United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, MARCH 10, 2009 No. 42

House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. MCINTYRE).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 10, 2009.

I hereby appoint the Honorable MIKE MCINTYRE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

HOUSE REPUBLICANS ARE ON THE SIDE OF THE AMERICAN PEOPLE

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

Ms. FOXX. Mr. Speaker, the American people are hurting. Congress was right to take action to get this economy moving, but higher taxes and massive Federal spending is not the cure for what ails this economy. The American people know that, too. They know we cannot tax and spend and bail our way back to a growing economy.

Raising taxes during a recession on almost every American is a prescription for economic decline. The stock market and other indicators are showing that.

More than half of the Americans paying higher taxes under the Democrat plan are small business owners filing as individuals. Raising taxes on small businesses where a majority of Americans go to work every day will not put American families back to work. Raising utility rates on every household in America will place an undue burden on families struggling to make ends meet. Cutting deductions for charitable giving will harm higher education, scientific research, and religious organizations struggling to do good in our society.

Democrats are on the side of more government and more taxes. House Republicans are on the side of the American people. And let me talk just a minute about that so-called stimulus bill which passed here a couple of weeks ago.

We were told that the stimulus bill had to be passed, had to be passed immediately because it was going to create 3 to 4 million new jobs in this country. Now, some of us were skeptical about that from the very beginning, but we want to make sure that what is promised is kept.

Now, I come from the State of North Carolina, Mr. Speaker, as you do. The State's motto in North Carolina is ''To Be Rather Than to Seem.'' I think it is a good motto for all of us to live by. And let me give an example of how the stimulus package is a package ''to seem'' rather than ''to be.''

Here's a Democrat stimulus myth in the State of Montana. A press release from Senators BAUCUS and TESTER claimed that $1.3 million in stimulus money would create 40 new jobs for the Flathead City County Health Department; sounds great, sounds like a good excuse for voting for a waste of money. But here's the reality; the money will simply provide another year of funding for the Department's community health center, which already has 10 full-time positions. The community health center plans to add only two more jobs—two, not 40. We need to be dealing with what is rather than what the Democrat majority and the President want the American people to believe.

Let me say again, the budget, the stimulus, spend too much money. They tax too much—the largest tax increase in history. They borrow too much money—the highest level of borrowing ever. This is not the way to get our economy back on track. The Democrats are going in the wrong direction.

House Republicans understand that the American people are hurting. We had an alternative plan that created twice as many jobs for half the cost, but it was summarily dismissed.

Republicans aren't saying ''no'' to everything, we're presenting better alternatives, but the Democrat majority and the President want you to believe that all we're saying is no. That's not right. We're ''being'' rather than ''seeming.''

BETTER CHOICES FOR AMERICANS

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

Mr. BLUMENAUER. Mr. Speaker, it was interesting to listen to my good friend from North Carolina with her interpretation.

You know, it's interesting. My Republican friends simply had no solution other than to gut the infrastructure investments that are so critical, the important health care initiatives, and replace them with more tax cuts, most of which would not meet the needs of people who need help the most.

I will tell you, I invite people to look at what we did. Indeed, the $6 billion that is flowing to my State of Oregon

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over the next 2 years has made a critical difference to support State services, to be able to invest in cleaning up the environment, to save and create jobs. I've posted a guide on my Web site to each and every one of those provisions—62 pages in all—where people can track for themselves. There are not, for example, tax increases for most Americans. My friend from North Carolina is just flat wrong. If she would research the bill that we approved here on the floor, she would find that in fact 95 percent of the people get tax cuts. Nobody is having tax increases over the next couple of years, even the very wealthy. And it's what, in fact, America has asked for.

I would suggest that it's time for us to step back from some of this goofy back and forth because I think there are a wide range of areas that we can agree that reform needs to be made.

I like what I heard from President Obama on the campaign trail and what I heard from the rostrum here when the President addressed his first joint session of Congress. There are a number of areas of health, energy, tax, and agriculture that actually can bring people together. Now is not the time for commissions and study groups or for mindless political bickering; now is the time to actually do what we know we can accomplish.

There are multiple areas where it isn't so much picking low-hanging fruit, it's actually picking that fruit up off the ground. We need to articulate a vision of how we're going to accomplish that. For example, in the area of agriculture, it's not just the problem in the past that rich sugar farmers have had more clout than poor hungry children. There are ways in reforming agriculture that we can put more money in the pocket of more ranchers and farmers and less into the pockets of the wealthy few who don't need it.

We can implement reforms to help change the bureaucracy with things like crop insurance reform, that independent observers have identified for years, but Congress hasn't had the will to follow through on fixing it. We can pay farmers and ranchers to protect the environment, not to damage it. We can concentrate on strengthening American agriculture and producing more healthy food rather than a few commodities, frankly, that the world has enough of.

In the area of health, the research is in. There are a number of communities across the country that are low cost, high performing where people live longer and get sick less often. In fact, we see some of the areas of the country where we are spending the most government money in Medicare actually is not helping people. Rather, many of those areas actually have worse results because people get unnecessary tests and procedures, not concentrating on things that will make them healthy. We can reward the low-cost, high-performing areas while we send signals to those that are spending lots of money and not performing very well. Let's send the message there's a bipartisan consensus that we're going to fix that.

In the area of transportation, there is a vast coalition that has emerged around the country that wants to help the Federal Government get more money and streamline the Federal partnership. They are willing to work with us so that there are more choices, higher standards, and sustainable revenue. The Chamber of Commerce, organized labor, environmentalists, transit advocate bicyclists, all combine in an approach to make America's transportation partnership with State and local governments better and stronger.

We don't need to rely on the same old patterns. We can, in this Congress, take action that unite people all across the spectrum all across the country. We've got a President who can use the bully pulpit. I strongly urge that we work with him for a new vision, more value, better choices for Americans, and to do it now.

2009 OMNIBUS SPENDING BILL

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

Mr. STEARNS. Mr. Speaker, the omnibus spending bill is not an example of change here in Congress and continues the Democrat's spending spree in the first 2 months of the 111th Congress. Even a record $1.4 trillion budget deficit has not stopped Congress' culture of spending on special projects. While families and business owners are cutting back and bringing their budgets under control, Congress, under Democrat leadership, is spending and earmarking as if nothing has changed.

Here are a few highlights of the bill that is being debated in the Senate right now. There is an 8 percent discretionary spending hike. After passing an unprecedented massive spending bill that is the largest this country has ever seen, the Democrat leadership ushered through this House an omnibus bill that will give a staggering 80 percent increase to discretionary programs when coupled with a $1 trillion stimulus package. This bill will contribute to a permanent $2,000 per household tax hike for every household. It contains 9,300 special funding requests, projects that cost nearly $13 billion. Now, the argument is made that Members have a right to make these special district funding requests, but I, for one, would gladly place a moratorium on all district funding requests until the economy is corrected.

Let me say again, this omnibus spending bill increases discretionary spending by 8 percent when less than 3 weeks ago Congress and the President, under Democratic leadership, ran through a massive stimulus package where the same discretionary programs received much of the unprecedented $1.1 trillion in government spending.

Now, counting those funds, this omnibus spending bill will institute an 80 percent spending increase for those programs in 2009 from $378 billion to $680 billion. This spending increase by the Democratic Party is unprecedented in American history.

The domestic spending programs which the omnibus focuses on have not been cut in the past decade; in fact, they have only increased from 2001 through 2008. These programs grew 23 percent faster than inflation, including increases for education at 35 percent, health research at 37 percent, and veterans benefits at 54 percent. It is apparent that during these fiscally challenging times these programs could have survived without some of these large increases.

Regrettably, the omnibus bill does not offset this new spending. It does not attempt to cut spending or institute reductions in inefficient or duplicate or worthless government programs. And let me just give you further example, Mr. Speaker, where some savings could be made; $55 billion in annual program overpayments, $60 billion for corporate welfare, $123 billion for programs for which government auditors can find no evidence of success; $140 billion in potential budget savings identified in the CBO Budget Options document.

Program duplication: There are 342 economic development programs; 134 programs serving the disabled, they're all duplicate; 130 programs serving at-risk youth, these are duplicate; and there's 90 duplicate early childhood development programs.

□ 1045

While some of these programs may be important, I find it hard to believe that each of the 342 economic development programs paid for by the American taxpayer, each and every one is vital to the American people. This has been identified, all these programs that duplicate.

Unfortunately, taxpayers should not expect change in the future. The administration and the Democrat party have already signed into law a large expansion of the State Children's Health Insurance Program, putting middle class children who already have private health insurance on taxpayer-funded, government-run health care programs; weakened the 1996 welfare reforms in the $1.1 trillion stimulus package; and instituted permanent government growth in the areas of education, infrastructure and Medicaid.

Last year, President Bush signed an executive order stating that Federal agencies must ignore earmarks that appear in nonbinding conference reports and instead implement only those in the bill text itself. That executive order currently remains in effect. President Obama, who campaigned on ending politics as usual in Washington, could strike a blow to the earmark culture in Congress by simply leaving this executive order in place. Doing so would eliminate all earmarks that Congress has not incorporated by reference

into the omnibus bill text. He should go one step further and veto any omnibus bill that explicitly has earmarks.

In the past six months, Congress has enacted a $700 billion financial bailout and a $1.1 trillion stimulus. I say it is time to end the culture of pork, and stop spending money that our children will have to pay back in the future.

SOLVING AMERICA'S HEALTH CARE PROBLEM

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

Mr. McDERMOTT. Mr. Speaker, for the first time in 15 years we have a real chance to solve America's health care crisis. The stars are aligning as has never been seen before. The American people want a solution, American business needs a solution to stay competitive and retain their best employees, segments of the health care industry, such as doctors, want a solution, and the President and the Congress have started a dialogue. Yet despite all those positive signs, we must not make the mistake of believing a solution is at hand or that it will come easily.

As a nation we stand at a crossroads, either sweeping reform or sweeping this crisis under the rug with another Band-Aid. We have to translate the national dialogue into legislation that makes access to affordable health care coverage what it must be in a free and Democratic society, a right and not a privilege.

There are lot of pieces to that puzzle and some are more readily solved more than others. In fact, I think some early victories might help instill confidence in the American people. Let me give you an example.

When I graduated from medical school, I was $500 in debt after my entire medical education. Today, the average medical student is well over $100,000 in debt. When you are underwater by that much money, you are forced to make decisions based on debt service, not on public service. Across America, from inner-cities to rural communities, we are woefully short of primary doctors. And as long as new doctors have to chase high paying jobs to pay off their debt, we are going to remain short staffed in these underserved areas in our country.

Today I am introducing legislation that would offer scholarships that would pay for most all of tuition for medical students in public colleges if they will apply their medical training in underserved areas when they graduate; an even exchange, one year of tuition for one year of service.

