal agencies as necessary to assure compliance with this Act and other Federal laws. The Secretary, the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, and other Federal officials shall ensure that such information is provided protection in accordance with the requirements of that section.

(f) INTEREST AND SUBSTANTIAL UNDERREPORTING ASSESSMENTS.—(1) In the case of mining claims where royalty payments are not received by the Secretary on the date that such payments are due, the Secretary shall charge interest on such underpayments at the same interest rate as the rate applicable under section 6621(a)(2) of the Internal Revenue Code of 1986. In the case of an underpayment, interest shall be computed and charged only on the amount of the deficiency and not on the total amount.

(2) If there is any underreporting of royalty owed on production from a claim for any production month by any person liable for royalty payments under this section, the Secretary shall assess a penalty of not greater than 25 percent of the amount of that underreporting.

(3) For the purposes of this subsection, the term ''underreporting'' means the difference between the royalty on the value of the production that should have been reported and the royalty on the value of the production which was reported, if the value that should have been reported is greater than the value that was reported.

(4) The Secretary may waive or reduce the assessment provided in paragraph (2) of this subsection if the person liable for royalty payments under this section corrects the underreporting before the date such person receives notice from the Secretary that an underreporting may have occurred, or before 90 days after the date of the enactment of this section, whichever is later.

(5) The Secretary shall waive any portion of an assessment under paragraph (2) of this subsection attributable to that portion of the underreporting for which the person responsible for paying the royalty demonstrates that—

(A) such person had written authorization from the Secretary to report royalty on the value of the production on basis on which it was reported;

(B) such person had substantial authority for reporting royalty on the value of the production on the basis on which it was reported;

(C) such person previously had notified the Secretary, in such manner as the Secretary may by rule prescribe, of relevant reasons or facts affecting the royalty treatment of specific production which led to the underreporting; or

(D) such person meets any other exception which the Secretary may, by rule, establish.

(6) All penalties collected under this subsection shall be deposited in the Abandoned Mine Cleanup Fund established by section 201(a).

(g) DELEGATION.—For the purposes of this section, the term ''Secretary'' means the Secretary of the Interior acting through the Director of the Minerals Management Service.

(h) EXPANDED ROYALTY OBLIGATIONS.—Each person liable for royalty payments under this section shall be jointly and severally liable for royalty on all locatable minerals, concentrates, or products derived therefrom lost or wasted from a mining claim located under the general mining laws and maintained in compliance with this Act when such loss or waste is due to negligence on the part of any person or due to the failure to comply with any rule, regulation, or order issued under this section.

(i) GROSS INCOME FROM MINING DEFINED.—For the purposes of this section, for any locatable mineral, the term ''gross income from mining'' has the same meaning as the term ''gross income'' in section 613(c) of the Internal Revenue Code of 1986.

(j) EFFECTIVE DATE.—The royalty under this section shall take effect with respect to the production of locatable minerals after the enactment of this Act, but any royalty payments attributable to production during the first 12 calendar months after the enactment of this Act shall be payable at the expiration of such 12-month period.

(k) FAILURE TO COMPLY WITH ROYALTY REQUIREMENTS.—Any person who fails to comply with the requirements of this section or any regulation or order issued to implement this section shall be liable for a civil penalty under section 109 of the Federal Oil and Gas Royalty Management Act (30 U.S.C. 1719) to

the same extent as if the claim located under the general mining laws and maintained in compliance with this Act were a lease under that Act.

SEC. 102. HARDROCK MINING CLAIM MAINTENANCE FEE.

(a) FEE.—

(1) Except as provided in section 2511(e)(2) of the Energy Policy Act of 1992 (relating to oil shale claims), for each unpatented mining claim, mill or tunnel site on federally owned lands, whether located before, on, or after enactment of this Act, each claimant shall pay to the Secretary, on or before August 31 of each year, a claim maintenance fee of $300 per claim to hold such unpatented mining claim, mill or tunnel site for the assessment year beginning at noon on the next day, September 1. Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 et seq.) and the related filing requirements contained in section 314(a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a) and (c)).

(2)(A) The claim maintenance fee required under this subsection shall be waived for a claimant who certifies in writing to the Secretary that on the date the payment was due, the claimant and all related parties—

(i) held not more than 10 mining claims, mill sites, or tunnel sites, or any combination thereof, on public lands; and

(ii) have performed assessment work required under the Mining Law of 1872 (30 U.S.C. 28 et seq.) to maintain the mining claims held by the claimant and such related parties for the assessment year ending on noon of September 1 of the calendar year in which payment of the claim maintenance fee was due.

(B) For purposes of subparagraph (A), with respect to any claimant, the term ''all related parties'' means—

(i) the spouse and dependent children (as defined in section 152 of the Internal Revenue Code of 1986), of the claimant; or

(ii) a person affiliated with the claimant, including—

(I) a person controlled by, controlling, or under common control with the claimant; or

(II) a subsidiary or parent company or corporation of the claimant.

(3)(A) The Secretary shall adjust the fees required by this subsection to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor every 5 years after the date of enactment of this Act, or more frequently if the Secretary determines an adjustment to be reasonable.

(B) The Secretary shall provide claimants notice of any adjustment made under this paragraph not later than July 1 of any year in which the adjustment is made.

(C) A fee adjustment under this paragraph shall begin to apply the calendar year following the calendar year in which it is made.

(4) Moneys received under this subsection that are not otherwise allocated for the administration of the mining laws by the Department of the Interior shall be deposited in the Abandoned Mine Cleanup Fund established by section 201(a).

(b) LOCATION.—

(1) Notwithstanding any provision of law, for every unpatented mining claim, mill or tunnel site located after the date of enactment of this Act and before September 30, 1998, the locator shall, at the time the location notice is recorded with the Bureau of Land Management, pay to the Secretary a location fee, in addition to the fee required by subsection (a) of $50 per claim.

(2) Moneys received under this subsection that are not otherwise allocated for the administration of the mining laws by the Department of the Interior shall be deposited in the Abandoned Mine Cleanup Fund established by section 201(a).

(c) TRANSFER.—

(1) Notwithstanding any provision of law, for every unpatented mining claim, mill, or tunnel site the ownership interest of which is transferred after the date of enactment of this Act, the transferee shall, at the time the transfer document is recorded with the Bureau of Land Management, pay to the Secretary a transfer fee, in addition to the fee required by subsection (a) of $100 per claim.

(2) Moneys received under this subsection that are not otherwise allocated for the administration of the mining laws by the Department of the Interior shall be deposited in the Abandoned Mine Cleanup Fund established by section 201(a).

(d) CO-OWNERSHIP.—The co-ownership provisions of the Mining Law of 1872 (30 U.S.C. 28 et seq.) will remain in effect except that the annual claim maintenance fee, where applicable, shall replace applicable assessment requirements and expenditures.

(e) FAILURE TO PAY.—Failure to pay the claim maintenance fee as required by subsection (a) shall conclusively constitute a forfeiture of the unpatented mining claim, mill or tunnel site by the claimant and the claim shall be deemed null and void by operation of law.

(f) OTHER REQUIREMENTS.—

(1) Nothing in this section shall change or modify the requirements of section 314(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(b)), or the requirements of section 314(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(c)) related to filings required by section 314(b) of that Act, which remain in effect.

(2) Section 2324 of the Revised Statutes of the United States (30 U.S.C. 28) is amended by inserting ''or section 102 of the Abandoned Mine Reclamation Act of 2008'' after ''Act of 1993,''.

SEC. 103. RECLAMATION FEE.

(a) IMPOSITION OF FEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), each operator of a hardrock minerals mining operation shall pay to the Secretary, for deposit in the Abandoned Mine Cleanup Fund established by section 201(a), a reclamation fee of 0.3 percent of the gross income of the hardrock minerals mining operation for each calendar year.

(2) EXCEPTION.—With respect to any calendar year required under subsection (b), an operator of a hardrock minerals mining operation shall not be required to pay the reclamation fee under paragraph (1) if—

(A) the gross annual income of the hardrock minerals mining operation for the calendar year is an amount less than $500,000; and

(B) the hardrock minerals mining operation is comprised of—

(i) 1 or more hardrock mineral mines located in a single patented claim; or

(ii) 2 or more contiguous patented claims.

(b) PAYMENT DEADLINE.—The reclamation fee shall be paid not later than 60 days after the end of each calendar year beginning with the first calendar year occurring after the date of enactment of this Act.

(c) DEPOSIT OF REVENUES.—Amounts received by the Secretary under subsection (a)(1) shall be deposited into the Abandoned Mine Cleanup Fund established by section 201(a).

(d) EFFECT.—Nothing in this section requires a reduction in, or otherwise affects, any similar fee required under any law (including regulations) of any State.

SEC. 104. EFFECT OF PAYMENTS FOR USE AND OCCUPANCY OF CLAIMS.

Timely payment of the claim maintenance fee required by section 102(a) of this Act or any related law relating to the use of Federal land, asserts the claimant's authority to use and occupy the Federal land concerned for prospecting and exploration, consistent with the requirements of this Act and other applicable law.

TITLE II—ABANDONED MINE CLEANUP FUND

SEC. 201. ESTABLISHMENT OF FUND.

(a) ESTABLISHMENT.—There is established on the books of the Treasury of the United States a separate account to be known as the Abandoned Mine Cleanup Fund (hereinafter in this title referred to as the ''Fund'').

(b) INVESTMENT.—The Secretary shall notify the Secretary of the Treasury as to what portion of the Fund is not, in the Secretary's judgment, required to meet current withdrawals. The Secretary of the Treasury shall invest such portion of the Fund in public debt securities with maturities suitable for the needs of such Fund and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketplace obligations of the United States of comparable maturities.

SEC. 202. CONTENTS OF FUND.

The following amounts shall be credited to the Fund:

(1) All donations by persons, corporations, associations, and foundations for the purposes of this title.

(2) All amounts deposited in the Fund under section 101 (relating to royalties and penalties for underreporting).

(3) All amounts received by the United States pursuant to section 102 as claim maintenance, location, and transfer fees minus the moneys allocated for administration of the mining laws by the Department of the Interior.

(4) All amounts received by the Secretary in accordance with section 103(a).

(5) All income on investments under section 201(b).

SEC. 203. USE AND OBJECTIVES OF THE FUND.

(a) IN GENERAL.—The Secretary is authorized, without further appropriation, to use moneys in the Fund for the reclamation and restoration of land and water resources adversely affected by past mineral activities on lands the legal and beneficial title to which resides in the United States, land within the exterior boundary of any national forest system unit, or other lands described in subsection (d), including any of the following:

(1) Protecting public health and safety.

(2) Preventing, abating, treating, and controlling water pollution created by abandoned mine drainage, including in river watershed areas.

(3) Reclaiming and restoring abandoned surface and underground mined areas.

(4) Reclaiming and restoring abandoned milling and processing areas.

(5) Backfilling, sealing, or otherwise controlling, abandoned underground mine entries.

(6) Revegetating land adversely affected by past mineral activities in order to prevent erosion and sedimentation, to enhance wildlife habitat, and for any other reclamation purpose.

(7) Controlling of surface subsidence due to abandoned underground mines.

(b) ALLOCATION.—Expenditures of moneys from the Fund shall reflect the following priorities in the order stated:

(1) The protection of public health and safety, from extreme danger from the adverse effects of past mineral activities, especially as relates to surface water and groundwater contaminants.

(2) The protection of public health and safety, from the adverse effects of past mineral activities.

(3) The restoration of land, water, and fish and wildlife resources previously degraded by the adverse effects of past mineral activities, which may include restoration activities in river watershed areas.

(c) HABITAT.—Reclamation and restoration activities under this title, particularly those identified under subsection (a)(4), shall include appropriate mitigation measures to provide for the continuation of any established habitat for wildlife in existence prior to the commencement of such activities.

(d) OTHER AFFECTED LANDS.—Where mineral exploration, mining, beneficiation, processing, or reclamation activities have been carried out with respect to any mineral which would be a locatable mineral if the legal and beneficial title to the mineral were in the United States, if such activities directly affect lands managed by the Bureau of Land Management as well as other lands and if the legal and beneficial title to more than 50 percent of the affected lands resides in the United States, the Secretary is authorized, subject to appropriations, to use moneys in the Fund for reclamation and restoration under subsection (a) for all directly affected lands.

(e) RESPONSE OR REMOVAL ACTIONS.—Reclamation and restoration activities under this title which constitute a removal or remedial action under section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601), shall be conducted with the concurrence of the Administrator of the Environmental Protection Agency. The Secretary and the Administrator shall enter into a Memorandum of Understanding to establish procedures for consultation, concurrence, training, exchange of technical expertise and joint activities under the appropriate circumstances, that provide assurances that reclamation or restoration activities under this title shall not be conducted in a manner that increases the costs or likelihood of removal or remedial actions under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and that avoid oversight by multiple agencies to the maximum extent practicable.

SEC. 204. ELIGIBLE LANDS AND WATERS.

(a) ELIGIBILITY.—Reclamation expenditures under this title may be made with respect to Federal, State, local, tribal, and private land or water resources that traverse or are contiguous to Federal, State, local, tribal, or private land where such lands or water resources have been affected by past mineral activities, including any of the following:

(1) Lands and water resources which were used for, or affected by, mineral activities and abandoned or left in an inadequate reclamation status before the effective date of this Act.

(2) Lands for which the Secretary makes a determination that there is no continuing reclamation responsibility of a claim holder, operator, or other person who abandoned the site prior to completion of required reclamation under State or other Federal laws.

(b) SPECIFIC SITES AND AREAS NOT ELIGIBLE.—The provisions of section 411(d) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(d)) shall apply to expenditures made from the Fund.

(c) INVENTORY.—

(1) IN GENERAL.—The Secretary shall prepare and maintain a publicly available inventory of abandoned locatable minerals mines on public lands and any abandoned mine on Indian lands that may be eligible for expenditures under this title, and shall deliver a yearly report to the Congress on the progress in cleanup of such sites.

(2) PRIORITY.—In preparing and maintaining the inventory described in paragraph (1), the Secretary shall give priority to abandoned locatable minerals mines in accordance with section 203(b).

(3) PERIODIC UPDATES.—Not later than 5 years after the date of enactment of this Act, and every 5 years thereafter, the Secretary shall update the inventory described in paragraph (1).

SEC. 205. EXPENDITURES.

Moneys available from the Fund may be expended for the purposes specified in section 203 directly by the Director of the Office of Surface Mining Reclamation and Enforcement. The Director may also make such money available for such purposes to the Director of the Bureau of Land Management, the Chief of the United States Forest Service, the Director of the National Park Service, or Director of the United States Fish and Wildlife Service, to any other agency of the United States, to an Indian tribe, or to any public entity that volunteers to develop and implement, and that has the ability to carry out, all or a significant portion of a reclamation program under this title.

SEC. 206. AVAILABILITY OF AMOUNTS.

Amounts credited to the Fund shall—

(1) be available, without further appropriation, for obligation and expenditure; and

(2) remain available until expended.

TITLE III—EFFECTIVE DATE

SEC. 301. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act, except as otherwise provided in this Act.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 2751. A bill to facilitate foreign investment by permanently reauthorizing the EB–5 regional center program, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am introducing legislation to strengthen and make permanent the Regional Center pilot program at the U.S. Citizenship and Immigration Services, USCIS. l am pleased that Senator SPECTER has joined me in this effort, and I commend him for his recognition of this program's importance. The Regional Center program has had tremendous success in creating American jobs and infusing investment capital into many economically challenged areas across the country, and I urge all Senators to join us in building upon this success.

The Regional Center pilot program was created in 1993 by the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act. In 1993, I worked to reauthorize the program for an additional five years as part of the Basic Pilot Program Extension and Expansion Act. The Regional Center pilot program is set to expire in September of 2008. Should Congress fail to act before then, millions of dollars in capital and thousands of potential American jobs will be forfeited. The legislation I introduce today would make this pilot program permanent, and would make other important changes to strengthen its solid foundation.

The Regional Center program allows a regional governmental agency or private enterprise within a State to apply for designation as a Regional Center through USCIS. This designation allows the enterprise to recruit foreign investors to a discrete project or projects, and provides USCIS with an additional layer of screening against immigration fraud. The process for a foreign citizen to gain legal permanent residence through the Regional Center program is a rigorous one. Prior to applying to invest in a Regional Center, a foreign investor must pledge a minimum of $500,000 and independently apply for an EB–5 visa through USCIS, which solely determines the potential investor's eligibility for a visa. If approved, the investor is given a 2-year conditional green card. At the end of the conditional period and in order to continue legal residence in the United States, the investor must demonstrate that his or her investment created a minimum of 10 jobs within the Regional Center, and that his or her investment was fully obligated to the targeted project.

This program's continuation promises a bright future for job creation and capital investment in participating communities. The Regional Center program has resulted in millions of dollars of direct investment and the creation of thousands of jobs in the U.S. Moreover, foreign investment serves to attract additional domestic private sector capital, further increasing the program's beneficial economic effects. There are 17 Regional Centers across the country—and several more with pending applications—which manage investments in a diverse range of projects from energy production to resort development. Making this successful program permanent will provide significant economic benefits to participating States at no cost to the taxpayer.

My home State of Vermont has benefited tremendously from this program, with foreign investments committed to local projects ranging in the millions of dollars. As a result of these ongoing developments, many new jobs are being created for Vermont's residents. For example, two of Vermont's premier ski resorts are active participants in this program, and have been successful in attracting foreign investment to help make ambitious development projects a reality. In a rural State like Vermont, which depends heavily on tourism and its natural resources, the Regional Center program has been instrumental in supporting projects that take advantage of Vermont's natural beauty and outdoor recreation opportunities.

In addition to making the Regional Center program permanent, the bill also makes a number of other improvements to ensure its efficiency and to accommodate expected expansion. The bill provides a premium processing option for potential investors, allowing expedited processing for an additional fee to USCIS, as well as concurrent processing of a potential investor's application for designation as an immigrant investor and his or her adjustment of status application to obtain

conditional permanent residency. Finally, the bill creates a $2,500 fee for those domestic entities applying for Regional Center status, and directs USCIS to re-invest this additional revenue back into the Regional Center program to allow the agency to accommodate future growth in the program.

Because the pilot program is set to expire in 2008, potential investors are feeling a chill stemming from uncertainty about the Regional Center Program's future. Permanently authorizing this program will create certainty and predictability for potential investors interested in the numerous projects currently in development across the country. This non-controversial program has enjoyed broad bipartisan support, and I strongly believe that we would do well to increase American job creation and capital investment by matching American ingenuity with the desire of those who seek not only to invest in the U.S., but who seek to share in our country's promise as eventual citizens.

In a time of severe economic turbulence, and in an era where Americans are witnessing the outsourcing of too many good jobs overseas, this bill builds upon a proven record of success and encourages investment and job creation in the States and local communities of our Nation.

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. 2751

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 ''State Foreign Investment Improvement Act''.

SEC. 2. PERMANENT REAUTHORIZATION OF EB–5 REGIONAL CENTER PROGRAM; APPLICATION FEE.

(a) IN GENERAL.—Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking ''pilot'' each place it appears;

(2) in subsection (b), by striking ''for 15 years''; and

(3) by adding at the end the following:

''(e) In addition to any other fees authorized by law, the Secretary of Homeland Security shall impose a fee of $2,500 to apply for designation as a regional center under this section. Fees collected under this subsection shall be deposited in the Treasury in accordance with section 286(w) of the Immigration and Nationality Act (8 U.S.C. 1356(w)).''.

(b) ESTABLISHMENT OF ACCOUNT; USE OF FEES.—Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) IMMIGRANT ENTREPRENEUR REGIONAL CENTER ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'Immigrant Entrepreneur Regional Center Account'. Notwithstanding any other provision of law, there shall be deposited as offsetting receipts into the account all fees collected under section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note).

''(2) USE OF FEES.—Fees collected under this section may only be used by the Secretary of Homeland Security to administer and operate the EB–5 immigrant investor program.''.

(c) RULEMAKING.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall prescribe regulations to implement the amendments made by this section.

(d) EFFECTIVE DATE.—The amendments made by subsections (a)(3) and (b) shall take effect on the effective date of the regulations prescribed pursuant to subsection (c).

SEC. 3. PREMIUM PROCESSING FEE FOR EB–5 IMMIGRANT INVESTORS.

(a) IN GENERAL.—Section 286(u) of the Immigration and Nationality Act (8 U.S.C. 1356(u)) is amended by striking ''$1,000,'' and inserting ''$1,000 per petition. If the petition is filed under section 203(b)(5), the fee shall be set at $2,000 and may only be used by the Secretary of Homeland Security to administer and operate the EB–5 immigrant investor program. Fees collected under this subsection''.

(b) RULEMAKING.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall prescribe regulations to implement the amendment made by subsection (a).

SEC. 4. CONCURRENT FILING OF EB–5 PETITIONS AND APPLICATIONS FOR ADJUSTMENT OF STATUS.

Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by adding at the end the following:

''(n) If, at the time a petition is filed for classification through a regional center under section 203(b)(5), approval of the petition would make a visa immediately available to the alien beneficiary, the alien beneficiary's adjustment application under this section shall be considered to be properly filed whether the application is submitted concurrently with, or subsequent to, the visa petition.''.

Mr. SPECTER. Mr. President, I seek recognition to speak on the State Foreign Investment Improvement Act, which I am cosponsoring with Senator LEAHY. This bill will make permanent the Immigrant Investor Pilot Program, an innovative and successful program which has been in existence for 15 years. Under this program, State and local governments, and private entities, are able to apply to the U.S. Citizenship and Immigration Service for ''regional center'' status which enables them to attract the job-creating dollars of immigrant investor visa holders.

The immigrant investor visa—known as the EB–5 visa—was created in 1990 and grants lawful permanent residency to individuals willing to invest at least $1 million in an enterprise that directly employs at least 10 legal workers in the United States. In certain rural or high-unemployment areas, however, the dollar amount is reduced to at least $500,000, though the job-creation requirements remain the same.

In 1992, to stimulate interest in these immigrant investor visas, Congress created the Immigrant Investor Pilot Program. By investing in the designated ''regional centers'' instead of creating their own enterprises or partnerships, immigrant investors can meet the job-creation requirements of their visas more easily, since they need only show the indirect creation of 10 jobs through a ''regional center.'' Otherwise, an immigrant investor would have to show that his or her investment directly created the jobs.

The Immigrant Investor Pilot Program has proven to be an attractive option for potential immigrant investors, being chosen by an estimated 75 percent to 80 percent of all immigrant investors since its inception. Indeed, in my home state of Pennsylvania, the two regional centers—one in western Pennsylvania and one in Philadelphia—have generated millions of dollars in foreign investment. However, this program is set to expire at the end of the 2008 fiscal year.

The Immigrant Investor Pilot Program has thus become a vital component of the immigrant investor visa, a category of visa whose benefits are difficult to overstate. The Government Accountability Office estimates that immigrant investors were responsible for over $1 billion in job-creating investments between 1992 and mid-2004. These investments have aided enterprises as diverse as the growth of dairy and meat-packing industries in South Dakota and improvements to the shipyard in Philadelphia. However, the most important contribution of the immigrant investor visa has been the creation of jobs within the United States. And in this aim, the immigrant investor visa has been very successful, creating jobs in the thousands.

In addition to preserving the current successful status quo of the Immigrant Investor Pilot Program by making it permanent, this bill makes minor improvements to the immigrant investor visa application procedure. It establishes an application fee for entities seeking designation as a ''regional center'' under the Pilot Program, and it provides premium processing fees for immigrant investor applications. Both of these fees will enable the U.S. Citizenship and Immigration Service to devote more resources to adjudicating these applications rapidly. Finally, this bill allows for concurrent filing of the immigrant investor petition and application for adjustment to lawful permanent resident, thereby providing for a shorter processing time for ''regional center'' applicants.

Last November, the Wall Street Journal stated that the immigrant investor visa is ''pumping millions of dollars from foreign investors into dilapidated inner cities and employment-starved rural areas across the U.S.'' At a time when Congress is weighing how it will address economic instability, it would be unwise to neglect such an economically beneficial program. Accordingly, I am pleased to co-sponsor this piece of legislation with Senator LEAHY and I urge my colleagues to support it.

By Mr. SMITH (for himself and Mr. DURBIN):

S. 2752. A bill to authorize the President to award grants to improve the capacity of nongovernmental organizations and individuals in foreign countries to provide appropriate mental disability and mental trauma care training, and for other purposes; to the Committee on Foreign Relations.

Mr. SMITH. Mr. President, I rise today to congratulate an inspiring young man, Brian McCarthy. Brian is a student at Liberty High School in Hillsboro, Oregon, and was this year's third place finalist in the prestigious Intel Science Talent Search. He was selected from over 1600 students and is the recipient of a $50,000 scholarship. The Science Talent Search is lauded as the ''junior Nobel Prize'' and America's oldest and most prestigious research competition for high school seniors.

Brian's award winning chemistry project focused on solar cells. During his lab work, Brian synthesized extremely thin and fragile films of plant-like materials found in nature. What he discovered is a polymer that could potentially act as a less expensive option to today's silicon-based solar cell technology.

It is no surprise that Brian is first in his class of 293. However, his interests and abilities span a wide gamut, including being a member of the varsity track and field team, volunteering with the community emergency response team, and studying aviation history.

Brian and his peers from the Science Talent Search are an inspiration and give me hope for the future of our country. Congratulations to the McCarthy family. I can only imagine what heights this young Oregonian will reach.

By Mr. WYDEN (for himself, Mr. ENZI, Mr. WICKER, Mr. WARNER, and Mr. WHITEHOUSE):

S.J. Res. 29. A joint resolution expressing Congressional support for the goals and ideals of National Health Care Decisions Day; to the Committee on Health, Education, Labor, and Pensions.

Mr. WYDEN. Mr. President, it is not easy talking to a family member or loved one about what kind of medical care you'd want or not want at the end of your life. Yet every day family members are making medical care decisions for seriously ill people who cannot speak for themselves. Most family members with relatives who had executed advance directives find comfort in knowing that the hard decisions they may need to make about end-of-life care will reflect the wishes of the ill relative. End-of-life planning is a gift to the people who are important to you and to yourself.

Americans are talking a lot more about the topic of advance directives than they used to and are also doing something about it by preparing written advance directives. Advance directives come in two main forms. The first is a ''health care power of attorney'' in which someone is designated to be your voice in health decisions if you can not speak for yourself. The second is a ''living will'' which states what types of medical care you would want or not want at the end of life. Most married people have had a conversation with a husband or wife about end of life medical care and most people have spoken with one or both older parents about the topic. Research has found that people who have had to make decisions about medical care at the end of life for others are more likely to make end of life plans for themselves. They have learned how important it is to make a plan. Congress helped to get the advance directives conversation going with the Patient Self-Determination Act. This law directed Medicare-participating health care facilities to engage patient and staff in a discussion of end of life wishes. Since 1990 when the Patient Self-Determination Act was passed, the percentage of Americans who have made a living will has more than doubled from 12 percent to 29 percent.

Yet more conversation is needed. The National Health Care Decisions Day will help promote that conversation. National Health Care Decisions Day will be a 50-state annual event to increase knowledge and awareness of the importance of advance directives for all Americans. At this year's annual event on April 16, 2008, a coordinated series of activities across the U.S. will encourage Americans to discuss their wishes for end-of-life care and then fill out documents that reflect those wishes. The National Heath Care Decisions Day is supported by many of our distinguished local, state, and national health care organizations.

This joint Senate-House resolution: supports the goals and ideals of National Health Care Decisions Day and the importance of advance care planning, encourages health care, civic, educational, religious and other organizations to encourage individuals to use advance directives, and asks all Americans, including members of Congress, to prepare advance directives for themselves. The Senate resolution is cosponsored by Senators ENZI, WICKER, WARNER, and WHITEHOUSE. A companion House resolution will be introduced by Congressman PHIL GINGREY, M.D. I encourage my congressional colleagues to support this resolution. I also ask you to begin or continue the dialogue about end-of-life issues with family members and to complete written advance directives.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 29

Whereas National Health Care Decisions Day is designed to raise public awareness of the need to plan ahead for health care decisions related to end-of-life care and medical decision-making whenever patients are unable to speak for themselves and to encourage the specific use of advance directives to communicate these important decisions;

Whereas the Patient Self-Determination Act (42 U.S.C. 1395cc(f) et seq.) guarantees patients the right to information about their rights under State law regarding accepting or refusing medical treatment;

Whereas it is estimated that only a minority of Americans have executed advance directives, including those who are terminally ill or living with life-threatening or life-limiting illnesses;

Whereas advance directives offer individuals the opportunity to discuss with loved ones in advance of a health care crisis and decide what measures would be appropriate for them when it comes to end-of-life care;

Whereas, the preparation of an advance directive would advise family members, health care providers, and other persons as to how an individual would want to be treated with respect to health care;

Whereas, to avoid any legal or medical confusion due to the emotions involved in end-of-life decisions, it is in the best interest of all Americans that each person over the age of 18 communicate his or her wishes by creating an advance directive;

Whereas the Conditions of Participation in Medicare and Medicaid, section 489.102 of title 42, Code of Federal Regulations (as in effect on the date of enactment of this resolution), require all participating facilities to provide information to patients and the public on the topic of advance directives;

Whereas the Centers for Medicare & Medicaid Services has recognized that the use of advance directives is tied to quality health care and has included discussions of advance directives in the criteria of the Physician Quality Reporting Initiative;

Whereas establishing National Health Care Decisions Day will encourage health care facilities and professionals as well as chaplains, attorneys, and others to participate in a collective, nationwide effort to provide clear, concise, and consistent information to the public about health care decision-making, particularly advance directives; and

Whereas as a result of National Health Care Decisions Day, recognized on April 16, 2008, more Americans will have conversations about their health care decisions, more Americans will execute advance directives to make their wishes known, and fewer families and health care providers will have to struggle with making difficult health care decisions in the absence of guidance from the patient: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) supports the goals and ideals of National Health Care Decisions Day;

(2) supports the goals and ideals of advance care planning for all adult Americans;

(3) encourages each person in the United States who is over the age of 18 to prepare an advance directive to assist his or her loved ones, health care providers, and others as they honor his or her wishes;

(4) calls upon all members of Congress to execute such documents and discussions for themselves; and

(5) encourages health care, civic, educational, religious, and for- and non-profit organizations to encourage individuals to prepare advance directives to ensure that their wishes and rights with respect to health care are protected.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 480—RECOGNIZING THE STRATEGIC IMPORTANCE OF THE AFRICAN CONTINENT AND WELCOMING THE ESTABLISHMENT OF AFRICOM, AND FOR OTHER PURPOSES

Mr. INHOFE (for himself, Mr. MARTINEZ, Mr. BROWNBACK, Mr. HAGEL, Mr. ALLARD, Mr. ISAKSON, Mr. WARNER, Mr. VOINOVICH, Mr. HATCH, Mrs. DOLE, and Mr. CHAMBLISS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 480

Whereas the United States provides nearly $9 billion in assistance to Africa each year, with programs ranging from providing humanitarian relief to strengthening health and education systems, breaking down trade barriers and promoting economic development, combating corruption and other illicit activities, and promoting critical democratic, judicial, and human rights reforms;

Whereas the United States also provides significant resources to promote security on the African continent, particularly through programs such as the Global Peace Operations Initiative (GPOI), the African Contingency Operations Training and Assistance (ACOTA) program, the Trans-Sahara Counter-Terrorism Partnership (TSCTP), Anti-Terrorism Assistance (ATA), International Military Education and Training (IMET) and Enhanced International Military and Training (E–IMET) programs, Foreign Military Financing (FMF), Contributions to International Peacekeeping (CIPA), International Narcotics Control and Law Enforcement programs, and Non-Proliferation Antiterrorism, Demining, and related programs;

Whereas United States military and security assistance programs in Africa represent approximately 3 percent of the United States' total $9 billion aid and development package for Africa;

Whereas in 2003, the Armed Forces of the United States were instrumental in helping to bring stability to war-torn Liberia;

Whereas roughly 2,000 members of the United States Armed Forces currently are stationed at Camp Lemonier in Djibouti as part of the Combined Joint Task Force—Horn of Africa (CJTF–HOA) to promote regional stability and prevent conflict in the region;

Whereas the African continent faces unique development and security challenges requiring unique United States policy approaches;

Whereas development and prosperity in Africa are inextricably linked to peace and stability;

Whereas the Department of Defense historically has divided Africa among three separate combatant commands: the U.S. European Command, the U.S. Central Command and the U.S. Pacific Command;

Whereas in February 2007, the President announced his decision to create a unified command for Africa, the U.S. Africa Command, or ''AFRICOM'', to provide a more holistic approach toward United States military relations, programs, and activities on the continent under a single headquarters staff;

Whereas the stated purpose of AFRICOM is to ''promote U.S. National Security objectives by working with African states and regional organizations to help strengthen stability and security,'' while simultaneously streamlining United States security assistance programs and eliminating bureaucratic divisions;

Whereas pursuant to that objective, AFRICOM will seek to ''[build] partnership capacities, [conduct] theater security cooperation, [build] important counter-terrorism skills and, as appropriate, [support] U.S. Government agencies in implementing other programs that promote regional stability'';

Whereas unlike other commands, AFRICOM's structure will include a military commander and a civilian deputy, and is expected to include civilian personnel from a variety of Federal departments and agencies, including staff detailed from the Department of State and the United States Agency for International Development (USAID) to contribute to the command's planning and to ensure that its activities are ''compatible and integrated'' with other United States Government efforts;

Whereas AFRICOM is expected to support, not shape, United States foreign policy in Africa;

Whereas AFRICOM serves as an important acknowledgment of the strategic importance of the African continent, as well as an opportunity to help African nations and regional institutions build a safe and secure environment in which they can prosper;

Whereas communicating the purposes of AFRICOM to African governments and citizens is an important challenge;

Whereas AFRICOM was formally established in Stuttgart, Germany, on October 1, 2007; and

Whereas AFRICOM is expected to reach full operating capacity by October 1, 2008: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the strategic importance of the African continent and welcomes the establishment of the U.S. Africa Command (AFRICOM) in Stuttgart, Germany, on October 1, 2007, toward that end;

(2) urges the Department of Defense, the Department of State, and USAID to work collaboratively and consult with African partners to address any concerns regarding conception or implementation of AFRICOM's mandate, including through rigorous public diplomacy; and

(3) encourages African nations to take advantage of the opportunity which AFRICOM represents to collaborate in promoting peace and stability on the continent.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4186. Mr. BUNNING (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.; which was ordered to lie on the table.

SA 4187. Mr. BUNNING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4188. Mr. BUNNING (for himself, Mr. NELSON, of Nebraska, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4189. Mr. GREGG (for Mr. SPECTER (for himself and Mr. CRAIG)) proposed an amendment to the concurrent resolution S. Con . Res. 70, supra.

SA 4190. Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4191. Mr. KYL (for himself and Mr. HATCH) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4192. Mr. BUNNING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4193. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4194. Mrs. LINCOLN (for herself, Ms. SNOWE, Ms. MIKULSKI, Mr. PRYOR, Mr. BIDEN, Mrs. CLINTON , Mr. LIEBERMAN, and Mr. VOINOVICH) submitted an amendment intended to be proposed by her to the concurrent resolution S . Con. Res. 70, supra.

SA 4195. Mrs. LINCOLN (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4196. Mr. CONRAD (for Mr. SALAZAR) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4197. Mr. KOHL (for himself, Mr. DOMENICI, Mrs. LINCOLN, Mr. WHITEHOUSE, Mr. BINGAMAN, Mrs. CLINTON, Mr. COLEMAN, Ms. STABENOW, Mr. LEVIN, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4198. Mr. DORGAN (for himself, Mr. BINGAMAN, Mr. JOHNSON, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra.

SA 4199. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4200. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4201. Mr. DODD (for himself, Ms. COLLINS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4202. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4203. Mr. GREGG (for Mr. SPECTER (for himself, Mr. HARKIN, Ms. SNOWE, Ms. COLLINS, Mr. CASEY, Mr. KENNEDY, Mrs. DOLE, Ms. MIKULSKI, Mrs. CLINTON, Mr. LEVIN, Mr. SUNUNU, Mr. DODD, Mr . INOUYE, Mr. BROWN, Mr. MENENDEZ, Ms. STABENOW, Mr. COLEMAN, Mr. KERRY, Mr. DURBIN , Mr. STEVENS, Mr. SMITH, Mr. BINGAMAN, Mr. COCHRAN, Mr. CARDIN, Mr. ROCKEFELLER, Mr. OBAMA, Mrs. LINCOLN, and Mr. LAUTENBERG)) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4204. Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4205. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4206. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4207. Mr. ALEXANDER (for himself and Mr. DOMENICI) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4208. Mrs. DOLE (for herself, Mr. GRASSLEY, and Mr. VITTER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4209. Ms. COLLINS (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4210. Mr. LAUTENBERG (for himself and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4211. Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4212. Mr. NELSON, of Nebraska (for himself, Mr. VOINOVICH, Mr. BAUCUS, Ms. KLOBUCHAR, Mr. DURBIN, Mr. NELSON, of Florida, Mr. SCHUMER, Mr. CONRAD, Ms. STABENOW, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 70, supra; which was ordered to lie on the table.

SA 4213. Mr. ISAKSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4214. Mr. ENZI (for himself, Mr. BARRASSO, Mr. BINGAMAN, Mr. DOMENICI, Mr. BAUCUS, Mr. TESTER, Mr. SALAZAR, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 70, supra; which was ordered to lie on the table.

SA 4215. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4216. Mr. ENZI (for himself, Mr. BURR, and Mr. HATCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4217. Mr. BUNNING (for himself, Mr. NELSON, of Nebraska, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4218. Mr. SANDERS (for himself, Mrs. CLINTON, Mr. KENNEDY, Mr. HARKIN, Ms. MIKULSKI, Mr. SCHUMER, Mr. BROWN, Mr. DURBIN, Mr. LEVIN, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4219. Ms. STABENOW (for herself and Mr. VOINOVICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4220. Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4221. Mr. SUNUNU proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4222. Mr. ALEXANDER (for himself and Mr. INHOFE) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4223. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4224. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4225. Mrs. FEINSTEIN (for herself, Mr. CORNYN, Mrs. BOXER, Mr. SCHUMER, Mrs. CLINTON, and Mr. BINGAMAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4226. Mr. PRYOR (for himself, Ms. COLLINS, Mr. INOUYE, Mr. OBAMA, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. SCHUMER, Mr. DURBIN, Mr. NELSON, of Florida, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 70, supra; which was ordered to lie on the table.

SA 4227. Mr. REID (for Mrs. CLINTON (for herself and Mr. WARNER)) submitted an amendment intended to be proposed by Mr. Reid to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4228. Mr. MARTINEZ (for himself, Mr. INHOFE, Mr. BARRASSO, and Mr. CRAIG) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4229. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4230. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, Mr. HARKIN, Mr. BOND, Ms. CANTWELL, Mr. BIDEN, Mr. BROWN, Mrs. CLINTON, Mr. BINGAMAN, Mr. INHOFE, Mr. OBAMA, Mr. COLEMAN, Ms. COLLINS, Mr. DURBIN, Mr. ISAKSON, Mr. KERRY, Mrs. LINCOLN, Mr. FEINGOLD, and Mr. BURR) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 70, supra; which was ordered to lie on the table.

SA 4231. Mr. SESSIONS (for himself, Mr. VITTER, Mr. DEMINT, and Mrs. DOLE) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4232. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4233. Mr. ALLARD (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4234. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4235. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4236. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4237. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4238. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4239. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4240. Mr. ENSIGN (for himself, Mr. GRAHAM, Mr. BUNNING, Mr. ENZI, Mr. DEMINT, and Mr. GREGG) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4241. Mr. ENSIGN (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4242. Mr. CORNYN (for himself and Mr. HATCH) proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4243. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4244. Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4245. Mr. BIDEN (for himself, Mr. LUGAR, Mrs. FEINSTEIN, Mr. SMITH, Mr. DURBIN, Mr. SUNUNU, Mr. DODD, Mr. MARTINEZ, Mr. MENENDEZ, Ms. SNOWE, Mr. KERRY, Ms. COLLINS, Mr. LEVIN, Mr. VOINOVICH, Mr. OBAMA, Mr. CORKER, Mr. LEAHY, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4246. Mr. ALLARD proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4247. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4248. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4249. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4250. Mr. KOHL (for himself, Mr. DOMENICI, Mrs. LINCOLN, Mr. WHITEHOUSE, Mr. BINGAMAN, Mrs. CLINTON, Mr. COLEMAN, Ms. STABENOW, Mr. LEVIN, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4251. Ms. CANTWELL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4252. Mr. BROWN (for himself, Mr. CASEY, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4253. Mr. DODD (for himself, Mr. HATCH, Mr. SCHUMER, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4254. Mr. DODD (for himself, Ms. COLLINS, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4255. Mr. KOHL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4256. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4257. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4258. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4259. Mr. MENENDEZ proposed an amendment to the concurrent resolution S. Con. Res. 70, supra.

SA 4260. Mr. REID (for Mrs. CLINTON) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4261. Mr. GRASSLEY (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4262. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4263. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4264. Mr. COLEMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4265. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4266. Ms. SNOWE (for herself, Ms. COLLINS, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4267. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4268. Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4269. Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4270. Mr. LEAHY (for himself, Mr. KENNEDY, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4271. Mr. KENNEDY (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4272. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4273. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4274. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4275. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4276. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4277. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4278. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4279. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4280. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4281. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4282. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4283. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

SA 4284. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4186. Mr. BUNNING (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. ___. CIRCUIT BREAKER TO PROTECT SOCIAL SECURITY.

(a) CIRCUIT BREAKER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit (excluding Social Security) for the budget year or any subsequent fiscal year covered by those projections, then the concurrent resolution on the budget for the budget year shall reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years, and shall include such provisions as are necessary to protect Social Security and facilitate deficit reduction, except it shall not contain any reduction in Social Security benefits.

(b) POINT OF ORDER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any conference report thereon that fails to reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years.

(c) AMENDMENTS TO BUDGET RESOLUTION.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider an amendment to a concurrent resolution on the budget that would increase on-budget deficits relative to the concurrent resolution on the budget in any fiscal year covered by that concurrent resolution on the budget or cause the budget to fail to achieve on-budget balance within 5 years.

(d) SUSPENSION OF REQUIREMENT DURING WAR OR LOW ECONOMIC GROWTH.—

(1) LOW GROWTH.—If the most recent of the Department of Commerce's advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth (as measured by the real gross domestic product) for each of the most recently reported quarter and the immediately preceding quarter is less than zero percent, this section is suspended.

(2) WAR.—If a declaration of war is in effect, this section is suspended.

(e) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsections (b) and (c) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(f) BUDGET YEAR.—In this section, the term ''budget year'' shall have the same meaning as in section 250(c)(12) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 4187. Mr. BUNNING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, decrease the amount by $0.