The American Medical Association says there were 45,000 students enrolled last year in public medical colleges and the mean cost of tuition was $20,000. For a total investment of less than $1 billion per year, my legislation would provide a workforce so that every American can have access to affordable health care wherever they live. The scholarships would be accessible to a medical student enrolled full time and in good academic standing at a public institution.

Imagine the positive impact that we would have if we empowered new doctors to serve their country and the highest ideals of their profession instead of serving their debt load. It is important to make the financial commitment at the beginning of medical school so that students can study areas that are related to primary care.

Anyone who knows me knows I have long advocated a universal health care system, providing a minimum set of benefits for everyone. But we cannot get universal coverage or any interim step on the way to universal coverage without addressing, and reducing, the cost of health care education for our doctors.

We could make a significant impact by lowering the cost of the health care workforce if my bill were accepted. But we would do something else. There are a lot of talented young people who don't have the financial means to go to medical school and fear a crushing debt burden even if they qualify. By removing that mountain of debt, we could use that rock to build a foundation for a permanent solution.

We can solve America's health care problem and we can do it before the end of this year, but this is a first step that must happen. We must think about the workforce that will provide that universal access to everyone in the country. We cannot continue with the present funding of health care education and expect that we are going to have the people to provide the primary care, to do the wellness care, to do the prevention. They will all go into high-paid specialties to pay off their debt.

This bill is a step that we must take, and it is one where we can make a step forward for all the people in this country.

RECESS

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

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

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

Today we bless You and praise You Lord for friends. Friendship is a gift, Lord, freely given by one person to another. Not merited, not purchased, never manipulated, never demanded, friendship is uncovered in mutual self-revelation and common exchange. Desirous of the comfort found in another's companionship and tested by time, friendship spontaneously grows from within.

Friends truly know who we are. Friends stand with each other in good times and in bad times. True friends tell the truth without ever hurting. We steer friends away from what is wrong and seek only what is good for their friends.

Lord, strengthen Members of Congress with friends who will prove faithful no matter what transpires. Give them friends who will support them when they are right in spite of pressure from others and who will correct them when they are wrong no matter who agrees with them.

A friend may not change your taste, your reading, or your opinion, but a true friend will change what you long for and what you love. As different as they are from each other, true friends will accept each other as they are and share their differences—until they simply enjoy being together.

Lord, for lasting friends of the past, those we hold in friendship now and those we are yet to meet, we thank You, both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX 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 concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. Con. Res. 4. Concurrent resolution calling on the President and the allies of the United States to raise the case of Robert Levinson with officials of the Government of Iran at every level and opportunity, and urging officials of the Government of Iran to fulfill their promises of assistance to the family of Robert Levinson and to share information on the investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation.

S. Con. Res. 10. Concurrent resolution congratulating the Sailors of the United States Submarine Force upon the completion of

1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols.

The message also announced that pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275 (adopted October 21, 1998), further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 21, 2004), the Chair announces, on behalf of the Majority Leader, the appointment of the following Senators as members of the Senate National Security Working Group for the One Hundred Eleventh Congress:

The Senator from Michigan (Mr. LEVIN) as Democratic Co-Chairman.

The Senator from Massachusetts (Mr. KERRY) as Democratic Co-Chairman.

The Senator from New Jersey (Mr. LAUTENBERG) as Democratic Co-Chairman.

The Senator from North Dakota (Mr. DORGAN).

The Senator from Illinois (Mr. DURBIN).

The Senator from Maryland (Mr. CARDIN).

The Senator from West Virginia (Mr. BYRD) as Majority Administrative Co-Chairman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 requests for 1-minute speeches on each side of the aisle.

DEEP VEIN THROMBOSIS

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

Mrs. CAPPS. Mr. Speaker, I rise today to speak to the need for raising awareness about deep vein thrombosis, commonly known as DVT. Two million Americans are affected by DVT every year. That is more than breast cancer and AIDS combined.

However, many Americans are not aware of what DVT is, or how to recognize its signs and symptoms. We may see people wearing pressure stockings following surgery or on long plane flights.

The tragic loss of our former colleague, Congresswoman Jennifer Dunn, to DVT demonstrates how close to home this disease can be for all of us. Not only is DVT killing too many Americans every year, it is also taking a toll on our Nation's hospital systems, costing approximately $860 million annually.

That is why I am so proud to join with my colleague, Representative CATHY MCMORRIS RODGERS, in introducing a resolution recognizing Deep Vein Thrombosis Awareness Month and National DVT Screening Day. I hope we can count on all of our colleagues to join us in supporting this resolution and in raising awareness about this disease.

OBAMA BUDGET

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I returned to Washington yesterday from my weekly visit home, and had the privilege of spending time with many of my constituents. They asked that I carry back a message to Washington, a simple message: stop the spending binge.

Right now families across the country are hurting. Many have lost their jobs, and many more worry they will be next. Families are tightening their budgets and small businesses are cutting expenses. The American people are making the sacrifices necessary to weather this storm. And yet they hear on their local news that it is business as usual in Washington. It is more spending and more taxes from the Democrat Congress and from President Obama, who promised a new direction.

The people in my district know we cannot borrow and spend our way back to a healthy economy. Let's follow the example set by the American people. Let's make the tough choices that are necessary to get our economy back on track. Let's start putting fiscal restraint and the American people first.

HEALTH CARE REFORM

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

Mr. WALZ. Mr. Speaker, I am proud to rise today and know that this Congress has started tackling the issue of health care reform in a real, meaningful way. Already this Congress has passed legislation that will provide health insurance to millions of uninsured children, bring health care into the 21st century with new health information technology, and start us on the path of providing high-quality care at a lower cost.

My home State of Minnesota has been a leader in this. In my district, the Mayo Clinic, in particular, is a renowned medical institution that has always been at the forefront of efforts to reform and improve health care. They helped pioneer the use of electronic medical records. Electronic medical records reduce the time patients spend in waiting rooms filling out forms, and they also let doctors access a patient's history immediately, reducing errors. They cut down on administrative costs, saving our entire system billions of dollars. In addition to leading the way on medical technology, Mayo has been a leader in providing high-quality care.

As we move forward on health care reform, we need to acknowledge our current rewards quantity over quality. We can look to Mayo, which has been lauded for its ability to produce the highest quality outcomes at the lowest possible cost.

I am proud to represent my district, and I think we can lead the way to meaningful reform.

DEEP VEIN THROMBOSIS

(Mrs. MCMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise today in honor and recognition of a good friend, a mentor, and someone who proudly represented the great State of Washington, former Representative Jennifer Dunn. She tragically died of a pulmonary embolism in 2007.

Today, my colleague and I, Congresswoman LOIS CAPPS, are introducing a resolution marking the second Tuesday in March as the National DVT Screening Day. It is appropriate that we do so because deep vein thrombosis is killing about 300,000 people in the U.S. today. It is common, but preventable. It is time to make screening a health priority, and urge health care providers and patients to be aware of this silent killer.

Jennifer had an unwavering commitment to women and families in America and around the world. Let us remember her and others as we recognize the risks and treatment for DVT.

COMPREHENSIVE IMMIGRATION REFORM

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

Mr. BACA. Mr. Speaker, last month the Department of Homeland Security reported that over 100,000 parents of U.S. born children were deported between 1998 and 2007. And the Homeland Security inspector stated that these figures are incomplete because the agency does not keep track of how many children each parent has.

This past Saturday, I hosted an event in my district for families to come and share their stories about how they have been impacted by the broken immigration system. The audience on several occasions had to hold back their tears as they heard the stories of how families, like the Serrano family from Bloomington, California, have been separated from their parents.

Children like those in the Serrano family are the real victims of this outdated immigration system that separates families.

As Speaker PELOSI said this morning at a meeting with Latino leaders, ''We must immediately end raids that separate families.''

I urge my colleagues in the House and the Senate and President Obama to work with CHC toward comprehensive immigration reform.

OIL AND GAS LEASE SALES

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

Mr. FLEMING. Mr. Speaker, the Interior Department is going forward with the oil and gas production lease sale in the central Gulf of Mexico. I welcome the Interior Secretary to my home State of Louisiana this March.

While visiting our great State, I would like to remind Secretary Salazar that although it is a positive gesture to move forward with this lease sale, the benefit of these leases will greatly be diminished under tax hikes—that is removal of exploratory incentives that are included in this administration's budget proposal.

This $30 billion tax increase could devastate an industry that directly and indirectly employs over 300,000 Louisianans. This tax increase will wreak havoc on small independent producers and third-party services. It will also continue to perpetuate the cycle of high fuel prices and our addiction to foreign sources of energy who want to see our democracy fail.

In short, this proposed budget does nothing to solve our energy needs. If anything, it will lead to more cost and massive job loss for many Americans, especially in Louisiana, who are suffering in this economic recession.

ECONOMIC STIMULUS PACKAGE

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

Mr. COHEN. Mr. Speaker, we have had a change in America. We have gone from a previous President who for 8 years didn't believe in regulation and believed in tax cuts, which led us to the greatest economic crisis which we have faced in this country in 76 years, to a President who believes in regulation and believes in stimulating the economy.

There are two ways you can help get the economy moving. One is monetary policy and the other is fiscal. Right now the only way we can do it is fiscal because monetary has gone down to about zero. We have done all we can do with monetary. So the stimulus package, the Recovery Reinvestment Act, is what America needs. Some would suggest we haven't done enough. Mr. Krugman suggests that. I tend to agree with him. But the fact is we can only get three Republican votes in the Senate, one vote more than we needed for the bill in the Senate, so you get what you can get from the Senate.

I support my President because he has a policy and a program that will get us out of this recession and move America forward to being the great national and international leader that we need to be in the 21st century, and we can only do that by supporting our President with a stimulus package.

CARD CHECK

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

Mr. PITTS. Mr. Speaker, there is an effort underway in Washington to take away the right of the secret ballot vote from American workers.

Colleagues on the other side of the aisle will introduce today a bill misnamed Employee Free Choice Act, also called the Card Check bill.

This is a bill that would allow for the establishment of a union not by secret ballot vote, but simply if the majority of employees at a company sign a card lending their support. This process, called ''card check,'' opens employees up to coercion and intimidation.

The secret ballot is a fundamental principle of American democracy. If individuals want to join a union, they are entitled to that right. They can show their support with their vote. But if workers do not want to pay union dollars to be used to advance a political agenda they disagree with, they should also be afforded the same right, to cast their vote free of coercion and intimidation in a secret ballot election.

Card check is an assault on the principles of our Nation and would be a job killer during a time when we cannot afford to lose more jobs.

□ 1215

LIFTING THE BAN ON STEM CELL RESEARCH

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

Mr. YARMUTH. Mr. Speaker, I rise today to applaud President Obama's executive order lifting the ban on Federal funding of embryonic stem cell research.

I join scientists across the country, especially researchers at the University of Louisville, who are excited about the opportunities that expanded research presents.

But as we all know, there is another dimension to this issue, and it involves moral questions about the use of discarded embryos for scientific purposes. I fully respect the views of those who raise moral objections to embryonic stem cell research; their convictions are just as valid and unassailable as the scientific arguments made about the potential of stem cell research. On the other side, however, are equally valid and, to my mind, unassailable moral arguments that support President Obama's decision this week. They are analogous to the arguments made in support of organ donation and transplantation. Here, human material that has the potential to save life is not being squandered.

Like those who raise moral objections to stem cell research, I would have problems with the production of embryos for scientific purposes, but to me, the destruction of embryos that can be used to advance science in the service of life raises similar moral problems.

I congratulate President Obama on his action.

VETERANS PASS ACT

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

Mr. REHBERG. Here in Washington, D.C., we are always reminded that freedom isn't free. Whether it's the self-reflective Vietnam War Memorial or the solemn Tomb of the Unknown Soldier in Arlington National Cemetery, the freedom we Americans enjoy today was paid for by the blood and sacrifice of our men and women in uniform.

While our veterans have paid this price with their sacrifices, there is another price they must pay which we can now alleviate. I have introduced the Veterans Pass Act, which will provide veterans an annual National Parks and Federal Lands pass at a sharp discount of $10, down from the normal cost of $80. I encourage my colleagues to join me in cosponsoring this legislation.

The majestic beauty of our Nation's national parks are just as fitting a monument to the sacrifices of our soldiers as is a monument made of marble. We should make visiting these living monuments easier for our veterans. Please join me in cosponsoring the Veterans Pass Act.

HEALTH CARE

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

Ms. EDWARDS of Maryland. Mr. Speaker, health care reform is an essential component to our Nation's economic recovery. The expansion and reauthorization of the State Children's Health Insurance Program that was passed by this Congress and signed into law by President Obama expands health insurance to an additional 4 million children, covering 11 million children in all, including dental coverage and mental health parity.

The $20 billion investment that we have made in health information technology in our Recovery and Reinvestment Act will modernize the health care system, saving money, reducing medical errors, improving quality, and creating health care jobs across all sectors.

The recovery package's $87 billion in funding to the State Medicaid programs is a significant boost to our State's economy in Maryland. It is a budget gap filler for our State.

And finally, the President's budget, with an over $630 billion down payment, prioritizes health care reform. At long last, the nearly 50 million people without health care will finally get their health care for all, quality, affordable, accessible health care for all. And I thank the President and this Congress for their leadership on health care.

STOCK MARKET RECOVERY ACT

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

Mr. KIRK. Mr. Speaker, the stock market has rendered a bipartisan verdict on the policies of this Congress. From the year end to the inauguration, it fell 5 percent. From Secretary Geithner's speech to the budget, it fell 12 percent. From the budget to today, it fell another 11 percent.

We are now suffering from the fastest market decline ever, faster than even under Presidents Hoover or Roosevelt. The market has fallen in part because it has learned more about this Congress—record borrowing, rigged union elections, 9,000 earmarks, and nationalizing health care.

I think it's time to look at new policies to help stocks, like suspending the mark-to-market rule that triggers bank runs and restarting the uptick rule to undercut the short sellers.

Today, I will introduce the Stock Market Recovery Act with these two key reforms. We are digging an economic hole, and it's time to get out, and these reforms will help.

GIVE OUR TEACHERS A HEAD START ACT

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

Mr. WILSON of Ohio. Mr. Speaker, I rise today to introduce the Give Our Teachers a Head Start Act, a bill which makes strong investments in today's Head Start teachers and teachers' aides.

In this challenging economy, Head Start programs around the Nation are feeling the consequences. And when budget shortfalls hit these programs, it is the children who suffer. Many teachers and teachers' aides attempt to fill the gap and make personal financial sacrifices to provide their students with classroom supplies. The average Head Start teacher with a B.A. degree earns almost half of the average Kindergarten teacher, but is excluded from the current law permitting K–12 teachers an income tax deduction. This legislation would permit Head Start teachers and teachers' aides the ability to subtract from their gross income up to $250 in expenses that would be associated with the purchase of classroom supplies.

When funding falls short and teachers sacrifice to fill the gap, it seems only fair that they should at least get a tax deduction. I urge my colleagues to support this bill.

FEDERAL GOVERNMENT TAKING LARGER PIECE OF TAXPAYERS' WALLETS

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

Mr. WILSON of South Carolina. Mr. Speaker, it appears the latest definition of fiscal responsibility in Washington is just to raise taxes in order to raise spending. The Federal Government takes a larger and larger piece of taxpayers' wallets.

At a time when American families and small businesses across our country are making tough decisions, Washington is borrowing more money. Never mind that tax hikes during a recession would only prolong the downturn or reduce job creation made in a recovery. This is the taxpayers' money, it does not belong to the government.

Let's take a lesson from the American taxpayer and promote tough decisions here that will reduce spending and not mortgage our children's futures. This spending will mean a $9,014 principal obligation, along with adjustable interest, beginning now for every person 21 years old or younger.

In conclusion, God bless our troops, and we will never forget September the 11th.

WORKING TO IMPROVE HEALTH CARE

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

Mr. PAYNE. Mr. Speaker, one of the most serious challenges facing our Nation is the need for health care reform to ensure access to quality and affordable health care for all families.

It is shocking that nearly 46 million Americans in the United States have no health care coverage. Unless we act, estimates from the Congressional Budget Office warn that the number of Americans without health insurance will grow to about 54 million during the next 10 years.

In meeting with health care professionals and with my constituents in New Jersey, everyone agrees that changes in our current system are needed. Congress has already taken some important steps. Working with President Obama, we have enacted into law a much-needed expansion of the State Children's Health Insurance Program, SCHIP, to ensure that the 7 seven million children who currently participate in the program continue to receive coverage.

We also worked to provide $20 billion in crucial funding in the economic recovery package to modernize our health care system through the adoption of health information technology.

Mr. Speaker, we want to see these moves continue.

AMERICANS MAKE SACRIFICES WHILE WASHINGTON CONTINUES TO SPEND

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

Mr. PENCE. After months of runaway spending at the Federal level on bailouts, so-called stimulus bills, and big government spending in last year's budget, just last month President Obama unveiled his budget, a more than $3 trillion blueprint for even more spending.

At a time when middle class families and small businesses are making sacrifices, Washington continues to spend trillions of dollars on bailouts and new government programs. One independent estimate suggests that the Federal Government will have to hire 250,000 new bureaucrats just to pass out all the money. And the President's plan includes the largest tax increase in history. The majority of his tax increases will hit small business owners. And the new national energy tax will cost every American household up to $3,100 per year.

The chairman of the Budget Committee, the Democrat, JOHN SPRATT, said, ''This is not an easy budget to market for sure. The reason? Well, the President's budget spends too much, taxes too much, and borrows too much, and the American people know it.''

INVESTING IN AMERICA

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Mr. Speaker, it's very interesting to me to watch people stand there and start talking about the spending of the Federal Government over the past few months because the party that was in charge for the previous decade—even longer—in Congress and in the White House ran up record deficits while the American middle class income stayed flat. And yet, I didn't hear them on the floor worried about the middle class until just very recently.

I'm not really sure what they're upset about, except I think they're upset that we have decided to invest in ourselves and our country. We're going to invest in jobs; we're going to invest in the middle class; we're going to invest in infrastructure; we're going to invest in education. President Obama said, ''Those who out-teach us will outcompete us.'' So we're investing in this country. We're investing in health care for the children, and investing for the elderly as well.

We cut taxes for the middle class. Yes, times are very difficult, and unfortunately, we are going to have to spend to stimulate, and spend to support our people and support our country. But where were they for the past decade?

EMPLOYEE FREE CHOICE ACT

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

Mr. ROE of Tennessee. Today, congressional Democrats are introducing the curiously named Employee Free Choice Act, which actually does the opposite of its title by taking away an employee's free choice to choose in secret whether or not to join a union.

Union leadership is elected by secret ballot, I was elected by a secret ballot, and the President of the United States was elected by a secret ballot.

In these tough economic times, no one can blame American workers for supporting measures they believe will create new jobs for them. I grew up in a union household, so I understand why workers support this legislation when they hear their leadership talk about how this is needed because workers' influence is declining in the United States. Unfortunately, their leadership's rhetoric just doesn't square with reality. According to the Bureau of Labor Statistics, union membership was just over 16 million in 2008, a 2.6 percent rise over 2007. This legislation lays waste to an employee's right to choose whether to join a union by secret ballot, which is too steep a price to pay.

FEDERAL TAXPAYER DOLLAR

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

Mrs. BLACKBURN. Mr. Speaker, a wise man once said, ''Treat each federal tax dollar as if it was hard earned; it was—by a taxpayer.''

The Democrats of this House need a reminder that every dollar they have been signing away is a hard-earned American dollar.

Let's take that $787 billion stimulus bill that they passed and that the American taxpayers will have to repay. That's going to cost every taxpayer in this country over $4,000. We know that Americans are hurting, that we are in a recession, and that now is no time to raise taxes and increase their share of this national debt. That's all money that they could be using for household necessities.

And they are a little bit weary when they hear about projects they're going to be required to fund, like a foot bridge in St. Louis, or $8 billion for the Disneyland to Las Vegas train, or $200,000 for tattoo removal, or millions for the Speaker's mouse.

So let's remember those wise words before we start signing off on all these pork barrel spending projects for special interests. Let's treat every Federal taxpayer dollar as what it is, hard earned by the Federal taxpayer.

AMERICANS DESERVE THE FULL STORY ON IMMIGRATION

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

Mr. SMITH of Texas. Mr. Speaker, Americans deserve accurate stories about immigration issues, but the national media prevent that from happening.

Too often, the media only feature stories that support their bias, that include more quotes from pro-amnesty sources than pro-enforcement sources, and they prey on emotions while ignoring facts. These articles paint a one-sided sympathetic picture of illegal immigrants, but fail to acknowledge they intentionally broke our laws, burdened taxpayers, and displaced legal workers.

For example, five out of six immigration stories in the New York Times over a recent 2-week period were obviously slanted. The same was true of six out of eight immigration articles in the Washington Post. Americans deserve better, and should insist that the media provide all the facts and not just give one side.