On page 3, line 11, decrease the amount by $14,300,000,000.

On page 3, line 12, decrease the amount by $15,600,000,000.

On page 3, line 13, decrease the amount by $17,500,000,000.

On page 3, line 14, decrease the amount by $19,800,000,000.

On page 3, line 15, decrease the amount by $21,600,000,000.

On page 3, line 19, decrease the amount by $0.

On page 3, line 20, decrease the amount by $14,300,000,000.

On page 3, line 21, decrease the amount by $15,600,000,000.

On page 3, line 22, decrease the amount by $17,500,000,000.

On page 3, line 23, decrease the amount by $19,800,000,000.

On page 3, line 24, decrease the amount by $21,600,000,000.

On page 27, line 12, decrease the amount by $0.

On page 27, line 13, decrease the amount by $0.

On page 27, line 16, decrease the amount by $14,300,000,000.

On page 27, line 17, decrease the amount by $14,300,000,000.

On page 27, line 20, decrease the amount by $15,600,000,000.

On page 27, line 21, decrease the amount by $15,600,000,000.

On page 27, line 24, decrease the amount by $17,500,000,000.

On page 27, line 25, decrease the amount by $17,500,000,000.

On page 28, line 3, decrease the amount by $19,800,000,000.

On page 28, line 4, decrease the amount by $19,800,000,000.

On page 28, line 7, decrease the amount by $21,600,000,000.

On page 28, line 8, decrease the amount by $21,600,000,000.

SA 4188. Mr. BUNNING (for himself, Mr. NELSON of Nebraska, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal

years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, decrease the amount by $0.
On page 3, line 11, decrease the amount by $0.
On page 3, line 12, decrease the amount by $0.
On page 3, line 13, decrease the amount by $200,000,000.
On page 3, line 14, decrease the amount by $700,000,000.
On page 3, line 15, decrease the amount by $700,000,000.
On page 3, line 19, decrease the amount by $0.
On page 3, line 20, decrease the amount by $0.
On page 3, line 21, decrease the amount by $0.
On page 3, line 22, decrease the amount by $200,000,000.
On page 3, line 23, decrease the amount by $700,000,000.
On page 3, line 24, decrease the amount by $700,000,000.
On page 27, line 12, decrease the amount by $0.
On page 27, line 13, decrease the amount by $0.
On page 27, line 16, decrease the amount by $0.
On page 27, line 17, decrease the amount by $0.
On page 27, line 20, decrease the amount by $0.
On page 27, line 21, decrease the amount by $0.
On page 27, line 24, decrease the amount by $200,000,000.
On page 27, line 25, decrease the amount by $200,000,000.
On page 28, line 3, decrease the amount by $700,000,000.
On page 28, line 4, decrease the amount by $700,000,000.
On page 28, line 7, decrease the amount by $700,000,000.
On page 28, line 8, decrease the amount by $700,000,000.

SA 4189. Mr. GREGG (for Mr. SPECTER (for himself and Mr. CRAIG)) proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 3, line 10, decrease the amount by $4,700,000,000.
On page 3, line 11, decrease the amount by $25,600,000,000.
On page 3, line 12, decrease the amount by $51,000,000,000.
On page 3, line 13, decrease the amount by $47,300,000,000.
On page 3, line 14, decrease the amount by $26,100,000,000.
On page 3, line 15, decrease the amount by $30,500,000,000.
On page 3, line 19, decrease the amount by $4,700,000,000.
On page 3, line 20, decrease the amount by $25,600,000,000.
On page 3, line 21, decrease the amount by $51,000,000,000.
On page 3, line 22, decrease the amount by $47,300,000,000.
On page 3, line 23, decrease the amount by $26,100,000,000.
On page 3, line 24, decrease the amount by $30,500,000,000.
On page 4, line 4, increase the amount by $36,190,000.
On page 4, line 5, increase the amount by $441,680,000.
On page 4, line 6, increase the amount by $2,133,860,000.
On page 4, line 7, increase the amount by $4,798,780,000.
On page 4, line 8, increase the amount by $6,988,760,000.
On page 4, line 9, increase the amount by $8,794,210,000.
On page 4, line 13, increase the amount by $36,190,000.
On page 4, line 14, increase the amount by $441,680,000.
On page 4, line 15, increase the amount by $2,133,860,000.
On page 4, line 16, increase the amount by $4,798,780,000.
On page 4, line 17, increase the amount by $6,988,760,000.
On page 4, line 18, increase the amount by $8,794,210,000.
On page 4, line 22, increase the amount by $4,736,190,000.
On page 4, line 23, increase the amount by $26,041,680,000.
On page 4, line 24, increase the amount by $53,133,860,000.
On page 4, line 25, increase the amount by $52,098,780,000.
On page 5, line 1, increase the amount by $33,088,760,000.
On page 5, line 2, increase the amount by $39,294,210,000.
On page 5, line 7, increase the amount by $4,736,190,000.
On page 5, line 8, increase the amount by $30,777,870,000.
On page 5, line 9, increase the amount by $83,911,730,000.
On page 5, line 10, increase the amount by $136,010,510,000.
On page 5, line 11, increase the amount by $169,099,270,000.
On page 5, line 12, increase the amount by $208,393,480,000.
On page 5, line 15, increase the amount by $4,736,190,000.
On page 5, line 16, increase the amount by $30,777,870,000.
On page 5, line 17, increase the amount by $83,911,730,000.
On page 5, line 18, increase the amount by $136,010,510,000.
On page 5, line 19, increase the amount by $169,099,270,000.
On page 5, line 20, increase the amount by $208,393,480,000.
On page 26, line 12, increase the amount by $36,190,000.
On page 26, line 13, increase the amount by $36,190,000.
On page 26, line 16, increase the amount by $441,680,000.
On page 26, line 17, increase the amount by $441,680,000.
On page 26, line 20, increase the amount by $2,133,860,000.
On page 26, line 21, increase the amount by $2,133,860,000.
On page 26, line 24, increase the amount by $4,798,780,000.
On page 26, line 25, increase the amount by $4,798,780,000.
On page 27, line 3, increase the amount by $6,988,760,000.
On page 27, line 4, increase the amount by $6,988,760,000.
On page 27, line 7, increase the amount by $8,794,210,000.
On page 27, line 8, increase the amount by $8,794,210,000.

SA 4190. Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

At the end of Title III, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE ALTERNATIVE MINIMUM TAX FOR INDIVIDUALS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reinstate the pre-1993 rates for the alternative minimum tax for individuals, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4191. Mr. KYL (for himself and Mr. HATCH) proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 3, line 12, decrease the amount by $500,000,000.
On page 3, line 13, decrease the amount by $19,500,000,000.
On page 3, line 14, decrease the amount by $18,600,000,000.
On page 3, line 15, decrease the amount by $19,900,000,000.
On page 3, line 21, decrease the amount by $500,000,000.
On page 3, line 22, decrease the amount by $19,500,000,000.
On page 3, line 23, decrease the amount by $18,600,000,000.
On page 3, line 24, decrease the amount by $19,900,000,000.
On page 4, line 6, increase the amount by $11,000,000.
On page 4, line 7, increase the amount by $499,000,000.
On page 4, line 8, increase the amount by $1,453,000,000.
On page 4, line 9, increase the amount by $2,468,000,000.
On page 4, line 15, increase the amount by $11,000,000.
On page 4, line 16, increase the amount by $499,000,000.
On page 4, line 17, increase the amount by $1,453,000,000.
On page 4, line 18, increase the amount by $2,468,000,000.
On page 4, line 24, increase the amount by $511,000,000.
On page 4, line 25, increase the amount by $19,999,000,000.
On page 5, line 1, increase the amount by $20,053,000,000.
On page 5, line 2, increase the amount by $22,368,000,000.
On page 5, line 9, increase the amount by $511,000,000.
On page 5, line 10, increase the amount by $20,509,000,000.
On page 5, line 11, increase the amount by $40,563,000,000.
On page 5, line 12, increase the amount by $62,930,000,000.
On page 5, line 17, increase the amount by $511,000,000.
On page 5, line 18, increase the amount by $20,509,000,000.
On page 5, line 19, increase the amount by $40,563,000,000.

On page 5, line 20, increase the amount by $62,930,000,000.
On page 26, line 20, increase the amount by $11,000,000.
On page 26, line 21, increase the amount by $11,000,000.
On page 26, line 24, increase the amount by $499,000,000.
On page 26, line 25, increase the amount by $499,000,000.
On page 27, line 3, increase the amount by $1,453,000,000.
On page 27, line 4, increase the amount by $1,453,000,000.
On page 27, line 7, increase the amount by $2,468,000,000.
On page 27, line 8, increase the amount by $2,468,000,000.

SA 4192. Mr. BUNNING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.; as follows:

On page 3, line 11, decrease the amount by $14,300,000,000.
On page 3, line 12, decrease the amount by $15,600,000,000.
On page 3, line 13, decrease the amount by $17,500,000,000.
On page 3, line 14, decrease the amount by $19,800,000,000.
On page 3, line 15, decrease the amount by $21,600,000,000.
On page 3, line 20, decrease the amount by $14,300,000,000.
On page 3, line 21, decrease the amount by $15,600,000,000.
On page 3, line 22, decrease the amount by $17,500,000,000.
On page 3, line 23, decrease the amount by $19,800,000,000.
On page 3, line 24, decrease the amount by $21,600,000,000.
On page 4, line 5, decrease the amount by $14,300,000,000.
On page 4, line 6, decrease the amount by $15,600,000,000.
On page 4, line 7, decrease the amount by $17,500,000,000.
On page 4, line 8, decrease the amount by $19,800,000,000.
On page 4, line 9, decrease the amount by $21,600,000,000.
On page 4, line 14, decrease the amount by $14,300,000,000.
On page 4, line 15, decrease the amount by $15,600,000,000.
On page 4, line 16, decrease the amount by $17,500,000,000.
On page 4, line 17, decrease the amount by $19,800,000,000.
On page 4, line 18, decrease the amount by $21,600,000,000.
On page 27, line 16, decrease the amount by $14,300,000,000.
On page 27, line 17, decrease the amount by $14,300,000,000.
On page 27, line 20, decrease the amount by $15,600,000,000.
On page 27, line 21, decrease the amount by $15,600,000,000.
On page 27, line 24, decrease the amount by $17,500,000,000.
On page 27, line 25, decrease the amount by $17,500,000,000.
On page 28, line 3, decrease the amount by $19,800,000,000.
On page 28, line 4, decrease the amount by $19,800,000,000.
On page 28, line 7, decrease the amount by $21,600,000,000.
On page 28, line 8, decrease the amount by $21,600,000,000.

SA 4193. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.; which was ordered to lie on the table; as follows:

On page 19, line 16, increase the amount by $2,000,000.
On page 19, line 17, increase the amount by $1,000,000.
On page 19, line 21, increase the amount by $1,000,000.
On page 27, line 16, decrease the amount by $2,000,000.
On page 27, line 17, decrease the amount by $1,000,000.
On page 27, line 21, decrease the amount by $1,000,000.

SA 4194. Mrs. LINCOLN (for herself, Ms. SNOWE, Ms. MIKULSKI, Mr. PRYOR, Mr. BIDEN, Mrs. CLINTON, Mr. LIEBERMAN, and Mr. VOINOVICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.; as follows:

On page 23, line 16, increase the amount by $50,000,000.
On page 23, line 17, increase the amount by $44,000,000.
On page 23, line 21, increase the amount by $5,000,000.
On page 23, line 25, increase the amount by $1,000,000.
On page 27, line 16, decrease the amount by $50,000,000.
On page 27, line 17, decrease the amount by $44,000,000.
On page 27, line 21, decrease the amount by $5,000,000.
On page 27, line 25, decrease the amount by $1,000,000.

SA 4195. Mrs. LINCOLN (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.; which was ordered to lie on the table; as follows:

On page 69, after line 25, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR REDUCING INCOME THRESHOLD FOR REFUNDABLE CHILD TAX CREDIT TO $10,000 WITH NO INFLATION ADJUSTMENT.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would reduce the income threshold for the refundable child tax credit under section 24 of the Internal Revenue Code of 1986 to $10,000 for taxable years 2009 and 2010 with no inflation adjustment, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4196. Mr. CONRAD (for Mr. SALAZAR) proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

At the end of Title III, insert the following:

SEC. . ESTATE TAX REFORM INITIATIVE.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to $45,000,000,000 in tax relief over the period of the total of the fiscal years 2008 through 2013 for additional estate tax reforms that address the current flaws in the estate tax law, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4197. Mr. KOHL (for himself, Mr. DOMENICI, Mrs. LINCOLN, Mr. WHITEHOUSE, Mr. BINGAMAN, Mrs. CLINTON, Mr. COLEMAN, Ms. STABENOW, Mr. LEVIN, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR 3-YEAR EXTENSION OF PILOT PROGRAM FOR NATIONAL AND STATE BACKGROUND CHECKS ON DIRECT PATIENT ACCESS EMPLOYEES OF LONG-TERM CARE FACILITIES OR PROVIDERS.

If the Senate Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides for a 3-year extension of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers under section 307 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395aa note) and removes the limit on the number of participating States under such pilot program, the Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution by the amounts provided in such legislation for those purposes up to $160,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4198. Mr. DORGAN (for himself, Mr. BINGAMAN, Mr. JOHNSON, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal

years 2008 and 2010 through 2013; as follows:

On page 19, line 16, increase the amount by $1,000,000,000.

On page 19, line 17, increase the amount by $915,000,000.

On page 19, line 21, increase the amount by $70,000,000.

On page 19, line 25, increase the amount by $10,000,000.

On page 20, line 4, increase the amount by $5,000,000.

On page 27, line 16, decrease the amount by $1,000,000,000.

On page 27, line 17, decrease the amount by $915,000,000.

On page 27, line 21, decrease the amount by $70,000,000.

On page 27, line 25, decrease the amount by $10,000,000.

On page 28, line 4, decrease the amount by $5,000,000.

SA 4199. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 50, line 20, insert ", reinstatement of expired tax relief, such as enhanced charitable giving from individual retirement accounts, including life-income gifts," after "expiring tax relief".

SA 4200. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 57, line 12, insert "for 5 years" after "to extend".

SA 4201. Mr. DODD (for himself, Ms. COLLINS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 69, after line 255, add the following:

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR PROVISION OF CRITICAL RESOURCES TO FIREFIGHTERS AND FIRE DEPARTMENTS.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide firefighters and fire departments with critical resources under the Assistance to Firefighters Grant and the Staffing for Adequate Fire and Emergency Response Firefighters Grant of the Federal Emergency Management Agency, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4202. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR THE CONSOLIDATION OF HIGHER EDUCATION TAX BENEFITS INTO A NEW HIGHER EDUCATION OPPORTUNITY CREDIT.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would consolidate higher education tax benefits into a new higher education opportunity credit which is allowed for up to 3 students per taxpayer for any year, which is allowed with respect to 4 years of education, and a portion of which is refundable for individuals serving in the Armed Forces after September 11, 2001, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4203. Mr. GREGG (for Mr. SPECTER (for himself, Mr. HARKIN, Ms. COLLINS, Ms. SNOWE, Mr. CASEY, Mr. KENNEDY, Mrs. DOLE, Ms. MIKULSKI, Mrs. CLINTON, Mr. LEVIN, Mr. SUNUNU, Mr. DODD, Mr. INOUYE, Mr. BROWN, Mr. MENENDEZ, Ms. STABENOW, Mr. COLEMAN, Mr. KERRY, Mr. DURBIN, Mr. STEVENS, Mr. SMITH, Mr. BINGAMAN, Mr. COCHRAN, Mr. CARDIN, Mr. ROCKEFELLER, Mr. OBAMA, Mrs. LINCOLN, and Mr. LAUTENBERG)) proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 19, line 16, increase the amount by $2,100,000,000.

On page 19, line 17, increase the amount by $2,100,000,000.

On page 21, line 16, increase the amount by $1,000,000,000.

On page 21, line 17, increase the amount by $700,000,000.

On page 21, line 21, increase the amount by $280,000,000.

On page 21, line 25, increase the amount by $20,000,000.

On page 27, line 16, decrease the amount by $3,100,000,000.

On page 27, line 17, decrease the amount by $2,800,000,000.

On page 27, line 21, decrease the amount by $280,000,000.

On page 27, line 25, decrease the amount by $20,000,000.

SA 4204. Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

At the end of Title III, insert the following:

SEC. . DEFICIT–NEUTRAL RESERVE FUND FOR REPEALING THE 1993 INCREASE IN THE INCOME TAX ON SOCIAL SECURITY BENEFITS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would repeal the 1993 increase in the income tax on Social Security benefits, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4205. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by $5,000,000.

On page 13, line 14, increase the amount by $5,000,000.

On page 27, line 16, decrease the amount by $5,000,000.

On page 27, line 17, decrease the amount by $5,000,000.

SA 4206. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by $50,000,000.

On page 13, line 14, increase the amount by $50,000,000.

On page 27, line 16, decrease the amount by $50,000,000.

On page 27, line 17, decrease the amount by $50,000,000.

SA 4207. Mr. ALEXANDER (for himself and Mr. DOMENICI) proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

At the end of title III, add the following:

SEC. 3_____. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ENERGY EFFICIENCY AND PRODUCTION.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would encourage—

(1) consumers to replace old conventional wood stoves with new clean wood, pellet, or

corn stoves certified by the Environmental Protection Agency;

(2) consumers to install smart electricity meters in homes and businesses;

(3) the capture and storage of carbon dioxide emissions from coal projects;

(4) the development of oil and natural gas resources beneath the outer Continental Shelf; and

(5) the development of oil shale resources on public land pursuant to section 369(d) of the Energy Policy Act of 2005 (42 U.S.C. 15927(d)), without regard to section 433 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Public Law 110–161).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4208. Mr. DOLE (for herself, Mr. GRASSLEY, and Mr. VITTER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by $75,000,000.

On page 24, line 17, increase the amount by $60,000,000.

On page 24, line 21, increase the amount by $7,500,000.

On page 24, line 25, increase the amount by $7,500,000.

On page 27, line 16, decrease the amount by $75,000,000.

On page 27, line 17, decrease the amount by $60,000,000.

On page 27, line 21, decrease the amount by $7,500,000.

On page 27, line 25, decrease the amount by $7,500,000.

SA 4209. Ms. COLLINS (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 57, line 13, after ''resources,'' insert ''the biodiesel production tax credit, or''

On page 57, line 14, after ''program,'' insert ''to provide a tax credit for clean burning wood stoves, a tax credit for production of cellulosic ethanol, a tax credit for plug-in hybrid vehicles,''

On page 57, line 16, after ''plants'' insert ''Tax legislation under this section may be paid for by adjustments to Sections 167(h) and 263(c) of the Internal Revenue Code of 1986 as it relates to major integrated oil companies.''

SA 4210. Mr. LAUTENBERG (for himself and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 56, line 12, insert ''rail (including high-speed passenger rail), airport, seaport,'' after ''transit''.

SA 4211. Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 17, line 14, increase the amount by $141,000,000.

On page 17, line 15, increase the amount by $92,000,000.

On page 17, line 19, increase the amount by $24,000,000.

On page 17, line 23, increase the amount by $20,000,000.

On page 18, line 3, increase the amount by $5,000,000.

On page 27, line 16, decrease the amount by $141,000,000.

On page 27, line 17, decrease the amount by $92,000,000.

On page 27, line 21, decrease the amount by $24,000,000.

On page 27, line 25, decrease the amount by $20,000,000.

On page 28, line 4, decrease the amount by $5,000,000.

SA 4212. Mr. NELSON of Nebraska (for himself, Mr. VOINOVICH, Mr. BAUCUS, Ms. KLOBUCHAR, Mr. DURBIN, Mr. NELSON of Florida, Mr. SCHUMER, Mr. CONRAD, Ms. STABENOW, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 16, line 9, increase the amount by $3,500,000,000.

On page 16, line 10, increase the amount by $3,500,000,000.

On page 27, line 12, decrease the amount by $3,500,000,000.

On page 27, line 13, decrease the amount by $3,500,000,000.

SA 4213. Mr. ISAKSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 52, strike line 3 through line 7, and insert the following:

or other sources, or provide a Federal income tax credit in an amount not to exceed $15,000 equally divided among 3 taxable years to the purchaser of a qualified principal residence that is—

(1) a new previously unoccupied residence for which the building permit is issued and construction begins on or before September 1, 2007, but only if such residence is purchased by the taxpayer directly from the person to whom such building permit was issued;

(2) an owner-occupied residence with respect to which the owner's acquisition indebtedness is in default on or before March 1, 2008; or

(3) a single-family residence with respect to which a foreclosure event has taken place and which is owned by the mortgagor or the mortgagor's agent, but only if such residence was occupied as a principal residence by the mortgagee for at least 1 year prior to the foreclosure event;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4214. Mr. ENZI (for himself, Mr. BARRASSO, Mr. BINGAMAN, Mr. DOMENICI, Mr. BAUCUS, Mr. TESTER, Mr. SALAZAR, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3_____. DEFICIT-NEUTRAL RESERVE FUND TO TERMINATE DEDUCTIONS FROM MINERAL REVENUE PAYMENTS TO STATES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would terminate the authority to deduct certain amounts from mineral revenues payable to States under the second undesignated paragraph of the matter under the heading ''ADMINISTRATIVE PROVISIONS'' under the heading ''MINERALS MANAGEMENT SERVICE'' of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2109).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4215. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3_____. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ANIMAL HEALTH AND DISEASE PROGRAM.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference

report that would ensure that the animal health and disease program established under section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is fully funded.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4216. Mr. ENZI (for himself, Mr. BURR, and Mr. HATCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING UNITED STATES HIV TREATMENT PROGRAMS.

(a) FINDINGS.—The Senate finds that—

(1) it has been over 25 years since AIDS was first recognized as an epidemic in the United States;

(2) since we first recognized AIDS, it has become the greatest public health challenge of the last two decades;

(3) globally there have been more than 22,000,000 AIDS related deaths, 500,000 in the United States alone;

(4) today in America, there are 1,000,000 individuals living with HIV/AIDS, according to the Centers for Disease Control and Prevention;

(5) more African Americans, women, and individuals in rural areas (especially in the South) are infected and dying from HIV than ever before;

(6) according to the Centers for Disease Control and Prevention, African Americans account for more AIDS diagnoses, individuals estimated to be living with AIDS, and HIV-related deaths than any other racial or ethnic group in the United States;

(7) the percentage of AIDS diagnoses occurring among African Americans has risen from 25 percent in 1985 to approximately 50 percent in 2004 according to the Centers for Disease Control and Prevention;

(8) according to the Centers for Disease Control and Prevention, the rate of AIDS diagnoses for black adults and adolescents was 10 times the rate for whites and nearly 3 times the rate for Hispanics;

(9) the rate of AIDS diagnoses for black men was 8 times the rate for white men according to the Centers for Disease Control and Prevention;

(10) early in the epidemic, HIV infection and AIDS were diagnosed for relatively few women;

(11) today, the HIV/AIDS epidemic represents a growing and persistent health threat to women in the United States, especially young women and women of color, according to the Centers for Disease Control and Prevention;

(12) according to the Centers for Disease Control and Prevention, women accounted for 27 percent of new AIDS cases in 2004;

(13) of these women newly diagnosed with AIDS, 67 percent were African Americans and 15 percent were Latin;

(14) the only diseases causing more deaths of women were cancer and heart disease, according to the Centers for Disease Control and Prevention;

(15) according to a recent Centers for Disease Control and Prevention study, women were slightly less likely than men to receive prescriptions for the most effective treatments for HIV infection;

(16) an estimated 4,128 women with AIDS died, representing 25 percent of individuals with AIDS who died in the United States, according to the Centers for Disease Control and Prevention;

(17) according to the Centers for Disease Control and Prevention, women with AIDS made up an increasing part of the epidemic;

(18) in 1992, women accounted for an estimated 14 percent of adults and adolescents living with AIDS in the United States;

(19) by the end of 2005, the proportion described in paragraph (18) had grown to 23 percent;

(20) women of color are particularly at risk for AIDS, according to the Centers for Disease Control and Prevention;

(21) data from the 2005 census show that together, black and Hispanic women represent 24 percent of all United States women with AIDS;

(22) however, black and Hispanic women accounted for 82 percent of the estimated total of AIDS diagnoses for women in 2005;

(23) the rate of AIDS diagnoses for black women was nearly 23 times the rate for white women, according to the Centers for Disease Control and Prevention;

(24) the HIV epidemic is moving to the South, with seven of the States with the 10 highest AIDS case rates now located in the South;

(25) in the Government Accountability Office's analysis of the Ryan White formulas, the Office determined that counting HIV cases would mean that Southern grantees would generally have received more funding;

(26) the Kaiser Family Foundation recently reported that the number of AIDS cases in the United States rose by 1 percent between 2000 and 2001 and 9 percent in the South, while AIDS cases fell by 8 percent in the Northeast;

(27) while only 36 percent of the United States population lives in the South, 40 percent of all people living with AIDS and 46 percent of new AIDS cases live in the Southern region;

(28) according to the Health Resources and Services Administration, 531,000 individuals each year receive at least one medical, health, or related support service from a Ryan White HIV/AIDS Program provider;

(29) in recognition of the changing face of AIDS in the United States, after deliberation for more a year, the Committee on Health, Education, Labor, and Pensions of the Senate reported out a bill to revamp the funding formulas for the domestic care program (Ryan White) on December 6, 2006, by a unanimous vote;

(30) the Senate passed the Ryan White revised funding formula changes by unanimous consent on December 6, 2006, and in doing so, the Senate reaffirmed that Federal resources for HIV/AIDS should go to where the epidemic is today and will be tomorrow, not where it was a decade ago;

(31) the House of Representatives passed the Ryan White revised funding changes on December 9, 2006, unanimously;

(32) the President reaffirmed his commitment to providing care for those with HIV when he signed the newly revised funding formulas to Ryan White on December 19, 2006;

(33) the Senate reaffirmed its commitment to the Ryan White funding formulas with an amendment to the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008 (H.R. 3043, 110th Congress) on October 23, 2007;

(34) the Ryan White amendment referred to in paragraph (33) was accepted by the Senate by a roll call vote of 65-28; and

(35) that amendment stated that ''[n]otwithstanding any other provision of law, no funds shall be made available under this Act to modify the HIV/AIDS funding formulas under title XXVI of the Public Health Service Act''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Senate acknowledges that the face of HIV is changing and that funding formulas for care programs should recognize the changing demographics of the disease domestically;

(2) the Senate supports the Ryan White program, authorized under title XXVI of the Public Health Service Act, and reaffirms that this program makes the right care and treatment possible for low-income, uninsured and under-insured men, women, children, and youth with no other way to meet their medical care and support needs; and

(3) the Senate reaffirms that Federal resources for HIV/AIDS should go to where the epidemic is today and will be tomorrow, not where it was a decade ago, by following the newly authorized Ryan White funding formulas.

SA 4217. Mr. BUNNING (for himself, Mr. NELSON of Nebraska, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 13, decrease the amount by $200,000,000.

On page 3, line 14, decrease the amount by $700,000,000.

On page 3, line 15, decrease the amount by $700,000,000.

On page 3, line 22, decrease the amount by $200,000,000.

On page 3, line 23, decrease the amount by $700,000,000.

On page 3, line 24, decrease the amount by $700,000,000.

On page 4, line 7, decrease the amount by $200,000,000.

On page 4, line 8, decrease the amount by $700,000,000.

On page 4, line 9, decrease the amount by $700,000,000.

On page 4, line 16, decrease the amount by $200,000,000.

On page 4, line 17, decrease the amount by $700,000,000.

On page 4, line 18, decrease the amount by $700,000,000.

On page 27, line 24, decrease the amount by $200,000,000.

On page 27, line 25, decrease the amount by $200,000,000.

On page 28, line 3, decrease the amount by $700,000,000.

On page 28, line 4, decrease the amount by $700,000,000.

On page 28, line 7, decrease the amount by $700,000,000.

On page 28, line 8, decrease the amount by $700,000,000.

SA 4218. Mr. SANDERS (for himself, Mrs. CLINTON, Mr. KENNEDY, Mr. HARKIN, Ms. MIKULSKI, Mr. SCHUMER, Mr. BROWN, Mr. DURBIN, Mr. LEVIN, and Mr. CASEY) submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 11, increase the amount by $10,800,000,000.
On page 3, line 12, increase the amount by $16,600,000,000.
On page 3, line 13, increase the amount by $5,100,000,000.
On page 3, line 20, increase the amount by $10,800,000,000.
On page 3, line 21, increase the amount by $16,600,000,000.
On page 3, line 22, increase the amount by $5,100,000,000.
On page 4, line 5, increase the amount by $9,800,000,000.
On page 4, line 6, increase the amount by $15,600,000,000.
On page 4, line 7, increase the amount by $4,100,000,000.
On page 4, line 14, increase the amount by $4,196,000,000.
On page 4, line 15, increase the amount by $11,966,000,000.
On page 4, line 16, increase the amount by $9,443,000,000.
On page 4, line 17, increase the amount by $3,187,000,000.
On page 4, line 18, increase the amount by $708,000,000.
On page 4, line 23, decrease the amount by $6,604,000,000.
On page 4, line 24, decrease the amount by $4,634,000,000.
On page 4, line 25, increase the amount by $4,343,000,000.
On page 5, line 1, increase the amount by $3,187,000,000.
On page 5, line 2, increase the amount by $708,000,000.
On page 5, line 8, decrease the amount by $6,604,000,000.
On page 5, line 9, decrease the amount by $11,238,000,000.
On page 5, line 10, decrease the amount by $6,895,000,000.
On page 5, line 11, decrease the amount by $3,708,000,000.
On page 5, line 12, decrease the amount by $3,000,000,000.
On page 5, line 16, decrease the amount by $6,604,000,000.
On page 5, line 17, decrease the amount by $11,238,000,000.
On page 5, line 18, decrease the amount by $6,895,000,000.
On page 5, line 19, decrease the amount by $3,708,000,000.
On page 5, line 20, decrease the amount by $3,000,000,000.
On page 18, line 16, increase the amount by $6,200,000,000.
On page 18, line 17, increase the amount by $1,244,000,000.
On page 18, line 20, increase the amount by $9,800,000,000.
On page 18, line 21, increase the amount by $6,766,000,000.
On page 18, line 24, increase the amount by $2,000,000,000.
On page 18, line 25, increase the amount by $6,459,000,000.
On page 19, line 4, increase the amount by $2,843,000,000.
On page 19, line 8, increase the amount by $688,000,000.
On page 21, line 16, increase the amount by $3,600,000,000.
On page 21, line 17, increase the amount by $2,952,000,000.
On page 21, line 20, increase the amount by $5,800,000,000.
On page 21, line 21, increase the amount by $5,200,000,000.
On page 21, line 24, increase the amount by $2,100,000,000.
On page 21, line 25, increase the amount by $2,984,000,000.
On page 22, line 4, increase the amount by $344,000,000.
On page 22, line 8, increase the amount by $20,000,000.
On page 32, line 10, increase the amount by $8,600,000,000.
On page 32, line 11, increase the amount by $2,996,000,000.

SA 4219. Ms. STABENOW (for herself and Mr. VOINOVICH)) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 50, line 21, insert ''and incentivizing utilization of accumulated alternative minimum tax and research and development credits'' after ''refundable tax relief''.

SA 4220. Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by $12,000,000.
On page 13, line 14, increase the amount by $11,000,000.
On page 13, line 18, increase the amount by $1,000,000.
On page 27, line 16, decrease the amount by $12,000,000.
On page 27, line 17, decrease the amount by $11,000,000.
On page 27, line 21, decrease the amount by $1,000,000.

SA 4221. Mr. SUNUNU proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 62, between lines 3 and 4, insert the following:

(3) ELECTRONIC PRESCRIBING.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote the deployment and use of electronic prescribing technologies through financial incentives, including grants and bonus payments, and potential adjustments in the Medicare reimbursement mechanisms for physicians, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4222. Mr. ALEXANDER (for himself and Mr. INHOFE) proposed an amendment to the concurren resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 4, line 14, decrease the amount by $583,000.
On page 4, line 15, increase the amount by $415,000.
On page 4, line 16, increase the amount by $134,000.
On page 4, line 17, increase the amount by $34,000.
On page 4, line 23, decrease the amount by $583,000.
On page 4, line 24, increase the amount by $415,000.
On page 4, line 25, increase the amount by $134,000.
On page 5, line 1, increase the amount by $34,000.
On page 5, line 8, decrease the amount by $583,000.
On page 5, line 9, decrease the amount by $168,000.
On page 5, line 10, decrease the amount by $34,000.
On page 5, line 16, decrease the amount by $583,000.
On page 5, line 17, decrease the amount by $168,000.
On page 5, line 18, decrease the amount by $34,000.
On page 18, line 16, increase the amount by $670,000.
On page 18, line 17, increase the amount by $20,000.
On page 18, line 21, increase the amount by $482,000.
On page 18, line 25, increase the amount by $134,000.
On page 19, line 4, increase the amount by $34,000.
On page 24, line 16, decrease the amount by $670,000.
On page 24, line 17, decrease the amount by $603,000.
On page 24, line 21, decrease the amount by $67,000.

SA 4223. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by $15,000,000.
On page 13, line 14, increase the amount by $4,000,000.
On page 13, line 18, increase the amount by $5,000,000.
On page 13, line 22, increase the amount by $3,000,000.
On page 14, line 1, increase the amount by $2,000,000.
On page 14, line 5, increase the amount by $1,000,000.
On page 27, line 16, decrease the amount by $15,000,000.
On page 27, line 17, decrease the amount by $4,000,000.
On page 27, line 21, decrease the amount by $5,000,000.
On page 27, line 25, decrease the amount by $3,000,000.
On page 28, line 4, decrease the amount by $2,000,000.

On page 28, line 8, decrease the amount by $1,000,000.

SA 4224. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by $314,000,000.
On page 13, line 14, increase the amount by $79,000,000.
On page 13, line 18, increase the amount by $110,000,000.
On page 13, line 22, increase the amount by $63,000,000.
On page 14, line 1, increase the amount by $31,000,000.
On page 14, line 5, increase the amount by $16,000,000.
On page 27, line 16, decrease the amount by $314,000,000.
On page 27, line 17, decrease the amount by $79,000,000.
On page 27, line 21, decrease the amount by $110,000,000.
On page 27, line 25, decrease the amount by $63,000,000.
On page 28, line 4, decrease the amount by $31,000,000.
On page 28, line 8, decrease the amount by $16,000,000.

SA 4225. Mrs. FEINSTEIN (for herself, Mr. CORNYN, Mrs. BOXER, Mr. SCHUMER, Mrs. CLINTON, and Mr. BINGAMAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by $533,000,000.
On page 24, line 17, increase the amount by $117,000,000.
On page 24, line 21, increase the amount by $160,000,000.
On page 24, line 25, increase the amount by $107,000,000.
On page 25, line 4, increase the amount by $80,000,000.
On page 25, line 8, increase the amount by $69,000,000.
On page 27, line 16, decrease the amount by $533,000,000.
On page 27, line 17 decrease the amount by $117,000,000.
On page 27, line 21, decrease the amount by $160,000,000.
On page 27, line 25, decrease the amount by $107,000,000.
On page 28, line 4, decrease the amount by $80,000,000.
On page 28, line 8, decrease the amount by $69,000,000.
At the end of the resolution, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR REIMBURSING STATES FOR THE COSTS OF HOUSING UNDOCUMENTED CRIMINAL ALIENS.

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would reimburse States and units of local government for costs incurred to house undocumented criminal aliens, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4226. Mr. PRYOR (for himself, Ms. COLLINS, Mr. INOUYE, Mr. OBAMA, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. SCHUMER, Mr. DURBIN, Mr. NELSON of Florida, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 19, line 16, $10,000,000.
On page 19, line 17, $9,000,000.
On page 19, line 21, $1,000,000.
On page 27, line 16, $10,000,000.
On page 27, line 17, $9,000,000.
On page 27, line 21, $1,000,000.

SA 4227. Mr. REID (for Mrs. CLINTON (for herself and Mr. WARNER)) submitted an amendment intended to be proposed by Mr. Reid to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 18, line 16, increase the amount by $53,000,000.
On page 18, line 17, increase the amount by $34,000,000.
On page 18, line 21, increase the amount by $17,000,000.
On page 18, line 25, increase the amount by $2,000,000.
On page 27, line 16, decrease the amount by $53,000,000.
On page 27, line 17, decrease the amount by $34,000,000.
On page 27, line 21, decrease the amount by $17,000,000.
On page 27, line 25, decrease the amount by $2,000,000.

SA 4228. Mr. MARTINEZ (for himself, Mr. INHOFE, Mr. BARRASSO, and Mr. CRAIG) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 11, decrease the amount by $63,000,000.
On page 3, line 12, decrease the amount by $239,000,000.
On page 3, line 13, decrease the amount by $484,000,000.
On page 3, line 14, decrease the amount by $687,000,000.
On page 3, line 15, decrease the amount by $780,000,000.
On page 3, line 20, decrease the amount by $63,000,000.
On page 3, line 21, decrease the amount by $239,000,000.
On page 3, line 22, decrease the amount by $484,000,000.
On page 3, line 23, decrease the amount by $687,000,000.
On page 3, line 24, decrease the amount by $780,000,000.
On page 4, line 5, decrease the amount by $63,000,000.
On page 4, line 6, decrease the amount by $239,000,000.
On page 4, line 7, decrease the amount by $484,000,000.
On page 4, line 8, decrease the amount by $687,000,000.
On page 4, line 9, decrease the amount by $780,000,000.
On page 4, line 14, decrease the amount by $63,000,000.
On page 4, line 15, decrease the amount by $239,000,000.
On page 4, line 16, decrease the amount by $484,000,000.
On page 4, line 17, decrease the amount by $687,000,000.
On page 4, line 18, decrease the amount by $780,000,000.
On page 27, line 16, decrease the amount by $63,000,000.
On page 27, line 17, decrease the amount by $63,000,000.
On page 27, line 20, decrease the amount by $239,000,000.
On page 27, line 21, decrease the amount by $239,000,000.
On page 27, line 24, decrease the amount by $484,000,000.
On page 27, line 25, decrease the amount by $484,000,000.
On page 28, line 3, decrease the amount by $687,000,000.
On page 28, line 4, decrease the amount by $687,000,000.
On page 28, line 7, decrease the amount by $780,000,000.
On page 28, line 8, decrease the amount by $780,000,000.

SA 4229. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR THE ESTABLISHMENT OF STATE INTERNET SITES FOR THE DISCLOSURE OF INFORMATION RELATING TO PAYMENTS MADE UNDER THE STATE MEDICAID PROGRAM.

If the Senate Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides for States to disclose, through a publicly accessible Internet site, each hospital, nursing facility, outpatient surgery center, intermediate care facility for the mentally retarded, institution for mental diseases, or other institutional provider that receives payment under the State Medicaid program, the total amount paid to each such provider each fiscal year, the number of patients treated by each such provider, and the amount of dollars paid per patient to each such provider, and provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Senate Committee on the Budget may make the

appropriate adjustments in the allocations and aggregates to reflect such legislation if any such measure would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

SA 4230. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, Mr. HARKIN, Mr. BOND, Ms. CANTWELL, Mr. BIDEN, Mr. BROWN, Mrs. CLINTON, Mr. BINGAMAN, Mr. INHOFE, Mr. OBAMA, Mr. COLEMAN, Ms. COLLINS, Mr. DURBIN, Mr. ISAKSON, Mr. KERRY, Mrs. LINCOLN, Mr. FEINGOLD, and Mr. BURR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by $386,000,000.

On page 24, line 17, increase the amount by $85,000,000.

On page 24, line 21, increase the amount by $116,000,000.

On page 24, line 25, increase the amount by $77,000,000.

On page 25, line 4, increase the amount by $58,000,000.

On page 25, line 8, increase the amount by $50,000,000.

On page 27, line 16, decrease the amount by $386,000,000.

On page 27, line 17, decrease the amount by $85,000,000.

On page 27, line 21, decrease the amount by $116,000,000.

On page 27, line 25, decrease the amount by $77,000,000.

On page 28, line 4, decrease the amount by $58,000,000.

On page 28, line 8, decrease the amount by $50,000,000.

SA 4231. Mr. SESSIONS (for himself, Mr. VITTER, Mr. DEMINT, and Mrs. DOLE) proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 69, after line 25, add the following:

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT, AND CRIMINAL ALIEN REMOVAL PROGRAMS.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution by the amounts authorized to be appropriated for the programs described in paragraphs (1) through (6) in 1 or more bills, joint resolutions, amendments, motions, or conference reports that funds border security, immigration enforcement, and criminal alien removal programs, including programs that—

(1) expand the zero tolerance prosecution policy for illegal entry (commonly known as ''Operation Streamline'') to all 20 border sectors;

(2) complete the 700 miles of pedestrian fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note);

(3) deploy up to 6,000 National Guard members to the southern border of the United States;

(4) evaluate the 27 percent of the Federal, State, and local prison populations who are noncitizens in order to identify removable criminal aliens;

(5) train and reimburse State and local law enforcement officers under Memorandums of Understanding entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); or

(6) implement the exit data portion of the US–VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the appropriations in the legislation described in subsection (a) would not increase the deficit over—

(1) the 6-year period comprised of fiscal years 2008 through 2013; or

(2) the 11-year period comprised of fiscal years 2008 through 2018.

SA 4232. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 4, line 5, decrease the amount by $750,000,000.

On page 4, line 14, decrease the amount by $375,000,000.

On page 4, line 15, decrease the amount by $225,000,000.

On page 4, line 16, decrease the amount by $150,000,000.

On page 4, line 23, decrease the amount by $375,000,000.

On page 4, line 24, decrease the amount by $225,000,000.

On page 4, line 25, decrease the amount by $150,000,000.

On page 5, line 8, decrease the amount by $375,000,000.

On page 5, line 9, decrease the amount by $600,000,000.

On page 5, line 10, decrease the amount by $750,000,000.

On page 5, line 11, decrease the amount by $750,000,000.

On page 5, line 12, decrease the amount by $750,000,000.

On page 5, line 16, decrease the amount by $375,000,000.

On page 5, line 17, decrease the amount by $600,000,000.

On page 5, line 18, decrease the amount by $750,000,000.

On page 5, line 19, decrease the amount by $750,000,000.

On page 5, line 20, decrease the amount by $750,000,000.

On page 27, line 16, decrease the amount by $750,000,000.

On page 27, line 17, decrease the amount by $375,000,000.

On page 27, line 21, decrease the amount by $225,000,000.

On page 27, line 25, decrease the amount by $150,000,000.

On page 32, line 10, decrease the amount by $750,000,000.

On page 32, line 11, decrease the amount by $375,000,000.