□ 1230

CARD CHECK

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

Mr. CASSIDY. Mr. Speaker, secret ballots say a lot about the societies that defend and preserve them. They say that society trusts the people, and given the facts and the arguments, the people themselves are trusted to make the right decisions. You can be persuaded. You can be begged. But in the privacy of the voting booth, your vote is your own.

When government attempts to abolish the private ballot, it says that people are not trusted. It says to every citizen, you, do not know what is good for you.

For over 60 years, American workers have decided whether to unionize in secret ballot elections, for the very same reasons that in political elections we cast our votes in private. Card check assaults that right. It imposes coercion over conscience, force over freedom.

Since 1776 Americans have expected Congress to defend their democratic rights, not abolish them. Card check denies fundamental democratic rights to over 100 million Americans. Congress should defend this right.

CAP AND TRADE CONCERNS

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

Mr. CHAFFETZ. Mr. Speaker, I rise today with deep concerns about the so-called ''cap and trade'' proposal. This is a new tax, a carbon tax, that would be levied upon every single American.

We were told that 95 percent of Americans would not see even ''one dime'' of increase in their taxes. Despite this rhetoric from the administration, 100 percent of Americans will pay this new tax. Every person, every business, every family will pay this new tax. Even Warren Buffet refers to this as a ''regressive tax.''

At a time when business is struggling and all Americans across the country are worried about the expenses of their daily lives, now, especially now, is not the time to raise taxes.

The President's budget spends too much, it taxes too much, and it borrows too much.

The new carbon tax, disguised in the green robe of ''cap and trade,'' is not a tax the American people are willing to pay. I urge the American people to rise up against this tax and reject this unwarranted tax upon our families.

RECOGNIZING AND HONORING OUR TROOPS IN IRAQ AND AFGHANISTAN

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last weekend I had the opportunity to visit our troops in Iraq and Afghanistan and was able to thank them personally for their selfless sacrifice and for their service to our country.

From the moment that I arrived in country along with five of our colleagues, there was an extreme sense of pride, purpose, and confidence in the soldiers we met. These troops are led by the finest military leaders in the world, such as General Ray Odierno, General David McKiernan, General Lloyd Austin, to name just a few, with each of their commands providing superb support.

So I come to the floor today with a message from the troops, a message that I found somewhat selfless, but not at all surprising coming from these fine men and women.

Mr. Speaker, they asked me to tell the stories of their success, that they're making a difference. That the cut-and-run strategy that politicians, who have absolutely zero battlefield let alone military experience, preach from this floor is not the support that they and their families expect or deserve.

So with that I tell you a story about a women's health clinic in Baghdad. This clinic, like many in Iraq, has intermittent electricity throughout the day and little, if any, after the sun goes down. After spending 28 years in healthcare, I can tell you that I know firsthand you cannot decide when a baby decides to be born or when an emergency occurs.

So what did our soldiers do? Well, they did a lot.

For example, they installed solar panels on the roof of the clinic and batteries to store that energy. That clinic is now operational 24 hours a day, 7 days a week, providing much needed care to women and babies in need.

And I assure you, Mr. Speaker, this is one of countless examples of what occurs daily in Iraq.

No, you won't read this in the newspaper or see it on cable TV, but, Mr. Speaker, it is precisely the type of action and goodwill that our young men and women in uniform perform on a daily basis that deserves recognition.

So I appreciate the opportunity to thank our troops and to share their message with you.

WHAT WAS HE THINKING?

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

Mr. STEARNS. Mr. Speaker, in determining his pick for the new head of the SEC, President Obama called for a ''shift in ethics on Wall Street'' and then subsequently announced his selection of Mary Schapiro for the SEC chairmanship. The irony of this selection is hard to miss, especially given Schapiro's reputation for favoring brokers and the securities industry over investors.

As head of the Financial Industry Regulatory Authority, Ms. Schapiro completely missed both the mortgage crisis and the Madoff $50 billion Ponzi scheme defrauding hundreds of unknowing investors. Furthermore, Ms. Schapiro's record as a regulator demonstrates she has seldomly pursued tough action against big Wall Street firms who, we all know, have atrociously abused our regulatory processes.

And while President Obama has openly stated that ''the regulators who were assigned to oversee Wall Street dropped the ball,'' he has picked Schapiro, someone who was ''asleep at the switch,'' to steer the reform of the SEC.

Which leaves me with the question: What was he thinking?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

J. HERBERT W. SMALL FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Ms. EDWARDS of Maryland. Mr. Speaker, I move to suspend the rules and pass the bill (H.R.813) to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 813

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

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, shall be known and designated as the ''J. Herbert W. Small Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the ''J. Herbert W. Small Federal Building and United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Ms. EDWARDS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland.

GENERAL LEAVE

Ms. EDWARDS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 813.

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

There was no objection.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 813, a bill to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse.''

Judge Small has been a lifelong resident of Elizabeth City, North Carolina, and has dedicated 52 years to civil service. He served in the United States Navy for 3 years during World War II and, after leaving the service, received a law degree from the University of North Carolina Law School At Chapel Hill. He began his public career as a special counsel to the Congressional Committee on Intergovernmental Relations and later served for 8 years as county attorney for Pasquotank County. In 1979 he was elected Superior Court judge of the First Judicial District of North Carolina and served in that position for 17 years.

Judge Small has been an active volunteer serving on the board of directors of the Albemarle Hospital and the American Red Cross. He has received numerous awards and honors from the Jaycees, the Boy Scouts, Volunteer Firemen, Chamber of Commerce, and the Rotary and Elks clubs.

In the 110th Congress, the House passed a similar bill, but unfortunately the Senate was unable to act on the legislation. I would like to thank the gentleman from North Carolina (Mr. BUTTERFIELD) for reintroducing this bill.

Judge Small is an outstanding jurist, mentor, and civic leader. I urge my colleagues to join me in supporting H.R. 813.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

As you have just heard, this bill names a United States courthouse located in Elizabeth City, North Carolina, the ''J. Herbert W. Small Federal Building and United States Courthouse.'' I too support this legislation.

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

Ms. EDWARDS of Maryland. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Let me start by thanking the gentlewoman for yielding 4 minutes to me to speak on a very important issue in my congressional district, and that is the naming of this Federal courthouse in Elizabeth City, North Carolina. I also want to thank the gentleman from Florida for his kind remarks about my good friend Judge Small.

Mr. Speaker, I rise today to pay honor to a constituent, a friend, and a community leader by naming the Federal building in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building.'' I would also like to thank the chairman of the full committee, Mr. OBERSTAR, and the ranking member, Mr. MICA, for their leadership in ushering this bill through the committee process. I would also like to thank each member of the North Carolina delegation, both Democrat and Republican, for their support of this legislation.

Almost 2 years ago, Mr. Speaker, this identical bill passed the House with unanimous support, but, regrettably, it was not taken up in the other body. I am confident that the Senate will see the bill through the process this session so we can now bestow this great honor upon Judge Small.

Mr. Speaker, Judge Small is a lifelong resident of Elizabeth City, North Carolina. He has dedicated 52 years of his professional life to improving the lives of the residents of Eastern North Carolina and in particular the Albemarle region. He began to practice law in Elizabeth City 2 years after I was born, 1949, after graduating from the University of North Carolina Law School at Chapel Hill. So the UNC fans have two reasons to celebrate today: the naming of this Federal building as well as the great victory that we saw this weekend.

Judge Small served as special counsel to the Congressional Committee on Intergovernmental Relations and later served 8 years as county attorney for Pasquotank County. He was elected district attorney for the First Judicial District of North Carolina for three consecutive terms.

As a young lawyer, I opposed Herb Small in the courtroom on several occasions. I was a defense lawyer; he was the prosecutor. He was a strong and effective district attorney. During his tenure, he served as chairman of the District Attorneys Advisory Committee, was president of the District Attorneys Association, and was appointed by the Governor to the State ''Jail Study'' Commission.

In 1979 Herb Small was elected Superior Court judge for the First Judicial

District. In the early years of his judgeship, I again had the opportunity to argue cases before his court. He was a firm but fair judge, always treated everyone who came before him with great respect. Herb Small served as resident Superior Court judge for 17 long years and was elected president of the North Carolina Conference of Superior Court Judges and represented the Conference on the North Carolina Policy and Sentencing Commission. I am proud to have been able to call Judge Small my judicial colleague when I became a judge after I was elected as a resident Superior Court judge in 1988. While Judge Small preceded me on the bench by almost a decade, he welcomed me among the ranks and always offered guidance and insight.

Judge Small served as chairman of the Albemarle Hospital board of directors and as chairman of the American Red Cross Chapter. He has been actively engaged in other civic, charitable, and service organizations, including Jaycees, Boy Scouts, Volunteer Firemen, Chamber of Commerce, Rotary Club, Elks Club, and Red Men. He was given the Distinguished Service Award by the Jaycees, the Volunteer of the Year Award by the Chamber of Commerce, and the Order of Long Leaf Pine by our great State of North Carolina for outstanding community involvement. During World War II, Judge Small served 3 years in the United States Navy.

Judge Small has been married for 57 years to Mrs. Annette Ward Small, a very delightful lady. They have four children, Elizabeth, John, Fran, and Carol; and they have nine grandchildren.

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

Ms. EDWARDS of Maryland. I yield an additional 1 minute to the gentleman.

Mr. BUTTERFIELD. I thank the gentlewoman for the additional minute. When I get talking about Judge Small, I get carried away, Mr. Speaker. He's such a dear friend.

Judge Small has been married for 57 years to Mrs. Annette Ward Small. They have four children, and I mentioned their names. They have nine grandchildren, Rachel, Matthew, John, Mary, Margaret, Ruth, Allison, Katie, and Chris.

I can think of no finer individual, no person who's more deserving of this honor than Judge J. Herbert Small. The people of Elizabeth City and the First Congressional District of North Carolina are grateful for his commitment to community and his great and extraordinary leadership.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself 15 seconds.

I would be remiss without thanking the gentleman from North Carolina for his persistence, for his leadership, for fighting for this. And as you have heard today he does so with great passion for someone who he admired greatly.

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

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 813, a bill to designate the Federal building and United States courthouse located at 306 East Main Street, in Elizabeth City, North Carolina, as the "J. Herbert W. Small Federal Building and United States Courthouse".

Judge Small has been a life-long resident of Elizabeth City, North Carolina, and has dedicated 52 years to civil service.

He served in the United States Navy for three years during World War II and, after leaving the service, received a law degree from the University of North Carolina Law School at Chapel Hill.

In 1949, he began his legal career as a Special Counsel to the Congressional Committee on Intergovernmental Relations and later served for eight years as a county attorney for Pasquotank County.

In 1979, he was elected Superior Court Judge of the First Judicial District of North Carolina, and served in that position for 17 years.

Throughout his life, Judge Small has been an active volunteer, serving on the Board of Directors of the Albemarle Hospital, and the American Red Cross. He has received numerous awards and honors from the Jaycees, the Boy Scouts, Volunteer Fireman, Chamber of Commerce, and the Rotary and Elks clubs.

In the 110th Congress, the House passed a similar bill but, unfortunately, the Senate was unable act on the legislation. I would like to thank the gentleman from North Carolina, Mr. BUTTERFIELD, for reintroducing this bill.

Judge Small is an outstanding mentor and volunteer. For over five decades, he has been an exceptional jurist and civic leader. It is fitting and proper to honor his outstanding contributions with this designation.

I urge my colleagues to join me in supporting H.R. 813.

□ 1245

Ms. EDWARDS of Maryland. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and pass the bill, H.R. 813.

The question was taken.

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

Ms. EDWARDS of Maryland. 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.

RONALD H. BROWN UNITED STATES MISSION TO THE UNITED NATIONS BUILDING

Ms. EDWARDS of Maryland. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 837) to designate the Federal building located at 799 United Nations Plaza in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 837

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

SECTION 1. DESIGNATION.

The Federal building located at 799 United Nations Plaza in New York, New York, shall be known and designated as the "Ronald H. Brown United States Mission to the United Nations Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Ronald H. Brown United States Mission to the United Nations Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Ms. EDWARDS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) will each control 20 minutes.

The Chair recognizes the gentlewoman from Maryland.

GENERAL LEAVE

Ms. EDWARDS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 837.

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

There was no objection.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 837, a bill to designate the U.S. Mission to the United Nations Building located at 799 United Nations Plaza, New York City, New York, as the Ronald H. Brown United States Mission to the United Nations Building.

We all acknowledge Ron Brown as an extraordinary man. He wore many hats—lawyer, pragmatic bridge builder, statesman, mentor and trusted and true friend. As we are all aware, he was the first African American Secretary of Commerce. In that position he became a powerful and influential voice for promoting American products and trade abroad.

He left the National Urban League in 1979 to work for Senator EDWARD M. KENNEDY, who sought the Democratic Party's Presidential nomination. In 1981, Brown began a career as a lawyer and lobbyist. In 1988, he was elected chairman of the Democratic National Committee. From 1989 to 1992, he served as chairman and used his skills as a negotiator and pragmatic bridge builder to help reunite the Democratic Party after its defeat in the 1988 Presidential election.

In 1993, President William J. Clinton appointed Ron Brown as Secretary of Commerce. During his tenure, Secretary Brown effectively utilized and expanded the role of the U.S. Department of Commerce. Secretary Brown

was known for his amiable political style and his deft skill in negotiations. As secretary, he used these qualities effectively to promote U.S. trade, expand foreign markets for American businesses and spur domestic job growth and economic development.

Secretary Brown's life was tragically ended in April 1996 when he was killed in a plane crash while in service to his country. It is fitting and proper we honor his civic contributions by this designation, and I urge passage of H.R. 837.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

As you just heard from the gentlewoman from Maryland, this bill names the Federal building located in the United Nations Plaza in New York as the Ronald H. Brown United States Mission to the United Nations Building.

This bill has already passed the House once before and, as you have heard the explanation, here it is in front of us.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 837, a bill to designate the United States Mission to the United Nations Building located at 799 First Avenue, New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building".

Enactment of this legislation is long overdue. I commend the gentleman from New York (Mr. RANGEL) for his steadfastness in supporting this bill. Congressman RANGEL introduced similar bills in the 108th, 109th, and 110th Congresses.

Last Congress, the House passed H.R. 735, to designate the United States Mission to the United Nations in honor of Ron Brown. Unfortunately, the Senate was unable to act on the bill. I am pleased that today we will again pass this bill and pay a fitting tribute to the life and achievements of this extraordinary American.

Ron Brown was a man who served his country in many capacities: lawyer, pragmatic bridge builder, statesman, mentor, and trusted friend.

He may be best known for his service as the first African-American Secretary of Commerce. In that position, he became a powerful and influential voice for promoting American products and trade abroad. He championed expanding markets for U.S. goods and services, in order to increase job opportunities and foster job creation here at home.

He also served President Clinton on the National Economic Council, the Domestic Policy Council, the Task Force on National Health Care Reform, the Trade Promotion Coordinating Committee, and the U.S.-Russia Business Development Committee.

Secretary Brown served on the Board of Trustees for Middlebury College and received his law degree from St. John's University in New York City. Prior to entering public service, he worked as a welfare caseworker in New York City.

In addition to his many talents and strengths, Secretary Brown was a passionate civil rights activist with a distinguished record of service to his community. His commitment to this nation and its citizens provides a model for us all.

Secretary Brown's life tragically ended in April 1996, when he was killed in a plane crash in Croatia while on an official Department of Commerce trade mission.

The Department of State requested that Secretary Brown personally undertake the trade mission to highlight and find opportunities for U.S. businesses to boost economic reconstruction of the war torn region of former Yugoslavia.

Congress has previously designated four Federal buildings that serve as Department of State facilities. In 2000, Congress designated the Department of State headquarters as the "Harry S Truman Federal Building" (P.L. 106–218). In 2004, Congress designated the Foreign Service Institute as the "George P. Schultz National Foreign Affairs Training Center" (P.L. 108–136). In 2005, Congress designated the United States Embassy Annex in Rome, Italy, as the "Mel Sembler Building" (P.L. 108–447) and designated the Federal building in Kingston, Jamaica, as the "Colin L. Powell Residential Plaza" (P.L. 109–89).

Secretary Brown died in service to his country. It is fitting and proper to honor this Federal building as the "Ronald H. Brown United States Mission to the United Nations Building".

I urge my colleagues to join me in supporting H.R. 837.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the remaining part of my time.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and pass the bill, H.R. 837.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

R. JESS BROWN UNITED STATES COURTHOUSE

Ms. EDWARDS of Maryland. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 842) to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 842

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

SECTION 1. DESIGNATION.

The United States Courthouse to be constructed at the site bounded on the north by Court Street, on the west by West Street, on the south by South Street, and on the east by President Street in Jackson, Mississippi, shall be known and designated as the "R. Jess Brown United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the courthouse referred to in section 1 shall be deemed to be a reference to the "R. Jess Brown United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Ms. EDWARDS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland.

GENERAL LEAVE

Ms. EDWARDS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 842.

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

There was no objection.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 842, a bill to designate the courthouse to be built in Jackson, Mississippi, as the R. Jess Brown United States Courthouse. Attorney Brown was a towering figure in the history of the civil rights movement in the South and especially in Mississippi. He was a native son of Kansas, born in Coffeyville, Kansas, and raised in Muskogee, Oklahoma. He received his law degree from Texas Southern University and practiced law in Mississippi in the 1950s, 1960s and 1970s.

As Associate Counsel for the National Association for the Advancement of Colored People Legal Defense and Educational Fund, Brown filed the first civil rights suit in Mississippi in the 1950s in Jefferson Davis County seeking the enforcement of the right of black citizens to become registered voters.

In 1961, Brown represented James H. Meredith in his suit to be allowed to enter the University of Mississippi. His victory in this case opened the doors of that university to all of Mississippi's citizens.

While with the NAACP Legal Defense Fund, he played a major role in fighting discrimination in the areas of transportation and other public accommodations working alongside Thurgood Marshall, who had later become Associate Justice of the United States Supreme Court.

During his lifetime, he received numerous awards and honors, including the NAACP's Lawyer of the Year award, National Bar Association C. Francis Stradford Award, which is their highest award, and Mississippi Teachers Association award for extraordinary service to education in Mississippi.

I support this legislation and urge my colleagues to join me to pass H.R. 842.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

As we just heard, this bill names the United States Courthouse to be constructed in Jackson, Mississippi, as the R. Jess Brown United States Courthouse.

R. Jess Brown grew up and was educated in the public school system of Muskogee, OK.

He attended Illinois State University, Indiana University, and the Texas Southern Law School.

Mr. Brown was actively involved in civil rights issues and dedicated his career to pursuing equality for all citizens.

In 1948, he was a co-plaintiff in a lawsuit brought on behalf of African-American teachers in Jackson, MS, seeking equal pay.

After being admitted to the bar in Mississippi, he became Associate Counsel for the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund.

As Associate Counsel, he filed a civil rights case in Mississippi seeking to enforce the right of African Americans to register to vote.

Later, in 1961, Mr. Brown represented James H. Meredith in a lawsuit that was filed and won. This case opened the door to allow Mr. Meredith and other African Americans to enter and study at the University of Mississippi.

Mr. Brown was active in many other cases that helped to break down barriers related to discrimination in the areas of public transportation and accommodations.

He was a leader not only in the civil rights movement, but also more broadly in the legal community. Among his many accomplishments, he co-founded the Magnolia Bar Association, served on the Board of the National Bar Association, and was admitted to practice law before the United States Supreme Court.

I have no objections to the passage of this bill and support its adoption.

I understand the other side has a speaker, and I reserve the balance of my time.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield as much time as he may consume to the gentleman from Mississippi (Mr. THOMPSON), the sponsor of the bill.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to support H.R. 842, a bill to designate the United States Courthouse under construction in Jackson, Mississippi, as the R. Jess Brown United States Courthouse.

Mr. Speaker, R. Jess Brown was born September 12, 1912, in Coffeyville, Kansas. His parents, Ernestine and Joe Brown, were jazz musicians, vaudeville performers and theater managers.

Jess received a bachelor of science in industrial arts from Illinois State Normal University and a master of science in education in the area of industrial education from Indiana University in Bloomington, Indiana.

After teaching at Alcorn State University, Mr. Brown moved to Jackson, Mississippi, where he taught industrial arts at Lanier High School, the only black high school in the City of Jackson, Mississippi, at that time. While teaching at Lanier, Mr. Brown became an intervening plaintiff in a lawsuit that sought equal pay for all teachers in Jackson, Mississippi.

After teaching in Jackson, Jess attended Texas Southern University Law School. Jess left the law school before receiving his juris doctorate, but was able to go back to Mississippi and pass the Mississippi bar in 1953. After passing the bar, Mr. Brown began practicing law in Vicksburg, Mississippi.

As a young lawyer, Jess confined his practice to cases involving divorces, deeds, land titles and other practices that did not disturb white members of the bar. However, after the Brown v. Topeka Board of Education ruling, Brown felt compelled to defend the civil rights of African Americans.

In the fall of 1955, the conditions and hardships endured by black lawyers in the courts led Mr. Brown and seven other black attorneys to establish the Magnolia Bar Association. Mr. Speaker, Mr. Brown is credited with filing the first civil rights lawsuit in Mississippi. This lawsuit, on behalf of a Jefferson County minister, challenged laws that prevented blacks from voting.