SA 4233. Mr. ALLARD (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 60, line 8, insert ''and amends the definition of the term 'targeted low-income child' under title XXI of the Social Security Act to provide that such term means an individual under age 19, including the period from conception to birth, who is eligible for child health assistance under such title XXI by virtue of the definition of the term 'child' under section 457.10 of title 42, Code of Federal Regulations'' after ''children,''.

SA 4234. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. ___. PROHIBITION ON USE OF PAYMENT OR TIMING SHIFTS TO SATISFY CONDITIONS FOR BUDGET POINTS OF ORDER.

(a) IN GENERAL.—In the Senate, for purposes of determining budgetary impacts to evaluate points of order set out under this resolution, any previous budget resolution, and the Congressional Budget Act of 1974, provisions contained in any bill, resolution, amendment, motion, or conference report that result in the shift of equal and offsetting amounts of tax revenue or equal and offsetting amounts of direct spending from 1 fiscal year into another shall not be scored.

(b) DEFINITION.—In this section, provisions described in subsection (a) include shifting corporate estimated tax payments between fiscal years and moving pay dates for Federal Government salaried or Federal Government benefits from 1 fiscal year into another.

SA 4235. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. ___. PROHIBITION ON USE OF PAYMENT OR TIMING SHIFTS TO SATISFY CONDITIONS FOR BUDGET POINTS OF ORDER.

(a) IN GENERAL.—In the Senate, for purposes of determining budgetary impacts to evaluate points of order set out under this resolution with respect to the scoring of a reserve fund established in this resolution, provisions contained in any bill, resolution, amendment, motion, or conference report that result in the shift of equal and offsetting amounts of tax revenue or equal and offsetting amounts of direct spending from 1 fiscal year into another shall not be scored.

(b) DEFINITION.—In this section, provisions described in subsection (a) include shifting corporate estimated tax payments between fiscal years and moving pay dates for Federal Government salaried or Federal Government benefits from 1 fiscal year into another.

SA 4236. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 49, strike line 24 and insert the following:

SEC. 225. DISCLOSURE OF INTEREST COSTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any direct spending or revenue bill, resolution, amendment, motion, or conference report that is required to contain the statement described in section 308(a) of the Congressional Budget Act of 1974 (2 U.S.C. 639(a)), unless such statement contains a projection by the Congressional Budget Office of the cost of the debt servicing that would be caused by such a bill, resolution, amendment, motion, or conference report for such fiscal year (or fiscal years) and each of the 4 ensuing fiscal years.

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 226. EXERCISE OF RULEMAKING POWERS.

SA 4237. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 37, between lines 11 and 12, insert the following:

(G) TAX AND ENTITLEMENT REFORM COMMISSION LEGISLATION.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $1,000,000 for a bipartisan commission that will transmit to Congress a legislative proposal designed to address the long-term fiscal imbalance, and provides for expedited procedures to guarantee a vote on final passage of the recommendations of the commission, the discretionary spending limits, allocation to the Committee on Appropriations of the Senate, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $1,000,000 in budget authority for fiscal year 2009 and the outlays flowing therefrom.

SA 4238. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 30, after line 23, add the following:

SEC. 202. EMERGENCY LEGISLATION.

Section 204(a) of S. Con. Res. 21 (110th Congress), is amended by adding at the end the following:

''(8) FISCAL YEAR 2009.—

''(A) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, a point of order may be made against an emergency designation in that measure if that emergency designation would cause the total amount of all new budget authority or outlays for fiscal year 2009 designated as an emergency requirement under paragraph (2) in the Senate to be more than—

''(i) $65,000,000,000; or

''(ii) $15,000,000,000 for purposes other than overseas contingency operations.

''(B) POINT OF ORDER.—If a point of order is made under subparagraph (A), the provision making the emergency designation in excess of the amount described in that subparagraph shall be stricken from the measure and may not be offered as an amendment from the floor.

''(C) NO WAIVER.—A point of order under subparagraph (A) may not be waived.''.

SA 4239. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF SENATE ON FUNDING FOR NATIONAL DEFENSE IN FUTURE FISCAL YEARS.

(a) FINDING.—The Senate finds that the budget of the President for fiscal year 2009 requests funds for national defense, exclusive of wartime costs and supplemental appropriations, that constitute an amount equal to approximately 3.3 percent of the current gross domestic product of the United States.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the amount of funds for national defense, exclusive of wartime costs and supplemental appropriations, for fiscal year 2010 should be not less than an amount equal to 3.7 percent of the then-current gross domestic product of the United States;

(2) it should be the policy of the United States to fund national defense, exclusive of such costs and appropriations, for fiscal year 2011 in an amount equal to not less than 4 percent of the then-current gross domestic product of the United States; and

(3) the amount of funding for national defense, exclusive of such costs and appropriations, for each fiscal year after fiscal year 2011 should be the amount of funds for national defense for the preceding fiscal year as adjusted pursuant to the most appropriate cost adjustment index.

SA 4240. Mr. ENSIGN (for himself, Mr. GRAHAM, Mr. BUNNING, Mr. ENZI, Mr. DEMINT, and Mr. GREGG) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 4, line 5, decrease the amount by $125,000,000.

On page 4, line 6, decrease the amount by $300,000,000.

On page 4, line 7, decrease the amount by $375,000,000.

On page 4, line 8, decrease the amount by $450,000,000.

On page 4, line 9, decrease the amount by $550,000,000.

On page 4, line 14, decrease the amount by $125,000,000.

On page 4, line 15, decrease the amount by $300,000,000.

On page 4, line 16, decrease the amount by $375,000,000.

On page 4, line 17, decrease the amount by $450,000,000.

On page 4, line 18, decrease the amount by $550,000,000.

On page 4, line 23, decrease the amount by $125,000,000.

On page 4, line 24, decrease the amount by $300,000,000.

On page 4, line 25, decrease the amount by $375,000,000.

On page 5, line 1, decrease the amount by $450,000,000.

On page 5, line 2, decrease the amount by $550,000,000.

On page 5, line 8, decrease the amount by $125,000,000.

On page 5, line 9, decrease the amount by $425,000,000.

On page 5, line 10, decrease the amount by $800,000,000.

On page 5, line 11, decrease the amount by $1,250,000,000.

On page 5, line 12, decrease the amount by $1,800,000,000.

On page 5, line 16, decrease the amount by $125,000,000.

On page 5, line 17, decrease the amount by $425,000,000.

On page 5, line 18, decrease the amount by $800,000,000.

On page 5, line 19, decrease the amount by $1,250,000,000.

On page 5, line 20, decrease the amount by $1,800,000,000.

On page 20, line 16, decrease the amount by $125,000,000.

On page 20, line 17, decrease the amount by $125,000,000.

On page 20, line 20, decrease the amount by $300,000,000.

On page 20, line 21, decrease the amount by $300,000,000.

On page 20, line 24, decrease the amount by $375,000,000.

On page 20, line 25, decrease the amount by $375,000,000.

On page 21, line 3, decrease the amount by $450,000,000.

On page 21, line 4, decrease the amount by $450,000,000.

On page 21, line 7, decrease the amount by $550,000,000.

On page 21, line 8, decrease the amount by $550,000,000.

SA 4241. Mr. ENSIGN (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR ALLOWING TAXPAYERS PURCHASING HIGH-DEDUCTIBLE HEALTH INSURANCE IN THE INDIVIDUAL MARKET TO USE AMOUNTS FROM A HEALTH SAVINGS ACCOUNT TO PAY PLAN PREMIUMS.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution

by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would amend the Internal Revenue Code of 1986 to expand the definition of qualified medical expenses under section 223 of such Code to allow taxpayers purchasing high-deductible health insurance in the individual market to use amounts from a health savings account (including employer contributions) to pay plan premiums, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4242. Mr. CORNYN (for himself and Mr. HATCH) proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

At the end of title II, insert the following:

SEC. ___. POINT OF ORDER ON LEGISLATION THAT RAISES INCOME TAX RATES.

(a) POINT OF ORDER.—

(1) IN GENERAL.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that includes a Federal income tax rate increase.

(2) DEFINITION.—In this subsection the term ''Federal income tax rate increase'' means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section.

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, dully chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 4243. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by $26,000,000.

On page 24, line 17, increase the amount by $26,000,000.

On page 24, line 20, increase the amount by $26,000,000.

On page 24, line 21, increase the amount by $26,000,000.

On page 24, line 24, increase the amount by $26,000,000.

On page 24, line 25, increase the amount by $26,000,000.

On page 25, line 3, increase the amount by $26,000,000.

On page 25, line 4, increase the amount by $26,000,000.

On page 25, line 7, increase the amount by $26,000,000.

On page 25, line 8, increase the amount by $26,000,000.

On page 27, line 16, decrease the amount by $26,000,000.

On page 27, line 17, decrease the amount by $26,000,000.

On page 27, line 20, decrease the amount by $26,000,000.

On page 27, line 21, decrease the amount by $26,000,000.

On page 27, line 24, decrease the amount by $26,000,000.

On page 27, line 25, decrease the amount by $26,000,000.

On page 28, line 3, decrease the amount by $26,000,000.

On page 28, line 4, decrease the amount by $26,000,000.

On page 28, line 7, decrease the amount by $26,000,000.

On page 28, line 8, decrease the amount by $26,000,000.

SA 4244. Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 21, line 16, increase the amount by $20,000,000.

On page 21, line 17, increase the amount by $15,200,000.

On page 21, line 20, increase the amount by $10,000,000.

On page 21, line 21, increase the amount by $12,200,000.

On page 21, line 24, increase the amount by $10,000,000.

On page 21, line 25, increase the amount by $10,100,000.

On page 22, line 3, increase the amount by $10,000,000.

On page 22, line 4, increase the amount by $10,000,000.

On page 22, line 8, increase the amount by $2,400,000.

On page 27, line 16, decrease the amount by $20,000,000.

On page 27, line 17, decrease the amount by $15,200,000.

On page 27, line 20, decrease the amount by $10,000,000.

On page 27, line 21, decrease the amount by $12,200,000.

On page 27, line 24, decrease the amount by $10,000,000.

On page 27, line 25, decrease the amount by $10,100,000.

On page 28, line 3, decrease the amount by $10,000,000.

On page 28, line 4, decrease the amount by $10,000,000.

On page 28, line 8, decrease the amount by $2,400,000.

SA 4245. Mr. BIDEN (for himself, Mr. LUGAR, Mrs. FEINSTEIN, Mr. SMITH, Mr. DURBIN, Mr. SUNUNU, Mr. DODD, Mr. MARTINEZ, Mr. MENENDEZ, Ms. SNOWE, Mr. KERRY, Ms. COLLINS, Mr. LEVIN, Mr. VOINOVICH, Mr. OBAMA, Mr. CORKER, Mr. LEAHY, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 10, line 12, increase the amount by $4,139,000,000.

On page 10, line 13, increase the amount by $2,127,000,000.

On page 10, line 17, increase the amount by $1,142,000,000.

On page 10, line 21, increase the amount by $418,000,000.

On page 10, line 25, increase the amount by $290,000,000.

On page 11, line 4, increase the amount by $161,000,000.

On page 27, line 16, decrease the amount by $4,139,000,000.

On page 27, line 17, decrease the amount by $2,127,000,000.

On page 27, line 21, decrease the amount by $1,142,000,000.

On page 27, line 25, decrease the amount by $418,000,000.

On page 28, line 4, decrease the amount by $290,000,000.

On page 28, line 8, decrease the amount by $161,000,000.

SA 4246. Mr. ALLARD proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 3, line 11, increase the amount by $291,630,000,000.

On page 3, line 12, increase the amount by $275,801,000,000.

On page 3, line 13, increase the amount $278,191,000,000.

On page 3, line 14, increase the amount by $282,588,000,000.

On page 3, line 15, increase the amount by $288,168,000,000.

On page 3, line 20, increase the amount by $291,630,000,000.

On page 3, line 21, increase the amount by $275,801,000,000.

On page 3, line 22, increase the amount by $278,191,000,000.

On page 3, line 23, increase the amount by $282,588,000,000.

On page 3, line 24, increase the amount by $288,168,000,000.

On page 4, line 5, increase the amount by $291,630,000,000.

On page 4, line 6, increase the amount by $275,801,000,000.

On page 4, line 7, increase the amount by $278,191,000,000.

On page 4, line 8, increase the amount by $282,588,000,000.

On page 4, line 9, increase the amount by $288,168,000,000.

On page 4, line 14, increase the amount by $291,630,000,000.

On page 4, line 15, increase the amount by $275,801,000,000.

On page 4, line 16, increase the amount by $278,191,000,000.

On page 4, line 17, increase the amount by $282,588,000,000.

On 4, line 18, increase the amount by $288,168,000,000.

On 9, line 13, increase the amount by $6,624,000,000.

On 9, line 1, increase the amount by $6,624,000,000.

On 9, line 21, increase the amount by $6,624,000,000.

On 9, line 25, increase the amount by $6,624,000,000.

On 10, line 3, increase the amount by $6,624,000,000.

On 9, line 14, increase the amount by $6,624,000,000.

On 9, line 18, increase the amount by $6,624,000,000.

On 9, line 22, increase the amount by $6,624,000,000.

On 9, line 26, increase the amount by $6,624,000,000.

On page 10, line 4, increase the amount by $6,624,000,000.
On page 10, line 12, increase the amount by $7,184,000,000.
On page 10, line 16, increase the amount by $5,120,000,000.
On page 10, line 20, increase the amount by $5,120,000,000.
On page 10, line 24, increase the amount by $5,120,000,000.
On page 11, line 3, increase the amount by $5,120,000,000.
On page 10, line 13, increase the amount by $7,184,000,000.
On page 10, line 17, increase the amount by $5,120,000,000.
On page 10, line 21, increase the amount by $5,120,000,000.
On page 10, line 25, increase the amount by $5,120,000,000.
On page 11, line 4, increase the amount by $5,120,000,000.
On page 12, line 13, increase the amount by $15,000,000,000.
On page 12, line 17, increase the amount by $15,000,000,000.
On page 12, line 21, increase the amount by $15,000,000,000.
On page 12, line 25, increase the amount by $15,000,000,000.
On page 13, line 4, increase the amount by $15,000,000,000.
On page 12, line 14, increase the amount by $15,000,000,000.
On page 12, line 18, increase the amount by $15,000,000,000.
On page 12, line 22, increase the amount by $15,000,000,000.
On page 13, line 1, increase the amount by $15,000,000,000.
On page 13, line 5, increase the amount by $15,000,000,000.
On page 13, line 13, increase the amount by $9,000,000.
On page 13, line 17, increase the amount by $9,000,000.
On page 13, line 21, increase the amount by $9,000,000.
On page 13, line 25, increase the amount by $9,000,000.
On page 14, line 4, increase the amount by $9,000,000.
On page 13, line 14, increase the amount by $9,000,000.
On page 13, line 18, increase the amount by $9,000,000.
On page 13, line 22, increase the amount by $9,000,000.
On page 14, line 1, increase the amount by $9,000,000.
On page 14, line 5, increase the amount by $9,000,000.
On page 15, line 13, increase the amount by $5,302,000,000.
On page 15, line 17, increase the amount by $5,252,000,000.
On page 15, line 21, increase the amount by $5,252,000,000.
On page 15, line 25, increase the amount by $5,252,000,000.
On page 16, line 4, increase the amount by $5,252,000,000.
On page 15, line 14, increase the amount by $5,302,000,000.
On page 15, line 18, increase the amount by $5,252,000,000.
On page 15, line 22, increase the amount by $5,252,000,000.
On page 16, line 1, increase the amount by $5,252,000,000.
On page 16, line 5, increase the amount by $5,252,000,000.
On page 16, line 13, increase the amount by $6,021,000,000
On page 16, line 17, increase the amount by $6,021,000,000.
On page 16, line 21, increase the amount by $6,021,000,000.
On page 16, line 25, increase the amount by $6,021,000,000.
On page 17, line 4, increase the amount by $6,021,000,000.
On page 16, line 14, increase the amount by $6,021,000,000.
On page 16, line 18, increase the amount by $6,021,000,000.
On page 16, line 22, increase the amount by $6,021,000,000.
On page 17, line 1, increase the amount by $6,021,000,000.
On page 17, line 5, increase the amount by $6,021,000,000.
On page 17, line 14, increase the amount by $4,036,000,000.
On page 17, line 18, increase the amount by $4,036,000,000.
On page 17, line 22, increase the amount by $4,036,000,000.
On page 18, line 2, increase the amount by $4,036,000,000.
On page 18, line 6, increase the amount by $4,036,000,000.
On page 17, line 15, increase the amount by $4,036,000,000.
On page 17, line 19, increase the amount by $4,036,000,000.
On page 17, line 23, increase the amount by $4,036,000,000.
On page 18, line 3, increase the amount by $4,036,000,000.
On page 18, line 7, increase the amount by $4,036,000,000.
On page 18, line 16, increase the amount by $41,165,000,000.
On page 18, line 20, increase the amount by $41,115,000,000.
On page 18, line 24, increase the amount by $41,115,000,000.
On page 19, line 3, increase the amount by $41,038,000,000.
On page 19, line 7, increase the amount by $41,038,000,000.
On page 18, line 17, increase the amount by $41,165,000,000.
On page 18, line 21, increase the amount by $41,115,000,000.
On page 18, line 25, increase the amount by $41,115,000,000.
On page 19, line 4, increase the amount by $41,038,000,000.
On page 19, line 8, increase the amount by $41,038,000,000.
On page 19, line 16, increase the amount by $70,650,000,000.
On page 19, line 20, increase the amount by $70,425,000,000.
On page 19, line 24, increase the amount by $70,425,000,000.
On page 20, line 3, increase the amount by $70,425,000,000.
On page 20, line 7, increase the amount by $70,425,000,000.
On page 19, line 17, increase the amount by $70,650,000,000.
On page 19, line 21, increase the amount by $70,425,000,000.
On page 19, line 25, increase the amount by $70,425,000,000.
On page 20, line 4, increase the amount by $70,425,000,000.
On page 20, line 8, increase the amount by $70,425,000,000.
On page 20, line 20, increase the amount by $16,560,000,000.
On page 20, line 24, increase the amount by $28,950,000,000.
On page 21, line 3, increase the amount by $33,600,000,000.
On page 21, line 7, increase the amount by $39,180,000,000.
On page 20, line 21, increase the amount by $16,560,000,000.
On page 20, line 25, increase the amount by $28,950,000,000.
On page 21, line 4, increase the amount by $33,600,000,000.
On page 21, line 8, increase the amount by $39,180,000,000.
On page 21, line 16, increase the amount by $118,016,000,000.
On page 21, line 20, increase the amount by $88,016,000,000.
On page 21, line 24, increase the amount by $78,016,000,000.
On page 22, line 3, increase the amount by $77,840,000,000.
On page 22, line 7, increase the amount by $77,840,000,000.
On page 21, line 17, increase the amount by $118,016,000,000.
On page 21, line 21, increase the amount by $88,016,000,000.
On page 21, line 25, increase the amount by $78,016,000,000.
On page 22, line 4, increase the amount by $77,840,000,000.
On page 22, line 8, increase the amount by $77,840,000,000.
On page 27, line 16, increase the amount by $5,170,000,000.
On page 27, line 20, increase the amount by $5,170,000,000.
On page 27, line 24, increase the amount by $5,170,000,000.
On page 28, line 3, increase the amount by $5,170,000,000.
On page 28, line 7, increase the amount by $5,170,000,000.
On page 27, line 17 increase the amount by $5,170,000,000.
On page 27, line 21, increase the amount by $5,170,000,000.
On page 27, line 25, increase the amount by $5,170,000,000.
On page 28, line 4, increase the amount by $5,170,000,000.
On page 28, line 8, increase the amount by $5,170,000,000.
On page 23, line 16, increase the amount by $2,650,000,000.
On page 23, line 20, increase the amount by $2,650,000,000.
On page 23, line 24, increase the amount by $2,650,000,000.
On page 24, line 3, increase the amount by $2,650,000,000.
On page 24, line 7, increase the amount by $2,650,000,000.
On page 23, line 17, increase the amount by $2,650,000,000.
On page 23, line 21, increase the amount by $2,650,000,000.
On page 23, line 25, increase the amount by $2,650,000,000.
On page 24, line 4, increase the amount by $2,650,000,000.
On page 24, line 8, increase the amount by $2,650,000,000.
On page 24, line 16, increase the amount by $9,800,000,000.
On page 24, line 20, increase the amount by $9,800,000,000.
On page 24, line 24, increase the amount by $9,800,000,000.
On page 25, line 3, increase the amount by $9,800,000,000.
On page 25, line 7, increase the amount by $9,800,000,000.
On page 24, line 17, increase the amount by $9,800,000,000.
On page 24, line 21, increase the amount by $9,800,000,000.
On page 24, line 25, increase the amount by $9,800,000,000.
On page 25, line 4, increase the amount by $9,800,000,000.
On page 25, line 8, increase the amount by $9,800,000,000.
On page 25, line 16, increase the amount by $3,000,000.
On page 25, line 20, increase the amount by $3,000,000.
On page 25, line 24, increase the amount by $3,000,000.

On page 26, line 3, increase the amount by $3,000,000.
On page 26, line 7, increase the amount by $3,000,000.
On page 25, line 17, increase the amount by $3,000,000.
On page 25, line 21, increase the amount by $3,000,000.
On page 25, line 25, increase the amount by $3,000,000.
On page 26, line 4, increase the amount by $3,000,000.
On page 26, line 8, increase the amount by $3,000,000.

SA 4247. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 11, decrease the amount by $678,000,000.
On page 3, line 12, decrease the amount by $1,158,000,000.
On page 13, line 13, decrease the amount by $862,000,000.
On page 3, line 14, decrease the amount by $689,000,000.
On page 3, line 15, decrease the amount by $540,000,000.
On page 27, line 16, decrease the amount by $678,000,000.
On page 27, line 17, decrease the amount by $678,000,000.
On page 27, line 20, decrease the amount by $1,158,000,000.
On page 27, line 21, decrease the amount by $1,158,000,000.
On page 27, line 24, decrease the amount by $862,000,000.
On page 27, line 25, decrease the amount by $862,000,000.
On page 28, line 3, decrease the amount by $689,000,000.
On page 28, line 4, decrease the amount by $689,000,000.
On page 28, line 7, decrease the amount by $540,000,000.
On page 28, line 8, decrease the amount by $540,000,000.

SA 4248. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 62, between lines 3 and 4, insert the following:

(3) RURAL EQUITY PAYMENT POLICIES.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that—

(A) preserves existing Medicare payment provisions supporting America's rural health care delivery system; and

(B) promotes Medicare payment policies that increase access to quality health care in isolated and underserved rural areas,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4249. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 19, line 16, increase the amount by $5,000,000.
On page 19, line 17, increase the amount by $2,000,000.
On page 19, line 21, increase the amount by $2,000,000.
On page 19, line 25, increase the amount by $1,000,000.
On page 27, line 16, decrease the amount by $5,000,000.
On page 27, line 17, decrease the amount by $2,000,000.
On page 27, line 21, decrease the amount by $2,000,000.
On page 27, line 25, decrease the amount by $1,000,000.

SA 4250. Mr. KOHL (for himself, Mr. DOMENICI, Mrs. LINCOLN, Mr. WHITEHOUSE, Mr. BINGAMAN, Mrs. CLINTON, Mr. COLEMAN, Ms. STABENOW, Mr. LEVIN, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR 3-YEAR EXTENSION OF PILOT PROGRAM FOR NATIONAL AND STATE BACKGROUND CHECKS ON DIRECT PATIENT ACCESS EMPLOYEES OF LONG-TERM CARE FACILITIES OR PROVIDERS.

If the Senate Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides for a 3-year extension of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers under section 307 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395aa note) and removes the limit on the number of participating States under such pilot program, the Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution by the amounts provided in such legislation for those purposes up to $160,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4251. Ms. CANTWELL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 18, line 12, increase the amount by $250,000,000.
On page 18, line 13, increase the amount by $100,000,000.
On page 18, line 17, increase the amount by $110,000,000.
On page 18, line 21, increase the amount by $29,000,000.
On page 18, line 25, increase the amount by $8,000,000.
On page 19, line 4, increase the amount by $3,000,000.
On page 27, line 12, decrease the amount by $250,000,000.
On page 27, line 13, decrease the amount by $100,000,000.
On page 27, line 17, decrease the amount by $110,000,000.
On page 27, line 21, decrease the amount by $29,000,000.
On page 27, line 25, decrease the amount by $8,000,000.
On page 28, line 4, decrease the amount by $3,000,000.

SA 4252. Mr. BROWN (for himself, Mr. CASEY, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 53, between line 16 and 17, insert the following:

(3) provides up to $40,000,000 for the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.);

SA 4253. Mr. DODD (for himself, Mr. HATCH, Mr. SCHUMER, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 19, line 16, increase the amount by $184,000,000.
On page 19, line 17, increase the amount by $96,000,000.
On page 19, line 21, increase the amount by $70,000,000.
On page 19, line 25, increase the amount by $9,000,000.
On page 20, line 4, increase the amount by $9,000,000.
On page 27, line 16, decrease the amount by $184,000,000.
On page 27, line 17, decrease the amount by $96,000,000.
On page 27, line 21, decrease the amount by $70,000,000.
On page 27, line 25, decrease the amount by $9,000,000.
On page 28, line 4, decrease the amount by $9,000,000.

SA 4254. Mr. DODD (for himself, Ms. COLLINS, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 19, line 16, increase the amount by $197,000,000.
On page 19, line 17, increase the amount by $73,000,000.
On page 19, line 21, increase the amount by $93,000,000.
On page 19, line 25, increase the amount by $22,000,000.
On page 20, line 4, increase the amount by $4,000,000.
On page 27, line 16, decrease the amount by $197,000,000.
On page 27, line 17, decrease the amount by $73,000,000.
On page 27, line 21, decrease the amount by $93,000,000.
On page 27, line 25, decrease the amount by $22,000,000.
On page 28, line 4, decrease the amount by $4,000,000.

SA 4255. Mr. KOHL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by $170,000,000.
On page 24, line 17, increase the amount by $20,000,000.
On page 24, line 21, increase the amount by $48,000,000.
On page 24, line 25, increase the amount by $43,000,000.
On page 25, line 4, increase the amount by $34,000,000.
On page 25, line 8, increase the amount by $25,000,000.
On page 27, line 16, decrease the amount by $170,000,000.
On page 27, line 17, decrease the amount by $20,000,000.
On page 27, line 21, decrease the amount by $48,000,000.
On page 27, line 25, decrease the amount by $43,000,000.
On page 28, line 4, decrease the amount by $34,000,000.
On page 28, line 8, decrease the amount by $25,000,000.

SA 4256. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SEC. 308. DEFICIT-REDUCTION RESERVE FUND.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings by reducing funding for non-competitive Federal media contracts or Federal public relations campaigns and better regulates the use of such contracts and campaigns to prevent political or other abuses, and uses such savings to reduce the deficit provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4257. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 60, line 22, insert after ''family members'' the following: ''or veterans (including the elimination of the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation)''.

SA 4258. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 53, line 16, insert '', provided that a State may receive funds for such child care entitlement only if beneficiaries of assistance under the Temporary Assistance for Needy Families program in the State are required to participate in 40 hours per week of work activities (as defined in section 407(d) of the Social Security Act)'' after ''States''.

SA 4259. Mr. MENENDEZ proposed an amendment to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; as follows:

On page 69, after line 25, add the following:

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR IMMIGRATION REFORM AND ENFORCEMENT.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports, by the amounts provided in such legislation for the purposes described in paragraphs (1) through (7), that—

(1) provide for increased border security, enforcement of immigration laws, greater staffing, and immigration reform measures;

(2) increase criminal and civil penalties against employers who hire undocumented immigrants;

(3) prohibit employers who hire undocumented immigrants from receiving Federal contracts;

(4) provide funding for the enforcement of the employer sanctions described in paragraphs (2) and (3) and other employer sanctions for hiring undocumented immigrants;

(5) deploy an appropriate number of National Guard troops to the southern or northern border of the United States provided that—

(A) the Secretary of Defense certifies that the deployment would not negatively impact the safety of American forces in Iraq and Afghanistan; and

(B) the Governor of the National Guard's home State certifies that the deployment would not have a negative impact on the safety and security of that State;

(6) evaluate the Federal, State, and local prison populations that are noncitizens in order to identify removable criminal aliens; or

(7) implement the exit data portion of the US–VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the legislation described in subsection (a) would not increase the deficit over—

(1) the total period comprised of fiscal years 2008 through 2013; or

(2) the total period comprised of fiscal years 2008 through 2018.

SA 4260. Mr. REID (for Mrs. CLINTON) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 45, after line 25, add the following:

SEC. 215. FISCAL YEAR 2009 MORATORIUM ON ABUSIVE AND UNCHECKED NO BID CONTRACTS.

(a) BILLS AND JOINT RESOLUTIONS.—

(1) POINT OF ORDER.—It shall not be in order to consider—

(A) a bill or joint resolution reported by any committee that includes authorized or appropriated funds and does not include the provisions described under subsection (e); or

(B) a Senate bill or joint resolution not reported by committee that includes authorized or appropriated funds and does not include the provisions described under subsection (e).

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the bill or joint resolution shall be returned to the calendar until compliance with this subsection has been achieved.

(b) CONFERENCE REPORT.—

(1) POINT OF ORDER.—It shall not be in order to vote on the adoption of a report of a committee of conference that includes authorized or appropriated funds and does not include the provisions described under subsection (e).

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the conference report shall be returned to the calendar until compliance with this subsection has been achieved.

(c) FLOOR AMENDMENT.—It shall not be in order to consider an amendment to a bill or joint resolution if the amendment includes authorized or appropriated funds and does not include the provisions described under subsection (e).

(d) AMENDMENT BETWEEN THE HOUSES.—

(1) IN GENERAL.—It shall not be in order to consider an amendment between the Houses that includes authorized or appropriated funds and does not include the provisions described under subsection (e).

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the amendment between the Houses shall be returned to the calendar until compliance with this subsection has been achieved.

(e) REQUIRED CONTRACTING PROVISIONS.—The required provisions referred to in subsections (a) through (d) are as follows:

(1) A prohibition on the award by an executive agency of a contract for the procurement of property or services that is not subject to full and open competition, except for a contract awarded—

(A) under section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)) or section 2304(c) of title 10, United States Code, as applicable;

(B) under section 32A of the Office of Federal Procurement Policy Act (41 U.S.C. 428a),

provided that the head of the executive agency notifies the committees of Congress of jurisdiction not later than 15 days after the award of the contract, including an explanation of the justifications for such award; or

(C) in accordance with contracting and subcontracting goals for small business concerns owned and controlled by women and small business concerns owned and controlled by socially and economically disadvantaged individuals under sections 8(d) and 15(g) of the Small Business Act (15 U.S.C. 637(d) and 644(g)), provided that the head of the executive agency notifies the committees of Congress of jurisdiction not later than 15 days after the award of the contract, including an explanation of the justifications for such award.

(2) The following reporting requirements:

(A) The head of each executive agency for which funds are authorized or appropriated shall submit to the Office of Management and Budget and the chairmen and ranking members of the committees of Congress of jurisdiction a biannual report detailing the number of, amount of, and purpose for all contracts awarded during the current fiscal year, including all ongoing sole source, no bid, and limited bid contracts. The report shall be accompanied by a sworn affidavit of such head of an executive agency.

(B) The Inspector General of each executive agency for which funds are authorized or appropriated shall submit to the chairmen and ranking members of the committees of Congress of jurisdiction at the end of each fiscal year a report on the efforts of the executive agency to comply with competitive contracting requirements during such fiscal year.

(f) WAIVER.—Any Senator may move to waive any or all points of order under this section by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(g) EXECUTIVE AGENCY DEFINED.—In this section, the term ''executive agency'' has the meaning given the term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

(h) FISCAL YEAR 2009.—The point of order under this section shall only apply to legislation providing or authorizing discretionary budget authority in fiscal year 2009.

SA 4261. Mr. GRASSLEY (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal year 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 37, line 4, strike ''spare parts,'' and insert ''spare parts; subject contracts performed outside the United States to the same ethics, control, and reporting requirements as those performed domestically,''.

SA 4262. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. ____. EXCLUSION OF POINTS OF ORDER AGAINST TAX RELIEF FOR DOMESTIC PRODUCERS AND MANUFACTURERS.

In the case of any bill, joint resolution, amendment, motion, or conference report that repeals the phasein of the deduction allowed under section 199 of the Internal Revenue Code of 1986, or otherwise accelerates the amount of such deduction, the following provisions shall not apply:

(1) Section 201.

(2) Sections 201 and 202 of S. Con. Res. 21 (110th Congress).

(3) Sections 302, 302(a)(2)(B), and 317 of the Congressional Budget Act of 1974.

SA 4263. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by $20,000,000.

On page 24, line 17, increase the amount by $2,000,000.

On page 24, line 21, increase the amount by $6,000,000.

On page 24, line 25, increase the amount by $5,000,000.

On page 25, line 4, increase the amount by $4,000,000.

On page 25, line 8, increase the amount by $3,000,000.

On page 27, line 16, decrease the amount by $20,000,000.

On page 27, line 17, decrease the amount by $2,000,000.

On page 27, line 21, decrease the amount by $6,000,000.

On page 27, line 25, decrease the amount by $5,000,000.

On page 28, line 4, decrease the amount by $4,000,000.

On page 28, line 8, decrease the amount by $3,000,000.

SA 4264. Mr. COLEMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 10, line 12, decrease the amount by $1,584,000.

On page 10, line 13, decrease the amount by $1,584,000.

On page 23, line 16, increase the amount by $1,584,000.

On page 23, line 17, increase the amount by $1,584,000.

SA 4265. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 68, line 4, insert '', and through the creation of SIMPLE cafeteria plans as provided in section 2 of S. 555 of the 110th Congress'' after ''consumer protections''.

SA 4266. Ms. SNOWE (for herself, Ms. COLLINS, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 50, line 20, insert ''the permanent extension of expensing under section 179 of the Internal Revenue Code of 1986 with an increase in the expensing limit to $200,000 and the phaseout threshold to $800,000 and other'' after ''including''.

SA 4267. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 50, line 21, insert ''and including the reauthorization of the new markets tax credit under section 45D of the Internal Revenue Code of 1986 for an additional 5 years and $17,000,000,000 in tax credit authority'' after ''refundable tax relief''.

SA 4268. Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by $25,000,000.

On page 13, line 14, increase the amount by $18,500,000.

On page 13, line 17, increase the amount by $25,000,000.

On page 13, line 18, increase the amount by $24,000,000.

On page 13, line 21, increase the amount by $25,000,000.

On page 13, line 22, increase the amount by $24,875,000.

On page 13, line 25, increase the amount by $25,000,000.

On page 14, line 1, increase the amount by $24,875,000.

On page 14, line 4, increase the amount by $25,000,000.

On page 14, line 51, increase the amount by $24,875,000.

On page 24, line 16, increase the amount by $15,000,000.

On page 24, line 17, increase the amount by $13,800,000.

On page 24, line 20, increase the amount by $15,000,000.

On page 24, line 21, increase the amount by $15,000,000.

On page 24, line 24, increase the amount by $15,000,000.

On page 24, line 25, increase the amount by $15,000,000.

On page 25, line 3, increase the amount by $15,000,000.

On page 25, line 4, increase the amount by $15,000,000.

On page 25, line 7, increase the amount by $15,000,000.

On page 25, line 8, increase the amount by $15,000,000.

On page 27, line 16, decrease the amount by $40,000,000.

On page 27, line 17, decrease the amount by $32,300,000.

On page 27, line 20, decrease the amount by $40,000,000.

On page 27, line 21, decrease the amount by $39,000,000.

On page 27, line 24, decrease the amount by $40,000,000.

On page 27, line 25, decrease the amount by $38,875,000.

On page 28, line 3, decrease the amount by $40,000,000.

On page 28, line 4, decrease the amount by $39,875,000.

On page 28, line 7, decrease the amount by $40,000,000.

On page 28, line 8, decrease the amount by $39,875,000.

SA 4269. Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by $29,000,000.

On page 24, line 17, increase the amount by $26,100,000.

On page 24, line 21, increase the amount by $2,900,000.

On page 27, line 16, decrease the amount by $29,000,000.

On page 27, line 17, decrease the amount by $26,100,000.

On page 27, line 21, decrease the amount by $2,900,000.

SA 4270. Mr. LEAHY (for himself, Mr. KENNEDY, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR PROCESSING NATURALIZATION APPLICATIONS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for the adjudication of name check and security clearances by October 1, 2008 by the Federal Bureau of Investigations for individuals who have submitted or submit applications for naturalization before May 1, 2008 or provide for the adjudication of applications, including the interviewing and swearing-in of applicants, by October 1, 2008 by the Department of Homeland Security/U.S. Citizenship and Immigration Services for individuals who apply or have applied for naturalization before May 1, 2008, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4271. Mr. KENNEDY (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 19, line 16, increase the amount by $2,000,000.

On page 19, line 17, increase the amount by $1,000,000.

On page 19, line 21, increase the amount by $1,000,000.

On page 27, line 16, decrease the amount by $2,000,000.

On page 27, line 17, decrease the amount by $1,000,000.

On page 27, line 21, decrease the amount by $1,000,000.

SA 4272. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF SENATE ON FUNDING OF FAMILY ADVOCACY PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—The Senate makes the following findings:

(1) According to the 2007 American Psychological Association Presidential Task Force on Military Deployment Services for Youth, Families and Service Members—

(A) Members of the United States Armed Forces and their families face challenges and stressful conditions that are unprecedented in recent history, including unrelenting operational demands and recurring deployments in combat zones;

(B) having a primary caretaker deployed to a war zone for an indeterminate period is among the more stressful events a child can experience; and

(C) hardships for military families may include marital problems, financial difficulties, destabilization of family relationships, potential infidelity, mental health issues, academic problems for their children, and substandard communications conditions during deployment.

(2) A study sponsored by the Army and published in the August 2007 Journal of the American Medical Association—

(A) reports that rates of child abuse and neglect increase when a parent is deployed with the Armed Forces, and calls for increased services for families of deployed members of the Armed Forces; and

(B) reports that, during the period in which a parent is deployed with the Armed Forces, rates of child maltreatment increase by 42 percent over the rate when parents are not so deployed, to a rate that exceeds child abuse rates among civilians.

(3) Increased numbers of members of the Armed Forces and their families are making use of nonmedical counseling services provided by the Family Advocacy Program of the Department of Defense.

(4) Programs such as the Family Advocacy Program directly affect military retention and are essential to the health and welfare of the members of the Armed Forces, their families, and the communities in which they live.

(b) SENSE OF SENATE.—It is the sense of the Senate that the funding levels in this resolution for fiscal year 2009 for national defense (050) assume that not less than $401,000,000 should be made available for the Family Advocacy Program of the Department of Defense.

SA 4273. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 24, line 16, increase the amount by $10,000,000.

On page 24, line 17, increase the amount by $8,000,000.

On page 24, line 21, increase the amount by $1,000,000.

On page 24, line 25, increase the amount by $1,000,000.

On page 27, line 16, decrease the amount by $10,000,000.

On page 27, line 17, decrease the amount by $8,000,000.

On page 27, line 21, decrease the amount by $1,000,000.

On page 27, line 25, decrease the amount by $1,000,000.

SA 4274. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 10, line 12, increase the amount by $5,000,000.

On page 10, line 13, increase the amount by $5,000,000.

On page 27, line 16, decrease the amount by $5,000,000.

On page 27, line 17, decrease the amount by $5,000,000.

SA 4275. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. _____. RESERVE FUND FOR FUNDAMENTAL TAX REFORM.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would provide for fundamental tax reform, provided that such legislation

does not increase the tax burden on taxpayers for fiscal year 2011 and succeeding fiscal years. For purposes of the preceding sentence, the burden on taxpayers shall be measured by comparing the post-World War II average of the ratio of Federal revenues to gross domestic product, as determined by the historical tables of the Office of Management and Budget, to the estimated average of the ratio of Federal revenues to gross domestic product after such legislation takes effect, as determined by the Congressional Budget Office in consultation with the Joint Committee on Taxation.

SA 4276. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 30 after line 23, insert the following:

SEC. ___. TO EXEMPT MODIFICATIONS TO THE INDIVIDUAL ALTERNATIVE MINIMUM TAX (AMT) FROM PAY-AS-YOU-GO ENFORCEMENT.

Section 201 of S. Con. Res. 21 (110th Congress) is amended by—

striking the period at the end of section (a)(4)(B) and inserting:

or;

(C) any provision of legislation that affects the individual alternative minimum tax exemption amount for taxable years beginning after 2007; or

(D) any provision of legislation that affects the extension of alternative minimum tax relief for non-refundable personal credits for taxable years beginning after 2007.

SA 4277. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR PROTECTING COVERAGE CHOICES, ADDITIONAL BENEFITS, AND LOWER COST-SHARING FOR MEDICARE BENEFICIARIES.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) implements improvements to the Medicare or Medicaid programs under titles XVIII and XIX of the Social Security Act, respectively, or the State Children's Health Insurance program under title XXI of such Act; and

(B) does not lead to fewer coverage choices for Medicare beneficiaries, especially for those beneficiaries in rural areas; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation, provided that such legislation would not increase the deficit for fiscal year 2009, or over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4278. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR PROTECTING COVERAGE CHOICES, ADDITIONAL BENEFITS, AND LOWER COST-SHARING FOR MEDICARE BENEFICIARIES.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) implements improvements to the Medicare or Medicaid programs under titles XVIII and XIX of the Social Security Act, respectively, or the State Children's Health Insurance program under title XXI of such Act; and

(B) does not result in reduced benefits or increased cost-sharing for Medicare beneficiaries who choose a Medicare Advantage plan under part C of such title XVIII, especially for low-income beneficiaries who depend on their Medicare Advantage plan for protection from high out-of-pocket cost-sharing; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation, provided that such legislation would not increase the deficit for fiscal year 2009, or over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4279. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR PROTECTING COVERAGE CHOICES, ADDITIONAL BENEFITS, AND LOWER COST-SHARING FOR MEDICARE BENEFICIARIES.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) implements improvements to the Medicare or Medicaid programs under titles XVIII and XIX of the Social Security Act, respectively, or the State Children's Health Insurance program under title XXI of such Act; and

(B) does not result in reduced benefits for preventive care for Medicare beneficiaries who choose a Medicare Advantage plan under part C of such title XVIII; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation, provided that such legislation would not increase the deficit for fiscal year 2009, or over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4280. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR PROTECTING COVERAGE CHOICES, ADDITIONAL BENEFITS, AND LOWER COST-SHARING FOR MEDICARE BENEFICIARIES.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) implements improvements to the Medicare or Medicaid programs under titles XVIII and XIX of the Social Security Act, respectively, or the State Children's Health Insurance program under title XXI of such Act; and

(B) does not—

(i) lead to fewer coverage choices for Medicare beneficiaries, especially for those beneficiaries in rural areas;

(ii) result in reduced benefits or increased cost-sharing for Medicare beneficiaries who choose a Medicare Advantage plan under part C of such title XVIII, especially for low-income beneficiaries who depend on their Medicare Advantage plan for protection from high out-of-pocket cost-sharing;

(iii) result in reduced benefits for preventive care for Medicare beneficiaries who choose such a Medicare Advantage plan; or

(iv) result in reduced benefits for chronic care for Medicare beneficiaries who choose such a Medicare Advantage plan; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation, provided that such legislation would not increase the deficit for fiscal year 2009, or over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4281. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR PROTECTING COVERAGE CHOICES, ADDITIONAL BENEFITS, AND LOWER COST-SHARING FOR MEDICARE BENEFICIARIES.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) implements improvements to the Medicare or Medicaid programs under titles XVIII and XIX of the Social Security Act, respectively, or the State Children's Health Insurance program under title XXI of such Act; and

(B) does not result in reduced benefits for chronic care for Medicare beneficiaries who choose a Medicare Advantage plan under part C of such title XVIII; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation, provided that such legislation would not increase the deficit for fiscal year 2009, or over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SA 4282. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 52, line 23, insert ''(including the United States-Colombia Trade Promotion Agreement)'' after ''trade agreements''.