Mr. Speaker, R. Jess Brown has an extensive record as a civil rights lawyer. Among his many cases, Mr. Brown represented Clyde Kennard after he was arrested while trying to enroll at the University of Southern Mississippi.

Jess served as co-counsel for James Meredith's lawsuit to enter the University of Mississippi. This case was the ultimate cause of the integration of that university.

Mr. Brown represented Dr. Gilbert Mason when he and others were arrested in their efforts to end racial segregation on the beaches of Biloxi, Mississippi.

He represented Medgar Evers and Dr. Aaron Henry as they fought for civil rights in the 1960s and 1970s.

Mr. Speaker, Mr. Brown was admitted to practice law before all courts in Mississippi, the United States District Court for the Northern District of Mississippi, the United States District Court for the Southern District of Mississippi, the United States Court of Appeals for the Fifth Circuit and the United States Supreme Court. Mr. Brown also served on the executive board of the National Bar Association for approximately 15 years.

Mr. Speaker, on January 2, 1990, R. Jess Brown died in Jackson, Mississippi, at the age of 77.

Mr. Speaker, R. Jess Brown did many great things for the people of Mississippi, and he has received many accolades for his accomplishments. As I stand here today, in part because of the efforts of Jess Brown, I can think of few other people as worthy of having their name on the Mississippi courthouse under construction in Jackson, Mississippi, as R. Jess Brown.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 842.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 842, a bill to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse".

R. Jess Brown was born in Coffeeville, Kansas, on September 2, 1912. He was educated in the Muskogee, Oklahoma public schools, and later received a Bachelor of Education from Illinois State Normal University in 1935, a Master of Education from the University of Indiana in 1943, and a Juris Doctorate from Texas Southern Law School.

He was admitted to the bar for the State of Mississippi in 1953 and admitted to practice before the United States District Court for the Southern District of Mississippi. In 1955, he co-founded the Magnolia Bar Association, and he later served on the Board of the National Bar Association for nearly 15 years. In 1958, he was admitted to practice before the United States Supreme Court.

As associate counsel for the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund, Brown filed the first civil rights suit in Mississippi seeking the enforcement of the right of black citizens to become registered voters. In 1961, Brown represented James H. Meredith in his suit to enter the University of Mississippi, and his victory in this case opened the doors of that University to all of Mississippi's citizens. During his time at the NAACP, Brown also played a major role in fighting discrimination in the areas of transportation and other public accommodations working alongside Thurgood Marshall, who would later become a United States Supreme Court Justice.

Brown also served as counsel for the American Civil Liberties Union, where he was successful in obtaining reversals of convictions of black defendants because of discrimination in jury selection. He represented numerous black defendants in cases where the State sought the death penalty, and as a result of these appeals, none of these defendants were ever executed.

R. Jess Brown died in Jackson, Mississippi, on January 2, 1990. He will be remembered as a brilliant attorney, an accomplished civil rights leader, and as a great American. It is appropriate that the U.S. Courthouse in Jackson, Mississippi be designated the "R. Jess Brown United States Courthouse".

In the 110th Congress, the House passed a similar bill to name the U.S. Courthouse in Jackson, Mississippi, after R. Jess Brown. Regrettably, the Senate was unable to act on the legislation. I urge my colleagues to join me once again in supporting this designation and I urge the passage of H.R. 842.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, if I may inquire from the gentlelady from Maryland if she has any other speakers at this time?

Ms. EDWARDS of Maryland. I have no further speakers at this time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and pass the bill, H.R. 842.

The question was taken.

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

Ms. EDWARDS of Maryland. 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.

SCOTT REED FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Ms. EDWARDS of Maryland. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 869) to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the ''Scott Reed Federal Building and United States Courthouse''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 869

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

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, shall be known and designated as the ''Scott Reed Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Scott Reed Federal Building and United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Ms. EDWARDS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland.

GENERAL LEAVE

Ms. EDWARDS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 869.

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

There was no objection.

□ 1300

Ms. EDWARDS of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 869, a bill to designate the Federal building and United States Courthouse located at 101 Barr Street, Lexington, Kentucky, as the Scott Reed Federal Building and United States Courthouse.

From 1964 until 1969, Judge Reed was a member of the First Division of the Fayette Circuit Court when he was elected to the Kentucky Court of Appeals, then the highest court in the State, and was chosen by his colleagues on the Court of Appeals as Chief Justice. He became the first Chief Justice of the Commonwealth of Kentucky. His opinions from the Supreme Court of Kentucky were highly regarded and often cited by other jurisdictions. Judge Reed was a member of the American, Kentucky, and Fayette County Bar Associations.

On November 2, 1979, President Jimmy Carter appointed him as a United States District Judge for the Eastern District of Kentucky. He became a Senior Judge August 1, 1988, and retired April 1, 1990.

He was a frequent lecturer to the National College of Trial Judges and was named to the Hall of Distinguished Alumni of the University of Kentucky on April 11, 1980.

Judge Reed was an exemplary lawyer and outstanding jurist. His public career serving the citizens of Kentucky spanned over 30 years. He served with great distinction at both the State and Federal judicial levels. It is both fitting and proper to honor his civic contributions with this designation, and I urge support for passage of H.R. 869.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. I yield myself such time as I may consume.

Again, this bill designates the Federal building and United States Courthouse located on Barr Street in Lexington, Kentucky, the Scott Reed Federal Building and United States Courthouse.

At this time, I reserve the balance of my time.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. Thank you so much for giving me this opportunity to speak on behalf of the building, 799 United Nations Plaza, being named after my late friend, Ronald Brown. I want to thank his family and his community, the central Harlem community, for the support that they have given to this bill, as well as the community who loved and respected him all of his life. I want to thank Chairmen OBERSTAR and HOLMES NORTON for allowing this to become a part of our American history.

Ron Brown was an extraordinary human being. He was born in 1941. My relationship to him was really outstanding since, while I was in school, I was the desk clerk at a rather famous hotel in Harlem called the Theresa Hotel. Ron Brown's father was the manager of that hotel. So I got to know Ron at a very, very early age, and was able to see the remarkable career that he staked out for himself. Bright, articulate. He was one of those type of Americans that could do most anything that he wanted to do.

He worked for Senator KENNEDY; he went to St. John's Law School; he worked for the Urban League. He became an outstanding member of the Democratic Party. But the most remarkable thing about Ron Brown is that as Secretary of Commerce under the Clinton administration, he became one of the greatest ambassadors that the American government ever had abroad.

It wasn't that he was just extending trade and getting people to buy our goods and services. It's that he was extending love, attention, sensitivity and, especially in the developing countries, where we had not spent the time that we should have, he not only sold our wares, but he was able to sell our reputation as a country that wanted to help other countries.

And so it is with a great deal of pleasure for those of us from Harlem, those of us from New York, those of us who understood and knew Ron Brown, and even the Clinton administration, who gave him this great opportunity to have a building named right across from the United Nations, which would have the responsibility for all of the member nations, as well as the employees there, to be able to establish American policies and embassies throughout the world, that there will be a little bit of Ron Brown's reputation as being a great American in everything that we are able to do in that building.

So, I thank you so much for giving me this opportunity to join with the millions of Americans who believe that Ron Brown made us taller, made us more proud, and certainly more respected. God has taken his life far too early, but we praise God for allowing him to share his wonderful life with us.

Mr. CHANDLER. Mr. Speaker, H.R. 869 is a bill to designate the Federal Building and United States Courthouse located at 101 Barr Street in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse."

I can think of no other individual more deserving, no other public servant more worthy, and no other action more appropriate than naming the federal courthouse in Lexington after the Honorable Scott Elgin Reed. Prominent Central Kentucky attorney, first Chief Justice of the Kentucky Supreme Court, and federal judge—Scott Reed exemplifies the definition of honor and dignity.

Born in Lexington, Kentucky, on July 3, 1921, Scott Reed graduated with distinction from the University of Kentucky. While in college, he was editor-in-chief of the Kentucky Law Journal and awarded the order of Coif, the highest academic award that can be given to a law graduate. He was also a member of the Phi Delta Phi Fraternity. He achieved many honors at the University of Kentucky, including the Algernon Sydney Sullivan Medallion—a prestigious award recognizing outstanding character and humanitarian service.

Prior to his time on the bench, Scott Reed was County Attorney, retained as counsel for the Fayette County School Board, and distinguished himself as a trial lawyer of great integrity.

He served from 1948 through 1956 as an acting associate professor at the University of Kentucky College of Law. From 1964 until 1969, he was judge of the First Division of the Fayette Circuit Court. He then was elected to the Kentucky Court of Appeals.

As Chief Judge of the Kentucky Court of Appeals, Judge Reed oversaw the passage of a constitutional amendment that unified and modernized Kentucky's court system. As part of the modernization, the Court of Appeals became the Kentucky Supreme Court. Reed was

elected by his fellow justices to be the first Chief Justice of Kentucky.

As Chief Justice, he oversaw the implementation of a constitutional amendment leading Kentucky to have one of the most efficient court systems in the country. The Chief Justice of the Commonwealth holds equal rank with the Governor, the latter being the head of the Executive Branch and Chief Justice serving as head of the Judiciary.

He was elected as a Fellow in the National College of the Judiciary in 1965 and was a voting member of the American Law Institute, a body of scholarly people who shape the laws of our nation. The opinions written by Scott Reed during his time on the Supreme Court of Kentucky have received national acclaim for their scholarly content. Judge Reed was a frequent lecturer to the National College of Trial Judges and has achieved the highest honors that can be bestowed on a member of his profession.

In 1979, he was appointed by Jimmy Carter to be U.S. district judge for the Eastern District of Kentucky. He served as a U.S. district judge until he retired in 1990. His federal legal scholarship was widely regarded and likened to that of Justices Brandeis, Holmes and Marshall. Scott Reed was named to the University of Kentucky College of Law Hall of Distinguished Alumni on April 11, 1980.

Judge Scott Reed passed away on February 17, 1994, but his legacy will always be a part of Kentucky's rich history. He deserves this honor, one that is indeed long overdue.

Mr. Speaker, I want to thank Mr. ROGERS of Kentucky for being a cosponsor of this legislation. I also want to thank my colleagues Ms. HOLMES NORTON and Mr. OBERSTAR for their help in bringing this legislation to the floor.

I support H.R. 869, and I strongly urge its passage.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 869, a bill to designate the Federal building located at 101 Barr Street in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse." The bill was introduced by the gentleman from Kentucky (Mr. CHANDLER) and his colleague from Kentucky (Mr. ROGERS).

Scott Reed was born in Lexington, Kentucky in 1921. He attended local schools and graduated from the University of Kentucky College of Law in 1945. While at the University, Reed received many awards and honors, including the Algernon Sydney Sullivan Medallion for excellence.

The first years of Judge Reed's career were spent in private practice, during which he distinguished himself as a trial lawyer of great integrity. During this time, he also taught at the University of Kentucky College of Law.

From 1964 to 1969, he was judge of the First Division of the Fayette Circuit Court. From 1969 until 1976, Judge Reed served on the Court of Appeals, 5th Appellate District. In 1976, he became the Chief Justice of the Commonwealth of Kentucky, a position which holds equal rank with the Governor. His opinions from the Supreme Court of Kentucky have received national attention for their scholarly content and careful judicial reasoning.

In August 1979, Judge Reed was nominated by President Carter to serve as the U.S. District Judge for the Eastern District of Kentucky. He was confirmed in October 1979, and served until his death in 1994.

In the 110th Congress, the House passed similar legislation to designate the U.S. Courthouse in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse." Unfortunately, the Senate was unable to act on the bill.

Judge Reed enjoyed a rich and rewarding career. His contributions to the American judicial system are exceptional. It is fitting that the courthouse in Lexington bear his name to honor his distinguished career and enduring legacy.

I urge my colleagues to join me in supporting H.R. 869.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and pass the bill, H.R. 869.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

JAMES A. LEACH UNITED STATES COURTHOUSE

Ms. EDWARDS of Maryland. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 887) to designate the United States courthouse located at 131 East 4th Street in Davenport, Iowa, as the "James A. Leach United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 887

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

SECTION 1. DESIGNATION.

The United States courthouse located at 131 East 4th Street in Davenport, Iowa, shall be known and designated as the "James A. Leach United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "James A. Leach United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Ms. EDWARDS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland.

GENERAL LEAVE

Ms. EDWARDS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 887.

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

There was no objection.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 887, a bill to designate the federal building in Davenport, Iowa, as the James A. Leach United States Courthouse.

Former Representative Leach began his public service career in 1965 as a staff person to then-Congressman Donald Rumsfeld. In 1968, Jim Leach joined the United States Department of State as a Foreign Service Officer and subsequently served as a special assistant to director at the Office of Economic Opportunity.

In the 1970s, Representative Leach served in various capacities with the United Nations, the United States Advisory Commission on International Education and Cultural Affairs, and the Federal Home Loan Bank Board.

Our former colleague, Jim Leach was elected to the Congress in 1977 from Iowa and served for 14 consecutive Congresses. His contributions to, and interests in the House of Representatives, are numerous, including his longstanding support for use of HOPE VI HUD funds to help smaller cities develop affordable housing.

Jim Leach was hardworking, highly respected on both sides of the aisle, and dedicated to the welfare of his constituents. It is fitting and proper to honor his public service with this designation. I support H.R. 887, and urge the passage of the bill.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. I yield myself such time as I may consume.

This bill names the United States Courthouse located on East 4th Street in Davenport, Iowa, as the James A. Leach United States Courthouse. As we recall, he was also a former colleague of ours here in this distinguished body.

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

Ms. EDWARDS of Maryland. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the gentlewoman for yielding. I would like to take a few minutes today to honor the many accomplishments of my predecessor, former Congressman Jim Leach.

Mr. Speaker, I introduced H.R. 887, to rename the United States Courthouse in Jim's hometown of Davenport, Iowa, as a tribute to his 30 years of service to Iowa's Second Congressional District. Jim's legacy of statesmanship; his leadership in foreign affairs and financial services issues; his dedication to public service; and his capable representation of his constituents left a lasting impact on the district I am now honored to represent.

As chairman of the Banking and Financial Services Committee, the Subcommittee on Asian and Pacific Affairs, and the Congressional-Executive Commission on China, Jim was a leader on some of the most important financial and foreign affairs issues of the past 30 years.

A native son of Iowa, Jim represented his constituents with grace, commitment, and the Iowa values with which he was raised. Indeed, his legacy of service has been highlighted through several awards, including the Norman Borlaug Award for Public Service.

Jim is now continuing that legacy as a faculty member at the Woodrow Wilson School of Public and International Affairs at Princeton University, his alma mater. As a former member of the Foreign Service, where he served as a delegate to the Geneva Disarmament Conference and the United Nations General Assembly, I am confident that Jim brings a unique perspective to Princeton that is surely a tremendous asset for his students.

Indeed, as a former professor at Cornell College in Iowa, I invited Jim to guest lecture at the college. His knowledge and personal experiences were a highlight for my students, and make it clear why he holds eight honorary degrees.

I would like to take this opportunity to thank Jim for his many years of service to Iowa and our Nation, and I urge my colleagues to support this resolution.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. I rise in support of H.R. 887, to honor my friend, former colleague and Congressman, Jim Leach. Jim's survival for three decades, winning election 14 times, and his strong record of principled, bipartisan leadership is a superb example to all of his colleagues, to all of us.

He was born in Davenport, Iowa, where he made a name for himself by winning the 1960 State Wrestling Championship for Davenport High School. He went on to earn an impressive set of degrees from Princeton University, Johns Hopkins University, and the London School of Economics.

Jim began his public service career in 1965 as a staffer to then-Congressman Don Rumsfeld. In 1968, he entered the Foreign Service, where he served as a delegate to the Geneva Disarmament Conference and the U.N. General Assembly. He resigned his commission in 1973 to protest President Richard Nixon's firing of the first Watergate special prosecutor, Archibald Cox.

Jim was first elected to represent Iowa's Second District in 1976. A political moderate who was always willing to reach across the aisle, Jim chaired the Ripon Society and the Republican Mainstream Committee, two organizations formed to encourage bipartisan policymaking. In Congress, Jim distinguished himself as a steadfastly ethical and independent-minded public servant.

Throughout his career, Jim supported diplomacy before unilateralism, pushing for full funding of U.S. obligations to the U.N. As chairman of the Arms Control and Foreign Policy Caucus, Jim pressed for a comprehensive test ban and led the House debate on a nuclear freeze. Jim was also one of the only six House Republicans to vote against the 2002 Iraq War resolution.

Jim's post-congressional career has been no less extraordinary. He holds eight honorary degrees, and has received decorations from two foreign governments. He is a recipient of the Wayne Morse Integrity in Politics Award; the Woodrow Wilson Award from Johns Hopkins; the Adlai Stevenson Award from the United Nations Association; the Edgar Wayburn Award from the Sierra Club; and the Norman Borlaug Public Service Award.

Jim continues to serve the public on the boards of several public companies and nonprofit organizations, including the Century Foundation; the Carnegie Endowment for International Peace; the Social Sciences Research Council; Pro Publica; and Common Cause, which he chairs.

Additionally, he is currently a member of the Council on Foreign Relations and teaches at Princeton University's Woodrow Wilson School as the John L. Weinberg Visiting Professor of Public and International Affairs.

Jim is not only a remarkable public servant, but a good friend. It was a tremendous honor to serve alongside him.

Just in closing, I'd like to say this. Jim Leach reminded me of a person that I knew in the legislature named Horace Daggett. Outstanding people in their own right in every way. Truly, community people. Iowans, Americans. And they put the country first.

Jim was a privilege to know, as the person he was, the person that he is, the person that reaches out and continues to serve us with distinction, and someone that we all can be very, very proud of.

So, I urge all to support H.R. 887.

Mr. LATHAM. Mr. Speaker, I rise in support of this resolution to honor our great friend, Jim Leach, by naming the courthouse in Davenport, Iowa, after him. It is a well-deserved honor.

Jim Leach is missed around the Capitol because he was a resource of institutional knowledge, he shared his tremendous sense of humor and his insight. I always enjoyed his ability to bring thoughtfulness to the debate. Most importantly, Jim Leach was and remains a great advocate for the State of Iowa. Jim is also a great Iowa Hawkeye supporter because, of course, he had the Hawks in his district. I represent the University of Iowa's state rival, Iowa State University. Obviously, we had a lot to tease each other about throughout the years.

Jim Leach will be remembered here in this body for his 30 years of dedicated service and his great intellect. He was a well-rounded member. You could call on him to stop gambling predators over the Internet or, as someone who knew and understood the many facets of foreign affairs; we could seek his counsel during an international crisis. His talent was being able to bring that forth and convey complex subjects in a very kind and thoughtful way.

Jim Leach represents the very best of what constituents expect from their Representatives in Congress. His legacy is promoting bipartisanship, protecting the dignity of the House by standing as an example of putting thought before politics and actions over posturing. Jim is someone who I have the greatest personal respect for.

I'm pleased that Mr. LOEBSACK has brought this resolution to the floor of the House, and I urge my colleagues to support this resolution in honor of former Representative James Leach.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 887, a bill to designate the United States courthouse located at 131 East 4th Street in Davenport, Iowa in honor of former Congressman Jim Leach.

I thank the gentleman from Iowa (Mr. LOEBSACK) and the Iowa delegation for reintroducing this bill to honor one of Congress's most well-respected and well-liked Members. The House passed a similar bill, H.R. 1505, in the 110th Congress but unfortunately, the Senate was unable to act on the legislation.

Jim Leach was a learned Member of this Body and, to many of us, a trusted friend.

James Albert Smith Leach was born in Davenport, Iowa on October 15, 1942. He attended public schools in Davenport, received a Bachelor of Arts from Princeton University, and attended the London School of Economics.

In 1965, Congressman Leach began his public service career as a staff person to then-Congressman Donald Rumsfeld. In 1968, he joined the U.S. Department of State as a Foreign Service Officer and subsequently served as special assistant to the director at the Office of Economic Opportunity. In the 1970s, he served in various capacities with the United Nations, the United States Advisory Commission on International Education and Cultural Affairs, and the Federal Home Loan Bank Board.

In 1976, Congressman Leach was elected to the United States House of Representatives; he would represent the 2nd District of Iowa for 30 years (1977–2007). During his time in Congress, he chaired the Committee on Banking and Financial Services, the Subcommittee on Asian and Pacific Affairs, and the Congressional-Executive Commission on China.

He holds eight honorary degrees, has received decorations from two foreign governments, and is the recipient of the Wayne Morse Integrity in Politics Award, the Woodrow Wilson Award from Johns Hopkins University, the Adlai Stevenson Award from the United Nations Association, and the Edger Wayburn Award from the Sierra Club.

In February 2007, Congressman Leach joined the faculty of Princeton's Woodrow Wilson School of Public and International Affairs as a visiting professor.

In all aspects of his public career, he served the citizens of Iowa with distinction, hard work, and honor. This designation properly honors his outstanding public career and it is fitting to designate the Davenport, Iowa courthouse as the "James A. Leach United States Courthouse."

I support the bill and urge my colleagues to join me in honoring Jim Leach.