SA 4283. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SEC. 308. SENSE OF THE SENATE REGARDING THE DIVERSION OF FUNDS SET ASIDE FOR USPTO.

It is the sense of the Senate that none of the funds recommended by this resolution, or appropriated or otherwise made available under any other Act, to the United States Patent and Trademark Office shall be diverted, redirected, transferred, or used for any other purpose than for which such funds were intended.

SA 4284. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013; which was ordered to lie on the table; as follows:

On page 25, line 16, increase the amount by $3,000,000.

On page 25, line 17, increase the amount by $3,000,000.

On page 25, line 20, increase the amount by $6,000,000.

On page 25, line 21, increase the amount by $6,000,000.

On page 25, line 24, increase the amount by $8,000,000.

On page 25, line 25, increase the amount by $8,000,000.

On page 26, line 3, increase the amount by $8,000,000.

On page 26, line 4, increase the amount by $8,000,000.

On page 26, line 7, increase the amount by $4,000,000.

On page 26, line 8, increase the amount by $4,000,000.

On page 27, line 16, decrease the amount by $3,000,000.

On page 27, line 17, decrease the amount by $3,000,000.

On page 27, line 20, decrease the amount by $6,000,000.

On page 27, line 21, decrease the amount by $6,000,000.

On page 27, line 24, decrease the amount by $8,000,000.

On page 27, line 25, decrease the amount by $8,000,000.

On page 28, line 3, decrease the amount by $8,000,000.

On page 28, line 4, decrease the amount by $8,000,000.

On page 28, line 7, decrease the amount by $4,000,000.

On page 28, line 8, decrease the amount by $4,000,000.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 1, 2008, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider S. 2593, a bill to establish a program at the Forest Service and the Department of the Interior to carry out collaborative ecological restoration treatments for priority forest landscapes on public land, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to rachel_pasternack@energy.senate.gov.

For further information, please contact Rachel Pasternack at (202) 224–0883 or Scott Miller at (202) 224–5488.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CONRAD. 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 March 12, 2008, at 10 a.m., to conduct a hearing entitled ''Oversight of HUD and Its Fiscal Year 2009 Budget.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 1:30 p.m., in room 253 of the Russell Senate Office Building, to conduct a hearing.

At this hearing, the subcommittee will examine whether the Gross Domestic Product, GDP, constitutes an accurate reflection of economic growth and social well-being, which factors are included in and excluded from the calculation of the GDP, and how national policy and decisionmaking are impacted by emphasis placed on the GDP.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Wednesday, March 12, 2008, at 2:15 p.m., in room SD 366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding Hardrock Mining: Issues Relating to Abandoned Mine Lands and Uranium Mining.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''Alternatives to the Current Federal Estate Tax System.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 10:15 a.m. to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 10 a.m., to hear testimony on ''In Person Voter Fraud: Myth and Trigger for Disenfranchisement?''

The PRESIDING OFFICER. Without objection, it is so ordered.

READINESS AND MANAGEMENT SUPPORT SUBCOMMITTEE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Readiness and Management Support Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 9:30 a.m., in closed session to receive a briefing on the current readiness of the Armed Forces.

The PRESIDING OFFICER. Without objection, it is so ordered.

READINESS AND MANAGEMENT SUPPORT SUBCOMMITTEE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Readiness and Management Support Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 2:30 p.m., in open session to receive testimony on military installation, environmental, and base closure programs in review of the Defense authorization request for fiscal year 2009 and the Future Years Defense Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 12, 2008, at 2:30 p.m. to hold a closed business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. CONRAD. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet on Wednesday, March 12, 2008 from 10:30 a.m.–12:30 p.m. in Dirksen 562 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CRIME AND DRUGS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Generation Rx: The Abuse of Prescription and Over-the-Counter Drugs'' on Wednesday, March 12, 2008, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building.

Witness list

Len Paulozzi, M.D., Medical Epidemiologist, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, U.S. Department of Health & Human Services, Atlanta, GA; Nora Volkow, M.D., Director, National Institute on Drug Abuse, U.S. Department of Health & Human Services, Washington, DC; Steve Pasierb, President and CEO, The Partnership for a Drug-Free America, New York, NY; Derek Clark, Director, Clinton Substance Abuse Council, Clinton, IA; and Misty Fetko, RN, Parent of Carl Hennon, New Albany, OH.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 2 p.m. in open session to receive testimony on technologies to combat weapons of mass destruction.

The PRESIDING OFFICER. Without objection. it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 2:30 p.m. to conduct a hearing entitled, ''Agencies in Peril: Are We Doing Enough to Protect Federal IT and Secure Sensitive Information?''

The PRESIDING OFFICER. without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 2 p.m., in open session to receive testimony on strategic lift programs in review of the defense authorization request for fiscal year 2009 and the future years defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. CONRAD. Mr. President, I ask unanimous consent that the subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 10 a.m., in open session to receive testimony on strategic forces programs in review of the Defense authorization request for fiscal year 2009 and the Future Years Defense Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Jack Wells, a fellow on my staff, be granted floor privileges for the duration of the debate on the budget resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR THURSDAY, MARCH 13, 2008

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10:15 a.m. tomorrow, Thursday, March 13; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the leader time be reserved for their use later in the day, and that there be a moment of silence to honor the 5 years of service and sacrifice of our troops and their families for the war in Iraq and also to remember those who are serving our Nation in Afghanistan and throughout the world; that following the moment of silence, the Senate resume consideration of S. Con. Res. 70, the concurrent resolution on the budget, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. CASEY. Mr. President, tomorrow, following the moment of silence, the Senate will resume consideration of the budget resolution. Senators should be prepared to begin the so-called vote-arama as early as 11 a.m. tomorrow. Rollcall votes are expected to occur throughout the day.

ORDER OF PROCEDURE

Mr. CASEY. I now ask unanimous consent that morning business be closed, the Senate resume consideration of S. Con. Res. 70, and that it stand adjourned under the previous order, following the remarks of Senators GRASSLEY and BARRASSO.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009—Continued

Mr. GRASSLEY. Mr. President, I rise for two purposes: one, to speak about an amendment that will come up tomorrow dealing with the alternative minimum tax and, on a second point, to speak against an amendment that will be offered tomorrow on the H–1B program. First, I will discuss the amendments I intend to pursue on the budget resolution.

The first is similar to the amendment I offered in committee markup. Unfortunately, the committee did not adopt the amendment. The amendment is very straightforward. The amendment would exempt from the pay-go requirements an extension of relief from the alternative minimum tax. I want to explain the term pay-go. It means if you are going to offer something that has less income coming in from taxes, you have to offset it someplace else. Pay-go is a rule that applies to both taxes as well as expenditures. It is pay as you go.

I want to make sure this doesn't apply to the AMT because, quite frankly, it is silly to talk about offsetting revenue from middle-class Americans from whom it was never intended to be collected in the first place. And the alternative minimum tax, if we don't do something about it, has that negative impact. As everyone knows, if we do

not act this year, about 25 million families, most of them middle-income families, will be faced with an alternative minimum tax increase of over $2,000 per family. The alternative minimum tax, which was meant to hit high-income people, filthy rich people, it now could happen that middle-income people would pay an increase in taxes of more than $2,000 per family. We cannot let that happen. It is a result no one in Congress can defend.

The alternative minimum tax was meant to apply, as I have said so many times, to a small group of high-income taxpayers who use tax preferences, legal ways of not paying taxes. There is nothing illegal about it.

The chairman of the Budget Committee has wisely recognized the reality and the importance of shielding these 25 million families from the unintended reach of the alternative minimum tax. To that end, then, his budget resolution has revenue room, about $62 billion worth, for an AMT hold harmless for the current year. Unfortunately, though the budget revenue baseline is adjusted for the AMT for this year, action on an AMT patch faces pay-go points of order unless offset. So my amendment would clear away the hurdle for this year as well as for future years.

My amendment would ensure that delivering relief from the AMT would trump an obsession with a tax increase notion of pay as you go. It is as simple as that.

My second amendment deals with fundamental tax reform. Everyone knows our tax system could be improved. The alternative minimum tax monster I just referred to is only one of the major reasons we need to undertake tax reform. Senator WYDEN, a Democrat from Oregon, has been very articulate on that point. So this is a bipartisan statement as well as a partisan statement. If we undertake fundamental tax reform on a revenue-neutral basis under the current revenue baseline, we could be backing into a major tax increase on virtually every taxpayer.

In 2011, the bipartisan tax relief bills of 2001 and 2003 expire or to use the terminology in Congress, they sunset. If we allow current law to continue—in other words, current law so that you have tax increases automatically without a vote of Congress—the tax burden on the American people as a group could be up to 10 percent higher than it is today. That would be well into the future after 2010, until Congress would reduce taxes. We should not have a tax increase without a vote of Congress, No. 1. But also we should keep taxes where they are now because it has been so good to the economy. You should not have a tax increase on the American people. That is what is going to happen if we don't make changes between now and the end of 2010.

Tax reform should not be a stealthy method, then, to raise taxes on the American people. When I say ''raise taxes on the American people,'' let me repeat, the biggest tax increase in the history of the country is going to happen without even a vote of Congress. The amendment from my friend from Montana, the chairman of the Finance Committee, with whom I have the privilege of working closely, makes the point that current law levels of taxation set to spring into effect in 2011 are intolerable on both sides of the aisle. My amendment seeks the same assurances, though in a complete manner, if we hopefully enter into a real legislative effort on fundamental tax reform.

Those are my remarks in regard to two amendments that are going to be voted upon tomorrow.

Tomorrow my friend, the ranking Republican on the Senate Budget Committee, Senator GREGG, is going to offer an amendment or maybe has offered the amendment already to expand the H–1B visa program. I have nothing against the H–1B visa program. In fact, I value it as a legal channel for U.S. companies to bring in workers they need. That is under the assumption that we don't have workers in the United States to fill those slots. But I have to say, increasing the H–1B visa cap, which is the proposal, if we do that without reform, will only hurt U.S. taxpayers and American workers. The solution to increasing our global position in science and technology is, obviously, from the ground up, investing in American workers. We must strengthen educational opportunities for our American students, particularly in the areas of math and science. Such an investment will help reduce the trend in which 60 percent of the students in our U.S. STEM doctoral programs are foreign born.

According to recent statistics released by the Department of Homeland Security, foreign outsourcers top the list of companies bringing foreign workers to the United States under the H–1B program. In fact, it is this overwhelming—6 of the top 10 visa recipients in 2007 are based in the country of India. Senator DURBIN and I made the same point about the visa approvals during debate in the year 2006. We found that the top 9 foreign-based companies in 2006 used nearly 20,000 of the total availability of H–1B visas, and there is a cap on the number of H–1B visas. It seems to me that that 20,000 is close to a third of all. They are used by nine foreign-based companies. You would think, of the thousands and thousands of companies we have in America, that you would not have H–1Bs clustered to such a great extent around nine companies and nine foreign-based companies.

We heard today that Microsoft, in testimony before the House of Representatives, wants an unlimited supply of H–1B visas. However, that company's visa approvals declined in 2007 from 2006. In 2006, Microsoft was approved for 3,117 H–1B visas. In 2007, it dropped from third to fifth place and only approved 959 visas compared to over 3,000 visas the year before.

This very day, as I have indicated, Bill Gates said that Microsoft was ''unable to obtain H–1B visas for one-third of the highly qualified foreign-born job candidates that it wanted to hire.''

It makes me question, then, why visa approvals decreased very dramatically for Microsoft, from 3,000 in 2006, down to 900 plus in 2007. I think the statistics are very clear. Thousands of visas are going to foreign-based companies, leaving U.S. companies such as Microsoft scrambling for qualified workers. How can one explain the fact that most H–1B visas are going to companies based outside the United States? Do you think that increasing the cap, then, increasing the cap we have in current law, would actually benefit Microsoft and other companies? Answering these questions should lead one to the conclusion that the H–1B visa program is not working as originally intended. We need reform, even in conjunction with increasing the numbers.

I am not opposed to increasing the numbers if they need to be increased. But it won't do any good if we don't have reform, and not just the so-called reform, then, of increasing the visa supply, as proposed by the high-tech industry. Reforms are needed so that U.S. businesses, both large and small, can find, recruit, and hire the workers they need.

One of the major reforms needed to protect American workers is to require employers to make good-faith efforts to recruit U.S. citizens before hiring an H–1B visa holder. Only a small group of employers have to make this good-faith effort. We need to require all users of the visa program to first recruit Americans for these highly skilled, high-paying jobs, or at least attempt to find if American workers are available, because Americans should come first.

Another reform needed is to increase the investigative power of the Department of Labor over this program. The program is full of bad actors. Companies are using ruthless tactics to undermine the system and to pay lower salaries and benefits to foreign workers. Current law is handicapping Federal officials from rooting out more fraud. We need to give them the power to audit and the power to investigate abuse.

In addition to those two major reforms, we need to increase transparency for U.S. taxpayers to view job openings that are filled by H–1B visa workers. We should require employers to better advertise job openings so American workers have a chance at the jobs before they are taken by foreign workers.

If we do not make changes in the H–1B program, foreign outsourcers will continue to import thousands of foreign workers to the detriment of U.S. businesses and opportunities for American workers to be hired first.

So I want my colleagues to know I cannot support an increase in the visa

supply without reform—and I mean real reform or drastic reform—to the program. I have suggested some of those reforms. Like I said, raising the H–1B cap without reforms will only hurt American companies and American workers. American workers should come first.

I yield the floor.

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.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. BARRASSO. 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. BARRASSO. Mr. President, I rise today to discuss my concerns with the fiscal year 2009 budget resolution. This is a budget that says tax revenue will go up by $1.2 trillion. Most of this is going to come by eliminating tax relief, commonly known as the Bush tax cuts.

Let me be clear: The people of Wyoming do not believe eliminating the President's tax cuts and dramatically increasing Federal spending is the right prescription for our economy. I would go so far as to say this budget does exactly the opposite of what is needed. This budget will send the wrong signal to small investors. The budget will send the wrong signal to ranchers. This budget will send the wrong signal to farmers. This budget will send the wrong signal to small business owners all across Wyoming.

This budget sends a message the Federal Government is going to take more from them. It will take more from them at a time when they believe—rightly so—that they have already been hit too hard. In fact, 43 million American families with children will pay an additional $2,300 out of their pockets each year if these tax cuts are eliminated. Twenty-three hundred dollars is not a small amount of money—not a small amount at all to the working families of Casper or Cheyenne or Rock Springs or Cody or Sundance. Twenty-three hundred dollars goes a long way in Wyoming, a long way toward paying a year's tuition at the University of Wyoming. Eliminating the tax cuts would cost 27 million small business owners $4,100 a year. Now, that is money that could be used for Christmas bonuses or well-deserved raises.

In Wyoming, we believe the best way to achieve economic progress is to have the Government get out of the way. That is the spirit that powers Wyoming.

In Wyoming, there is a monument to President Abraham Lincoln. It is on Route I–80, between Cheyenne and Laramie, and there is a plaque on the monument. The plaque says: ''It is time to think anew and act anew.'' That is what I believe is needed to reform the way Washington works.

In Wyoming, where I served as a State senator, we had a budget session every 2 years. It is another area where Wyoming gets it right and Washington gets it wrong. In Wyoming, it works so well that the budget session lasts only 20 days. The Wyoming way is a much better way to deal with government spending.

In Wyoming, we actually balance our budget every year. The Wyoming way would free up Congress to work on things such as making Washington work better for our country. The Wyoming way would make Washington work on finding solutions to problems, rather than always reaching into people's wallets and pocketbooks.

It is time for Washington to get its house in order. This means extending the President's tax cuts. This is the way to actually bring in more revenue to the Treasury. To get Washington's fiscal house in order also means addressing spending on entitlements. This budget not only fails to do that, it actually makes matters worse. This budget allows entitlement spending to grow by $488 billion over 5 years. This is leveraging our children's future, young men and women of America, such as the pages who work in this very room. We are leveraging this on their future. Now, I do not wish to stifle the progress of future generations, such as these fine individuals, because of the mistakes of this Congress. Let us get Government out of the way so we can unlock the American entrepreneurial spirit. It is that spirit that made this country an economic leader in the first place.

I would also like to take a few moments to discuss three amendments that have been filed. Two amendments have been filed by me, and the third is an amendment filed by Senator MIKE ENZI, my colleague from Wyoming, and it is an amendment which I have cosponsored.

My first amendment relates to the issue of Federal mandates. This amendment would provide $50 million to help States comply with regulations of the Endangered Species Act. It is my hope these funds could be distributed to the cities, the counties, to ranchers, to small business owners, all who have to comply with the ever-increasing, unfunded Federal mandates of the Endangered Species Act. The offset is provided through an across-the-board budget cut through function 920.

A vast array of species can be found in my home State of Wyoming. Among these are the sage-grouse, the grizzly bear, the pygmy rabbit, the Preble's meadow jumping mouse, the white and black tail prairie dogs, the black-footed ferret, and the Canadian grey wolf. Many of these species are in the process of either being listed or delisted under the Endangered Species Act. But we have found there is one resource Wyoming doesn't have enough of, and that is Federal funds to protect, to manage, and to recover these species as is required by Federal law.

Trust me when I say the people of Wyoming love our State's natural heritage. We believe we are in the best position to manage and protect our resources without the redtape and the regulations of the Federal Government. But that is not the reality we and other States face today. The Federal Government often, as a result of Federal lawsuits, is placing even additional new mandates on the States. As long as they are, the Federal Government has an obligation to provide funds with those mandates.

I am pleased my good friend, Senator ENZI, is cosponsoring this amendment with me, and I urge its adoption.

My second amendment would provide funding for salt cedar and Russian olive removal along America's rivers, streams, and tributaries. These two plants are nonnative, invasive species that are destroying riparian ecosystems across vast areas of the West. As the arid West continues to struggle with ongoing drought, salt cedar and Russian olive are invading the land and they are replacing native species all along the West's watershed. Entire ecosystems are being dramatically altered. Salt cedar and Russian olive drain valuable water flow from rivers and from streams. It is estimated that one Russian olive tree can use 500 gallons of water a day, while some estimates place water use by a mature salt cedar plant at more than 200 gallons a day.

The Presiding Officer knows that one of the West's most important natural resources—water—is under attack. Removal of these species to protect our water is a monumental undertaking but one we can no longer afford to avoid. Private landowners, local and State officials, as well as Federal agencies have an interest in addressing the problem. Recent pilot projects to eliminate these species on watersheds in eastern Wyoming and western Nebraska have been underway for a few years. Improvements in waterflow and the overall ecosystem and the quality of those areas have been dramatic. Success, however, can only be achieved if all interests in the watershed participate in eliminating these species.

My amendment is simple. Congress has already authorized a program to fight this battle. My amendment would direct money within that program to improve the ecosystem and waterflow along the Platte River. Wyoming is under a Federal decree to provide more acre feet of water from the Platte River to help wildlife in Nebraska. By removing these invasive species that capture so much water from the river, we can help alleviate this Federal obligation on Wyoming's residents.

Water is a precious resource. It is time we begin reclaiming our watersheds from the invasion of nonnatural species. I would encourage all Members of this body to support the amendment.

Finally, I wish to discuss a Federal budget issue about which I am deeply

passionate, as are all the people across the State of Wyoming. The Federal Government should not be picking the pockets of States to balance the Federal budget. I am not talking about Federal commitments to spending programs; I am talking about a Federal commitment to share revenue; specifically, revenue generated from mineral resource development.

The Presiding Officer is very familiar with this. He knows, as do I, that States with Federal mineral extraction benefit from economic development. He also knows these benefits are not generated without significant impacts to local infrastructure and to public services. These revenues pay for vital State and local government services. Revenue sharing has traditionally been a clear 50–50 division. It is a division between the States and the Federal Government. In fact, current Federal law prohibits Federal administrative deductions.

Apparently, that prohibition is not enough. In the fiscal year 2008 omnibus bill, Congress included a 1-year formula change, reducing the amount paid to the States and increasing the amount flowing to the Federal Treasury. The lost revenue for the States came at the expense of funding for local schools, roads, water systems, and other basic services provided by the States.

I am pleased to join my colleague from Wyoming, Senator MIKE ENZI, in cosponsoring his budget amendment that addresses this Federal grab. I urge my colleagues from both sides of the aisle to join me in this as a matter of principle. I have listened to speeches on this floor all week advocating for increases for one program or for another. Senator ENZI's amendment simply recognizes that States—not Washington—are capable and are well suited to make spending decisions.

State legislatures can provide, if they want to, more for education, highways, and law enforcement. But they cannot make these decisions if the Federal Government continues to withhold the State's share of these revenues.

Mr. President, I urge my colleagues to support Senator ENZI's amendment.

I yield the floor.

ADJOURNMENT UNTIL 10:15 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate now stands adjourned until 10:15 a.m. tomorrow.

Thereupon, the Senate, at 9 p.m., adjourned until Thursday, March 13, 2008, at 10:15 a.m.

EXTENSIONS OF REMARKS

HONORING PAMELA BONNETT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today to recognize Pamela Bonnett, who immigrated from British Guiana, South America to the United States in 1969 when there was an urgent need for Registered Professional Nurses. She graduated from St. Joseph's College with a bachelor of science in health administration and a masters degree in public health education from Hunter College, City University of New York.

Currently a patient service manager at the Visiting Nurse Service of New York, Inc., she is responsible for a team of registered professional nurses providing care to the chronically ill and the geriatric community. Prior to holding this position, Ms. Bonnett was an administrator/associate administrator with Nurse Referrals Inc., responsible for their license program, professional development, utilization and standards of care, to ensure agency compliance with the New York State Department of Health Regulations. She chaired the Quality Assurance Committee of Certified Home Health Care Agencies and other professional staff. Moreover she evaluated contract compliance and made recommendations to the NYC Health and Hospital Corporation and acted as a liaison and marketing agent between the Nurse Referrals Inc., and NYC Health and Hospital Certified Home Care Agencies.

Among other positions held were assistant director of nursing/director of in service education at the Woodland Rehabilitation Center, New Rochelle; executive director, Bushwick Stuyvesant Heights Home Attendant Agency; community health nurse, Beth Israel Hospital and; clinical manager of the Community Geriatric Clinic at the Brookdale Hospital Medical Center.

Pamela Bonnett is currently a member of the National Coalition of 100 Black Women, Inc., Member of the Chi Eta Phi Sorority, Inc., past member of the board of directors for the Boys and Girls of America, Hempstead Boys and Girls Club, and a past member of the community board of St. John's Episcopal Hospital in Brooklyn.

Madam Speaker, Pamela Bonnett epitomizes what is good about public health service and we should recognize her for being a role model to young boys and girls in the community. She is a person who is making a difference in people's lives.

HONORING KYLE E. BOWMAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kyle E. Bowman, 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 314, and by earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop, participating in many scout activities. Kyle started his journey with the Boy Scouts seven years ago earning 28 merit badges. Over the years Kyle has been involved in scouting, he has held many leadership positions such as historian, librarian, patrol and assistant patrol leader. Kyle is an Ordeal in the Order of the Arrow and is a Foxman in the Tribe of Mic-O-Say. Kyle has attended H. Roe Bartle Reservation for three years and has also camped at Camp Nash on four separate occasions. For his Eagle Scout project, Kyle designed and constructed two horse mounting platforms for Heartland Presbyterian Center.

Madam Speaker, I would be remiss if I did not mention the strong family foundation Kyle has supporting him. His proud parents Mark and Britt Bowman, as well as his sister, Amanda.

Madam Speaker, I proudly ask you to join me in commending Kyle E. Bowman for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING DR. MARK KUSHNER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize Dr. Mark Kushner, a distinguished professor and Dean of the College of Engineering at Iowa State University on winning the Semiconductor Industry Association annual award for outstanding work and exemplary leadership by university researchers.

Dr. Kushner received his BA in Astronomy and BS in Engineering from the University of California at Los Angeles in 1976 and earned his MS and PhD in Applied Physics from the California Institute of Technology in 1977 and 1979. From 1986 to 2005, Dr. Kushner was the Founder Professor of Engineering in the Department of Electrical and Computer Engineering at the University of Illinois at Urbana-Champaign. In 2005, Dr. Kushner became the Dean of Engineering and the James Melsa Professor at Iowa State University with appointments in the departments of Electrical and Computer Engineering, Materials Science and Engineering, and Chemical Engineering.

For 18 years, Dr. Kushner has worked with the Semiconductor Research Corporation, and his work is widely recognized as the "Gold Standard" for the semiconductor industry. He has published more than 210 journal articles and delivered more than 170 invited symposia presentations on topics related to plasma and thermal materials processing, gas and solid state lasers, pulse power plasmas, chemical lasers, and laser spectroscopy. Dr. Kushner has also trained dozens of Ph.D.s who continue to drive innovation and progress in microelectronics.

Dr. Kushner's efforts in research and training play a crucial role in expanding horizons in semiconductors and the field of engineering for the benefit of society. I consider it an honor to represent Dr. Kushner in Congress, and I wish him continued success in his groundbreaking efforts in the semiconductor industry and his academic work in the field of engineering.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mr. DINGELL. Mr. Speaker, I would ask that the following letters of support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2008, be submitted for the record on the floor debate on this bill.

NATIONAL ASSOCIATION OF STATE MENTAL HEALTH PROGRAM DIRECTORS,
Alexandria, VA, February 29, 2008.

Hon. PATRICK J. KENNEDY,
Hon. JIM RAMSTAD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES KENNEDY AND RAMSTAD: On behalf of the National Association of State Mental Health Program Directors (NASMHPD). I am writing to offer our strong support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2007. NASMHPD represents state and territorial mental health commissioners/directors and their agencies that provide public mental health services to over 6 million people annually. Our members manage community-based systems of care as well as inpatient care in state psychiatric hospitals for individuals with serious mental illness.

It has been over ten years since the Congress passed the Mental Health Parity Act, which prohibited annual and lifetime dollar limits for mental health care. This small but symbolically important first step left much work to be done; it is now the time to fill remaining gaps by prohibiting treatment limitations and eliminating inequitable financial requirements. An ever-growing body of research, advanced especially during and since the 1990–2000 Decade of the Brain, demonstrates that mental and behavioral disorders are brain disorders and benefit in the same way as other physical disorders from advances in science. Scientific knowledge of mental illness has removed all justification for the wide-spread difference in insurance coverage for mental health benefits.

An October 2006 NASMHPD study describes an alarming finding that people with mental illness experience twenty-five years of lost life. This is an unconscionable situation that demands immediate action, for all adults and children with mental illness who now

face such terrible odds against living a long and healthy life. The harsh reality of poor health for those with mental illness requires new approaches to integrate mental health and general health. Enacting a strong mental health parity law has the potential to measurably improve the health status of individuals with mental illness who suffer other dire health consequences.

The states' mental health directors commend you for your leadership on this critical national priority. We are pleased to add our voice to the growing chorus of support that was so clearly demonstrated during your highly successful ''Equity Campaign Tour'' along with the 273 co-sponsors of H.R. 1424.

Sincerely,

ROBERT W. GLOVER,
Executive Director.

AMERICAN PSYCHIATRIC ASSOCIATION,
Arlington, VA, March 5, 2008.

DEAR REPRESENTATIVE: I am writing on behalf of the American Psychiatric Association (APA), the medical specialty representing more than 38,000 psychiatric physicians nationwide, and particularly on behalf of our patients and their families, to urge you to vote for passage of mental health ''parity'' legislation (H.R. 1424) on March 5, and to oppose any weakening amendments and/or motions to recommit.

Mental illnesses have a devastating impact on millions of Americans every day. The good news is that treatment works, but too many insurance plans impose discriminatory cost-sharing and treatment limits on mental health care that are not required for treatment of any other illnesses. For nearly a decade, the Federal Employees Benefits program has required insurers to provide parity coverage for mental health care. Research has shown that the parity requirement has not led to any significant cost increase for federal employees (including Members of Congress and their staff). Surely the public at large deserves the same coverage?

Opponents of the House bill are circulating outrageous and false claims about what the House bill does. I am attaching a brief fact sheet that sets the record straight. Please feel free to share this with your House colleagues.

The members of the APA have been pleased to work with the House Blue Dogs over the years, and look forward to a productive relationship in the years ahead. Please reject the blatant disinformation being circulated by parity opponents and vote for passage of H.R. 1424. It is long past time for Congress to act.

Thank you for your support.

Sincerely,

CAROLYN B. ROBINOWITZ,
President.

AMERICAN PSYCHIATRIC ASSOCIATION RESPONSE TO CONTROVERSY ABOUT DSM–IV AND MENTAL HEALTH PARITY—MARCH 2008

Business and insurance opposition to passage of H.R. 1424 in part involves opposition to the use of the Diagnostic and Statistical Manual of Mental Disorders (DSM–IV) to define those conditions that must be covered by health plans under the terms of the bill. Let's look at a few of these claims:

DSM–IV obligates employers to cover jet lag, caffeine intoxication, and similar conditions:

Fact: This is nonsense. These claims typically refer to so-called ''V Codes.'' These are not DSM diagnoses, The V Codes are developed by the World Health Organization for the International Classification of Diseases (or ICD), not by the APA for the DSM. They are listed in DSM as a courtesy to facilitate coding and cross-walking between DSM and the ICD, and they are intended to allow clinicians to identify the types of non-diagnostic problems that are brought to their attention.

Because it is ''so broad,'' using DSM to set baseline coverage will force insurers and employers to pay for treatments for the most minor of conditions.

Fact: This argument is based on the false premise that diagnosis and treatment are one and the same. This is absolutely false. Simply because a diagnosis is made does not obligate insurers to pay for treatment, and nothing in H.R. 1424 changes that fact. Treatment would still be subject to the same medical necessity decision-making and utilization review that is in effect today. The appropriate treatment for jet lag would almost certainly be ''get some sleep.'' Members of the House should demand that employers who argue about jet lag and caffeine intoxication provide data showing they have incurred any appreciable costs because they have been forced to pay for treatment.

DSM–IV will codify a treatment mandate.

Fact: False. This claim confuses diagnosis with treatment. Once again, DSM–IV is not a treatment mandate, it is a diagnostic tool. In fact, employers and insurers don't want you to know that they use DSM every day to limit and in some cases deny treatment under terms of medical necessity.

The American Psychiatric Association has a vested interest in having DSM–IV written into federal law, creating an improper conflict of interest.

Fact: DSM–IV is widely recognized as the leading and internationally authoritative text for the diagnosis of mental illness. It is the product of exhaustive research and deliberation over a six-year period involving more than 1,000 individuals and numerous professional organizations, as well as agencies of the Federal Government. As a result, DSM–IV is referenced and has legal standing in more than 900 federal and state laws and regulations. The major legal reason why states and the Federal Government have used DSM–IV instead of ICD–9–CM is to insist on a higher and more precise standard for defining a mental disorder. Are employers and insurers proposing to ban any references to CPT–Codes in federal law, or use of ICD–9–CM codes for billing purposes? Of course not. Why is DSM–IV any different?

The House of Representatives is poised to take a truly historic step toward ending insurance discrimination against Americans seeking help for mental illnesses, including substance-related disorders. Please do not allow the deliberate distortions and outright falsehoods about DSM–IV asserted by business and insurance groups to influence your vote. The 38,000 psychiatric physician members of the American Psychiatric Association urge you vote for passage of H.R. 1424.

For additional information, please contact the APA's Department of Government Relations.

NATIONAL COUNCIL ON ALCOHOLISM AND DRUG DEPENDENCE, INC.,
New York, NY, March 3, 2008.

Re support for HR–1424 the Paul Wellstone Mental Health and Addiction Equity Act.

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

Hon. JOHN BOEHNER,
Republican Leader, House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER BOEHNER: On behalf of the National Council on Alcoholism and Drug Dependence, Inc. (NCADD) and our National Network of Affiliates, I am writing to express our support for HR 1424, the Paul Wellstone Mental Health and Addiction Equity Act. HR–1424 would prohibit insurance discrimination against 80 million Americans suffering from addiction and mental illness! Pass HR–1424 without any amendments that would weaken the bill and oppose any effort to substitute S–558. A vote for S–558 is a vote against addiction and mental health coverage that would count!

The lives of millions of Americans are at stake. Last year, over 650,000 individuals and family members contacted NCADD seeking help for themselves or a family member! The lack of access to alcoholism and addiction specific treatment through insurance results in continued alcohol/drug use and insurance pays a fortune to treat all of the physical symptoms that result from alcoholism and addiction, accidents, gastritis, broken arms/legs, cirrhosis, etc. The financial cost of addiction and mental health problems is staggering. And, the best way to reduce those costs is by providing access to treatment! Each year, 1.3 billion work days are lost due to mental disorders, more than arthritis, stroke, heart attack and cancer combined. Moreover, workers with untreated depression cost their employers $31 billion a year in lost productivity and workers with untreated alcoholism cost their employers $135 billion in lost productivity each year.

The time to end the insurance discrimination faced by those with addiction and mental health issues is now! The Paul Wellstone Mental Health and Addiction Equity Act (H.R. 1424), introduced by Representatives Patrick Kennedy (D–RI) and Jim Ramstad (R–MN), has the support of the majority of the House with 273 cosponsors. The bill has been favorably reported by the Ways and Means, Energy and Commerce and Education and Labor Committees. Lastly, fourteen Congressional field hearings in 2007 clearly documented the need for equity in health plans for the treatment of addiction and mental illness, parity is a priority and it must be passed now!

Because of the critical nature of this legislation, we urge you to vote in support of HR 1424. On behalf of those who will benefit from access to life-saving treatment, thank you for support!

Sincerely,

ROBERT J. LINDSEY,
President/CEO.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mr. Ramstad. Mr. Speaker, I would like to have the following letters of support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act, submitted for the record on the floor debate of this bill.

HAZELDEN,
Center City, MN, March 3, 2008.

Hon. NANCY PELOSI,
Speaker of the House of Representatives, Capitol Building, Washington, DC.

Hon. JOHN BOEHNER,
Republican Leader, House of Representatives, Capitol Building, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER BOEHNER: On behalf of the Hazelden Foundation, I am writing to express our strong support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act. This landmark legislation would prohibit insurance discrimination against 80 million Americans suffering from addiction and mental illness.

I am writing because our country cannot afford the continued burden of untreated addiction and mental illness. Untreated addiction costs Americans $400 billions annually

and is more expensive than 3 of the Nation's top 10 killers: 6 times more expensive than America's number one killer: heart disease ($133.2 billion/year), 6 times more than diabetes ($130 billion/year), 4 times more than cancer ($96.1 billion/year).

The time for the passage of parity is now. Over 25 million people need mental health and addiction treatment but are not getting it. Legislation to bring full equity to mental health coverage has been introduced in the House in every Congress since the 107th session but until this year, it never received consideration in committees or on the floor despite bipartisan majority cosponsorship. Now, H.R. 1424, introduced by Representatives Patrick Kennedy (D–RI); and Jim Ramstad (R–MN), has the support of the majority of the House with 273 cosponsors. The bill has been favorably reported by the Ways and Means, Energy and Commerce and Education and Labor Committees. In 2007, fourteen different field hearings were held around the country and included testimony from employers and insurers. These hearings documented the need for equity in health plans for the treatment of addiction and mental illness. The record shows parity is a priority that must be passed now.

We are hopeful the House of Representatives will pass H.R. 1424 this week with a strong bipartisan majority. The Hazelden Foundation stands ready to assist you toward the goal of achieving access to treatment for addiction in health plans for all Americans.

Sincerely,

NICHOLAS T. MOTU,
Senior Vice President and COO Publishing.

FEDERATION OF AMERICAN HOSPITALS,
Washington, DC, March 3, 2008.

Speaker NANCY PELOSI,
U.S. Congress,
Washington, DC.
Minority Leader JOHN BOEHNER,
U.S. Congress,
Washington, DC.

DEAR SPEAKER PELOSI AND LEADER BOEHNER: The Federation of American Hospitals (FAH), representing America's investor-owned and managed hospitals and health systems, supports swift passage of the Paul Wellstone Mental Health and Addiction Equity Act of 2007 (H.R. 1424). This legislation will provide greatly needed access to mental health treatment for Americans who need it most.

This bipartisan legislation would end prevalent forms of health insurance discrimination against patients with debilitating chronic mental illnesses. Additionally, H.R. 1424 will assist millions of Americans in obtaining the necessary hospital care they need and were previously denied because of inadequate mental health coverage.

H.R. 1424 is paid for, in part, by prohibiting physician self-referral to a hospital in which a physician has an ownership interest. Physician self-referral presents an inherent conflict of interest, creates an unlevel, anticompetitive playing field; threaten patient safety; fail low-income and uninsured patients; and, has resulted in the overutilization of limited Medicare resources. We strongly support this provision.

We deeply appreciate Congress' ongoing commitment to mental health parity and strengthening the Medicare program.

Sincerely,

——— ———.

CHILDREN AND ADULTS WITH ATTENTION DEFICIT/HYPERACTIVITY DISORDERS,
Landover, MD, March 4, 2008.

Hon. PATRICK J. KENNEDY,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN KENNEDY: On behalf of Children and Adults with Attention Deficit/Hyperactivity Disorders (CHADD), we write in strong support of the Paul Wellstone Mental Health and Addiction Equity Act of 2007, which will be debated this week in the U.S. House of Representatives. We write to urge all Members of Congress to vote for passage of this legislation.

Currently, 113 million Americans face higher payments and stricter coverage limits for some illnesses than for others because their health plans discriminate against them. For example, many health plans pay more of the expenses for diabetes than for depression or attention-deficit/hyperactivity disorder (AD/HD), though all can be serious, chronic conditions requiring intensive, long-term treatment. Of they pay more for Parkinson's and Alzheimer's than for schizophrenia, though all affect the structure and function of the brain. We cannot let this continue.

Disparity in mental health coverage disproportionately affects low-income and minority populations who may not have access to care, in part because they can't afford to pay the extra out-of-pocket expenses, or because they cannot access health care providers. Some families have to relinquish custody of their children in order to get needed treatment. We all pay the price when mental health and substance abuse issues are not addressed.

The Paul Wellstone Mental Health and Addiction Equity Act of 2007 will end insurance discrimination by providing equal coverage for health and mental health/substance abuse treatment, including days/visits covered, cost caps, coinsurance, co-payments, deductibles and out-of-pocket costs.

This legislation will help many children and adults—including children and adults with AD/HD—to access the mental health and substance abuse treatment they need. We strongly support this legislation, and urge all Member of Congress to vote YES on this important bill.

Thank you for your leadership on this issue.

Sincerely,

E. CLARKE ROSS,
CEO.

Hon. PATRICK J. KENNEDY,
House of Representatives,
Washington, DC.
Hon. JIM RAMSTAD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES KENNEDY AND RAMSTAD: I am writing on behalf of the American Counseling Association (ACA) to express our strong support for your legislation H.R. 1424, the ''Paul Wellstone Mental Health and Addiction Equity Act.'' ACA is the Nation's largest non-profit membership organization representing the counseling profession, which includes more than 100,000 professional counselors licensed in 49 states and the District of Columbia.

Mental and addiction disorders are real, and are treatable. For decades, millions of American families experiencing such disorders have had their access to care limited by discriminatory health insurance policies. Your legislation would help end this practice, closing major loopholes in the 1996 federal parity law. By requiring group health plans that cover mental health and substance use benefits to do so without different duration limits and financial requirements, this legislation will help millions of people with mental disorders get the care they need.

Importantly, your legislation also prohibits plans from declining to cover care for certain mental or addictive disorders. giving privately-insured Americans coverage for the same range of conditions for which members of Congress and other federal employees enjoy protection under Federal Employees Health Benefits Program (FEHBP) policies. Your legislation also requires health plans to cover out-of-network care for these disorders if they cover out-of-network care for general medical conditions. Patient choice of provider is critically important in mental health treatment, and a plan can hardly be said to be providing parity of coverage if they restrict choice of provider for mental and addictive disorders but don't do so for general medical services.

We applaud your consistent leadership in championing this landmark legislation, and we urge all House members to vote for H.R. 1424 and against any amendments to weaken its protections. Congress has a chance to take an historic step forward in passing this legislation. We hope that House passage of your strong, bipartisan bill will spur to completion the negotiations with the Senate on legislation that can become law later this year.

Sincerely,

BRIAN CANFIELD,
President,
American Counseling Association.

EATING DISORDERS COALITION,
Washington, DC, March 4, 2008.

Hon PATRICK J. KENNEDY,
House of Representatives
Washington, DC.
Hon JIM RAMSTAD,
House of Representatives
Washington, DC.

DEAR REPRESENTATIVES KENNEDY AND RAMSTAD: I am writing on behalf of the Eating Disorders Coalition which represents 36 different organizations and constituents in all 50 states and the District of Columbia. Our researchers, therapists, prevention experts, and families understand that eating disorders are life-threatening—often deadly—and can linger, diminishing one's quality of life for decades. Unfortunately, our members also know how difficult it is to access care, even under policies that supposedly include mental health coverage.

We urge House members to bring H.R. 1424, the Paul Wellstone Mental Health & Addiction Equity Act to the floor on March 5, 2008 and vote YES on this important bill,

Millions of American families face structural discrimination against the mental health benefits in their health coverage. For example, people with eating disorders are often denied services as managed care companies and health care providers struggle with arbitrary interpretations of medical necessity. Your proposed legislation will strengthen the appropriate role of managed care as it also expands access to life-saving mental health services.

We hope that House passage of your strong bipartisan bill will lead to the completion of negotiations with the Senate on a bill that can become law this year. Additionally we urge that the broad-based definition of mental disorders that is a cornerstone of H.R 1424 remain intact as it will ensure that people with eating disorders receive appropriate care.

It is time that our great nation takes the next step to advance care for people with mental health needs.

We thank you for your leadership on this important issue.

Sincerely.

MARC LERRO,
Executive Director.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mr. KENNEDY. Mr. Speaker, I would like to have the following letters of support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act, submitted for the RECORD on the floor debate of this bill.

THE BETTY FORD CENTER,
Rancho Mirage, CA,
MARCH 3, 2008.

Hon. NANCY PELOSI,
Speaker of the House of Representatives, Capitol Building, Washington, DC.
Hon. JOHN BOEHNER,
Republican Leader, House of Representatives, Capitol Building, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER BOEHNER: On behalf of the Betty Ford Center, I am writing to express my strong support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act. This landmark legislation would prohibit insurance discrimination against 80 million Americans suffering from addiction and mental illness.

I am writing because our country cannot afford the continued burden of untreated addiction and mental illness. Untreated addiction costs Americans $400 billion each year. Moreover, each year, 1.3 billion work days are lost due to mental disorders, more than arthritis, stroke, heart attack and cancer combined and workers with untreated alcoholism cost their employers $135 billion in lost productivity annually.

The time for the passage of parity is now. Over 25 million people need mental health and addiction treatment but are not getting it. Legislation to bring full equity to mental health coverage has been introduced in the House in every Congress since the 107th session but until this year, it never received consideration in committees or on the floor despite bipartisan majority cosponsorship. Now, H.R. 1424, introduced by Representatives PATRICK KENNEDY (D–RI) and JIM RAMSTAD (R–MN), has the support of the majority of the House with 273 cosponsors. The bill has been favorably reported by the Ways and Means, Energy and Commerce and Education and Labor Committees. In 2007, the Betty Ford Center was pleased to join with families, providers, employers and state and local officials at fourteen different field hearings held around the country. These hearings documented the need for equity in health plans for the treatment of addiction and mental illness. The record shows parity is a priority that must be passed now.

I am hopeful the House of Representatives will pass H.R. 1424 this week with a strong bipartisan majority. The Betty Ford Center stands ready to assist you and your colleagues in the Senate in making equitable treatment for addiction and mental health in health plans a reality for all Americans in 2008.

Sincerely,

MRS. BETTY FORD.

BRAIN INJURY ASSOCIATION OF AMERICA,
Vienna, VA, March 3, 2008.

Hon. NANCY PELOSI,
Speaker of the House of Representatives, Washington, DC.
Hon. JOHN BOEHNER,
Republican Leader, House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER BOEHNER: On behalf of the Brain Injury Association of America, I am writing to express our support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act, which would prohibit insurance discrimination against 80 million Americans suffering from addiction and mental illness.

An intricate and intertwined relationship exists between substance abuse, mental health, and traumatic brain injury (TBI). Substance use and abuse is often both an antecedent to and a consequence of TBI. Incidence data indicate that substance abuse significantly raises an individual's risk of sustaining a brain injury. TBI is one of the most common and tragic consequences of substance abuse, especially by teenagers and young adults. In addition, neurobehavioral problems commonly arise as a direct result of TBI, and psychotherapeutic services are integral to successful neurorehabilitation programs. Access to comprehensive and specialized addiction and mental health services is critical to maximizing the recovery of individuals brain injury.

The time for the passage of parity is now. More than 25 million people need mental health and addiction treatment but are not getting it. Legislation to bring full equity to mental health coverage has been introduced in the House in every Congress since the 107th session but until this year, it never received consideration in committees or on the floor despite bipartisan majority cosponsorship. Note, the Paul Wellstone Mental Health and Addiction Equity Act (H.R. 1424), introduced by Representatives Patrick Kennedy (D–RI) and Jim Ramstad (R–MN), has the support of the majority of the House with 273 cosponsors. The bill has been favorably reported by the Ways and Means, Energy and Commerce and Education and Labor Committees. Remarkably, 14 different field hearings documenting the need for equity in health plans for the treatment of addiction and mental illness were held around the country in 2007. The record shows parity is a priority that must be passed now.

Because of the critical nature of this legislation, the Brain Injury Association of America urges you to pass H.R. 1424 when it comes to the floor this week. Our organization stands ready to assist you toward the goal of achieving fairness in health plans for all Americans.

SINCERELY,
SUSAN H. CONNORS,
President/CEO,
Brain Injury Association of America.

NATIONAL COUNCIL FOR COMMUNITY BEHAVIORAL HEALTHCARE,
March 3, 2008.

Hon. PATRICK J. KENNEDY,
House of Representatives, Washington, DC.
Hon. JIM RAMSTAD,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES KENNEDY AND RAMSTAD: I am writing on behalf of the National Council for Community Behavioral Healthcare to urge House Members to vote YES on your bill H.R. 1424, the Paul Wellstone Mental Health & Addiction Equity Act.

Millions of American families who face structural discrimination against the mental health and addiction treatment benefits in their health coverage will welcome passage of this legislation. It is designed to close loopholes in the 1996 Federal parity law that has too often been evaded. By requiring group health plans that provide mental health or substance use benefits to include them without different duration limits and financial requirements, this legislation will help people with mental and addiction disorders without a costly burden on employers.

We hope that House passage of your strong bipartisan bill will spur to completion the negotiations with the Senate on a bill that can become law this year. Further delay is not acceptable.

Thank you for your leadership on this important issue.

Sincerely,
LINDA ROSENBERG, MSW, CSW,
President and CEO.

AMERICAN SOCIETY OF ADDICTION MEDICINE,
Chevy Chase, MD, March 4, 2008.

Hon. NANCY PELOSI,
Speaker of the House of Representatives, Washington, DC.
Hon. JOHN BOEHNER,
Republican Leader, House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER BOEHNER: On behalf of the American Society of Addiction Medicine (ASAM), I am writing to express our strong support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act. This landmark legislation would prohibit insurance discrimination against 80 million Americans suffering from addiction and mental illness.

ASAM's mission is to increase access to and improve the quality of addiction treatment; to educate physicians (including medical and osteopathic students), other health care providers and the public; to support research and prevention; to promote the appropriate role of the physician in the care of patients with addiction; and to establish addiction medicine as a specialty recognized by professional organizations, governments, physicians, purchasers and consumers of health care services, and the general public.

I am writing because our country cannot afford the continued burden of untreated addiction and mental illness, Over 25 million people need mental health and addiction treatment but are not receiving it and the costs are staggering. Left untreated, addiction costs Americans $400 billion dollars each year. Moreover, 80 percent of trauma admissions in emergency departments are alcohol and drug related.

The time for the passage of parity is now. Legislation to bring all equity to mental health coverage has been introduced in the House in every Congress since the 107th session but until this year, it never received consideration in committees or on the floor despite bipartisan majority co-sponsorship. Now, H.R. 1424, introduced by Reps. PATRICK KENNEDY (D–RI) and JIM RAMSTAD (R–MN), has the support of the majority of the House with 273 co-sponsors. The bill has been favorably reported by the Ways and Means, Energy and Commerce and Education and Labor Committees. In 2007, fourteen different field hearings were held around the country and included testimony from employers and insurers. These hearings documented the need for equity in health plans for the treatment of addiction and mental illness. The record shows parity is a priority that must he passed now.

We are hopeful the House of Representatives will pass H.R. 1424 this week with a strong bipartisan majority. The American Society of Addiction Medicine stands ready to assist you toward the goal of achieving

access to treatment for addiction in health plans for all Americans.

Sincerely,

MICHAEL M. MILLER,
President and Board Chair.

SUICIDE PREVENTION ACTION NETWORK USA,
Washington, DC, March 3, 2008.

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

Hon. JOHN BOEHNER,
Minority Leader, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER AND LEADER BOEHNER: On behalf of the Suicide Prevention Action Network USA (SPAN USA), I am writing to express our support for HR 1424, the Paul Wellstone Mental Health and Addiction Equity Act. This landmark legislation would prohibit insurance discrimination against 80 million Americans suffering from addiction and mental illness.

Our country cannot afford to wait to pass this legislation. The cost of doing nothing to help people with their mental health and addiction problems is staggering. Each year, more than 31,000 individuals die by suicide and 1.3 billion work days are lost due to mental health and substance abuse disorders, more than arthritis, stroke, heart attack and cancer combined. Moreover, workers with untreated depression cost their employers $31 billion a year in lost productivity and workers with untreated alcoholism cost their employers $135 billion in lost productivity each year.

The time for the passage of parity is now. Far too many individuals who complete suicide have never seen a mental health professional. Legislation to bring full equity to mental health coverage has been introduced in the House in every Congress since the 107th session but until this year, it never received consideration in committees or on the floor despite having over 218 bipartisan cosponsors. Now, the Paul Wellstone Mental Health and Addiction Equity Act (H.R. 1424), introduced by Representatives PATRICK KENNEDY (D–RI) and JIM RAMSTAD (R–MN), has the support of the majority of the House with 273 cosponsors. The bill has been favorably reported by all three committees of jurisdiction. Lastly, fourteen field hearings documenting the need for equity in health plans for the treatment of addiction and mental illness were held in 2007.

Because of the critical nature of this legislation, we support passage of H.R. 1424. SPAN USA stands ready to assist you toward the goal of achieving fairness in health plans for all Americans.

Sincerely,

JERRY REED, PH.D., M.S.W.,
Executive Director, Suicide Prevention Action Network USA.

HONORING LORNA MULLINGS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today in recognition of Lorna Mullings, a remarkable woman who after a 13-year career in banking, pursued her real passion of nursing. So in 1986, as a new immigrant, an active church worker, a wife and mother of two small children, Lorna Mullings decided to return to school and become a Registered Nurse.

In June of 1992, she graduated from St. Joseph College with a bachelors degree in nursing, Amid the cheers of her now teenage children, she graduated Hunter College with a double masters in nursing and public health in 2002. However, midway through pursuing her masters degree which was focusing on HIV/AIDS, she was doing course work on health disparities among developed and developing countries when "something hit home." There was a definite connection with a previous paper in her undergraduate studies in which she documented her life's goal to work among the poor people of Somalia. This was also a time of defining professional and personal dreams and because her belief in God was so strong, she knew that becoming a missionary nurse was her special calling.

With her pastor's/husband's approval, blessing, and backing, she formed the Dorcas Medical Mission in 1999. In 2000, Lorna planned and implemented the mission's first outreach to Kingston, Jamaica. Since that time, she has led 15 medical missions to nine countries, bringing free dental, medical, surgical, food and clothing to thousands of needy families worldwide. In addition to these missions, she is currently in the process of opening an orphanage in Alexandria, South Africa for the caring of children left orphaned by parents who were victims of HIV/AIDS.

Lorna Mullings has worked as a nurse for over 15 years in the areas of medical, surgical, endoscopy, recovery, psychiatry, administration and community health. Today, she works as a nurse manager at the Interfaith Medical Center, managing the pediatric and medical surgical units.

Madam Speaker, Ms. Mullings is well deserving of our respect for her humanitarian works and charitable outreach—she went on to initiate the Rugby Feeding Program, which now feeds over 70 homeless people with hot meals 4 days a week and heads the Rugby Family Services. Her compassion for the less fortunate is indeed noteworthy, and I am proud to recognize her today.

KATHERINE HOFFMAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Katherine Hoffman of Trenton, Missouri. Katherine is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, and earning the most prestigious award of Girl Scout Gold Award.

Katherine has been very active with her troop, participating in many scout activities. In order to receive the prestigious Gold Award, Katherine has completed all seven requirements that promote community service, personal and spiritual growth, positive values and leadership skills.

Madam Speaker, I proudly ask you to join me in commending Katherine Hoffman for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of Girl Scout Gold Award.

HONORING CORN BELT POWER COOPERATIVE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. LATHAM. Madam Speaker, I rise today to congratulate Corn Belt Power Cooperative of Humboldt, Iowa, on the occasion of their 60th anniversary.

Before 1947, electric cooperatives were unable to keep up with farmers' additional need of electricity to power their homes and farms, and power companies in the cities were wary of selling electricity to rural Iowa. As a result of the increased demand, two smaller power cooperatives merged to create a partnership that could build a larger coal-fired generation, thus forming Corn Belt Power.

In the early years, Corn Belt Power was a source for electric lights, storing and preparing food in rural homes, pumping water, and bringing ease to daily farm chores. Today Corn Belt Power is a source of power for sophisticated livestock systems and computers, heat pumps and efficient heating and cooling systems for homes. Corn Belt Power has withstood many ups and downs, including the energy crisis in the 1970s, the farm crisis of the 1980s, and our need for energy efficiency today.

Corn Belt Power Cooperative of Humboldt is dedicated to benefiting rural Iowa and the agricultural community, and for this I offer them my utmost congratulations and thanks. It is an honor to represent the employees of Corn Belt Power, the board of directors, and President Donald Feldman in the U.S. Congress, and I wish them continued success in serving the people of rural Iowa.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. DIANA DEGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Ms. DeGETTE. Mr. Speaker, I would like to have the following letters of support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2008, submitted for the RECORD on the floor debate of this bill.

AMERICAN CORRECTIONAL ASSOCIATION,
Alexandria, VA, February 29, 2008.

Hon. PATRICK J. KENNEDY,
Cannon HOB, Washington, DC.

DEAR REPRESENTATIVE KENNEDY: On behalf of the American Correctional Association and our 18,000 members I'd like to express our full support for your bill, H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2007.

The health care system in our country has neglected the mentally ill long enough and it must change. We in criminal justice and more specifically the corrections profession know first-hand the effect inadequate mental health care has on our communities. Jails and prisons have become defacto mental health hospitals wherein a high prevalence of mental health problems and addiction among inmates is common and recidivism rates are high.

A report issued by the U.S. Department of Justice Bureau of Justice Statistics in September 2006 revealed that more than half of all prison and jail inmates had a mental health problem. BJS also reported that more than two-fifths of state inmates and more than half of jail inmates showed symptoms of mania, 23% of state prisoners and 30% of jail inmates suffer from depression and that 15% of state prisoners and 24% of jail inmates met the criteria for psychotic disorders. 24% of state prisoners and 19% of jail inmates suffered from substance dependence or abuse and an estimated 42% of inmates in state prisons and nearly half of those in local jails were found to have both a mental health problem and a substance dependence or abuse problem.

Without proper care and treatment in a mental hospital, these individuals will never recover or be healthy again nor will they ever be able to live a normal life. Most likely they will continue to recidivate, crowd our facilities, drive up costs throughout the entire criminal justice system and cause harm to others and unto themselves. Quite simply, correctional facilities are not equipped and corrections personnel are not trained to handle the mentally ill individuals.

We appreciate your leadership on this issue and offer you our full support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2007.

Sincerely,

GARY D. MAYNARD,
President.

NATIONAL ASSOCIAITON OF ANOREXIA NERVOSA AND ASSOCIATED DISORDERS,
Highland Park, IL, March 3, 2008.

Re the Paul Wellstone Mental Health and Addiction Equity Act of 2007.

Hon. PATRICK J. KENNEDY and Hon. JIM RAMSTAD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES KENNEDY AND RAMSTAD: I am writing on behalf of ANAD, the National Association of Anorexia Nervosa and Associated Disorders, to urge House Members to vote YES on your bill H.R. 1424, the Paul Welistone Mental Health & Addiction Equity Act. ANAD is the nation's oldest organization dedicated to alleviating the problems of eating disorders, with an active membership composed of professionals, sufferers, and their families.

More than 8 million Americans suffering from eating disorders who face overwhelming obstacles to health insurance coverage for mental health treatment fully embrace the passage of this legislation. Eating disorders kill. Anorexia nervosa has the highest mortality rate of any mental illness. By closing the loopholes in the 1996 federal parity law and requiring equity in eating disorders coverage, treatment, and financial requirements, this legislation will greatly assist Americans with these potentially deadly illnesses without a costly burden to employers.

ANAD hopes that passage of your strong bipartisan bill will hasten the completion of negotiations with the Senate on a bill that will cover the full range of mental illnesses and become law this year. Further delay is unacceptable, especially for those whose lives are in peril.

We thank you for your leadership on this important issue.

Sincerely,

VIVIAN HANSON MEEHAN,
President.

EASTER SEALS,
Washington, DC, March 3, 2008.

DEAR REPRESENTATIVE: Easter Seals urges you to vote to support the passage of H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2007. Access to mental health services is essential for anyone to live a healthy life.

Mental health disorders are the second leading cause of disability and premature death in the United States and are often experienced by people with disabilities. Many health insurance plans set cost limits on mental health treatment, but do not impose similar cost limits on other medical and surgical benefits. It is critical that access to mental health services be on par with access to services for other medical conditions. Breaking down barriers to accessing mental health services improves the lives of people with disabilities, strengthens families and saves lives.

We look forward to continuing to work with you as the process moves forward Thank you for considering our views.

Sincerely,

KATHERINE BEH NEAS,
Vice President, Government Relations.

SERVICE EMPLOYEES INTERNATIONAL UNION,
Washington, DC, March 4, 2008.

DEAR REPRESENTATIVE: The Service Employees International Union (SEIU) urges you to vote ''yes'' on H.R. 1424, the Paul Wellston Mental Health and Addiction Equity Act. Millions of American families are touched by mental illness and substance abuse disorders, and our workplaces are less productive when mental illness is untreated and stigmatized. H.R. 1424 would require that group health plans cover mental illness on the same terms that it provides for medical and surgical coverage. There is a growing body of evidence that supports the effectiveness of various treatments for people suffering from mental illness and substance abuse disorders. High co-pays and deductibles can discourage access to treatment, and arbitrary limits can result in discontinued therapies that would otherwise be effective. Better screening and early treatment is often the most cost-effective treatment. It is time to pass H.R. 1424 and give new hope and treatment to millions of patients and families struggling with mental illness.

Votes on this legislation will he added to the SEW scorecard found at www.seiu.org. If you have any questions, please contact Ann Kempski. Deputy Director of Legislation.

Sincerely,

ANNA BURGER,
International Secretary-Treasurer.

AUTISM SOCIETY OF AMERICA,
Bethesda, MD, March 2, 2008.

Hon. PATRICK KENNEDY,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN KENNEDY: On behalf of the Autism Society of America, we write in strong support of the Paul Wellstone Mental Health and Addiction Equity Act of 2007. This legislation will go a long way to end discrimination by private health insurers by mandating parity in the treatment of mental health coverage.

Autism is a complex developmental disability that typically appears during the first three years of life and affects a person's ability to communicate and interact with others. Autism is defined by a certain set of behaviors and is a ''spectrum disorder'' that affects individuals differently and to varying degrees. There is no known single cause for autism, nor is there a single treatment.

While there is no single treatment for autism, intensive, sustained special education programs and behavior therapy does improve the function of children with autism, allowing them to increase their communication skills and learn. Individuals with autism often benefit from mental health treatments including the prescribing of medication and counseling. Beyond these, there are new treatments and interventions on the horizon, and it is important that individuals with autism can access breakthrough therapies.

Your legislation provides equal treatment of mental health insurance benefits compared to medical and surgical benefits specifically with respect to cost sharing requirements, financial requirements, and treatment limitations. Many individuals with autism have co-morbid mental illnesses and would greatly benefit from enactment of this legislation.

ASA, the nation's leading grassroots autism organization, exists to improve the lives of all affected by autism. On behalf of our 200,000 members and supporters across the nation, we thank you for your leadership on this issue, and strongly support you in your efforts.

Sincerely,

LEE GROSSMAN,
President and CEO.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Ms. SCHAKOWSKY. Mr. Speaker, I would like to have the following letters of support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act, submitted for the record on the floor debate of this bill.

MARCH 4, 2008.

Hon. NANCY PELOSI,
Speaker of the House of Representatives, Capitol Building, Washington, DC.

Hon. JOHN BOEHNER,
Republican Leader, House, Capitol Building, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER BOEHNER: Consumers Union, the nonprofit publisher of Consumer Reports, urges you to support HR 1424, the Paul Wellstone Mental Health and Addiction Equity Act, to prohibit insurance discrimination against 80 million Americans suffering from addiction and mental illness.

Over 25 million people need mental health and addiction treatment but are not getting it. Each year, 1.3 billion work days are lost due to mental disorders, more than arthritis, stroke, heart attack and cancer combined. Moreover, workers with untreated depression cost their employers $31 billion a year in lost productivity and workers with untreated alcoholism cost their employers $135 billion in lost productivity each year. The need for equity in health plans for the treatment of addiction and mental illness is well documented—14 field hearings were held around the country in 2007. The time to pass this legislation is now.

H.R. 1424, introduced by Representatives Patrick Kennedy and Jim Ramstad, has the support of the majority of the House with 273 cosponsors. Because of the critical nature of this legislation, we urge you to support HR 1424 and move it to the full floor for a vote as soon as possible.

Sincerely,

GAIL SHEARER,
Director, Health Policy Analysis, Consumers Union Washington Office.

NATIONAL ASSOCIATION OF COUNCILS ON DEVELOPMENTAL DISABILITIES,
Alexandria, VA, March 2, 2008.

Hon. PATRICK KENNEDY,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN KENNEDY: On behalf of the National Association of Councils on Developmental Disabilities we write in strong support of the Paul Wellstone Mental Health and Addiction Equity Act of 2007.

Research from the past 10 to 20 years has resulted in a fundamental change in the way mental illnesses are viewed and treated. We know now that people can improve and recover from many serious mental illnesses. Yet, according to the Substance Abuse and Mental Health Administration's (SAMHSA) Resource Center to Address Discrimination Stigma Associated with Mental Illness (ADS Center), only 1 in 5 of children in need is receiving appropriate treatment. Two-thirds of the roughly 54 million Americans with mental illnesses do not receive treatment.

Your legislation provides equal treatment of mental health insurance benefits compared to medical and surgical benefits specifically with respect to cost sharing requirements, financial requirements, and treatment limitations. Without parity, millions of Americans will continue to go without groundbreaking treatment leading them to suffer more emotional pain, disability, and financial burden, and resulting in greater morbidity costs—the loss of productivity in usual activities.

As you work to move this legislation across the finish line, the Councils strongly support your efforts. Thank you for your leadership on this issue.

Sincerely,

KAREN F. FLIPPO,
Chief Executive Officer.

LISTENING SAGE ASSOCIATES,
Santa Fe, NM.

Hon. PATRICK J. KENNEDY,
House of Representatives,
Washington, DC.

Hon. JIM RAMSTAD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES KENNEDY AND RAMSTAD: I am writing to urge House Members to vote YES on your bill H.R. 1424, the Paul Wellstone Mental Health & Addiction Equity Act.

Insurance coverage has been grossly inadequate for mental health services and many families have not been able to afford services. Insurance companies often give false impressions about the real mental health benefits they offer. Often the client pays three fourths of the bill and the insurance company pays a small co-pay. This is unfair and dishonest. I hope your bill will be supported and passed. It needs to cut out the loop holes in former mental health acts.

Thank you for your leadership.

Sincerely,

LEONA STUCKY-ABBOTT.

NATIONAL ASSOCIATION FOR THE DUALLY DIAGNOSED,
Kingston, NY, February 29, 2008.

Hon. PATRICK J. KENNEDY,
House of Representatives,
Washington, DC.

Hon. JIM RAMSTAD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES KENNEDY AND RAMSTAD: I am writing on behalf of the National Association for the Dually Diagnosed (NADD) to urge House Members to vote YES on your bill H.R. 1424, the Paul Wellstone Mental Health Addiction Equity Act.

Millions of American families who face structural discrimination against the mental health benefits in their health coverage will welcome passage of this legislation. It is designed to close loopholes in the 1996 Federal parity law that has too often been evaded. By requiring group health plans that provide mental health or substance use benefits to include them without different duration limits and financial requirements, this legislation will help people with mental disorders without a costly burden on employers.

We hope that House passage of your strong bipartisan bill will spur to completion the negotiations with the Senate on a bill that can become law this year. Further delay is not acceptable.

Thank you for your leadership on this important issue.

Sincerely,

ROBERT J. FLETCHER,
Chief Executive Officer and Founder.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mr. PALLONE. Mr. Speaker, I would ask that the following letters of support for H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2008, submitted for the RECORD on the floor debate on this hill.

PARITY NOW COALITION,
March 3. 2008.

Hon. PATRICK KENNEDY,
House of Representatives,
Washington, DC.

Hon. JIM RAMSTAD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE KENNEDY AND REPRESENTATIVE RAMSTAD: The undersigned organizations applaud you for your commitment to mental health and addiction parity legislation. We wish to thank you and your staffs for the countless hours you have dedicated to this bill thus far and look forward to working with you towards enacting the Paul Wellstone Mental Health and Addiction Equity Act of 2007 into law.

We hereby lend our formal support to this invaluable piece of legislation.

NATIONAL ORGANIZATIONS

AFL–CIO
AIDS Action Council
Alliance for Children and Families
American Academy of Child and Adolescent Psychiatry
American Academy of HIV Medicine
American Academy of Neurology
American Academy of Pediatrics
American Association for Geriatric Psychiatry
American Association for Marriage and Family Therapy
American Association for Psychological Rehabilitation
American Association for the Treatment of Opioid Dependence
American Association of Children's Residential Centers
American Association of Pastoral Counselors
American Association of Suicidology
American College of Occupational and Environmental Medicine
American Counseling Association
American Federation of Teachers
American Foundation for Suicide Prevention
American Group Psychotherapy Association
American Hospital Association
American Medical Association
American Mental Health Counselors Association
American Music Therapy Association
American Nurses Association
American Occupational Therapy Association
American Psychiatric Nurses Association
Amercan Psychoanalytic Association
American Psychotherapy Association
American Probation and Parole Association
American Public Health Association
American School Health Association
American Society of Addiction Medicine
Anna Westin Foundation
Anxety Disorders Association of America
Association for the Advancement of Psychology
Association for Ambulatory Behavioral Healthcare
Association for Psychological Science
Association of American Medical Colleges
Association of Jewish Family & Children's Agencies
Association of Recovery Schools
Association of University Centers on Disabilities
Bazelon Center for Mental Health Law
Betty Ford Center
Bradford Health Services
Caron Treatment Centers
Center for Clinical Social Work
Center for Science in the Public Interest
Children and Adults with Attention-Deficit/Hyperactivity Disorder
Child Welfare League of America
Clinical Social Work Association
Clinical Social Work Guild 49, OPEIU
Community Anti-Drug Coalitions of America (CADCA)
Cumberland Heights
Depression and Bipolar Support Alliance
Disability Rights Education & Defense Fund
Easter Seals
Eating Disorders Coalition for Research, Policy and Action
Eating Disorder Referral and Information Center/EDReferral.com
Entertainment Industries Council
Faces and Voices of Recovery
Families for Depression Awareness
Families USA
Family Voices
Federation of Families for Children's Mental Health
First Focus
Hazelden Foundation
HIV Medicine Association
Housing Works, Inc
Human Rights Campaign
Institute for the Advancement of Social Work Research
Johnson Institute
Kids Project
Legal Action Center
Mental Health America
NAADAC—The Association for Addiction Professionals
National Advocacy Center of the Sisters of the Good Shepherd
National Advocates for Pregnant Women
National Alliance of Methadone Advocates
National Alliance to End Homelessness
National Association for Children of Alcoholics
National Association of Addiction Treatment Providers
National Association of Anorexia Nervosa and Associated Disorders—ANAD
National Association of County and City Health Officials
National Association of County Behavioral Health and Developmental Disability Directors

National Association of Mental Health Planning & Advisory Councils
National Association of Pediatric Nurse Practitioners
National Association of School Psychologists
National Association of Social Workers
National Association of State Directors of Special Education
National Association on Alcohol, Drugs, and Disability, Inc.
National Committee to Preserve Social Security and Medicare
National Council for Community Behavioral Healthcare
National Council on Alcoholism and Drug Dependence (NCADD)
National Council on Independent Living
National Development and Research Institutes, Inc. (NDRI)
National Eating Disorders Association
National Eating Disorders Coalition
National Educational Alliance for Borderline Personality Disorder
National Education Association
National Hispanic Medical Association
National Mental Health Awareness Campaign
National Physicians Alliance
National Recreation and Park Association
National Research Center for Women & Families
National Rural Health Association
Northamerican Association of Masters in Psychology
Obsessive Compulsive Foundation
PACER Center
Partnership for a Drug-Free America
Presbyterian Church (USA) Washington Office
Recovery Network Foundation
School Social Work Association of America
Society for Research on Child Development
Society of Professors of Child and Adolescent Psychiatry
Students for Sensible Drug Policy
Suicide Prevention Action Network USA
State Associations of Addiction Services (SAAS)
Therapeutic Communities of America
TII CANN—Title II Community AIDS National Network
Tourette Syndrome Association, Inc.
Union for Reform Judaism
United Jewish Community
United Methodist Church—General Board of Church and Society
United Neighborhood Centers of America
U.S. Psychiatric Rehabilitation Association
Wellstone Action

LOCAL AND STATE ORGANIZATIONS

622 Communities Partnership, Inc., Minnesota Affiliate of the National Council on Alcoholism and Drug Dependence, Inc
AA Safe Haven
Abilities in Motion
Addiction Recovery Institute
Addiction Resource Council
Addiction Treatment Providers of New Jersey
Advocates for Recovery
Alabama Voices for Recovery & Drug Education Council
Alcohol and Addictions Resource Center
Alcohol and Drug Abuse Council of Delaware County, Inc.
Alcohol and Drug Council of North Carolina
Alcoholism and Substance Abuse Providers of New York State
Alcoholism Council of New York
Alcoholism Council of the Cincinnati Area, NCADD
Alliance for Eating Disorders Awareness
Alliance for Recovery
Alliance for Substance Abuse Prevention, Inc.
Alpha Project for the Homeless
A New PATH (Parents for Addiction Treatment & Healing)
Anacostia Young Peoples Club
Arizona Association of Alcohol and Drug Abuse Counselors
Arizona Council of Human Service Providers
Arkansas Association of Substance Abuse Treatment Programs
Association of Persons Affected by Addiction
Association of Substance Abuse Programs of Texas
Aspire of Western New York, Inc.
Barbara Schneider Foundation
Behavioral Health Services Association of South Carolina
BRiDGEs, Madison County Council on Alcoholism and Substance Abuse, Inc.
Bucks County Council on Alcoholism and Drug Dependence
Burke Council on Alcoholism & Chemical Dependency. Inc.
California Association of Addiction Recovery Resources
California Association of Alcohol and Drug Program Executives
California Association of Alcoholism and Drug Abuse Counselors
Chautauqua Alcoholism & Substance Abuse Council (CASAC)
Childrens Health Initiative
Chemical Dependency Center of Charlotte-Mecklenburg Inc.
Coalition of Louisiana Addiction Prevention and Service Providers
Coastal Horizons Center, Inc.
Colorado Association of Alcohol & Drug Service Providers
Community and Family Resources
Compassionate Women of the World
Connecticut Association of Addiction Professionals
Connecticut Association of Non-Profits
Council on Addictions of New York State (CANYS)
Council on Alcohol and Drug Abuse for Greater New Orleans
Council on Alcoholism and Drug Abuse of Sullivan County
Council on Substance Abuse—NCADD
The Council on Substance Abuse & Mental Health
County Alcohol and Drug Program Administrators Association of California
Dads and Daughters
Delaware Association of Rehabilitation Facilities
DePaul's National Council on Alcoholism and Drug
Dependence—Rochester Area
Depression and Bipolar Support Alliance
Detroit Recovery Project
Division for Learning Disabilities of the Council for Exceptional Children
Dora Weiner Foundation
Drug and Alcohol Service Providers Organization of Pennsylvania
Drug and Alcohol Treatment Association of Rhode Island
The Elisa Project
Employee & Family Resources, Inc.
Erie County Council for the Prevention of Alcohol and Substance Abuse, Inc.
Exponents
Faces and Voices of Recover—Greenville, SC
Faces and Voices of Recovery-Pee Dee
Faces and Voices of Recovery—South Carolina
Faces and Voices of Recovery—Westchester
Feeling Blue Suicide Prevention Center
Florida Alcohol and Drug Abuse Association
Focus on Community
Friends of Delaware and Otsego Counties, Inc.
Friends of Recovery—Monroe County
Friends of Recovery—Vermont
Gail R. Schoenbach/FREED Foundation
Gateway Foundation
Georgia Council on Substance Abuse
GLAD House, Inc.
Greater Flint Project Vox
Greater Macomb Project Vox
Gurze Books
Hanley Center
Harbor Hall, Inc.
Hope4you
Illinois Alcoholism and Drug Dependence Association
Indiana Association of Substance Abuse Providers
Iowa Substance Abuse Program Directors Association
Jawonio, Inc
Kansas Association of Addiction Professionals
Kingdom Recovery Center
Kristin Brooks Hope Center
Long Island Council on Alcoholism and Drug Dependence
Maine Alliance for Addiction Recovery (MAAR)
Maine Association of Substance Abuse Programs
Maine Substance Abuse Foundation
Maryland Addictions Directors Council
Maryland Chapter of the National Council on Alcoholism and Drug Dependence
Maryland NAMA
Massachusetts Association of Alcohol and Drug Abuse Counselors
Massachusetts Association of Alcoholism and Drug Abuse
Counselors McHenry County Mental Health Board (IL)
McShin Foundation
Mental Health and Substance Abuse
Corporations of Massachusetts
Methadone Support Org.
Michigan Association of License Substance Abuse Organizations
Mississippi Association of Addiction Services
Missouri Addiction Counselor Association
Missouri Association of Alcohol & Drug Abuse Programs
Missouri Recovery Network
Missouri Recovery Network—Jefferson City Chapter
Montana Addiction Service Providers
Montana Association of Alcohol and Drug Abuse
Counselors
M-Power, Inc.
Mountain Council on Alcohol and Drug Dependence
Nantucket Alliance for Substance Abuse Prevention, Inc.
Nantucket Behavioral Health
National Alliance on Mental Illness, Minnesota
National Alliance on Mental Illness, Rhode Island
NCADD, Greater Kansas City
NCADD, Michigan
NCADD, South Bay
NCADD, Greater Detroit Area
NCADD, Long Beach
NCADD, Middlesex County Inc.
NCADD, New Jersey
NCADD, Northwest Florida
NCADD, Orange County
NCADD, Phoenix
NCADD, Sacramento Region Affiliate
NCADD, San Fernando Valley
NCADD, Silicon Valley
NCADD, St. Louis Area
NCADD, Tulare County. Inc.
National Council on Alcoholism/Lansing Regional Area, Inc.

Nebraska Association of Behavioral Health Organizations
Nevada Alliance for Addictive Disorders Advocacy, Prevention & Treatment Services
New England National Alliance of Methadone Advocates
New Hampshire Alcohol & Other Drug Service Providers Association
New York AIDS Coalition
NJ Advocates—NJ Chapter of NAMA
Nicks Place
North Carolina Association of Alcoholic Residential Facilities
North Carolina Substance Abuse Providers Association
North Dakota Addiction Treatment Providers Coalition
Northern California Chapter of the National Alliance of Methadone Advocates
Northern Michigan Project Vox
Northpointe Council, Inc.
Ohio Citizen Advocates for Chemical Dependency Prevention & Treatment
Ohio Council of Behavioral Healthcare Providers
Oklahoma Faces and Voices of Recovery
Oklahoma Substance Abuse Services Alliance
Ophelia's Place
Oregon Prevention, Recovery, and Education Association
PAR—People Advocating Recovery
Parent-To-Parent, Inc.
Pennsylvania Recovery Organization—Achieving Community Together (PRO-ACT)
Puente de Vida
The RASE Project Buprenorphine Coordinator Program
Recovery Center
Recovery Consultants of Atlanta, Inc.
Recovery Resource Center
Volunteers of America Alaska
Royal Oak (Michigan) Save Our Youth Task Force
Recovery Resources
Rockland Council on Alcoholism and Other Drug Dependence
Samaritan Village
Seaway Valley Prevention Council
The Second Road, Inc.
Society of Addiction Counselors of Colorado
South Carolina Association of Alcohol and Drug Abuse Counselors
South Dakota Association for Addiction Professionals
South Dakota Council of Substance Abuse Providers
Spirit Works Foundation Center for the Soul
Substance Abuse and Addiction Recovery Alliance (SAARA) of Virginia
Substance Abuse Directors Association of Alaska
Substance Abuse Recovery Alliance of Utah
Suicide Awareness Voice of Education
Tennessee Association of Alcohol, Drug, & Addiction Services
Townsend Recovery, LLC
Transformation Center
Turning Point Recovery Center
Upstate Cerebral Palsy (NY)
Utah Behavioral Healthcare Network
Vericare Management
Vermont Association of Drug & Alcohol Programs
Virginia Association of Alcohol and Drug Counselors
Virginia Association of Drug and Alcohol Programs
Washington Association of Alcoholism & Addiction Programs
Western Massachusetts School Substance Abuse Counselors Association
West Virginia Association of Alcohol and Drug Abuse Counselors. Inc.

MENTAL HEALTH AMERICA,
Alexandria, VA, February 27, 2008.

DEAR REPRESENTATIVE: On behalf of Mental Health America and our 320 affiliates across the country, I am writing to express our strong support for House passage of the Paul Wellstone Mental Health and Addiction Equity Act of 2007, H.R. 1424, at the earliest possible date. House passage of this historic legislation is a critical step toward enactment this year of a strong mental health parity law.

Mental health conditions are the leading cause of disability in the U.S. for individuals ages 15–44, and a leading cause of premature death, implicated in 90% of the more than 30,000 suicides annually in this country. While scientific advances have led to the development of a range of effective treatments, millions of Americans who need mental health care are routinely denied access to those treatments, with often tragic results.

Despite a compelling body of science documenting that such practices are anachronistic and costly to employee health and to the ''bottom line,'' employer-sponsored health plans routinely continue to set strict, arbitrary treatment limits and financial requirements on mental health coverage, while imposing no such limitations, or far less onerous limitations, on coverage for other illnesses. It is shocking, more than 40 years after the passage of civil rights laws and 15 years after passage of the Americans with Disabilities Act, that federal law still permits insurance discrimination on the basis of mental illness. Our polling has consistently shown that Americans abhor such discrimination and support the enactment of a strong mental health panty law. Congress can and must pass such legislation this year.

Please support improved access to needed mental health treatment. Please support H.R. 1424.

Sincerely,

DAVID L. SHERN,
President and CEO.

HONORING GEORGIA MILLER-McCORKLE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today in recognition of Georgia Miller-McCorkle, who immigrated to the United States in 1980 from Trinidad, West Indies, where as a child she always excelled in school, getting merit cards along with excellent report cards. As a child, she was asked, "What do you want to be when you grow up?" Her answer was always, "I want to be a teacher."

At first, Ms. McCorkle settled in this country, got married, and raised five children: Sherwin, Vonetta, Fredericka, Tristan, and Robmesh. During that time, she worked at jobs fulfilling the basic home needs and helping to pay the bills, but something was missing.

Subsequently, she attended Brooklyn College, receiving her bachelor of arts, BA, degree in special education and her master's degree in special education from Long Island University. She joined the Department of Education in 1989, where her teaching skills included student-centered instruction, educational technology, parental involvement in student learning, critical thinking, individual learning plans, student motivation strategies, and active and meaningful learning activities.

Georgia Miller-McCorkle has worked with students from kindergarten through 12th grades, teaching science, music, and art, and was dean of students for 6 years. Further, she counseled mild to profoundly mentally challenged young adults, supervising their daily activities and developing long- and short-term goals at a group home for mentally challenged adults for 3 years.

She provides cognitive and motor development skills for babies with developmental delays from birth to 3 years old in the Early Intervention Program and has been doing so for almost 12 years.

This remarkable woman is certified in: LSCI, Life Space Crisis Intervention; TCI, Therapeutic Crisis Intervention; FBA, Functional Behavioral Assessment; CPR, Cardio-Pulmonary Resuscitation; beginning sign language; and first aid.

Madam Speaker, it behooves us to recognize this woman who exhibits such passion for the teaching profession and still teaches the early childhood grades, K–2, enjoying her job to the fullest. She is indeed living out her dream.

MELISSA FUERST

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Melissa Fuerst of Blue Springs, Missouri. Melissa is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, and earning the most prestigious award of Girl Scout Gold Award.

Melissa has been very active with her troop, participating in many scout activities. In order to receive the prestigious Gold Award, Melissa has completed all seven requirements that promote community service, personal and spiritual growth, positive values and leadership skills.

Madam Speaker, I proudly ask you to join me in commending Melissa Fuerst for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of Girl Scout Gold Award.

HONORING DONNA EASTMAN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize Donna Eastman for reaching an important milestone as a public servant to the citizens of Callender, Iowa.

For the past 25 years, Donna, a life-long resident of Callender, has served as the city clerk. As city clerk of a small town, Donna performs many diverse tasks for the community. She handles the utilities, budget, public records, city water, sewer, garbage and electric fees. Donna also files information for the mayor and city council and serves as a liaison between city residents and their elected officials. She has a strong understanding of the needs and desires of the community. With her experience and knowledge of the town she has become the town's unofficial ambassador.

I know that my colleagues in the United States Congress join me in commending

Donna Eastman for her years of leadership and service to the people of Callender. I consider it an honor to represent her in the United States Congress and I wish her the best in her future endeavors.

HONORING TWO-TIME STATE CHAMPION IOTA LADY BULLDOGS

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. BOUSTANY. Madam Speaker, I rise today to congratulate the Iota Lady Bulldogs basketball team, who again finished their season with a state championship alter defeating Capitol 60–49 in strong fashion.

The March 1st win capped the season for Iota, who finished with an impressive 36–4 record. Even more remarkable, the Lady Bulldogs competed in the larger Class AAA for the first time. Capitol had previously dominated the class with five championships in the past 7 years. Over the course of their career, Iota's senior class won an impressive 225 games.

Madam Speaker, as a member of the House Education and Labor Committee, I applaud these student athletes who demonstrated a strong work ethic, determination, and teamwork. The people of Iota share their pride in this team and each of these girls who continue to play so admirably.

Madam Speaker, I ask that my colleagues join me in congratulating the two-time champion Iota Lady Bulldogs for their latest achievement.

CALLING FOR PASSAGE OF THE FREE FLOW OF INFORMATION ACT

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PENCE. Madam Speaker, two recent events make it clear—the time has come for Congress to enact a Federal media shield.

Yesterday, the House passed legislation to create an independent ethics panel with the stated purpose of holding Members of Congress accountable to the highest ethical standard. Our Founders would have scoffed at the notion that a political panel, appointed by politicians, could hold the national legislature accountable. Our Founders knew the only agency in society with the power to hold the national government accountable is a free and independent press.

Last year, the House acknowledged this fact and passed the Free Flow of Information Act, creating a Federal media shield, with overwhelming bipartisan support. That bill now awaits action by the full Senate. The need for action by the Senate is also evident with the news that another reporter is facing court sanctions based on her unwillingness to disclose confidential sources.

Former USA Today reporter Toni Locy is facing financial ruin as the result of a ruling that she must pay fines that will escalate to up to $5,000 per day unless she discloses her confidential sources for stories she wrote about the 2001 anthrax attacks. Her case and the need for greater ethics scrutiny in Congress argue forcefully for the need for a Federal media shield statute.

The one, time-tested way of holding the Government accountable is ensuring the free flow of information to the American people. Threatening reporters or creating an ethics panel of politicians to police politicians will not do it.

Congress must enact a Federal media shield to ensure that those charged with the duty of holding Government accountable have the freedom and independence to do just that.

It is time for the Senate to vote on the Free Flow of Information Act.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Ms. McCOLLUM of Minnesota. Mr. Speaker, I rise today in strong support of H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act. This legislation is named in tribute to Minnesota Senator Paul Wellstone, whose work on behalf of the vulnerable was well known and well respected.

I also rise to thank my colleague from Minnesota, Congressman JIM RAMSTAD, for continuing Senator Wellstone's fight on behalf of those who the stigma too often attached to the issues of mental health and substance abuse has left voiceless. Mr. RAMSTAD's courage in sharing his experience with substance abuse and his dedication to passage of this legislation is the reason we are here today. This bill will help end the pattern of senseless and immoral discrimination against those suffering from mental illness and put to rest the outdated notion that these challenges are less legitimate or severe than physical ailments.

Mental illness left untreated affects all facets of our society and costs our economy over $150 billion annually. Mental illness affects 50 percent of the homeless population in Minnesota, 70 percent of those in our juvenile justice system, and those with the highest unemployment rates. Health care costs double when diabetes and heart disease patients have co-morbid depression, and patients with mental illness and substance abuse disorders are often less responsive to treatment.

In addition, the burden that mental illness places upon the health and productivity of our Nation has long been underestimated. One in five adults and one in ten children have a mental illness. And over one-third of our returning servicemembers from Iraq and Afghanistan suffer from mental health problems.

The costs of untreated substance abuse are also high for families and our health care system. Studies have shown that 1 in every 5 Medicaid dollars spent on hospital care is related to substance abuse; health care costs for those dependent on drugs or alcohol is 100 percent higher than those without an addiction; and the costs to law enforcement and to employers are significant. Treatment makes a difference. A recent study showed that after treatment, family health care costs dropped 50 percent.

H.R. 1424 requires parity with co-payments, deductibles, and out-of-pocket expenses, and requires that limits on mental health and addiction care are no more restrictive than those on physical health. This legislation requires equality in out-of-network care and ensures coverage for mental illness and substance related disorders included in the Diagnostic and Statistical Manual of Mental Disorders, DSM.

It is time to pass this bill. We have all been affected in some way—ourselves, a family member, a friend, or colleague—by mental health or substance abuse. As we look to reform our health care system, mental health and physical care can no longer be looked at as separate entities. It is morally right and good for both our economy and our health care system. I urge my colleagues to join me in voting for this important bill.

HONORING THE OCCASION OF THE 50TH ANNIVERSARY OF THE EUROPEAN PARLIAMENT

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Ms. BERKLEY. Madam Speaker, I rise today to acknowledge the 50th anniversary of the creation of the European Parliament.

As chair of the U.S. delegation of the Transatlantic Legislators' Dialogue, I would like to congratulate the European Parliament on its remarkable evolution. Fifty years ago, it was a small assembly with non-elected members, just four official languages, and only consultative powers; today it is a directly elected parliament with members speaking 23 languages, wide decisionmaking powers over legislation and budgeting, as well as control and scrutiny of the European Commission. The Lisbon Treaty, which is currently awaiting ratification, could enlarge the powers of the European Parliament even further.

Members of the European Parliament have also broadened their sphere of influence beyond domestic European affairs, engaging vigorously in our Transatlantic Legislators' Dialogue. That dialogue has contributed to bringing the European Union and the United States closer together and continues to be of utmost importance, enhancing national security and stimulating economic growth on both sides of the Atlantic. The Transatlantic Legislators' Dialogue has held bi-annual interparliamentary meetings since 1972, when a U.S. congressional delegation visited the European Parliament for the first time. Over 60 meetings later, I am proud to have played a role in enhancing and strengthening the ties between the European Union and the United States.

As a long-time advocate of transatlantic relations, I was delighted to host our latest interparliamentary meeting this past October in Las Vegas. During our meeting, we discussed a number of important transatlantic issues, including regulatory initiatives under the Transatlantic Economic Council, the rise of global anti-Semitism. and foreign policy challenges, such as the Middle East, Kosovo, Russia, and China.

I look forward to continuing our transatlantic dialogue at the next TLD meeting—in Ljubljana, Slovenia in May—and to continue following the future development of the European Union. Fifty years after its birth, the European Parliament is growing stronger each

year, and I once again congratulate the Parliament and the European Union as a whole on its achievements.

HONORING TERESA KAY-ABA KENNEDY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today in recognizing Teresa Kay-Aba Kennedy, a business and lifestyle expert who holds certifications in yoga, fitness, weight management and offers unique multidisciplinary approaches to an authentic, healthy and successful life. She has a dual B.A. magna cum laude in Sociology and Design from Wellesley College, an MBA from Harvard Business School, and a Ph.D. in World Religions. Born in Ghana, schooled in Australia and Italy, she comes from a family of high achievers. Her parents Janie Sykes-Kennedy and Dr. James Scott Kennedy were international media pioneers. Her great uncle, James Atkins, was a member of President Franklin D. Roosevelt's ''Black Cabinet.''

Nationally recognized as a motivational speaker and leader in wellness and empowerment, Dr. Kennedy is on the faculty of the Institute of Integrative Nutrition and is Chair of the Board and Interim President/CEO of Yoga Alliance—the non-profit organization that sets standards for yoga teaching in the United States and offers support to its registry of over 18,000 yoga teachers and almost 800 yoga studios.

After almost dying from Crohn's Disease ten years ago, she has personal experience with transformation serving as a role model for healthy living. Her mission is to help people from all walks of life live better lives and has worked with a variety of clients from senior executives and entrepreneurs to people with specific ailments, ranging from Asthma, Anorexia, Diabetes, Hypertension, Obesity, Adult ADD and Leukemia.

Dr. Kennedy has a long record of success in both the business and creative worlds consulting and writing case studies on Fortune 500 companies for Harvard Business School, working as a creative consultant for Universal Studios, and spending seven years as an executive at MTV Networks.

Her wellness and empowerment work has been featured in media around the world from CNN, NBC, Martha Steward Living Radio, ARD TV in Germany to The New York Times, Yoga Journal, and O: The Oprah Magazine. Dr. Kennedy is the producer of the Power Living: Mini-Escapes relaxation CD, author of ''40 Days to Power Living: Think Eat and Live on Purpose'', ''The Power Living Pledge: An Affirmation for a Purposeful and Powerful Life'' as well as three case studies published under the Harvard Business School. She has received a number of awards, including The Network Journal's 40 Under Forty Achievement Award.

Madam Speaker, it is an honor to pay tribute to this outstanding woman who has an unparalleled career of leadership, motivation and dedication on behalf of others, Dr. Teresa Kay-Abe Kennedy deserves our profound thanks.

STACEY ELLIOTT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Stacey Elliott of Liberty, Missouri. Stacey is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, and earning the most prestigious award of Girl Scout Gold Award.

Stacey has been very active with her troop, participating in many scout activities. In order to receive the prestigious Gold Award, Stacey has completed all seven requirements that promote community service, personal and spiritual growth, positive values and leadership skills.

Madam Speaker, I proudly ask you to join me in commending Stacey Elliott for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of Girl Scouts Gold Award.

TRIBUTE TO THE WURZER FAMILY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. LATHAM. Madam Speaker, I rise today to congratulate and recognize Duane. Joann, Kelli. Staci, Amy, Brooke and Andy Wurzer of Chickasaw County, Iowa for being named the 2007 Outstanding 4–11 Family.

Duane has been involved with the local 4–11 club by coaching softball, conducting service projects and helping with livestock projects. Joann. has been a leader of the Lawler Lassies and Lads club for 16 years. All five of their children started in 4–11 as Little Clovers in the second grade. I hey have all held various leadership positions, earned awards for their efforts in a variety of areas, volunteered in numerous service projects and have had many projects selected at the Iowa State Fair.

4–H's mission is to ''empower youth to reach their full potential, working and learning in partnership with caring adults.'' Duane and Joann have been compassionate adults who continue to strive to empower more children to reach their goals each day. As parents and mentors they have touched the lives of many children who have then gone on to inspire others, to continue the cycle for generations to come.

I know that my colleagues in the United States Congress join me in commending the Wurzer family's leadership and donation of time and talent for the benefit of Chickasaw County's youth. I consider it an honor to represent Duane. Joann, Kelli, Staci, Amy, Brooke, and Andy Wuzer in Congress and I wish them the best in their future endeavors.

PERSONAL EXPLANATION

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. MITCHELL. Madam Speaker, due to family obligations in Arizona that required my attention, I missed the following votes and had I been present, I would have voted against rollcall vote No. 111, the Motion to Adjourn; rollcall vote No. 112, the Motion to Adjourn; rollcall vote No. 113, the Motion to Adjourn; and rollcall vote No. 114, the Motion to Adjourn.

I would have voted in favor of rollcall vote No. 115, H. Res. 924; rollcall vote No. 116, the Motion to Table the Appeal of the Ruling of the Chair; rollcall vote No. 117, the Vote to Override the President's Veto of H.R. 2082; rollcall vote No. 118, H. Res. 948; and rollcall vote No. 119, H. Res. 493.

I would have voted againat rollcall vote No. 120, the Motion To Adjourn.

I would have voted in favor of rollcall vote No. 121, on Ordering the Previous Question; rollcall vote No. 122, H. Res. 1031; and rollcall vote No. 123, the Motion to Adjourn.

IN COMMEMORATION OF WOMEN'S HISTORY MONTH

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. AL GREEN of Texas. Madam Speaker, I wish to commemorate the month of March 2008 as Women's History Month in honor of the female trailblazers and unsung heroes in American history.

Historically, women have contributed significantly to the greatness of our Nation. American women from diverse origins have transformed and revolutionized politics, law, business, social service, civil rights, education, music, athletics, science and technology, as well as the military. Together, their dedication, perseverance and courage has generated a wave of opportunities for entire generations of women. The contributions of notable women such as Susan B. Anthony, Clara Barton, Harriet Tubman, Dorothy Height, Coretta Scott King, Sally Ride and many others have sparked an unstoppable momentum for women's rights and others.

In government, trailblazers such as Hattie Wyatt Caraway, the first woman elected to the U.S. Senate (1932), and Jeannette Rankin, the first woman in Congress (1917), paved the way for 16 female Senators and 70 female Representatives to be elected to the 110th Congress, which is the highest number ever in congressional history. More importantly, the House of Representatives elected Nancy Pelosi, the first woman to serve as the third most powerful official in America. In the legal sector, women such as Arabella Mansfield Babb, the first woman admitted to the bar (1869), and Belva Ann Lockwood, the first woman to practice law before the U.S. Supreme Court (1879), have opened doors for women to enter the professional workforce as legal experts. Similarly, Lucy Brewer, the first woman marine (1812), inspired her predecessors to defend their Nation with pride and valor.

These women and many others are legends today. Therefore, it is essential that all Americans acknowledge and celebrate the contributions of women throughout our Nation's history. In addition, as America's arms stretch out across the seas, we must honor women in the international community that have challenged, changed and improved the condition of women and others in their native countries. That is why on March 8, 2008, America celebrated International Women's Day.

I urge my colleagues and all Americans to commemorate women for their contributions to the advancement of our great Nation.

RECOGNIZING THE 50TH ANNIVERSARY OF THE EUROPEAN PARLIAMENT

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. BERMAN. Madam Speaker, I rise today to call to the attention of my colleagues the 50th anniversary of the European Parliament—the legislative body of the European Union. It is a great pleasure to celebrate this very special day in the history of the European Union. Seldom in so short a period as 50 years do we have the opportunity to witness the birth and evolution of such an important democratic institution.

In the 25 years that I have served as a Member of the United States Congress, the European Parliament has undergone a dramatic transformation. It began as an institution whose members were appointed by national parliaments, and it played a minor role in the policy-making process. Today. the European Parliament is a truly democratic legislature whose members are elected by the popular vote of the people in all member states of the European Union. Furthermore, it has a key role in approving the members of the European Commission and in adopting the EU budget. As the United States Congress, the European Parliament also has significant responsibility for conducting oversight of EU executive governmental institutions.

Madam Speaker, the first half of the 20th century was marked by two bloody World Wars that devastated the European continent and produced deep divisions between European countries. World War I produced sharp national differences among the Europeans, which continued to fester even after that war was concluded. At the end of World War II. Europe was divided by the ''Iron Curtain,'' which ideologically, and politically separated the continent's peoples. During the era of the Cold War, the unification of the Western and Eastern Germany seemed like an impossible dream let alone the unification of Western and I astern Europe. however, the last half-century has seen the remarkable growth of an ever closer union of people and states.

Indeed, the success of the European Union has produced significant changes in the make up of Europe. The European Union began as an institution for economic cooperation among six Western European nations in 1951, but it has evoked into a political and economic union that now embraces 27 European nations, including 10 former communist states of Central and Eastern Europe. The European Union has brought peace, stability and prosperity to almost 500 million people.

In 1951, Madam Speaker, the Treaty of Paris, which created the European Coal and Steel Community provided a minor rule for a Parliamentary Assembly. This body evolved and was institutionalized as the European Parliamentary Assembly in the Treat of Rome that was signed seven years later. the Assembly held its first meeting on March 19, 1951, under the leadership of its first president and one of Europe's great visionaries, Robert Schuman. At that time the parliament was only a consultative body composed of 142 members appointed by the national parliaments of the member states. The members conducted their business in four official languages.

In 1962, the body became the European Parliament, and in 1979, its members were chosen for the first time through direct elections. Over time, treaty revisions have expanded the powers of the European Parliament over legislation, the budget and executive oversight. The European Parliament now has 785 members who work in 23 official languages, and it represents the 492 million citizens of the 27 member states of the European Union.

Madam Speaker, I am delighted that the United States House of Representatives has a cooperative working relationship with the European Parliament. For the last three decades. delegations of our respective legislatures have met twice a year to discuss our common goals and have endeavored to bring the United States and the European Union ever closer together. Currently this exchange—the Trans-Atlantic Legislators Dialog, TLD—is led on the United States side by Chairwoman SHELLY BERKLEY of Nevada and Vice Chairmen CLIFF STEARNS of Florida and JIM COSTA of Californina. The European Parliament delegation is ably led by Jonathan Evans, a member of the European Parliament from the United Kingdom.

Over the last half-century, Madam Speaker, the United States has worked with our European allies to promote democracy, the rule of law, free market economies and human rights around the world. The 50th anniversary of the European Parliament provides an excellent occasion for all of us to reflect upon our friendship with our colleagues in the European Parliament and to celebrate with them this successful trans-Atlantic cooperation. The ratification of the Treaty of Lisbon and the parliamentary elections in June 2009 should further reinforce the European Parliament's critical role in the European Union decision-making process. I congratulate the European Parliament on its first half-century and look forward to continued collaboration in the future.

RECOGNIZING THE HONORABLE LAURA HILL UPON BEING NAMED CITIZEN OF THE YEAR BY THE SOUTHLAKE CHAMBER OF COMMERCE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. MARCHANT. Madam Speaker, I rise today to pay tribute to the Honorable Laura Hill, a Southlake City Councilwoman, community and civic leader, as recipient of the Citizen of the Year Award presented by the Southlake Chamber of Commerce.

Laura Hill has been a tireless public servant with a strong sense of stewardship to the entire Southlake community. Ms. Hill's public service truly speaks for itself. She is not only a City Councilwoman, but the Founder and President of SPARKS (Students and Parents Against Risks to Kids in Southlake), Co-founder and Vice President of the Southlake Angel Society, a member of the Southlake Historical Society, and a graduate of Southlake's DPS Citizens Academy and Southlake's fire rehab team. Somehow, she finds additional time for involvement in numerous other community organizations, as well.

Of the many examples of Ms. Hill's selfless service, one story in particular stands out. Not long ago, a Southlake firefighter had a baby with significant medical problems. Due to the high medical costs, the firefighter's family was struggling to keep up. Upon hearing about the situation Laura immediately volunteered and created a fund raiser with her friends. The event raised approximately $16,000 entirely for the family of the Southlake firefighter.

Whether it is creating fund raisers for those in need, preserving the city's history, solving zoning problems, caring for the children in the community, or volunteering for the city's emergency response team, Ms. Hill is always willing to go above and beyond to serve her community.

I proudly commend the Honorable Laura Hill for her tireless passion and commitment to the betterment of Southlake, Texas. Many community members are grateful for her service and I congratulate her for receiving this prestigious award.

TAMARA CASH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Tamara Cash of Kansas City, Missouri. Tamara is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, and earning the most prestigious award of Girl Scout Gold Award.

Tamara has been very active with her troop, participating in many scout activities. In order to receive the prestigious Gold Award, Tamara has completed all seven requirements that promote community service, personal and spiritual growth, positive values and leadership skills.

Madam Speaker, I proudly ask you to join me in commending Tamara Cash for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of Girl Scouts Gold Award.

HONORING SHEILA JOSEPH

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today to recognize Sheila Joseph, a native New

Yorker, daughter of Haitian immigrant parents and raised in public housing, Ms. Joseph conducted her undergraduate studies at the University of California at Berkley where she double majored in psychology and legal studies, with a minor in education, earning her Bachelor of Arts degree in just three years. After graduating from Berkley in 1994, Sheila began her legal studies at Georgetown University Law School in Washington, DC. While a student at Georgetown, she worked as a student attorney handling juvenile delinquency cases in the District of Columbia Superior Court.

Upon completing her legal studies in 1997, Ms. Joseph returned to her native New York and spent the next four years working as an attorney for indigent clients, first as a staff attorney with the Neighborhood Defender Service of Harlem, then as a law guardian with The Children's Law Center of New York. Based on her experiences as a law student and lawyer, she became increasingly frustrated by the limitations of the law as an instrument for empowering young people and communities. She determined that the best long term course was to be an educator and have a positive impact on children and impoverished communities.

In 2001, Sheila Joseph applied for, and was accepted into, the New York City Teaching Fellows Program and taught math and science at P.S. 40 in Queens while earning a Master of Science degree in Elementary and Early Childhood Education from Queens College. In September 2004, Ms. Joseph began a one-year residency with Building Excellent Schools, a prestigious and rigorous Boston-based program that trains and supports aspiring charter school founders. She founded the East New York Preparatory Charter School in August 2005.

East New York Prep, ENYP, opened its doors to 100 kindergarten and first grade students in September 2006 to ensure that boys and girls growing up in East New York would have the same opportunity for a good life as children in wealthier communities. ENYP's mission is to address the specific needs and challenges of children in East New York to ensure that students achieve or exceed grade-level mastery of academic content, knowledge and skills.

Madam Speaker, I am pleased to recognize Sheila Joseph and her impressive accomplishments in academia. Her passion and concern for inner-city children's educational needs is noteworthy indeed.

ESTABLISHING AN OFFICE OF CONGRESSIONAL ETHICS—CONTINUED

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2008

Mr. HOLT. Mr. Speaker, yesterday the House passed H. Res. 895, a resolution establishing an independent Office of Congressional Ethics within the House of Representatives. I believe it is a long overdue, although partial, step to protect the public trust and bring greater transparency and accountability to the people's House.

At the beginning of the 110th Congress, the Speaker said we must drain the swamp. We made some changes to the House Rules and passed legislation that mandated more extensive limits on gifts and travel, greater disclosure of activities by lobbyists, helped slow the revolving door of Members of Congress and staff to lobbying on behalf of private interests and brought greater transparency to the earmark process. Yesterday, following painstaking drafts, we took further steps.

The scandals that have embroiled this institution over the last few years because of the unethical conduct of certain Members of Congress have eroded the faith that Americans have in our legislative branch of government. What has only deepened this cynicism is the belief that Congress does a very poor job in investigating the ethical lapses of its own Members. The contentious nature of the current ethics process has too often led to deadlock and an inability to truly investigate claims concerning Members of both parties. While I commend the leadership and the membership of the Committee on Standards of Official Conduct for the work they have done under trying circumstances, it is clear that the process has been missing an independent voice that can help us get above the partisanship and rancor that too often accompany these types of investigations. This bill is a step toward creating that independent voice.

The legislation establishes an Independent Office of Congressional Ethics, composed of six members jointly appointed by the Speaker and the Minority Leader. Three of the members of the office will be nominated by the Speaker with the concurrence of the Minority Leader; three members would be nominated by the Minority Leader with the concurrence of the Speaker. The members, who cannot be current Members of the House, Federal employees or lobbyists, would serve four-year terms with one reappointment possible. The Office would have the ability to initiate review by written notice provided by two Office members, one of which must be appointed by the Speaker, the other by the Minority Leader. The Office would have the ability to refer a matter if three members affirmatively vote to move it to the Ethics Committee.

The legislation has the support of a number of groups that have called for strong reform of the ethics process, including Common Cause, U.S. PIRG and recognized public policy experts such as Norman Ornstein of the American Enterprise Institute and Thomas Mann at the Brookings Institute. They recognize that in the past, the principle of Congress policing itself has just not worked. They have played a vital role in making sure that today's resolution comes to a vote so that all of us live up to the oath of office we take the first day of every new Congress. I also want to commend the Speaker who has promised and delivered on her pledge to bring vigorous, ethical leadership to this institution. Without taking action, we will only allow public cynicism about government to continue to grow. This important resolution will bring real ethics reform to Congress. It will help reestablish the trust and confidence of the American people in this institution and in the principle of honest and open government.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to express my concerns with a provision contained in H.R. 1424, the ''Paul Wellstone Mental Health Addiction and Equity Act of 2007.'' I find it ironic that the House passed a bill intending to provide access to treatment for those with mental illnesses, but did so at the expense of the pharmaceutical researchers who we look to treat many of these conditions.

This legislation provides for more than a 30-percent increase in Medicaid prescription drug rebates. This will do significant damage to domestic manufacturers. You read the headlines—one pharmaceutical company after another is laying off thousands of employees. This industry, like so many others in manufacturing, is facing significant challenges. We want these companies to continue to invest in America and create the research jobs, which find tomorrow's cures. We want to continue to be known as the innovators of the world, and we should not out source this intellectual capital. Therefore, I urge that the bill's sponsors strike this provision from the bill at conference committee and look to find solutions that do not jeopardize American jobs.

HONORING 60TH ANNIVERSARY OF HARRISVILLE LIONS CLUB

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. ENGLISH of Pennsylvania. Madam Speaker, today I rise to congratulate the members of the Harrisville Lions Club as they celebrate their 60th Anniversary this year.

For over half a century, the Harrisville Lions Club has been dedicated to helping the less fortunate. As a Lions Club, the organization is part of the world's largest service organization with over 1.3 million members worldwide.

They have provided aid for those in need, whether it is helping local residents obtain eyeglasses or assisting families after disasters. The Club has been involved in several children's programs, including supporting a camp for local blind children and sponsoring a drug poster program aimed to raise awareness among elementary students of the problems associated with drug use.

I commend Harrisville club president, Lion Connie Rider, for her leadership and dedication to the organization. I'd also like to recognize Lion Leroy Montgomery, who at the age of 99, remains a very active member of the Harrisville Lions Club. I applaud Mr. Montgomery for his lifetime of dedication to helping the less fortunate in his community. His efforts have certainly not gone unnoticed.

I hope my colleagues will join me at this time in recognizing the accomplishments of these individuals as well as all of the other members of the Harrisville Lions Club. Congratulations on 60 years of service.

TRIBUTE TO THE LEE COUNTY COALITION FOR A DRUG-FREE SOUTHWEST FLORIDA

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. MACK. Madam Speaker, I rise today to honor the Lee County Coalition for a Drug-Free Southwest Florida for spreading awareness about the dangers of drug use and underage drinking at its second annual Drug House Odyssey. Over 10 community agencies have partnered with the Coalition to infirm children, teenagers and parents about substance abuse at this year's event. Last year's Drug House Odyssey attracted over 3,000 students, teachers, and parents, and I'm confident that this year's event in Cape Coral will be an even bigger success.

For nearly 20 years, the Lee County Coalition has educated tons of thousands of students in Southwest Florida about substance abuse. From school visits to conferences, community celebrations to professional counselor training, the Lee County Coalition has been empowering teenagers and families to make the right choices about drug and alcohol use. Their work is just a vital part of what makes Southwest Florida a great place to live, work and visit.

The focus of the Lee County Coalition's annual Drug House Odyssey is prevention: teaching children and teenagers about the dangers of drugs and alcohol and encouraging them to make smart decisions about their health. It's appropriate that this year's event will be held during National Alcohol Awareness Month. The facts are staggering: according to a recent Florida Youth Substance Abuse survey, over 35 percent of teenagers in Lee County have reported using alcohol in the last 30 days; nationally, the average is 16 percent.

That's why the good work that the Lee County Coalition performs every day to help children and teenagers make smart decisions about drugs and alcohol is so important, and why I ardently support their mission.

Madam Speaker, it is an honor and a privilege to represent the staff and volunteers of the Lee County Coalition for a Drug-Free Southwest Florida in Congress, and I wish them all the best at their second annual Drug House Odyssey.

HONORING DENISE JONES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today in recognition of Denise Jones who was born and raised in Brooklyn. Ms. Jones' commitment to public service originated from her mother and role model, Rosalie Jones, who showed her the benevolence of charitable kindness to others. Her mother is currently a retired New York City public school teacher who served her community for dedicated thirty-five years.

Denise Jones started her career in human services seventeen years ago working with MRDD at Catholic Charities as a per diem weekend counselor. Even though she held a printing job, she went to work at the Odyssey House as a counselor making half the salary. She remembers saying that the moment she took that job, she knew It was her life's work.

Ms. Jones has worked with the following agencies: Project Return now known as Padilla; FEGS; The Fortune Society; AHRC; PSI Samaritan; The Partnership for the Homeless with the United Way of New York City; Innerforce; CAMBA and Ella Place. Denise has worked with youth at risk for incarceration, substance abuse MICA patients, mentally-challenged and ill, ex-offenders, senior citizens, homeless, people that suffer with HIV and AIDS.

She has been honored in the New York Nonprofit Press May 2007 issue as ''Hero of the Year'' and by the Elliot Tomlin Foundation with the vision award for outstanding community service. Denise Jones has marched on Washington to represent all the people that has died from lack of funding for HIV and AIDS research for a cure. Moreover, she is a certified rapid HIV tester and has completed a WORC program at Columbia University that addresses the delivery of vocational services for consumers with serious mental health conditions.

Denise attends a food and hunger conference to support world food aid once a year and currently serves Community Board #5 as a cabinet member. Dedicating her life to addressing social problems and assisting in reconstructing individual lives is Denise Jones' life's work and even now, she is working as a project coordinator on a SPICE pilot program to reduce disparities in childbirth through education and support services.

Madam Speaker, it is incumbent upon this body to acknowledge Denise Jones' achievements and her spirit of volunteerism on behalf of the betterment of our community.

EMILY BUNGE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Emily Bunge of Saint Joseph, Missouri. Emily is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, and earning the most prestigious award of Girl Scout Gold Award.

Emily has been very active with her troop, participating in many scout activities. In order to receive the prestigious Gold Award, Emily has completed all seven requirements that promote community service, personal and spiritual growth, positive values and leadership skills.

Madam Speaker, I proudly ask you to join me in commending Emily Bunge for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of Girl Scouts Gold Award.

TRIBUTE TO JO ANN FORNEY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PAYNE. Madam Speaker, I am proud to rise today to honor an extraordinary public servant, Jo Ann Forney. Ms. Forney has contributed thirty plus years of love and concern to her community in East Orange, New Jersey. Prior to attending Rutgers University, Ms. Forney worked at Western Electric and at the Conmar Zippers Factory as an assembler. She also worked at Bell Telephone as a toll operator.

After graduating from Rutgers, Ms. Forney became a Family Enabler for Family Life Education Center. There she became a substance abuse counselor and worked part-time on weekends and holidays at Orange Memorial Hospital as a switchboard operator.

Finally, Ms. Forney worked as a social worker at United Hospitals and later she became a valued employee of the East Orange Board of Education at the Enrollment Center for the past 10 years.

Madam Speaker, I invite my colleagues here in the U.S. House of Representatives to join me in honoring Ms. Forney as she leaves the East Orange Board of Education, and in expressing appreciation for her hard work and dedication. I am proud to honor Ms. Forney and I wish her never-ending success in her future endeavors.

TRIBUTE TO BUSINESS EXECUTIVES FOR NATIONAL SECURITY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. SKELTON. Madam Speaker, let me take this opportunity to publicly recognize the contributions of Business Executives for National Security (BENS). Founded in 1982 by business executive and entrepreneur Stanley A. Weiss, BENS is guided by the simple notion that America's security is everybody's business. BENS has become a highly respected national, nonpartisan organization of senior executives dedicated to enhancing our national security using the successful models of the private sector.

The innovative business-government partnerships that BENS has fostered over the past two decades are uniquely positioned to help meet the new challenges of the 21st century. BENS is expanding these public-private partnerships into all aspects of homeland security—tracking terrorists' financial assets, securing the Nation's ports, and preparing State and local governments to deal with catastrophic events or terrorist attacks.

Business Executives for National Security has provided decades of distinguished service to the Nation through a variety of programs. These include advocating for a more modern and agile fighting force, safeguarding and destroying nuclear, chemical, and biological weapons in the former Soviet Union, and creating innovative partnerships around the country in which civic-minded companies volunteer their assets and employees to assist local and

state governments in responding quickly and efficiently during an emergency or terrorist attack.

Madam Speaker, I know the Members of the House will join me in commending Business Executives for National Security for their commitment in support of our national security interests.

SALUTING PHIL COHEN, ''MR. BROOKLYN CENTER,'' ON A LIFETIME OF PUBLIC SERVICE

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. RAMSTAD. Madam Speaker, I rise today to pay tribute to a very special government, business and civic leader in Brooklyn Center. Minnesota, Phil Cohen.

Phil's long career in public service has been guided by former Vice President Hubert Humphrey's fundamental principle: ''The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the handicapped.''

Phil has truly lived up to those lofty aspirations. I want to thank Phil Cohen for his many decades of public service to the people of our area—and wish him a happy 80th birthday.

Phil Cohen, ''Mr. Brooklyn Center,'' is one of a kind—a friend to all and a dynamic whirlwind of economic, civic and charitable activity. His personal motto is: ''It's important for each generation to leave society in a better state than they found it.'' Madam Speaker, Phil Cohen has done that and then some.

He is truly an inspiration. The Philip Q. Cohen Room at the Brooklyn Center Community Center attests to the magnitude of his giving.

There are many reasons Phil is known as ''Mr. Brooklyn Center,'' From 1960 to 1990, at various times he served as Mayor and on the City Council and School Board. He has held leadership positions with the Metropolitan Council, the League of Minnesota Cities and many more community organizations.

There is no cause or community organization, from the Lions and Rotary to the North Metro Mayors Association, Chamber of Commerce and Babe Ruth Baseball, which has not been touched by his energy and his heart. Phil helped create the Brooklyn Center Crime Prevention Association and the Brooklyn Center Charitable Foundation.

Whether it is helping the Brooklyn Center Police Department obtain life-saving equipment; rescuing the Brooklyn Center High School Band program, which includes many students from disadvantaged families; helping local youth baseball; making every imaginable non-profit and civic group more viable and effective; mentoring a young person in leadership and public service; or just being there for someone in need, Phil Cohen has done it all.

I have personally long relied on Phil's wise counsel. As a young Congressman arriving in Washington. I appreciated Phil's guidance on the ways of our Nation's Capitol. Phil was always there to counsel. As Legislative Assistant to former U.S. Senator Dave Durenberger for a decade. Phil shared his expertise with me, and my constituents have been the beneficiaries.

Madam Speaker, I want to wish Phil Cohen a most joyous 80th birthday for his inexhaustible spirit of public service and all the good he has done for the people of Brooklyn Center. Phil truly is ''Mr. Brooklyn Center.''

HONORING YVONNE GRAHAM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today in recognition of Brooklyn's Deputy Borough President, Yvonne Graham who has been a pioneer in the area of public health for over 20 years. As Brooklyn's Deputy Borough President, Ms. Graham oversees health care policy and all human services for the borough president. Her vision was critical to the 2005 founding of Brooklyn's first Center on Health Disparities, which works to reduce cardiovascular disease, HIV/AIDS, tuberculosis, infant mortality, asthma, and diabetes among minority communities. This center is part of an innovative partnership with the SUNY Downstate Medical Center and the Arthur Ashe Institute for Urban Health.

In an effort to increase the number of women in leadership positions in government, business, and industry. Ms. Graham spearheaded the Women's Leadership Initiative, a partnership between academic institutions, government agencies, community-based organizations, and the private sector that brings women together for dialogue and networking.

Born and raised in Jamaica, West Indies, she moved to New York in 1979 working as a registered nurse in the emergency room of Brookdale Hospital. She holds a bachelor's degree in health administration and community health from St. Joseph's College and a master's degree in public health from Hunter College. In addition, she completed the Executive Program in business administration at Columbia University School of Business and an honorary doctor of law degree conferred on her by St. Joseph's College, her alma mater.

Yvonne Graham has written and published many professional articles and has recently co-authored a textbook that serves as a seminal guide to the operations and management of community-based health organizations and their role in improving health outcomes.

She has been the recipient of numerous awards and honors: YWCA's Women of Distinction Award; National Association of Black Social Workers' Public Citizen of the Year Award; the Frederick Douglass Medal of Honor awarded by the New York State Governor to distinguished Africans-Americans; the American Lung Association's Distinguished Award for Leadership, Creativity, and Caring in Promotion of Community Health; and the Harriet Tubman Award.

Madam Speaker, Ms. Graham's record of public service has continuously demonstrated a level of altruistic dedication and today we should recognize this outstanding woman.

EMILY BECKER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Emily Becker of Blue Springs, Missouri. Emily is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, and earning the most prestigious award of Girl Scout Gold Award.

Emily has been very active with her troop, participating in many scout activities. In order to receive the prestigious Gold Award, Emily has completed all seven requirements that promote community service, personal and spiritual growth, positive values and leadership skills.

Madam Speaker, I proudly ask you to join me in commending Emily Becker for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of Girl Scout Gold Award.

INTRODUCTION OF LEGISLATION TO NAME THE NEW CENSUS BUREAU HEADQUARTERS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mrs. MALONEY of New York. Madam Speaker, today I am introducing a bill with my colleagues Mr. WYNN, Mr. HOYER, Mrs. HOLMES NORTON, Mr. TOM DAVIS, Mr. TURNER, Mr. HONDA, Mr. GONZALEZ, Mr. RUPPERSBERGER, and Mr. COHEN to name the new Census Bureau Headquarters building for Founding Father, Thomas Jefferson. The Founding Fathers' recognition of the need for fully representative government which put power in the hands of the people was unprecedented at the time of the Constitution's adoption. The modern decennial census is a uniquely American invention. Naming the Census Bureau Headquarters for Thomas Jefferson, who oversaw the first national census, underscores this historic contribution.

ESTABLISHING AN OFFICE OF CONGRESSIONAL ETHICS

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2008

Mr. BLUMENAUER. Mr. Speaker, I am proud of the Democratic majority's commitment to ethics reform. In the first 100 hours of this Congress, we adopted vital new rules ushering in a new era of openness and fiscal responsibility. We then reformed lobbying practices, and this year many of us voluntarily will reduce and disclose our earmark requests. To continue this commitment to transparency in government, I am pleased to support H. Res. 895 and the creation of an independent, bipartisan Office of Congressional Ethics.

A smooth functioning and credible ethics process is critical for both the reputations of individual members of Congress and for the future of the institution itself. I have consistently supported reform of the existing process. At the beginning of 2007, my colleague GREG WALDEN and I reintroduced legislation, the ''Ethics Reform Act,'' which abolishes the Committee on Standards of Official Conduct and establishes a fully independent ethics review process. This plan gives oversight authority to a panel of former Members, and empowers the independent office to oversee the actions and filings of lobbyists and offices.

While the measure we consider today differs significantly from my bill, the spirit behind it is the same. If the intent of having members of Congress sit in judgment of their colleagues is to provide both a Constitutional check on impropiety and maintain public confidence in the institution, then I believe the present system has failed both the test of timely justice and of public opinion. Vesting the power of preliminary investigation with an independent board can lift the day-to-day work above partisanship and still keep any punishment of violators safely within the purview of the Congress. I believe a more independent process will provide greater fairness for both Members under review and for the public that demands greater accountability.

The bill before us today initiates the changes that many of us seek and our constituents demand. Ultimately, I would like to see reform that fully removes sitting Members from the task of investigating their peers, and that instead gives that authority to independent individuals with a firsthand understanding of Congress. However I remain profoundly encouraged with the progress we have made on the issue of Congressional accountability. Instituting the independent ethics mechanism as outlined in this bill will benefit Congress, and ultimately, the American people.

HONORING MARGOT WRIGHT

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. BACA. Madam Speaker, I stand here today to honor and remember a civic leader, champion for worker's rights, loving mother and grandmother—Margot Wright.

Margot passed away on Saturday, March 8, 2008.

She was born in Mansfield, Ohio. She attended the Ohio State University, and remained an enthusiastic Buckeye's football fan throughout her life.

In 1967, she moved to California and came to my hometown of Rialto. Here she began a long career as a tax-collections worker in San Bernardino County. Margot soon became an integral part of the Rialto community. She volunteered her time and home to feed overworked police and firefighters, help keep score at little league baseball games, and at the same time raised two wonderful children as a single parent.

During her career, Margot became very involved with her local union. She held numerous terms as president of the San Bernardino Public Employees Association, the union that represents most San Bernardino County workers and counts over 11,000 members.

Margot was known as a fighter, someone who took her union duties seriously and stood up to protect her fellow employees.

I had the great privilege of getting to work with Margot firsthand in the community. Even just a few years ago, she was still an outspoken advocate for her community—when in 2005, she helped lead the support for the Rialto Police Department during their battle to keep the city from contracting with the County Sheriff's Department.

Margot is survived by her son Todd, who is a retired Rialto police officer, her daughter Terri, and three grandchildren.

Let us take the time to pay tribute to this wonderful woman. Let us celebrate the life she lived and the example she led.

Although she is no longer with us, Margot's legacy and spirit will continue to live on through the lives of everyone she has touched. The thoughts and prayers of my wife Barbara, my family and I are with her family at this time.

IN HONOR OF W.L. ''CORKY'' BURR

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. BLUNT. Madam Speaker, I rise today to honor Trooper W.L. ''Corky'' Burr of the Missouri State Highway Patrol, one of four state troopers nationally to be nominated for the 2007 International Association of Police Chiefs' Trooper of the Year Award. Although I am disappointed to learn that Trooper Burr did not win the award, I want to take this opportunity to honor him and his service to our community. I also extend my congratulations to the winner of the Trooper of the Year Award, New York State Trooper Amanda Reif.

Trooper Burr's actions last August in Neosho, Missouri, are testament to his skill and training as a Missouri State Trooper. On August 12, 2007, a tragic shooting spree occurred in my district at the First Congregational Church in Neosho, Missouri. That shooting left three people dead and several others seriously injured. Trooper Burr arrived at the scene, along with officers from the Neosho Police Department and the Newton County Sheriff's Office, and joined a team of other experienced officers schooled in special weapons and tactics. As they entered the sanctuary of the church, they found a man holding a female hostage at gunpoint, with around 30 members of the congregation positioned around him. Three victims were found lying on the floor mortally wounded and five others critically injured. During a tense confrontation between the suspect and the officers, Trooper Burr was able to calm the gunman, leading to his surrender and allowing the officers to take him into custody.

I had the privilege to meet with Trooper Burr and the other brave law enforcement officers shortly after this tragic event and personally thank them for their heroic actions to save the lives of the others in the church that day. I am proud today to honor Trooper ''Corky'' Burr for his well deserved nomination for Trooper of the Year, his dedication to his profession and his service to our community, and ask my colleagues in the House to join me in doing the same.

HONORING DR. MONICA DWECK

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today to recognize Dr. Monica Dweck, a native New Yorker who graduated from Hunter College High School and then attended Princeton University. However, after working for several years, she decided to attend medical school at the State University of New York at the Downstate Medical Center in Brooklyn, New York. Upon graduation, she interned at Hartford Hospital in Connecticut, a large Level I trauma hospital. She returnee, to New York City to do her residency in Ophthalmology at The New York Eye and Ear Infirmary where she was the first African-American woman in their 180-year history.

Her fellowship In Oculoplastic, Reconstructive and Orbital Surgery was done at the Cleveland Clinic and she was the first woman of color in the entire country to receive this type of fellowship training. She then entered private practice in Pennsylvania for several years. Dr. Dweck was soon recruited back to SUNY Downstate Medical Center to create an Oculoplastic Surgery curriculum for the Ophthalmology Residency Program there and to become Director of the Oculoplastic Surgery Service. A few months after her arrival, she was asked to run the Ophthalmology Residency Program. In 2005, Monica was appointed Vice-Chair and Program Director for the Department of Ophthalmology.

Dr. Dweck has held many leadership positions locally, regionally, nationally and has chaired several committees at SUNY Downstate Medical Center. She was elected to the Board of Directors of the New York State Ophthalmological Society and also the Brooklyn Ophthalmological Society, where she served as President.

In 2001, she was appointed by the New York State Board of Regents to the New York State Board of Medicine. Dr. Dweck was elected Chairperson-Elect of the National Medical Association—Ophthalmology Section In 2005.

Dr. Monica Dweck has lectured on national and international levels and has several research abstracts and book chapters. She has received numerous awards over the years, including a listing in the Castle-Connelly ''Top Doctors in the New York Metro Area'' annually since 2000 and Strathmore's Who's Who.

Madam Speaker, I am very pleased to recognize Dr. Dweck's remarkable career and selfless dedication to medical research, She is distinguished member of the Brooklyn medical community.

ELIZABETH CRUZ

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Elizabeth Cruz of Liberty,

Missouri. Elizabeth is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, and earning the most prestigious award of Girl Scout Gold Award.

Elizabeth has been very active with her troop, participating in many scout activities. In order to receive the prestigious Gold Award, Elizabeth has completed all seven requirements that promote community service, personal and spiritual growth, positive values and leadership skills.

Madam Speaker, I proudly ask you to join me in commending Elizabeth Cruz for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of Girl Scout Gold Award.

INTRODUCTION OF THE DISTRICT OF COLUMBIA COURT, OFFENDER SUPERVISION, PAROLE, AND PUBLIC DEFENDER EMPLOYEES EQUITY ACT OF 2008

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Ms. NORTON. Madam Speaker, today Congressman TOM DAVIS (R–VA) and I introduced a bill that will correct a long overdue oversight affecting the non-judicial employees of the D.C. Courts, the Court Services and Offender Supervision Agency, CSOSA, and the D.C. Public Defender Service, PDS.

Under the 1997 National Capital Revitalization and Self-Government Improvement Act of 1997, the Federal Government took over the operation of the District of Columbia Courts and related services making the non-judicial employees of the D.C. Courts and the employees of CSOSA Federal employees. In 1998, employees of PDS were similarly transferred as part of the District of Columbia Courts and Justice Technical Collections Act. As Federal employees, these court, CSOSA and PDS employees were brought under the Federal Retirement Program, FERS. However, for the employees transferred in 1997 and in 1998, ''creditable service'' for the purposes of determining when they would be eligible to retire and the amount of annuity they would be entitled to under FERS only began from the date of the transfer. That is, the 1997 and 1998 laws made no provision for treating their year of service as court and related services employees prior to these laws as creditable service for retirement.

Accordingly, the bill we introduced today will amend these laws to require that the time served by these employees before 1997 will count towards their overall Federal retirement eligibility as ''creditable service.'' So for example, if an employee is 60 years old today and has worked 20 years (i.e., since 1985) for the D.C. Courts, under our bill he would be eligible for Federal retirement today (whereas without our bill he would have to work another 12 years).

I should also note that to avoid the problem of ''double dipping,'' since the employees are still entitled to their D.C. retirement benefits (based upon their work status up until 1997), our bill does not count the pre-1997 years spent as D.C. government employees towards the amount of Federal retirement annuity an employee is eligible to receive.

However, it is only fair and just that the court and related services employees who started their jobs with the expectation that would be able to retire without penalty after 20 years of service or more should be allowed to do so. Our bill today does just that, it restores their ''lost time.''

CELEBRATING THE GRANADA THEATER

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. SHIMKUS. Madam Speaker, I rise today to honor the Granada Theater located in Mt. Vernon, Illinois, as the community celebrates its 70th anniversary.

The Granada Theater was designed in 1937 by the Boller Brothers and was recently reopened to the public with a weekend long celebration. Many wonderful memories were shared by community members who recalled the original theater and several great movie classics. The announcement that Pearl Harbor had been attacked and the first air conditioning system in the theater were among many unforgettable memories. However, one of the greatest memories that will be shared for years to come was created that night with the relighting of the marquee.

Countless hours of hard work and dedication from community members, along with local businesses, came together to make this celebration possible. Along with the memories shared there were theatrical performances, and the first movie was shown in the renovated theater. The renovated theater is intended to be used for other community events, such as dinner theaters and wedding receptions.

I am pleased to congratulate the Granada Theater on its 70th anniversary celebration.

PERSONAL EXPLANATION

HON. RON KLEIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. KLEIN of Florida. Madam Speaker, today I submit a record of how I would have voted on Tuesday, March 11, when I was unavoidably detained. Had I voted, I would have voted ''no'' on rollcall No. 120.

HONORING GLORIA CHESTNUT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise to recognize Gloria Chestnut, a native of Washington, DC, whose lifelong dream was to further her education. However, she was faced with a critical decision, as she was a single mother, sole provider in her home and yet would have to learn to cope with the challenges of being a student with homework as well as being a full-time breadwinner. Yet she did just that, beginning her amazing journey at the age of 45.

In 1988, Gloria did continue her educational dream by enrolling in Medgar Evers College and was still a liberal arts student there when she retired from the U.S. Postal Service after 27 years of service. She began an introspective search into what would ultimately be her true calling. After graduating with an associates degree from Medgar Evers College, she entered the Graduate Center CUNY B.A./B.S. program and began classes at Brooklyn College in 1995.

It was there in 1997 during a class in the radio and television masters program, when a fellow classmate shared his experience with Brooklyn Community Access Television, BCAT, that she realized her future potential. Here she was, a 67-year-old mother, grandmother of seven, and a great-grandmother of two found a career in the arts through the venues of film, video, radio, and television. Gloria volunteers much of her time assisting producers with their productions as well as editing her own weekly show at BCAT. She produces weekly shows that reflect spirituality: ''Expressions of Faith'' and ''Expressions of Faith Ministries'' are programs that explore faith and the healing power of prayer.

Gloria Chestnut is a member of various organizations: GAMA, Grandmothers As Mothers Again; United Parents For Justice; Church Women United; JPAC, Jewish Association for Services for the Aged; NCNW, National Council of Negro Women; AARP Brooklyn Chapter #180; St. Gabriel and Ft. Greene Senior Centers; JASA, Institute for Senior Actions, as a former volunteer cameraperson for Jazz 966 and Jazzy Jazz. As an independent producer, Gloria has numerous productions to her credit: Aids in the Black Church; The Messiah Is Coming; The Real Life of Harriet Tubman; Malachi Roots Revisited; Mighty Men in the Bible; and many more.

Madam Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Gloria Chestnut as she offers her talents and services for the betterment of our community. Since 1999 she has been rewarded the Hardy Smallwood Foundation Community Service Award, first place PEGASY Religious Import Award, third place in the Alliance for Community Media/Northeast Region Festival, Women's History Month Access Fund Award, Bethune Recognition Award for Loyal and Faithful Service, and the International Library of Photography Editor's Choice Award.

Madam Speaker, Gloria Chestnut is a remarkable woman who demonstrates that she has reinvented the wheel as a senior citizen with a wonderful second career as a video producer.

RECOGNIZING THE SECOND ANNUAL CESAR CHAVEZ CITIZENS MARCH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. KILDEE. Madam Speaker, I ask the House of Representatives to join me in recognizing the second annual Cesar Chavez Citizens March in my hometown of Flint, Michigan. The March will be held on March 29th to coincide with the 81st birthday of Cesar Chavez.

The Hispanic Latino Collaborative of Genesee County is sponsoring the Citizens March. The March will start on the campus of the University of Michigan-Flint, proceed down Chavez Drive, and conclude back on campus with a luncheon and reception. A fundraiser to help the United Farm Workers will be held in conjunction with the March.

Flint Michigan was the first community in the Nation to pay tribute to Cesar Chavez by naming a street in his honor 21 years ago. Cesar Chavez was an indefatigable fighter for the rights of migrant workers. He founded the National Farm Workers Association and the United Farm Workers. His 5-year nonviolent boycott against California grape growers attracted international attention and led to the signing of the first union contract with the United Farm Workers. In 1994, one year after his death, Cesar Chavez was awarded the Presidential Medal of Freedom.

Madam Speaker, please join me in congratulating the Hispanic Latino Collaborative of Genesee County for bringing to the forefront the life and work of Cesar Chavez, and keeping his memory alive for future generations. Cesar Chavez changed the world for the better and his life is an inspiration to all persons seeking justice, parity, and enhanced working conditions for everyone.

RECOGNIZING THE CENTRAL FLORIDA BALLET

HON. TOM FEENEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. FEENEY. Madam Speaker, the Central Florida Ballet's "Children Series," has created a performance in tribute to all who suffered in the 9/11 tragedy. This moving performance of "9/11—An American Moment" not only pays tribute to the men and women who tragically lost their lives that fateful September day, but also stirs our patriotism.

Performed by children, the performance captures the poignancy of tested and proven American courage, resolve and pride in response to the World Trade Center attack.

Central Florida Ballet is the only company in the Nation to have choreographed a ballet based on this fateful day in American history. They chose to approach this complex subject motivated by two strong reasons: first to educate; and second to pay tribute to the thousands of victims.

The performance is emotionally stirring. Some scenes contain live recordings of the events that unfolded that fateful morning. The end, however, is both patriotic and uplifting. Our national anthem is played and the audience rises and sings in unison with the performers.

I could not be prouder of our Orange County students and professionals for their dedication and respect in putting together this production. Together we honor part of our heritage as an American people.

RECOGNIZING THE 60TH ANNIVERSARY OF EVERGLADES NATIONAL PARK

SPEECH OF

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 2008

Mr. REGULA. Mr. Speaker, the Everglades National Park plays a major role in preserving an important ecosystem in the State of Florida. The Everglades act as a natural filter that helps provide fresh water to major cities in Florida. In a time when water is becoming an increasingly valuable resource, protecting this area for its natural filtering benefits is vital. While I was chairman of the House Appropriations subcommittee responsible for funding the programs that will restore the Everglades, I made sure that this task received the support that it needed. I again stand today in support of the Everglades and the Everglades National Park, an area that plays a vital role that is key to restoration of this ecosystem.

HONORING DR. MYRAH BROWN GREEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. TOWNS. Madam Speaker, I rise today to recognize the accomplishments of Dr. Myrah Brown Green, who is currently an Adjunct/Assistant Professor of Art History at Medgar Evers College in Brooklyn, New York. She is an Art Historian, Fiber/Surface Designer and a Professional Quilt Artist and has been the Program Director of the Crown Heights Youth Collective in Brooklyn for the past thirty years.

Her quilts are in a number of private collections including the homes of personal collectors and academic institutions. "At the Cross" has been acquired by the Smithsonian's Anacostia Museum in Washington, DC. Myrah's quilt exhibitions include one woman shows at the Cacciloa and Back Room Galleries in New York. Other shows include the national traveling exhibit, Textural Rhythm: Constructing the Jazz Tradition, Threads of Faith, at the American Bible Society, Open House at the Brooklyn Museum of Art, Parallel Threads at the New England Quilt Museum, Six Continents of Quilts through the American Craft Museum at the Payne Webster Gallery in New York.

In addition to her remarkable career in quilts, Myrah teaches both art and history along with quilting techniques within a variety of art programs and academic institutions. Her tenure as a docent at the Brooklyn Museum of Art from 1999–2006 afforded her the opportunity to perform tours in galleries of Africa, Native America, 18th and 19th Century period rooms and American and European paintings. Her quilts appear in a number of quilt publications including Fiber Art Magazine, Spirit of the Cloth: Contemporary African American Quilts, Threads of Faith and Textural Rhythms: Constructing the Jazz Tradition. She is also the author of African Rhythms, a chapter included in the book, Rodale's Successful Quilting Library: Choosing Quilting Designs. Currently, Dr. Green has written a book entitled, "Pieces of a World: Foundation Pieced Symbols From Around the Globe" that is due to appear on book shelves later this year.

Myrah's PhD. in Interdisciplinary Studies with a focus in Art History is themed: The Presence of African Symbols in Modern Art. She created a lecture entitled, The Presence of World Symbols in Quilt Making, which was presented at the Storytellers in Cloth Conference, Connecticut, the Museum of the American Folk Art, Pratt Institute, New York and the Cheik Anta Diop Conference in Pennsylvania. Dr. Myrah Brown Green is a member of the Quilter's Guild of Brooklyn, the American Quilt Study Group, the Studio Art Quilt Association, Chairperson of Women of Color Quilters Network, Inc. Finally, she is the Director and Co-Founder of "Tell Mama Now" a mentoring program for girls interested in Art and Art History.

Madame Speaker, it is important for us to recognize the successful endeavors of Dr. Myrah Brown Green and her talented gifts as an inspirational quilter. I am pleased to congratulate her today.

PAYING TRIBUTE TO CLAUDINE WILLIAMS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PORTER. Madam Speaker, I rise today to honor my longtime friend Claudine Williams, Chairman of Community Affairs at Harrah's Las Vegas and congratulate her for being honored by the American Heart Association for her contributions and support of promoting heart health for women.

Ms. Claudine Williams has been an exemplary citizen and businesswoman since she and her husband Shelby moved to Nevada in 1964. Claudine serves on countless boards of directors in Las Vegas and the State of Nevada including the Las Vegas Chamber of Commerce and Nevada State Commission on Tourism. For her service and generosity to the community, Claudine was inducted into the Nevada Business Hall of Fame at the University of Nevada Las Vegas in 2004.

In addition to her many professional successes, Claudine has earned numerous accolades from her peers and other notable organizations. Among those many awards and honors, Claudine has been named Humanitarian of the Year by the Muscular Dystrophy Association (1998), Educator of the Year by the Nevada Hospitality Foundation (2002), and Woman of the Year by the Nevada Dance Theater (1996). Claudine has also established endowment scholarships for education at the William F. Harrah School of Hotel Administration at the University of Nevada, Las Vegas.

She was honored by the university in 1990 with the dedication of the Claudine Williams Residence Hall.

Madam Speaker, I am proud to recognize my good friend Claudine. Her hard work and efforts on behalf of the community should be emulated. I applaud Claudine Williams on her success and I wish her the best in her future endeavors.

PUBLIC TRANSPORTATION AND CLIMATE CHANGE

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. OBERSTAR. Madam Speaker, I rise today to recognize that Americans took 10.3 billion trips on public transportation in 2007, and recognize the significant impact public transit use can have on improving the environment. This growth in transit usage represents a 2.1 percent increase over 2006, and is the highest level of transit ridership our country has experienced in the past 50 years. In the last decade alone, public transportation use has been more than double the growth rate of the population and up substantially over the growth rate for vehicle miles traveled on our Nation's highways for that same period. The American public has proven that riding transit—especially at such record levels—helps relieve congestion in our crowded cities, addresses climate change and energy independence, and improves the daily lives of our citizens.

Public Transportation and its relationship to the environment is further explored in a new study from the Transportation Research Board and the Division on Earth and Life Studies of the National Research Council entitled ''Potential Impacts of Climate Change on U.S. Transportation'' (Special Report 290). This report highlights the consequences of climate change for the infrastructure and operations of U.S. transportation. Specifically, the report provides an overview of the scientific consensus on those current and future climate changes of particular relevance to U.S. transportation; identifies potential impacts on all transportation modes; examines adaptation options; and offers recommendations for both research and actions that can be taken to prepare for climate change.

The report also summarizes important strategies for reducing transportation-related emissions of carbon dioxide (CO_2)—the primary greenhouse gas that contributes to climate change. Currently, public transportation plays a vital role in reducing emissions because it produces less carbon monoxide, fewer volatile organic compounds, and nearly half as much carbon dioxide and nitrogen oxides for every passenger mile traveled as compared to traveling with private vehicles. Using public transportation helps the Nation save 1.4 billion gallons of gasoline every year, the equivalent of 108 million cars filling up, about 300,000 tanks of gas each day. If Americans rode transit at the rate of 10 percent of daily travel, the U.S. would reduce its dependence on oil imported from the Persian Gulf by more than 40 percent.

For these reasons and more, I support public transportation and pledge to continue the strong Federal partnership with our local communities in providing the necessary resources to offer even more citizens the opportunity to choose transit for their daily commutes. Increased Federal support for public transportation will only further the national goals of addressing climate change, reducing our dependency on foreign oil, and renewing our commitment to environmental stewardship.

PAYING TRIBUTE TO PENDER RHYNES

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PORTER. Madam Speaker, I rise today to honor Pender Rhynes, a retired Chief Master Sergeant for the United States Air Force.

Pender Rhynes was born on June 23, 1945 in Campbellton, Florida. After graduating high school in 1963, Pender joined the United States Air Force, where he served twenty-six and a half years before retiring. He served five different stateside tours and three overseas tours, including the Vietnam War. During the Vietnam War, Pender was a team leader and he was responsible for making major repairs on many F–105 Fighter-Bomber aircraft. He also worked with F–117A Stealth Fighters at Nellis Air Force Base in Nevada. When Pender retired from the United States Air Force, he had earned the Rank of Chief Master Sergeant, which is the highest attainable enlisted rank in the U.S. Air Force.

Since his retirement, Pender has worked for the State of Nevada Unemployment Insurance Claims Office in Las Vegas. He has worked there as a Career Enhancement Program Representative and has since been appointed manager. He has achieved some of the highest production ever, helping thousands of Nevadans receive the training they need to attain successful employment. Pender is married to Gloria Olds and they have two sons, Anthony and Phillip. Pender also is the proud grandfather of seven wonderful grandchildren.

Madam Speaker, I am proud to honor Pender Rhynes. I would like to thank him for his service to our country and our community. I wish him the very best in his current successes and his future endeavors.

HONORING THE MADISON HIGH SCHOOL GIRLS GYMNASTICS TEAM

HON. STEPHANIE HERSETH SANDLIN

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Ms. HERSETH SANDLIN. Madam Speaker, on February 15, 2008, the Madison High School girls gymnastics team from my State of South Dakota won its 14th consecutive state championship. This accomplishment sets a national record for consecutive gymnastics State titles.

The Bulldogs' streak began in 1995 with a narrow victory over Stanley County High School and has continued through this season's dominant victory over runner-up Britton-Hecla High School.

Madison's list of accomplishments goes deeper than just a national record. The Bulldogs' victory streak is the longest in South Dakota history—for any sport—and the team holds the State record for highest team score in their class. In addition, Madison gymnasts have won 47 individual State titles during the streak, setting State class records for the balance beam, floor exercise and vault. In addition, Madison's Kristen Osterberg set a record with 14 career State titles from 1996 to 2001.

Led by former coach Linda Collignon and current coach Maridee Dossett, Madison has set a standard by which teams from all across the country can be judged. With a focus on team success first, the Madison gymnastics program doesn't just produce champions, it also creates individuals better prepared to take on all the challenges life can present.

Madam Speaker, it is with enduring pride and respect that I rise today in recognition of the Madison gymnastics team on the occasion of their record-breaking achievement. Their achievement is not only measured in the dominating statistics of their string of victories over fourteen years, but also in how they work together as a team in their commitment to excellence. The Madison gymnastics team has proven itself worthy to be counted among the most dominant high school athletic dynasties in the Nation.

PAYING TRIBUTE TO DR. JAMES E. HANSEN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PORTER. Madam Speaker, I rise today to congratulate Dr. James E. Hansen, the Director of the NASA Goddard Institute for Space Studies, as this year's recipient of the Desert Research Institute's 21st Annual Nevada Medal. This award is Nevada's highest achievement in the area of scientific study and research.

The Nevada Medal was first given out in 1988 and has been bestowed annually upon a scientist whose work has great impact on the field of science and engineering. Dr. Hansen joins an esteemed list of recipients.

Dr. Hansen earned all of his degrees from the University of Iowa which includes a Bachelor of Arts in Physics and Mathematics, a Masters of Science in Astronomy, and a Ph.D. in Physics. In addition to his numerous publications, research and his work with NASA, Dr. Hansen is also a professor at Columbia University.

He has studied the effects of greenhouse gases throughout his career and has developed and applied various models to note the effects these gases have on climate change and other areas. Dr. Hansen has been a consistent speaker warning about the possible effects of greenhouse gas emissions and the possible benefits of decreasing these gases being emitted.

I wish to also congratulate the Desert Research Institute on another year of service and their continued success in the areas of quality of the air, the water, and the land that surrounds us. The effects of their tireless work and research are felt throughout Nevada and across the globe.

Madam Speaker, I am proud to honor Mr. James E. Hansen for being selected as this

year's recipient of the Nevada Medal presented by the Desert Research Institute.

NATIONAL PEACE CORPS WEEK

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. MORAN of Virginia. Madam Speaker, I would like to take a minute to recognize an enduring legacy of John F. Kennedy—the Peace Corps—in recognition of its 47th anniversary this year and to commend 44 constituents from Northern Virginia currently serving in 38 countries around the world. It is an honor to serve with the likes of my colleague and friend CHRIS SHAYS and others in this body and the other who served our country in the enhancement of citizen diplomacy. I hope all Americans will join us in supporting and expanding this enduring commitment to convey our values as a nation.

As Fareed Zakaria wrote: "We must begin to think about life after Bush—a cheering prospect for his foes, a dismaying one for his fans (however few there may be at the moment). In 10 months he will be a private citizen, giving speeches to insurance executives. America, however, will have to move on and restore its place in the world. To do this we must first tackle the consequences of our foreign policy of fear. Having spooked ourselves into believing that we have no option but to act fast, alone, unilaterally and preemptively, we have managed in six years to destroy decades of international good will, alienate allies, embolden enemies and yet solve few of the major international problems we face."

The London Financial Times last December reported that the U.S. has suffered a significant loss of power and prestige around the world in the years since the beginning of this century, limiting our ability to influence international crises, according to an annual survey from a well regarded British security think-tank. The 2007 Strategic Survey of the nonpartisan International Institute for Strategic Studies picked the decline of U.S. authority as one of the most important security developments of the past year—but suggested the fading of American prestige began earlier, largely due to its failings in Iraq.

One of our most special and effective citizen agencies of public diplomacy is the Peace Corps. Think of this—more than 187,000 volunteers have served this venerable legacy of former President Kennedy, serving in 139 countries—where they bring our values to other peoples, and bring understanding and appreciation of other cultures back home.

The greatest gift of the Peace Corps and other civilian programs is not just that ordinary Americans share their values and our culture with other peoples, but also that when volunteers return, they bring greater understanding and appreciation of other cultures.

Foreign policy is not just what we do, but also who we are. America as a place has often been the great antidote to U.S. foreign policy—and it should be again. Mr. Zakaria writes that "When American actions across the world have seemed harsh, misguided or unfair, America itself has always been open, welcoming and tolerant * * *"

At the end of the day, our openness is our greatest foreign policy. We have succeeded not because of the ingenuity of our government, but rather because of efforts like this unique program to keep ourselves open to the world—to sending our people out across the countries of the world to share our unique culture, our goods and services, our ideas and inventions, our people and cultures. This openness, this civilian diplomacy, has allowed us to make friends across boundaries. It will be central to our place as a Nation in the future.

This week, as we celebrate National Peace Corps Week, we honor the more than 190,000 volunteers who have served in 139 developing countries since President Kennedy's call to service in 1961—and I honor 44 of my constituents currently serving our country in places as diverse as China, Mali, Azerbaijan, Macedonia, El Salvador, and Namibia. This can be lonely and demanding service but service that can create enduring friendships and values that transcend boundaries and cultures.

Today, more than 8,000 Peace Corps volunteers around the world are currently providing training and education in 74 countries. These volunteers each donate their time and skills for over two years, in order to make a difference in the world and to promote understanding between cultures. By offering their valuable skills and showing a passion for helping others, they show the world that Americans value learning and cross-cultural exchange.

Volunteers work in areas of education, health and HIV/AIDS, business development, environment, agriculture and youth, and must often be creative and flexible when living and working in new cultures and learning new languages. The resulting experience is rewarding for all involved, and it highlights the importance of cooperation and involvement between cultures around the globe.

When volunteers return home and share their overseas experiences with their communities, the Peace Corps helps Americans as much as the people in developing countries. From recent college graduates to doctors with decades of experience, volunteers choose to use their valuable skills and education to help people all over the world, but their work affects their lives long after returning home.

This week we remember the dedication and passion of Peace Corps volunteers, young and old, current and returned. We thank them for their service, and encourage more Americans to volunteer with the Peace Corps.

PAYING TRIBUTE TO ROBERT CONGDON

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PORTER. Madam Speaker, I rise today to honor United States Army Staff Sergeant Robert Congdon, for his heroic efforts in saving five lives while under heavy enemy gunfire on January 18, 2008 in Iraq.

Robert is a native of the Las Vegas community. He is a graduate of Bonanza High School. He was a former local lifeguard, paramedic, and is currently an active member of the United States Army. Robert is currently stationed in Georgia, where his wife Bonnie and two year old daughter Samantha reside. Robert's parents, Margaret and Gary Congdon reside in Las Vegas, Nevada along with his sister, Crystal Hill. His younger brother Michael is also in the United States Army and he is stationed in Sparks, Nevada.

Robert is currently on his second tour in Iraq. His first was with the 101st Airborne Division. On January 18, 2008, Robert was caught dodging bullets from a sniper while trying to rescue five soldiers wounded from a roadside blast on a Stryker armored vehicle. He found himself close enough to the blast to race toward his wounded comrades, and was able to avoid any other improvised explosive devices that might be nearby. Robert successfully rescued three of the wounded, and on his way back for the two remaining wounded soldiers, a sniper opened fire. He alerted other military personnel in the vicinity about the situation at hand, but he knew that he had to help his two remaining comrades to safety because of the severity of their wounds. Robert and medical personnel assisted in dragging the two men nearly the distance of a football field and bringing them to safety.

Madam Speaker, I am proud to honor United States Army Staff Sergeant Robert Congdon for his dedication to the United States Army, and dedication to his comrades. His leadership is a true testament of his honor and devotion to our nation. I am proud to represent this hero and the many others from the great state of Nevada.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Ms. WOOLSEY. Madam Speaker, on March 10, 2008, I was unavoidably detained and was not able to record my votes for rollcall Nos. 111–123.

Had I been present I would have voted:

Rollcall No. 111—"no"—On Motion to Adjourn.

Rollcall No. 112—"no"—On Motion to Adjourn.

Rollcall No. 113—"no"—On Motion to Adjourn.

Rollcall No. 114—"no"—On Motion to Adjourn.

Rollcall No. 115—"yes"—Congratulating Iowa State University of Science and Technology for 150 years of leadership and service.

Rollcall No. 116—"yes"—On Motion to table the appeal of the ruling of the Chair.

Rollcall No. 117—"yes"—The Intelligence Authorization Act of 2008.

Rollcall No. 118—"yes"—Congratulating the University of Kansas football team for winning the 2008 FedEx Orange Bowl and having the most successful year in program history.

Rollcall No. 119—"yes"—Congratulating the women's water polo team of the University of California, Los Angeles, for winning the 2007 NCAA Division I Women's Water Polo National Championship, and congratulating UCLA on its l00th NCAA sports national title, making it the most accomplished athletic program in NCAA history.

Rollcall No. 120—"yes"—On Motion to Adjourn.

Rollcall No. 121—"yes"—Providing for the adoption of the resolution (H. Res. 895) establishing within the House of Representatives an

Office of Congressional Ethics, and for other purposes.

Rollcall No. 122—"no"—Providing for the adoption of the resolution (H. Res. 895) establishing within the House of Representatives an Office of Congressional Ethics, and for other purposes.

Rollcall No. 123—"yes"—On Motion to Adjourn.

PAYING TRIBUTE TO IRVING JOSEPH SCHWARTZ

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PORTER. Madam Speaker, I rise today to honor Irving Joseph Schwartz for his service to the United States Military, and his admirable accomplishments and contributions to our country.

Mr. Schwartz was assigned to the 82nd airborne, where he parachuted into Normandy in 1944 six days before the invasion. Due to his great efforts in this battle, he was awarded with the Silver Star for Gallantry in Action, the Bronze Star, Purple Heart, Combat Infantry Badge, and Parachute Badge with two Bronze Stars for his combat jumps. He also received the European Campaign Badges, along with the Pacific Campaign ribbons.

Today, Mr. Schwartz dedicates countless hours assisting Jewish War Veterans that are down on their luck, as well as homeless veterans. He is a past National Service Officer for the Military Order of the Purple Heart, and is currently involved with the Purple Heart group throughout the Las Vegas Valley. Mr. Schwartz will be 90 on April 19, 2008.

Madam Speaker, I am proud to honor the accomplishments of Irving Joseph Schwartz, and commend his dedication to the veterans throughout the Las Vegas Valley. I wish him the best of luck in his future endeavors.

THE ARMENIAN GENOCIDE

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mrs. BACHMANN. Madam Speaker, the 20th century was a time of unprecedented, historic gains in human rights, freedom, and democracy. But it was also a century of unprecedented oppression, carnage and bloodshed.

Millions of families were exiled, tortured and executed because of their faiths, their beliefs, and their ancestries. Countless innocents were marched to camps, slaughtered in streets, and had their blood spilled as though it were nothing more than water. This religious and ethnic genocide is a permanent stain on the history of man.

From 1915 to 1923, Armenians were expelled from their 2,500-year homeland by the Ottoman Empire. To achieve this travesty, the Ottomans murdered 1.5 million innocent adults and children, and raped and brutalized many more. Yet to this day, this act of genocide has been widely overlooked. In fact, it is officially denied by today's Turkish government. This is unacceptable.

As we pledge ourselves to fighting evil and preventing genocide in our modern world, we must keep the past alive. For if we allow ourselves to forget the unthinkable crimes of the 20th century, mankind will be condemned to bear witness to many more.

As we dedicate ourselves today to ending the cycle of genocide, it's important to realize that education is a crucial step in preventing future horror. Groups like the Armenian National Committee of America and others work hard to raise this critical awareness, and I pray that the monstrous horrors of yesterday and today are all the lesson we ever need to end the cycle of death and suffering.

PAYING TRIBUTE TO JIM CAVALIERI

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PORTER. Madam Speaker, I rise today to honor my friend Jim Cavalieri, who is retiring after twenty years of service in the Henderson Fire Department.

Mr. Cavalieri was raised in Henderson, NV where he has resided for fifty-four years. Jim is an alumnus of Basic Elementary School and also attended Basic High School, where he met his wife, Lorna, of thirty-five years. Jim joined the department in 1987 as a firefighter. He would later serve as a paramedic, captain, and deputy fire chief. Jim was selected as Henderson's Fire Chief in May 2001 after thirteen years of service within that department. As fire chief, Jim provided knowledge, experience, and leadership to the department. He led the Henderson Fire Department to receive its accreditation from the Commission on Fire Accreditation International (CFAI) in 2004.

Mr. Cavalieri is a member of several professional organizations, including Southern Nevada Fire Chiefs Association, Nevada Fire Chiefs Association, and the International Association of Fire Chiefs. Jim is active in his church as well as in community service where he has served as a leader in the Boy Scouts of America.

Madam Speaker, I am proud to honor my friend Jim Cavalieri. His efforts in helping assist the residents of Henderson, Nevada are commendable. I congratulate him on this prestigious award and wish him the best of luck in his much deserved retirement.

ONE OF HOUSTON'S FINEST: OFFICER AL AMATO

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. POE. Madam Speaker, police officers dedicate their lives to keeping our streets and communities secure. They selflessly venture into dangerous situations every day and put their lives on the line so that the rest of us can sleep safely. Houston Senior Police Officer Alphonso "Al" Amato, Jr., is one of those elite individuals, who dedicated his entire career to protecting the innocent from evil-doers.

Officer Amato enrolled in the Houston Police Academy in 1981. His first assignment upon graduation was with the Patrol Division of the Houston Police Department. One of his more notable experiences occurred when he was testifying against an aggravated robbery defendant in the 177th District Court. While he was testifying, the defendant jumped up and threw his chair at the prosecutor. Officer Amato responded, like any top-notch officer would, and without giving it a second thought, jumped up and immediately took the defendant into custody. He was later prosecuted as the trial continued.

Officer Amato has been responsible for removing dangerous outlaws from the streets of Houston. In 1983, he began working on cases involving juveniles and spent the majority of his career working in the Juvenile Division of the police force. While working in the Juvenile Sex Crimes Unit, he investigated more than 1,000 child exploitation cases. Time and again, he has successfully arrested the worst kind of criminal, the one who preys on innocent children.

He has a knack for difficult cases and has taken on the most challenging, where little or no information has been available. Each time, he managed to track down the criminals and bring them to justice.

Not only does Officer Amato have fine-tuned investigative skills, he is also known for his ability to manage a crime scene. He always kept order, even in the most difficult situations, while questioning the involved parties.

During his many years of dedicated service, he has received countless commendations, expressions of appreciation, Unit Citations, an FBI recognition for Task Force and Sting Operations, a U.S. Marshal recognition for Gang Task Force involvement and a Houston Fire Department recognition. He is also well respected throughout the community and among his peers.

Officer Amato's family has a history of service. His father served in the military. Before becoming a law enforcement officer, Officer Amato served in the United States Air Force in Vietnam for 4 years. After his time in the military, he joined the Federal Protective Services and was there until 1977, when he left to join the Chicago Police Department. He stayed in Chicago until 1981 and then began his career with the Houston Police Department. This year, he is retiring from a distinguished career after more than 26 years of service.

According to his fellow officers, Officer Amato served the citizens of Houston with pride, honor and commitment. He is known as an upstanding citizen, a patriotic American and a devoted law enforcement officer.

I would also like to recognize the contributions of Al's wife, Sandy, and daughter, Raven. I commend them for persevering over the difficult job of their loved one serving as a law enforcement officer. Many of the most successful officers have a significant family support system behind the scenes.

On the date of his retirement, March 21, 2008, I congratulate and thank Senior Police Officer Al Amato for wearing the badge of a Texas lawman with distinction while serving the people of Houston. Future law enforcement officers can learn by the example of Officer Amato and realize that one person truly can make a difference.

And that's just the way it is.

PAYING TRIBUTE TO RAYMOND LANDRY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PORTER. Madam Speaker, I rise today to honor Mr. Raymond Landry for his 35 years of distinguished service to Pardee Homes and to the Southern Nevada community.

Mr. Landry has been a resident of Southern Nevada since 1968, where he has lived with his wife Marge Landry, President/Broker of Landry & Associates, Inc. Mr. Landry began his successful career with Pardee Homes in 1972 and in 1980 he began leading the local sales force in Las Vegas. As Assistant Vice President of Sales, he is well regarded for his commitment to service and professionalism. Over the course of his tenure with Pardee Homes, Mr. Landry has earned countless honors, including the Nevada PTA Community Partner of the Year, the Greater Las Vegas Association of Realtors Builder of the Year, and the Shade Tree Builder of the Year.

Mr. Landry used his expertise and passion in other areas of the housing industry. His founding of and working with various organizations exemplifies such leadership. He was appointed to the Nevada Real Estate Commission by then Governor Bob Miller in 1997. He served for two 3-year terms as the President of the Commission. He is also a founding member of the Southern Nevada Sales and Marketing Council. Furthermore, he is a member of the Southern Nevada Home Builders Association and the Association of the Real Estate License Law officials. Former Nevada Governor Kenny Guinn proclaimed a day in his honor in 2001 describing Mr. Landry as, ''an industry leader with the highest professional and ethical standards''.

Madam Speaker, I am proud to honor Mr. Raymond Landry for his commitment to Pardee Homes, as well as his efforts throughout the Southern Nevada community. I praise his accomplishments and wish him the best of luck in the future.

SUNSET MEMORIAL

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this body with yet another Sunset Memorial.

It is March 12, 2008 in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand—just today. That is more than the number of innocent American lives that were lost on September 11th, only it happens every day.

It has now been exactly 12,833 days since the travesty called Roe v. Wade was handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of our own children.

Some of them, Madam Speaker, cried and screamed as they died, but because it was amniotic fluid passing over their vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common.

They were each just little babies who had done nothing wrong to anyone. Each of them died a nameless and lonely death. And each of their mothers, whether she realizes it immediately or not, will never be the same. And all the gifts that these children might have brought to humanity are now lost forever.

Yet even in the full glare of such tragedy, this generation clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims to date, those yet unborn.

Madam Speaker, perhaps it is important for those of us in this Chamber to remind ourselves again of why we are really all here.

Thomas Jefferson said, ''The care of human life and its happiness and not its destruction is the chief and only object of good government.''

The phrase in the 14th amendment capsulizes our entire Constitution. It says: ''No state shall deprive any person of life, liberty or property without due process of law.'' Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here. It is our sworn oath.

The bedrock foundation of this Republic is that clarion declaration of the self-evident truth that all human beings are created equal and endowed by their creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core self-evident truth. It has made us the beacon of hope for the entire world. It is who we are.

And yet Madam Speaker, another day has passed, and we in this body have failed again to honor that foundational commitment. We failed our sworn oath and our God-given responsibility, as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have been giving them.

But perhaps tonight, Madam Speaker, maybe someone new who hears this sunset memorial will finally realize that abortion really does kill little babies, that it hurts mothers in ways that we can never express, and that 12,833 days spent killing nearly 50 million unborn children in America is enough; and that the America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust, is still courageous and compassionate enough to find a better way for mothers and their babies than abortion on demand.

So tonight, Madam Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of the innocent unborn. May that be the day we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect the least of these, our tiny American brothers and sisters, from this murderous scourge upon our Nation called abortion on demand.

It is March 12, 2008—12,833 days since Roe v. Wade first stained the foundation of this nation with the blood of its own children—this, in the land of the free and the home of the brave.

PAYING TRIBUTE TO LIN CLARK

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. PORTER. Madam Speaker, I rise today to honor Lin Clark, who has been recognized as Citizen of the Year 2008 by the Laughlin Town Advisory Board for her outstanding efforts as a citizen within the Laughlin community.

Lin moved to Laughlin, Nevada when the community was less than 20 years old, and has been a resident for the past 22 years. Since Lin has been a resident, she has taken an active role throughout the community. Lin is the coordinator for the Laughlin Town Fest event in which she dedicates countless hours in successfully organizing the event. She is committed to making sure that the event will be enjoyed by everyone throughout the community. Along with her husband, Bruce, the Clarks are a major part of the success of the bus system's first wine tasting and charity silent auction. The proceeds of this event benefits the senior citizens' transportation program.

In addition, Lin is active in Laughlin's Annual Silver Toy Box. She donates her time and efforts for less fortunate children throughout the Laughlin community by selecting toys and wrapping them, and paying for some of the toys out of her own pocket.

Madam Speaker, I am proud to honor Lin Clark. Her efforts in helping assist the residents of Laughlin, Nevada are commendable. I congratulate her on this prestigious award and wish her continued success.

IN RECOGNITION OF F.N. MCNAIR, JR.

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2008

Mr. WILSON of South Carolina. Madam Speaker, I wish to recognize Mr. Nick McNair, Jr., who resides in Lexington, SC, on the occasion of his retirement from AgFirst Farm Credit Bank on April 1, 2008.

Much of Nick McNair's life and career has been dedicated to agriculture and the cooperative Farm Credit System. His interest began as a child growing up on his family's row crop and livestock farm south of Leary, GA. At a young age, Nick began to appreciate the vital role that agriculture played in his community and in his home State. After receiving his education from Leary Elementary School and Edison High School, Nick pursued his education at Georgia Southern College in Statesboro, GA and graduated in 1967.

From 1961 through 1963, Nick supported himself by working at Morris Cattle Company in Leary, GA. He also worked for Arlington Oil Mills, Inc., in Arlington, GA, in their cotton ginning operation. As Nick's interest in agriculture continued to grow, he worked for the Baker and Newton County ASCS offices as a performance reporter during the summers of 1963–1966.

In August of 1967, Nick began his career with the Farm Credit System as a fieldman and association appraiser for the Federal Land

Bank Association of Camilla in Camilla, GA. Over the next several years, Nick was employed as a vice president with the Northeast Florida Farm Credit Service in Jacksonville, FL and also the FLBA of Dawson, before being selected as President of the FLBA of Ahoskie in Ahoskie, NC, in 1979.

In 1982, Nick was employed by the Farm Credit Bank of Columbia, SC, now known as AgFirst Farm Credit Bank. He has served in many capacities including vice president of marketing as well as vice president of legislative and public affairs. In 2001. he was named Distinguished Cooperator of the year by the South Carolina Cooperative Council. He has also served as president of the Friends of Agriculture in South Carolina.

I certainly appreciate the outstanding work Nick has done throughout his distinguished career to promote not only cooperative principles but the vital role that agriculture plays in our everyday lives. I thank his wife. Phyllis, and two daughters, Shonna and Angie, and the entire McNair family for their support of Nick throughout the years. I congratulate Nick on his retirement and thank him sincerely for his many positive contributions to AgFirst and the State of South Carolina.

GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2008

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 5563, the "Generations Invigorating Volunteerism and Education Act" or the "GIVE Act." I would like to thank my colleague Congresswoman McCARTHY for introducing this important legislation, as well as the chairman of the Committee on Education and Labor, Congressman GEORGE MILLER, for his leadership in bringing the bill to the floor today.

Mr. Speaker, this legislation came to the floor last week as H.R. 2857. It was a good bill then but it now an even better piece of legislation.

The ten amendments that were incorporated into the current bill before this chamber provide: (1) greater integration of funding; (2) strengthens the Retired Senior Volunteer Program, RSVP; and (3) more support for our military families and veterans.

This legislation will make vital strides toward expanding and improving key community service programs, including AmeriCorps, VISTA, Senior Corps, and Learn and Serve America. The GIVE Act works to ensure that volunteers, and the organizations that support them, will receive the resources that they need to continue their vital work in our communities.

Today's legislation embodies the altruistic spirit that has made our Nation great. Great numbers of Americans donate their time and their unique skills and gifts to our cities and communities, without any expectation of compensation or material reward. According to a 2005 study, 29 percent of the American public, or about 65.4 million people, had volunteered in the past year.

This legislation engages our youth and fosters a sense of civic duty, which is why I was so pleased to see Section 1202 of this legislation, which gives special consideration to Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities. I want to thank Representative McCARTHY and Representative MILLER for allowing me to add to this great bill. By adding predominately minority community colleges to the list of those to receive special consideration, we help so many more students who have a commitment to service.

Our community colleges are growing as many of our returning veterans, single parents, and seniors desire to make a change in their living circumstances and simply cannot afford traditional higher education. A sense of civic engagement is not fostered only among students at Harvard and Berkeley; it is also found among students at community colleges like Houston Community College and North Harris College. I thank the chairman for recognizing this needed addition and incorporating it into the manager's amendment.

The GIVE Act would:

(1) increase the number of AmeriCorps volunteers from 75,000 to 100,000 by 2012;

(2) increase stipends for AmeriCorps volunteers from $4,725 to $5,225 by 2012;

(3) promote recruitment of disadvantaged youth, baby-boomers, and veterans into national and community service opportunities;

(4) create an AmeriCorps Alumni Reserves Network aimed at tapping into the skills and experience of alumni volunteers, with a particular focus on assisting during emergencies or natural disasters; and

(5) constructs an Energy Conservation Corps, which will address our Nation's energy and transportation infrastructure needs while providing work and service opportunities.

I am disappointed that our colleagues on the other side of the aisle have chosen to be obstructionists to legislation that engages our youth, strengthens disaster and emergency preparedness, and invests in our volunteer and service organizations with appropriate funding. This bipartisan effort needs to be supported.

I am proud to cosponsor legislation that will add service before self to our leaders of tomorrow. I urge my colleagues to join me in supporting this legislation.

CONGRATULATING IOWA STATE UNIVERSITY FOR 150 YEARS OF LEADERSHIP AND SERVICE

SPEECH OF

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2008

Mr. LATHAM. Madam Speaker, as a proud original cosponsor of House Resolution 924, a resolution congratulating Iowa State University on its sesquicentennial, I would like to take a moment to express my support for its passage and thank the leadership of the House for bringing it to the floor for consideration.

I am proud to have the opportunity to represent the 4th Congressional District of Iowa, the home of Iowa State University and want to congratulate them on their 150th Anniversary. Iowa State's contributions to the State of Iowa, Nation and world are second-to-none and it deserves to receive special recognition. Established on March 22, 1858, Iowa State University has been a pioneer on many fronts; it has demonstrated leadership on very important issues such as equal education and agriculture. Iconic figures such as George Washington Carver and suffragist Carrie Chapman Catt received their education from this outstanding center of learning.

Widely recognized and respected for its service, Iowa State University has now been a leader in higher education for 150 years. Today, it is regarded as one of the greatest agricultural institutions in the Nation and was one of the first institutions to be designated as a land grant institution. The entire agricultural economy is dependent on the agricultural research carried out by Iowa State University. And, its work in biorenewable energy has contributed to the development of alternative fuel sources important to help America reduce its dependence on foreign energy sources. But agriculture and renewable energy are not the only areas in which Iowa State University excels. Engineering, architecture and computer sciences, to name a few, are other areas of higher learning that attract students from all over the globe to Ames, Iowa.

I would also like to applaud Iowa State University President Gregory Geoffrey, the faculty, staff, students and alumni for continuing the rich tradition of excellence and upholding its superior reputation. On behalf of all Iowans, I want to thank Iowa State University for being a source of pride and for the positive influence it has had on the state of Iowa. Again, I am honored to represent this wonderful university and proud to call myself a Cyclone.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 13, 2008, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 14

10 a.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine ways to reform the District of Columbia Public Schools (DCPS) system.

SD–342

APRIL 1

2:30 p.m.

Energy and Natural Resources

To hold hearings to examine S. 2593, to establish a program at the Forest Service and the Department of the Interior to carry out collaborative ecological restoration treatments for priority forest landscapes on public land.

SD–366

APRIL 3

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine international fisheries, focusing on management and enforcement.

SR–253

APRIL 8

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the Federal Trade Commission reauthorization.

SR–253

2:30 p.m.

Commerce, Science, and Transportation

To hold an oversight hearing to examine the digital television transition, focusing on consumers, broadcasters, and converter boxes.

SR–253

APRIL 10

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine phantom traffic.

SR–253

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1915–S2032

Measures Introduced: Nine bills and two resolutions were introduced, as follows: S. 2745–2753, S.J. Res. 29, and S. Res. 480. **Pages S1998–99**

Measures Reported:

Report to accompany S. 901, to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act. (S. Rept. No. 110–274)

S. 980, to amend the Controlled Substances Act to address online pharmacies, with an amendment in the nature of a substitute. **Page S1998**

Measures Passed:

Agricultural Programs Extension: Senate passed S. 2745, to extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date. **Pages S1916–17**

Measures Considered:

Budget Resolution: Senate continued consideration of S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013, taking action on the following amendments proposed there to: **Pages S1916, S1917–92, S2029–32**

Pending:

Baucus Amendment No. 4160, to provide tax relief to middle-class families and small businesses, property tax relief to homeowners, relief to those whose homes were damaged or destroyed by Hurricanes Katrina and Rita, and tax relief to America's troops and veterans. **Page S1916**

Graham Amendment No. 4170, to protect families, family farms and small businesses by extending the income tax rate structure, raising the death tax exemption to $5,000,000 and reducing the maximum death tax rate to no more than 35 percent; to keep education affordable by extending the college tuition deduction; and to protect senior citizens from higher taxes on their retirement income, maintain U.S. financial market competitiveness, and promote economic growth by extending the lower tax rates on dividends and capital gains. **Page S1916**

Bingaman Amendment No. 4173, to provide additional funding resources in fiscal year 2009 for investments in innovation and education in order to improve the competitiveness of the United States. **Pages S1917–21**

Gregg (for Specter/Craig) Amendment No. 4189, to repeal section 13203 of the Omnibus Budget Reconciliation Act of 1993 by restoring the Alternative Minimum Tax rates that had been in effect prior thereto. **Pages S1921–22**

Conrad Amendment No. 4190, to add a deficit-neutral reserve fund for repealing the 1993 rate increase for the alternative minimum tax for individuals. **Page S1922**

Kyl Amendment No. 4191, to protect small businesses, family ranches and farms from the Death Tax by providing a $5 million exemption, a low rate for smaller estates and a maximum rate no higher than 35%. **Pages S1922–26**

Conrad (for Salazar) Modified Amendment No. 4196, to reform the estate tax to avoid subjecting thousands of families, family businesses, and family farms and ranches to the estate tax. **Pages S1922–32, S1940–46**

Bunning Amendment No. 4192, to repeal the tax increase on Social Security benefits imposed by the Omnibus Budget Reconciliation Act of 1993. **Pages S1932–39**

Conrad Amendment No. 4204, to add a deficit-neutral reserve fund for repealing the 1993 increase in the income tax on Social Security benefits. **Page S1939**

Gregg (for Specter) Amendment No. 4203, to increase funding for the National Institutes of Health and the Low Income Home Energy Assistance Program. **Page S1939**

Dorgan Amendment No. 4198, to increase the Indian Health Service by $1,000,000,000 in fiscal year 2009. **Pages S1939–40**

Alexander Amendment No. 4207, to establish a deficit-neutral reserve fund to improve energy efficiency and production. **Page S1940**

Kennedy Amendment No. 4151, to add a deficit-neutral reserve fund for increasing federal student

loan limits to protect students against disruptions in the private credit markets. **Page S1946–49**

Sununu Amendment No. 4221, to save lives, promote overall health care efficiency, and lower the cost for the delivery of health care services by facilitating the deployment and use of electronic prescribing technologies by physicians. **Pages S1949–50**

Murray (for Lincoln) Amendment No. 4194, to provide the Veterans Benefits Administration with additional resources to more effectively meet their increasing workload and to better address the unacceptably large claims backlog. **Pages S1950–53**

Alexander Amendment No. 4222, to take $670,000 used by the EEOC in bringing actions against employers that require their employees to speak English, and instead use the money to teach English to adults through the Department of Education's English Literacy/Civics Education State Grant program. **Pages S1953–54**

Sessions Amendment No. 4231, to establish a deficit-neutral reserve fund for border security, immigration enforcement, and criminal alien removal programs. **Pages S1955–59**

Cornyn Amendment No. 4242, to protect the family budget by providing for a budget point of order against legislation that increases income taxes on taxpayers, including hard-working middle-income families, entrepreneurs, and college students. **Pages S1961–62**

Conrad (for Pryor) Amendment No. 4181, to add a deficit-neutral reserve fund for Science Parks. **Pages S1962–66**

Allard Amendment No. 4246, to raise taxes by an unprecedented $1.4 trillion for the purpose of fully funding 111 new or expanded federal spending programs. **Pages S1966–72**

Menendez Amendment No. 4259, to establish a reserve fund for immigration reform and enforcement. **Pages S1976–80**

A unanimous-consent agreement was reached providing for further consideration of the resolution at approximately 10:15 a.m., on Thursday, March 13, 2008, following the moment of silence, and that all statutory time be yielded back except for 30 minutes to be equally divided and controlled between the Chair and Ranking Member of the Committee on Budget for their use when Senate resumes consideration of the resolution. **Pages S1981, S2029**

Moment of Silence—Agreement: A unanimous-consent agreement was reached providing that at approximately 10:15 a.m., on Thursday, March 13, 2008, there be a moment of silence to honor the 5 years of service and sacrifice of our troops and their families for the war in Iraq and also to remember those who are serving our nation in Afghanistan and throughout the world. **Page S2029**

Messages from the House: **Page S1998**

Measures Referred: **Page S1998**

Enrolled Bills Presented: **Page S1998**

Additional Cosponsors: **Pages S1999–S2000**

Statements on Introduced Bills/Resolutions: **Pages S2000–09**

Additional Statements: **Pages S1996–98**

Amendments Submitted: **Pages S2009–28**

Notices of Hearings/Meetings: **Page S2028**

Authorities for Committees to Meet: **Pages S2028–29**

Privileges of the Floor: **Page S2029**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 9:00 p.m., until 10:15 a.m. on Thursday, March 13, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2029.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: AIR FORCE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2009 for the Air Force, after receiving testimony from Michael W. Wynne, Secretary, and General T. Michael Moseley, Chief of Staff, both of the United States Air Force, Department of Defense.

APPROPRIATIONS: FEDERAL JUDICIARY

Committee on Appropriations: Subcommittee on Financial Services and General Government concluded a hearing to examine proposed budget estimates for fiscal year 2009 for the federal judiciary, after receiving testimony from Julia S. Gibbons, Judge, Sixth Circuit Court of Appeals, and Chair, Committee on the Budget, Judicial Conference of the United States; and James C. Duff, Director, Administrative Office of the United States Courts.

CURRENT READINESS OF U.S. ARMED FORCES

Committee on Armed Services: Subcommittee on Readiness and Management Support met to discuss the current readiness of the armed forces of the United States, receiving testimony from Lieutenant General James D. Thurman, USA, Deputy Chief of Staff, G–3/5/7, Lieutenant General Richard F. Natonski, USMC, Deputy Commandant, Plans, Policies, and Operations, Vice Admiral Michael K. Loose, USN, Deputy Chief, Naval Operations Fleet Readiness and

Logistics, and Lieutenant General Daniel J. Darnell, USAF, Deputy Chief of Staff, Air, Space and Information Operations, Plans and Requirements, all of the Department of Defense.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine strategic forces programs in review of the defense authorization request for fiscal year 2009 and the future years defense program, after receiving testimony from General Kevin P. Chilton, USAF, Commander, United States Strategic Command, Michael G. Vickers, Assistant Secretary for Special Operations/Low-Intensity Conflict and Interdependent Capabilities, Office of the Under Secretary of Defense for Policy, Major General Richard Webber, USAF, Assistant Deputy Chief, Operations, Plans and Requirements Headquarters, United States Air Force, and Rear Admiral Stephen Johnson, USN, Director, Strategic Systems Programs, United States Navy, all of the Department of Defense; and Thomas P. D'Agostino, Administrator, National Nuclear Security Administration, Department of Energy.

WEAPONS OF MASS DESTRUCTION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine technologies to combat weapons of mass destruction, after receiving testimony from James A. Tegnelia, Director, Defense Threat Reduction Agency, and Major General Stephen V. Reeves, USA, Joint Program Executive Officer, Chemical and Biological Defense, both of the Department of Defense; and T. Jan Cerveny, Assistant Deputy Administrator, Nonproliferation Research and Development, Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the defense authorization request for fiscal year 2009, the future years defense program, and military installation, environmental, and base closure programs, after receiving testimony from Wayne Arny, Deputy Under Secretary for Installations and Environment, Keith E. Eastin, Assistant Secretary of the Army for Installations and Environment, B.J. Penn, Assistant Secretary of the Navy for Installations and Environment, and William C. Anderson, Assistant Secretary of the Air Force for Installations, Environment and Logistics, all of the Department of Defense.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine the defense authorization request for fiscal year 2009 for the strategic lift programs, and the future years defense program, after receiving testimony from Sue Payton, Assistant Secretary of the Air Force for Acquisition, and General Norton A. Schwartz, USAF, Commander, United States Transportation Command, both of the Department of Defense.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BUDGET

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2009 for the Department of Housing and Urban Development, after receiving testimony from Alphonso Jackson, Secretary of Housing and Urban Development; Michael Kelly, District of Columbia Housing Authority, and Hector Pinero, Related Management Company LLC, on behalf of the National Leased Housing Association, National Multi Housing Council, and National Apartment Association, both of Washington, D.C.; Diane Randall, Partnership for Strong Communities, West Hartford, Connecticut; Edgar O. Olsen, University of Virginia, Charlottesville; and Barbara Sard, Center on Budget and Policy Priorities, Brookline, Massachusetts.

GROSS DOMESTIC PRODUCT

Committee on Commerce, Science, and Transportation: Subcommittee on Interstate Commerce, Trade, and Tourism concluded a hearing to examine the gross domestic product as a measurement of national strength, after receiving testimony from J. Steven Landefeld, Director, Bureau of Economic Analysis, Department of Commerce; Robert H. Frank, Cornell University, Ithaca, New York; Karen Davis, Commonwealth Fund, New York, New York; Katharine G. Abraham, University of Maryland, College Park; and Jonathan Rowe, West Marin Commons, Point Reyes Station, California.

HARDROCK MINING

Committee on Energy and Natural Resources: Committee concluded a hearing to examine hardrock mining, focusing on issues relating to abandoned mine lands and uranium mining, including federal funds spent to clean up abandoned hardrock mine sites since 1998, number of abandoned hardrock mine sites and hazards, and the value and coverage of financial assurances operators use to guarantee reclamation costs on Bureau of Land Management (BLM) land, after

receiving testimony from Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; Tony L. Ferguson, Director, Minerals and Geology Management, National Forest System, United States Forest Service, Department of Agriculture; Henri Bisson, Deputy Director, Bureau of Land Management, Department of the Interior; David W. Geiser, Deputy Director for Legacy Management, Department of Energy; Benjamin H. Grumbles, Assistant Administrator for Water, Environmental Protection Agency; Charles L. Miller, Director, Office of Federal and State Materials and Environmental, Management Programs, U.S. Nuclear Regulatory Commission; Bill Brancard, New Mexico Energy, Minerals, and Natural Resources Department, Santa Fe, on behalf of the Interstate Mining Compact Commission; former Representative Pat Williams, Western Progress, Missoula, Montana; Debra Struhsacker, Northwest Mining Association, Reno, Nevada; Joe Shirley, Jr., Navajo Nation, Window Rock, Arizona; David Ulibarri, Cibola County, Grants, New Mexico; and Fletcher T. Newton, Uranium One, Inc., Denver, Colorado, on behalf of the National Mining Association.

CURRENT FEDERAL ESTATE TAX SYSTEM

Committee on Finance: Committee concluded a hearing to examine alternatives to the current federal estate tax system, after receiving testimony from Lily L. Batchelder, New York University School of Law, New York, New York; Joseph M. Dodge, Florida State University College of Law, Tallahassee; and David G. Duff, University of Toronto Faculty of Law, Toronto, Canada.

U.S. AND VIETNAM BILATERAL RELATIONSHIP

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine the United States and Vietnam, focusing on the bilateral relationship, after receiving testimony from Christopher Hill, Assistant Secretary of State for the Bureau of East Asian and Pacific Affairs; Janet Nguyen, Board of Supervisors, Santa Ana, California; Do Hoang Diem, Vietnam Reform Party, San Jose, California; Sophie Richardson, Human Rights Watch, and Matthew P. Daley, US–ASEAN Business Council, both of Washington, D.C.; and Ann Mills Griffiths, National League of Prisoners of War and Missing in Action (POW/MIA) Families, Arlington, Virginia.

PROTECTING FEDERAL INFORMATION TECHNOLOGY

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine agencies in peril, focusing on protecting federal information technology and securing sensitive information, including the status of agency performance of information security control activities as reported by major agencies and their inspectors general (IG), the effectiveness of information security at federal agencies, and opportunities to improve federal information security, after receiving testimony from Karen S. Evans, Administrator of E–Government and Information Technology, Office of Management and Budget; Gregory C. Wilshusen, Director, Information Security Issues, Government Accountability Office; Susan H. Swart, Chief Information Officer, Bureau of Information Resource Management, Department of State; Philip M. Heneghan, Chief Information Security Officer and Chief Privacy Officer, Bureau for Management, United States Agency for International Development; Darren B. Ash, Chief Information Officer, Deputy Executive Director for Information Services, U.S. Nuclear Regulatory Commission; Robert T. Howard, Assistant Secretary of Veterans Affairs for Information and Technology; and Tim Bennett, Cyber Security Industry Alliance, Arlington, Virginia.

OVER-THE-COUNTER AND PRESCRIPTION DRUG ABUSE

Committee on the Judiciary: Subcommittee on Crime and Drugs concluded a joint hearing with the Senate Caucus on International Narcotics Control to examine the 51 million Americans born between 1965 and 1976, also know as "Generation X", focusing on the abuse of prescription and over-the-counter drugs, including S. 2274, to amend the Controlled Substances Act to prevent the abuse of dextromethorphan, after receiving testimony from Leonard J. Paulozzi, Medical Epidemiologist, Division of Unintentional Injury Prevention, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, and Nora D. Volkow, Director, National Institute on Drug Abuse, National Institutes of Health, both of the Department of Health and Human Services; Stephen J. Pasierb, Partnership for a Drug-Free America, New York, New York; Derek Clark, Clinton Substance Abuse Council, Clinton, Iowa; and Misty Fetko, New Albany, Ohio.

VOTER FRAUD AND DISENFRANCHISEMENT

Committee on Rules and Administration: Committee concluded a hearing to examine issues relative to in-person voter fraud and voter disenfranchisement, after receiving testimony from Senators Leahy and Bond; Robin Carnahan, Missouri Secretary of State, Jefferson City; Robert A. Simms, Georgia Deputy

Secretary of State, Atlanta; David C. Iglesias, former United States Attorney for the District of New Mexico, Albuquerque; Jeffrey Milyo, University of Missouri-Columbia; and Justin Levitt, New York University School of Law Brennan Center for Justice, New York, New York.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

DOCTORS AND PRESCRIPTION DRUG INFORMATION AND REVIEWS

Special Committee on Aging: Committee concluded a hearing to examine doctors and prescription drug information and reviews, and pharmaceutical industry marketing, after receiving testimony from Nora Dowd Eisenhower, Pennsylvania Department of Aging, Harrisburg; Jerry Avorn, Harvard Medical School, and Allan Coukell, Prescription Project, both of Boston, Massachusetts; Ambrose Carrejo, Kaiser Foundation Health Plan, Inc., Livermore, California, on behalf of the Kaiser Permanente Medical Care Program; and Shahram Ahari, El Cerrito, California.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 5595–5601; and 7 resolutions, H.J. Res. 77; H. Con. Res. 316; and H. Res. 1039–1040, 1042–1044 were introduced. **Pages H1617–18**

Additional Cosponsors: **Pages H1618–19**

Report Filed: A report was filed today as follows:

H. Res. 1041, providing for consideration of the Senate amendment to the bill (H.R. 3773) to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence (H. Rept. 110–549). **Pages H1580, H1617**

Speaker: Read a letter from the Speaker wherein she appointed Representative Tierney to act as Speaker Pro Tempore for today. **Page H1541**

Chaplain: The prayer was offered by the guest Chaplain, Rev. W. James Thomas, II, Shiloh Church of Memphis, Memphis, Tennessee. **Page H1541**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H1541, H1573**

Calendar Wednesday: On a call of committees pursuant to the Calendar Wednesday rule, no bills were called up for consideration. **Page H1542**

Motion to Adjourn: Rejected the Dreier motion to adjourn by a yea-and-nay vote of 5 yeas to 375 nays, Roll No. 124. **Pages H1542–43**

Privileged Resolution: The House agreed to table H. Res. 1039, raising a question of the privileges of the House, by a yea-and-nay vote of 215 yeas to 193 nays, Roll No. 125. **Pages H1543–44**

Motion to Adjourn: Rejected the Shadegg motion to adjourn by a recorded vote of 14 ayes to 384 noes, Roll No. 126. **Pages H1545–46**

Point of Personal Privilege: Representative Hastings (WA) rose to a point of personal privilege and was recognized. **Pages H1546–52**

Motion to Adjourn: Rejected the LaHood motion to adjourn by a yea-and-nay vote of 3 yeas to 382 nays, Roll No. 127. **Page H1552**

Privileged Resolution: The House agreed to table H. Res. 1040, raising a question of the privileges of the House, by a yea-and-nay vote of 219 yeas to 193 nays, Roll No. 128. **Pages H1552–53**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure which was debated on Tuesday, March 11th:

Generations Invigorating Volunteerism and Education Act: H.R. 5563, to reauthorize and reform the national service laws, by a 2/3 yea-and-nay vote of 277 yeas to 140 nays, Roll No. 131. **Pages H1560–61**

Adjournment Resolution: The House agreed to H. Con. Res. 316, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, by a yea-and-nay vote of 211 yeas to 204 nays, Roll No. 132. **Pages H1573–74**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, March 11th:

Honoring the 200th anniversary of the Gallatin Report on Roads and Canals: H. Res. 936, amended, to honor the 200th anniversary of the Gallatin Report on Roads and Canals, to celebrate the national unity the Gallatin Report engendered, and to recognize the vast contributions that national planning efforts have provided to the United States, by a 2/3 yea-and-nay vote of 411 yeas with none voting ''nay'', Roll No. 133 and **Page H1574**

Agreed to amend the title so as to read: ''Reaffirming the goals and ideals that formed the impetus for Albert Gallatin's national plan for transportation improvements 200 years ago, and for other purposes.''. **Page H1574**

Temporarily extending the programs under the Higher Education Act of 1965: S. 2733, to temporarily extend the programs under the Higher Education Act of 1965, by a 2/3 yea-and-nay vote of 411 yeas to 4 nays, Roll No. 134—clearing the measure for the President. **Pages H1574–75**

Revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013: The House began consideration of H. Con. Res. 312, revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013. Further consideration is expected to resume tomorrow, March 13th. **Pages H1561–73, H1575–80, H1580–97**

H. Res. 1036, the rule providing for consideration of the concurrent resolution, was agreed to by a yea-and-nay vote of 223 yeas to 195 nays, Roll No. 130, after agreeing to order the previous question by a yea-and-nay vote of 222 yeas to 196 nays, Roll No. 129. **Pages H1553–60**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Extending agricultural programs beyond March 15, 2008 and suspending permanent price support authorities beyond that date: S. 2745, to extend agricultural programs beyond March 15, 2008 and to suspend permanent price support authorities beyond that date—clearing the measure for the President; **Pages H1597–98**

Pension Protection Technical Corrections Act of 2007: H.R. 3361, amended, to make technical corrections related to the Pension Protection Act of 2006; and **Pages H1598–H1606**

Expressing the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad: H. Res. 953, amended, to express the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad. **Pages H1608–09**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Recognizing the exceptional sacrifice of the 69th Infantry Regiment, known as the Fighting 69th, in support of the Global War on Terror: H. Res. 991, recognizing the exceptional sacrifice of the 69th Infantry Regiment, known as the Fighting 69th, in support of the Global War on Terror. **Pages H1606–08**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency declared with respect to Iran—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 110–101). **Pages H1609–10**

Senate Messages: Messages received from the Senate today appear on pages H1541, H1543.

Senate Referrals: S. 2516 and S. 2745 were held at the desk. **Pages H1541, H1543**

Quorum Calls—Votes: Ten yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H1542–43, H1544, H1545–46, H1552, H1553, H1559–60, H1560, H1560–61, H1573, H1574, and H1574–75. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 10:18 p.m.

Committee Meetings

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies held a hearing on DEA, and on the Bureau of Prisons, U.S. Marshals, and Detention Trustee. Testimony was heard from the following officials of the Department of Justice: Michele Leonhart, Acting Administrator, DEA; Harley G. Lappin, Director, Bureau of Prisons; Stacia A. Hylton, Federal Detention Trustee, Office of the Federal Detention Trustee; and John F. Clark, Director, U.S. Marshals Service.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Army Posture. Testimony was heard from the following officials of the Department of the Army: Pete Geren, Secretary; and GEN George W. Casey, Jr., USA, Chief of Staff.

The Subcommittee also met in executive session to hold a hearing on Army Acquisition. Testimony was heard from the following officials of the Department of the Army: Dean G. Popps, Acting Secretary, Acquisition; LTG Ross Thompson, II, USA, Military Deputy to the Assistant Secretary, Acquisition, Logistics and Technology.

FINANCIAL SERVICES, GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services, and General Government held a hearing on The Judiciary. Testimony was heard from Julia Gibbons, Chair, Budget Committee of the Judiciary Conference; and James C. Duff, Director, Administrative Office of the U.S. Courts.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Investing in Science and Technology. Testimony was heard from Jay M. Cohen, Under Secretary, Science and Technology, Department of Homeland Security, and public witnesses.

INTERIOR, ENVIRONMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment and Related Agencies held a hearing on Native American. Testimony was heard from public witnesses.

LABOR, HHS, EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Status of the World Trade Center 9/11 Health Monitoring and Treatment Program. Testimony was heard from John Howard, M.D., Director, National Institute of Occupational Safety and Health, Department of Health and Human Services; and public witnesses.

LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Office of Compliance, Congressional Budget Office, Open World Leadership Center and on Capitol Visitor Center. Testimony was heard from Tamara Chrisler, Executive Director, Office of Compliance; Peter Orszag, Director, CBO; Ambassador John O'Keefe, Executive Director, Open World Leadership Center.

The Subcommittee also held a hearing on the Capitol Visitors Center. Testimony was heard from Stephen Ayers, Acting Architect of the Capitol; Bernard Ungar, CVC Project Executive; Terrie Rouse, CEO, Visitors Services; and Terrell Dorn, Director, Physical Infrastructure Issues, GAO.

MILITARY CONSTRUCTION, VETERANS' AFFAIRS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing on Pacific Command. Testimony was heard from the following officials of the Department of Defense: ADM Timothy Keating, USN, Commander, U.S., Pacific Command; and GEN B. B. Bell, USAF, Commander, Republic of Korea-United States Combined Forces Command and Commander, United States Forces Korea.

STATE, FOREIGN OPERATIONS APPROPRIATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing on Fiscal Year 2009 Budget Request for International Affairs. Testimony was heard from Condoleezza Rice, Secretary of State.

PACIFIC COMMAND/U.S. FORCES; KOREAN BUDGET

Committee on Armed Services: Held a hearing on Fiscal Year 2009 National Defense Authorization Budget Request for the U.S. Pacific Command and U.S. Forces Korea. Testimony was heard from the following officials of the Department of Defense: ADM Timothy J. Keating, USN, Commander, U.S. Pacific Command; and GEN Burwell B. Bell, III, USAF, Commander, United Nations Command, Commander, Republic of Korea-U.S. Combined Forces Command, Commander, U.S. Forces Korea.

MILITARY HEALTHCARE SYSTEM OUTLOOK

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the Future of the Military Healthcare System. Testimony was heard from the following officials of the Department of Defense: S. Ward Cassells, M.D., Assistant Secretary, Health Affairs; Gail R. Wilensky, Co-Chairman, Future of Military Health Care Task Force, Office of the Assistant Secretary, Health Affairs; and a public witness.

ENERGY'S NATIONAL SECURITY PROGRAM BUDGET

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on Fiscal Year 2009 National Defense Authorization Budget Request for the Department of Energy National Security Programs. Testimony was heard from the following officials of the Department of Energy: GEN Robert Smolen, USAF, (Ret.), Deputy Administrator, Defense Programs; Will Tobey, Deputy Administrator for Defense Nuclear Nonprolification; and Glenn Podonsky, Director, Office of Health, Safety, and Security, all with the National Nuclear Security Administration; and James Rispoli, Assistant Secretary, Environmental Management.

COMBUSTIBLE DUST EXPLOSION AND FIRE PREVENTION ACT OF 2008

Committee on Education and Labor: Held a hearing on H.R. 5522, Combustible Dust Explosion and Fire Prevention Act of 2008. Testimony was heard from Representatives Barrow and Kingston; Edwin Foulke, Assistant Secretary, Occupational Safety and Health Administration, Department of Labor; Bill Wright. Interim Chair, U.S. Chemical Safety and Hazard Investigation Board; and public witnesses.

NATURAL GAS PIPELINES SAFETY ASSESSMENT

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled ''The Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006: Implementation Review and Discussion of Safety Reassessment Intervals for Natural Gas Pipelines.'' Testimony was heard from Carl T. Johnson, Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; and public witnesses.

FOOD SAFETY REGULATIONS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Regulatory Failure: Must America Live with Unsafe Food?'' Testimony was heard from Stephen F. Sundlof, D.V.M., Director, Center for Food Safety and Applied Nutrition, FDA, Department of Health and Human Services; Richard A. Raymond, M.D., Under Secretary, Food Safety, Food Safety and Inspection Service, USDA; and public witnesses.

MUNICIPAL BOND TURMOIL

Committee on Financial Services: Held a hearing entitled ''Municipal Bond Turmoil: Impact on Cities, Towns, and States.'' Testimony was heard from Erik R. Sirri, Director, Division of Trading and Markets, SEC; Eric R. Dinallo, Superintendent of Insurance, Department of Insurance, New York; Richard Blumenthal, Attorney General, Connecticut; Bill Lockyer, Treasurer, California; Robin L. Wiessmann, Treasurer, Pennsylvania; Tate Reeves, Treasurer, Mississippi; and public witnesses.

BALKANS AND NATO ENLARGEMENT

Committee on Foreign Affairs: Held a hearing on the Balkans after the Independence of Kosova and on the Eve of NATO Enlargement. Testimony was heard from Daniel Fried, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

ISRAEL's DISENGAGEMENT FROM GAZA

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing on 853 Days: From Gaza Disengagement to De Facto Power? Testimony was heard from C. David Welch, Assistant Secretary, Bureau of Near Eastern Affairs, Department of State.

CRITICAL INFRASTRUCTURE SECURITY PARTNERSHIPS

Committee on Homeland Security: Subcommittee on Transportation Security and Infrastructure Protection held a hearing entitled ''Partnerships in Securing Critical Infrastructure.'' Testimony was heard from public witnesses.

OVERSIGHT—ELECTION ASSISTANCE COMMISSION

Committee on House Administration, Subcommittee on Elections held an oversight hearing on the Election Assistance Commission. Testimony was heard from the following officials of the Election Assistance Commission: Curtis Crider, Inspector General; Rosemary Rodriguez, Chairwoman; Caroline Hunter, Vice Chair; Gracia Hillman and Donetta Davidson, both Commissioners.

IMMIGRATION MEASURES

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law approved for full Committee action the following bills: H.R. 5571, To extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates; H.R. 5569, To extend for 5 years the EB–5 regional center pilot program; H.R. 5570, amended, Religious Worker Visa Extension Act of 2008; and H.R. 5060, to amend the Immigration and Nationality Act to allow athletes admitted as nonimmigrants described in section 101(a)(15)(P) of such Act to renew their period of authorized admission in 5-year increments.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported the following bills: H.R. 2016, amended, National

Landscape Conservation System Act; H.R. 4933, Captive Wildlife Safety Technical Amendments Act of 2008; H.R. 2342, amended, National Integrated Coastal and Ocean Observation Act of 2007; H.R. 1187, amended, Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act; H.R. 3352, amended, Hydrographic Services Improvement Act Amendments of 2007; H.R. 3891, To amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation; H.R. 2515, amended, Lower Colorado River Multi-Species Conservation Program Act; H.R. 2675, amended, HALE Scouts Act; and H.R. 3651, amended, Utah National Guard Readiness Act.

OFFICE OF NATIONAL DRUG CONTROL POLICY

Committee on Oversight and Government Reform: Subcommittee on Domestic Policy held a hearing on Priorities and Accountability at ONDCP. Testimony was heard from John P. Walters, Director, Office of National Drug Control Policy; and public witnesses.

HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 3773—FISA AMENDMENTS ACT of 2008

Committee on Rules: Granted, by voice vote, a rule providing for consideration of the Senate amendment to the bill H.R. 3773, the "FISA Amendments Act of 2008." The rule provides that it is in order for the chairman of the Committee on the Judiciary to make a motion that the House concur in the Senate amendment to H.R. 3773 with the amendment printed in the Rules Committee report accompanying the rule.

The rule waives all points of order against the motion except those arising under clause 10 of rule XXI. The rule provides that the Senate amendment and the motion shall be considered as read. It further provides that the motion shall be debatable for one hour, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. Finally, the rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the motion to a time designated by the Speaker. Testimony was heard from Chairman Conyers and Chairman Reyes and Representatives Smith of Texas and Hoekstra.

TECHNOLOGY COMPETITIVENESS AND INNOVATION

Committee on Science and Technology: Held a hearing on Competitiveness and Innovation on the Committee's 50th Anniversary. Testimony was heard from William H. Gates, Chairman, Microsoft Corporation.

VETERANS BUSINESS DEVELOPMENT PROGRAMS

Committee on Small Business, Subcommittee on Urban and Rural Entrepreneurship held a hearing on the Oversight of the Entrepreneurial Development Programs Implemented by the Small Business Administration and National Veterans Business Development Corporation. Testimony was heard from Anoop Prakash, Associate Administrator, Office of Entrepreneurial Development, SBA; and public witnesses.

INTELLIGENCE OPERATIONS

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on Intelligence Operations. Testimony was heard from departmental witnesses.

NUCLEAR POWER IN WARMING W0RLD

Select Committee on Energy Independence and Global Warming: Held a hearing entitled "Nuclear Power in a Warming World: Solution or Illusion?" Testimony was heard from public witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D273)*

S. 2272, to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John "Marty" Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007. Signed on March 12, 2008. (Public Law 110–195)

COMMITTEE MEETINGS FOR THURSDAY, MARCH 13, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of Housing and Urban Development, 10 a.m., SD–138.

Committee on Commerce, Science, and Transportation: to hold a hearing to examine the nomination of John J. Sullivan, of Maryland, to be Deputy Secretary of Commerce, 2 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine old-growth forest science, focusing on policy and management in the Pacific Northwest region, 9:30 a.m., SD–366.

Committee on Finance: to hold hearings to examine customs reauthorization, focusing on strengthening United States economic interests and security, 9:15 a.m., SD–215.

Committee on Foreign Relations: business meeting to consider S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and the nominations of William Raymond Steiger, of Wisconsin, to be Ambassador to the Republic of Mozambique, and Mark Kimmitt, of Virginia, to be Assistant Secretary of State for Political-Military Affairs, both of the Department of State, and a promotion list in the foreign service, 10:15 a.m., S–116, Capitol.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on FNCS Budget, 10 a.m., 2362–A Rayburn.

Subcommittee on Defense, on Navy Posture, 10 a.m., and executive, on Navy Acquisition, 1:30 p.m., H–140 Capitol.

Subcommittee on Energy and Water Development, on DOE—Science Research, 10 a.m., 2362–B Rayburn.

Subcommittee on Financial Services, and General Government, on Supreme Court, 10 a.m., 2220 Rayburn.

Subcommittee on Homeland Security, on Federal Emergency Management Agency—Is the agency on the right track? 10 a.m., 2359 Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Public Witnesses—Other Issues, 9:30 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Public Witnesses, 10 a.m., and 2 p.m., 2358–C Rayburn.

Subcommittee on Legislative Branch, on Budget Hearing—U.S. House of Representatives, 10:30 a.m., H–144 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Air Force Budget, 10:30 a.m., and on Outside Witnesses, 1:30 p.m., H–143 Capitol.

Committee on Armed Services, hearing on Fiscal Year 2009 National Defense Authorization Budget Request for the U.S. European Command, Southern Command and Africa Command, 1 p.m., 2118 Rayburn.

Subcommittee on Readiness, hearing on Department of Defense Energy Posture, 10:30 a.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Fiscal Year 2009 National Defense Authorization Budget Request—Department of Defense Science and Technology: Responding to the 21st Century Irregular Warfare Threat Environment, 10:30 a.m., 2212 Rayburn.

Committee on Education and Labor, hearing on America's Black Colleges and Universities: Models of Excellence and Challenges for the Future, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, hearing entitled ''Department of Commerce Budget for Fiscal Year 2009,'' 9 a.m., and to mark up the following bills: H.R. 3754, To authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects, and for other purposes; H.R. 1108, Family Smoking Prevention and Tobacco Control Act; H.R. 1198, Early Hearing Detection and Intervention Act of 2007; H.R. 2464, Wakefield Act; H.R. 1237, Cytology Proficiency Improvement Act of 2007; H.R. 3701, Keeping Seniors Safe From Falls Act of 2007; H.R. 2063, Food Allergy and Anaphylaxis Management Act of 2007; H.R. 3825, Newborn Screening Saves Lives Act of 2007; and H.R. 1418, Reauthorization of the Traumatic Brain Injury Act; 12:30 p.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing on The Credit Cardholders' Bill of Rights: Providing New Protections for Consumers, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa and Global Health, hearing on Child Survival: The Unfinished Agenda to Reduce Global Child Mortality, 10:30 a.m., 2200 Rayburn.

Subcommittee on International Organizations, Human Rights, and Oversight, hearing on War Powers for the 21st Century: The Congressional Perspective, 9:30 a.m., 2200 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, hearing entitled ''Making Homeland Security Intelligence Work for State, Local, and Tribal Partners: An Interagency Threat Assessment Coordination Group (ITACG) Progress Report,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Courts, the Internet, and Intellectual Property, hearing on Promoting the Use of Orphan Works: Balancing the Interests of Copyright Owners and Users, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, oversight hearing on the Impacts of Unmanaged Off-Road Vehicles on Federal Land, 2 p.m., 1324 Longworth.

Subcommittee on Water and Power, hearing on the following bills: H.R. 317, Arkansas Valley Conduit Act; H.R. 4841, Soboba Band of Luiseno Indians Settlement Act; and H.R. 5293, Shoshone-Paiute Tribes of the Duck Valley Reservation Water Rights Settlement Act, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, to consider the following measures: S. 550, To preserve existing judgeships on the Superior Court of the District of Columbia; H.R. 5551, To amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the

compensation of attorneys representing indigent defendants in the District of Columbia courts; H.R. 4106, Telework Improvements Act of 2007; H.R. 2780, to amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based on part-time service; H.R. 4881, Contracting and Tax Accountability Act of 2007; H.R. 3033, Contractors and Federal Spending Accountability Act of 2007; H.R. 3928, Government Contractor Accountability Act of 2007; H.R. 3548, Plain Language in Government Communications Act of 2007; H.R. 752, Federal Electronic Equipment Donation Act of 2007; H. Con. Res. 310, Expressing support for a national day of remembrance for Harriet Ross Tubman; H. Res. 578, Expressing the sense of the House of Representatives that there should be established a National Watermelon Month; H. Res. 892, Expressing support for designation of March 11, 2008, as ''National Funeral Directors and Mortician Recognition Day''; H. Res. 952, Expressing the sense of the House of Representatives that there should be established a National Teacher Day to honor and celebrate teachers in the United States; H. Res. 994, Expressing support for the designation of a National Glanzmann's Thrombasthenia Awareness Day; H. Res. 1002, Expressing support for designation of April 2008 as ''Public Radio Recognition Month''; H. Res. 1005, Supporting the goals and ideals of Borderline Personality Awareness Month; H. Res. 1021, Supporting the goals, ideals, and history of National Women's History Month; H.R. 4185, To designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the ''Marisol Heredia Post Office Building''; H.R. 5395, To designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay Post Office Building''; H.R. 5472, To designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, as the ''Julia M. Carson Post Office Building''; H.R. 5479, To designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the ''Alonzo Woodruff Post Office Building''; H.R. 5483, To designate the facility of the United States Postal Service located at 10449 White Granite Drive in Oakton, Virginia, as the ''Private First Class Davis H. Sharrett II Post Office Building''; H.R. 5489, to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucestor, Virginia, as the ''Congresswoman Jo Ann S. Davis Post Office''; H.R. 5517, to designate the facility of the United States Postal Service located at 7231 FM 1960 in Humble, Texas, as the ''Texas Military Veterans Post Office;'' and H.R. 5528, to designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the ''Rocky Marciano Post Office Building,'' 10 a.m., 2154 Rayburn.

Subcommittee on Domestic Policy, hearing on Is USDA Accounting for Costs to Farmers Caused by Contamination from Genetically Engineered Plants? 2 p.m., 2247 Rayburn.

Subcommittee on Federal Workforce, Postal Services and the District of Columbia, hearing on H.R. 3268, Government Accountability Office Act of 2007, 2 p.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Investigations and Oversight, hearing on EPA Library Closures: Better Access for a Broader Audience? 9:30 a.m., 2318 Rayburn.

Subcommittee on Space and Aeronautics, hearing on NASA's Science Programs: Fiscal Year 2009 Budget Request and Issues, 2 p.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Legislation to Reauthorize the Small Business Innovation Research (SBIR) Program,'' 10 a.m., 1539 Longworth.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on U.S. Paralympic Military Program, 1 p.m., 334 Cannon.

Subcommittee on Oversight and Investigations, hearing on Care of Seriously Wounded After In-Patient Care, 10 a.m., 340 Cannon.

Committee on Ways and Means, Subcommittee on Oversight, hearing on 2008 tax return filing season, IRS operations the fiscal Year 2009 budget proposals, and National Taxpayer Advocate's Annual Report, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on Overhead Architecture, 9:30 a.m., H–405 Capitol.

Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Hot Spots, 1:30 p.m., and executive, briefing on Southwest Border Security, 3 p.m., H–405 Capitol.

Select Committee on Energy Independence and Global Warming, hearing entitled ''Massachusetts *v** U.S. EPA Part II: Implications of the Supreme Court Decision,'' 9:30 a.m., 1334 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine Poland's Museum of the History of Polish Jews, 2:30 p.m., B–318, Rayburn Building.

Next Meeting of the SENATE

10:15 a.m., Thursday, March 13

Senate Chamber

Program for Thursday: After a moment of silence, Senate will continue consideration of S. Con. Res. 70, Budget Resolution.

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Thursday, March 13

House Chamber

Program for Thursday: Further consideration of H. Con. Res. 312, revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013.

Extensions of Remarks, as inserted in this issue

HOUSE

Baca, Joe, Calif., E374
Bachmann, Michele, Minn., E379
Berkley, Shelley, Nev., E368
Berman, Howard L., Calif., E370
Blumenauer, Earl, Ore., E373
Blunt, Roy, Mo., E374
Boustany, Charles W., Jr., La., E368
DeGette, Diana, Colo., E363
Dingell, John D., Mich., E359
English, Phil, Pa., E371
Feeney, Tom, Fla., E376
Franks, Trent, Ariz., E380
Graves, Sam, Mo., E359, E363, E367, E369, E370, E372, E373, E374
Green, Al, Tex., E369
Herseth Sandlin, Stephanie, S.D., E377
Holt, Rush D., N.J., E371
Jackson-Lee, Sheila, Tex., E381
Kennedy, Patrick J., R.I., E362
Kildee, Dale E., Mich., E376
Klein, Ron, Fla., E375
Latham, Tom, Iowa, E359, E363, E367, E369, E381
McCollum, Betty, Minn., E368
Mack, Connie, Fla., E372
Maloney, Carolyn B., N.Y., E373
Marchant, Kenny, Tex., E370
Mitchell, Harry E., Ariz., E369
Moran, James P., Va., E378
Norton, Eleanor Holmes, D.C., E375
Oberstar, James L., Minn., E377
Pallone, Frank, Jr., N.J., E365
Payne, Donald M., N.J., E372
Pence, Mike, Ind., E368
Poe, Ted, Tex., E379
Porter, Jon C., Nev., E376, E377, E377, E378, E379, E379, E380, E380
Ramstad, Jim, Minn., E360, E373
Regula, Ralph, Ohio, E376
Rogers, Mike, Ala., E371
Schakowsky, Janice D., Ill., E364
Shimkus, John, Ill., E375
Skelton, Ike, Mo., E372
Towns, Edolphus, N.Y., E359, E363, E367, E369, E370, E372, E373, E374, E375, E376
Wilson, Joe, S.C., E380
Woolsey, Lynn C., Calif., E378

Congressional Record

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