□ 1315

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and pass the bill, H.R. 887.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

Ms. EDWARDS of Maryland. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 37) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 37

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.

The Greater Washington Soap Box Derby Association (in this resolution referred to as the ''Association'') shall be permitted to sponsor a public event, soap box derby races, on the Capitol Grounds on June 20, 2009, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Association is authorized to erect upon the Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United Stats Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event to be carried out under this resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Ms. EDWARDS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland.

GENERAL LEAVE

Ms. EDWARDS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on House Concurrent Resolution 37.

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

There was no objection.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 37 authorizes the use of the Capitol grounds for the annual Soapbox Derby. As Members are aware, the Committee on Transportation and Infrastructure authorizes use of the Capitol grounds each year for this worthwhile event.

The 2009 Greater Washington Soapbox Derby will take place on Constitution Avenue between Delaware Avenue and Second Street Northwest on June 22, 2009. The Greater Washington Soapbox Derby has been held on the U.S. Capitol grounds since 1991. It has attracted more than 60 youth participants in each of those years.

The D.C. metropolitan race winners from each of the stock, super stock, and master's division soapbox derby races throughout the world will compete in Akron, Ohio for scholarships and other prizes in the All-American Soapbox Derby.

The All-American Soapbox Derby Youth Program is administered by International Soapbox Derby, Incorporated, an Akron-based nonprofit corporation. Activities planned for this event will be coordinated with the Office of the Architect of the Capitol and, like all events on Capitol Hill grounds, will be free and open to the public.

I extend my thanks to Majority Leader HOYER, who is and has been such a steadfast supporter of this event, and I urge passage of the resolution.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Florida. The timing around this place being such as it is, I appreciate a chance to speak to the Jim Leach Resolution, the resolution that names the United States Courthouse at 131 East 4th Street in Davenport, Iowa, as the James A. Leach United States Courthouse.

Jim Leach served in this Congress for over a quarter of a century and he had friends on both sides of the aisle. If you know Jim Leach, you know that he is an intellectual. He is an individual that his cerebrum, his cerebellum, and medulla oblongata were all connected and all functioning. And I say that because he has a significant ability to retain in his memory and manipulate the information.

He also is a champion wrestler. So his athletic and intellectual capabilities that he demonstrated here, mostly his intellectual capabilities on the floor of this House. Although I have felt that temptation on the athletic from time to time, not Jim Leach. Jim Leach was a consummate statesman, someone who could work with Democrats and the Republicans, and is an individual who was the epitome of the balance between the two as he served here in Congress and today contributes to our overall broader society.

So I am very pleased to rise in support of the resolution naming the Federal Courthouse in Davenport, Iowa, the James A. Leach Courthouse. And I am happy to call him a friend, a former colleague, and someone who has brought honor upon this institution every day of his service here in the United States House of Representatives. I thank the gentleman for yielding.

Ms. EDWARDS of Maryland. Mr. Speaker, I want to take this opportunity to say that the soapbox derby on Capitol Hill is a way that young people are fully engaged, they are creative, in building their participant vehicles. And it is an excellent opportunity for parents to have a direct involvement in their children's activities right here on the Capitol grounds.

The Derby's mission is to provide children with an activity that promotes technical and social skills that will serve them throughout their lives. And the Derby organizers of course work with the Architect of the Capitol to make sure that the appropriate rules and regulations are in place during the event. I am confident that, once again, the event this year will be a huge success.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I want to thank the gentlewoman from Maryland for her description of this bill. This is something that this House has done for many, many years. And for many years the distinguished majority leader, Mr. HOYER, has sponsored a resolution to authorize the use of the Capitol grounds for this event, and Congress has clearly supported it. It provides children a fun way to allow children to show off their dedication, their work, and creativity as they compete for trophies and the opportunity to race in other competitions.

Girls and boys between 8 and 17 will race down the Capitol Hill in their home-made cars. We are all looking forward to that. The winner of each division will then be qualified to compete in the National Soapbox Derby. I support this resolution and encourage my colleagues to do the same.

Mr. OBERSTAR. Mr. Speaker, I rise in support of House Concurrent Resolution 37, to authorize the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

I especially want to acknowledge the dedication of our distinguished Majority Leader

(Mr. HOYER), who annually introduces this resolution to authorize use of the Capitol Grounds for such a worthwhile event.

This year's Greater Washington Soap Box Derby is scheduled to take place on Constitution Avenue between Delaware Avenue and Third Street, N.W., in Washington, DC, on June 20, 2009. This will be the 68th running of the Greater Washington Soap Box Derby.

This annual event encourages all boys and girls, ages nine through 16, to construct and operate their own soap box vehicles. The event is supported by hundreds of volunteers and parents.

It is an excellent opportunity for parents to have direct involvement in their children's activities. The derby's mission is to provide children with an activity that promotes technical and social skills that will serve them throughout their lives.

The derby organizers will work with the Architect of the Capitol and the Capitol Police to ensure the appropriate rules and regulations are in place during the event. I am confident that this year's event will once again be a huge success.

I urge my colleagues to join me in agreeing to H. Con. Res. 37.

Mr. HOYER. Mr. Speaker, today I rise as a proud sponsor of House Concurrent Resolution 37, legislation which will allow the Greater Washington Soap Box Derby Association to hold the 68th Annual Greater Washington Soap Box Derby on the grounds of the United States Capitol on Saturday, June 20.

Since 1938, when 223 racers descended on Washington, DC, soap box derby racing has had a long and rich tradition in our Nation's Capital.

Although the race location has moved from the original site on New Hampshire Avenue to Capitol Hill, with stops on Massachusetts Avenue, Pennsylvania Avenue, and Eastern Avenue along the way, the ingredients of the race remain the same: home-made engine-less, gravity-powered cars, the spirit of competition, and the pure exhilaration of racing.

The soap box derby consists of dozens of drivers, boys and girls ranging in age from 8 to 17, who have designed and built the cars they race.

These racers are divided into three divisions: stock, super stock, and masters. The local winner of each division will automatically qualify to compete with racers from around the country in the 72nd All-American Soap Box Derby in Akron, Ohio on July 25.

Community groups, police departments, fire departments, and others sponsor children each year, children who may not otherwise be able to participate.

Over the years thousands of the region's young people have participated in this great race. I am proud to report that the last two winners of the Soap Box Derby competition have been neighbors of mine and constituents of the Fifth District of Maryland.

In 2007 Miss Kacie Rader, a neighbor of mine from Mechanicsville, Maryland, and a rising senior in high school at the time, won in the masters division of the 66th Greater Washington Soap Box Derby. Kacie then went on to become the first Marylander to win the national soap box derby title, after competing against 550 other soap box champions.

Kacie's great success was followed last year by another winner, Miss Courtney Rayle. Sixteen years old and also a neighbor from Mechanicsville, Maryland, Courtney won the Greater Washington Soap Box Derby in June 2008. She became the seventh person in her family to do so.

Mr. Speaker, this event has been called "the greatest amateur racing event in the world" and it is an excellent opportunity for the contestants from the District of Columbia, Maryland and Virginia to learn basic building skills while gaining a real sense of accomplishment.

The soap box derby is not just a race. It is an enriching way to engage our youth, and teach them the importance of ingenuity, commitment, and hard work.

I strongly encourage my colleagues to join with me and the other original cosponsors, Representatives CHRIS VAN HOLLEN, FRANK WOLF, JAMES MORAN, ELEANOR HOLMES NORTON, DONNA EDWARDS, and GERRY CONNOLLY, in supporting this resolution.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 37.

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

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

Ms. EDWARDS of Maryland. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 38) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 38

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event, the 28th annual National Peace Officers' Memorial Service (in this resolution referred to as the ''event''), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2008.

(b) DATE OF EVENT.—The event shall be held on May 15, 2009, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Ms. EDWARDS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlelady from Maryland.

GENERAL LEAVE

Ms. EDWARDS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on House Concurrent Resolution 38.

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

There was no objection.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 38, which authorizes the use of the Capitol grounds for the 28th National Peace Officers' Memorial Service.

According to the National Law Enforcement Fund, 140 Federal, State, and local law enforcement officers were killed in the line of duty in 2008. These officers will be honored at this memorial service. During 2008, 15 women officers were killed; the average age of all officers killed was 40 years; and the average years of service was 12 years. According to the National Law Enforcement Officers Memorial Fund, there are more than 900,000 sworn law enforcement officers now serving in the United States.

In 1962, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day, and the week in which that date falls as Police Week. This first official memorial service took place on May 15, 1982, at which 91 law enforcement officers were honored. Over the past 28 years, the memorial service has honored over 3,000 law enforcement officers from around our Nation. This event has become one in a series of well-attended events during Police Week. I urge support for this resolution.

Activities on the Capitol grounds conducted under House Concurrent Resolution 38 will be coordinated with the Office of the Architect of the Capitol, and will be free and open to the public. I support this resolution and urge its passage.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, the gentlewoman from Maryland has done a great job explaining this bill.

I yield back the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of House Concurrent Resolution 38, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service on May 15, 2009.

In October 1962, President John F. Kennedy signed a proclamation which designated May 15th as National Peace Officers' Memorial Day, and the week in which that date falls as "Police Week". Each year on this day, our country honors the devotion and service of the peace officers who protect our neighborhoods, our cities, our friends, and our families.

This year's Memorial Service will honor the more than 140 Federal, state, and local law enforcement officers who died in the line of duty during 2008, and will mark the 28th time the Capitol grounds will be used for this noteworthy event. During 2008, 41 officers were killed by gun fire, 71 officers were killed in traffic related accidents, and 15 women were killed in the line of duty.

Activities on the Capitol Grounds conducted under H. Con. Res. 38 will be coordinated with the Architect of the Capitol, will be free, and open to the public.

The selfless work of our police and firemen has always been a model of courage and moral strength. I urge my colleagues to join me in supporting H. Con. Res. 38.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 38.

The question was taken.

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

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

AUTHORIZING USE OF CAPITOL GROUNDS FOR DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Ms. EDWARDS of Maryland. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 39) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 39

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR DC SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On June 5, 2009, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 2009 District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the ''event'') may be run through the Capitol Grounds as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Ms. EDWARDS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland.

GENERAL LEAVE

Ms. EDWARDS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on House Concurrent Resolution 39.

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

There was no objection.

Ms. EDWARDS of Maryland. Mr. Speaker, I yield myself such time as I may consume.

House Concurrent Resolution authorizes the use of the Capitol grounds for the District of Columbia's Special Olympics Law Enforcement Torch Run. The Capitol Police, along with the D.C. Special Olympics, will participate in the torch run to be held on June 5, 2009.

The Law Enforcement Torch Run for the Special Olympics is run nationwide by law enforcement officers, leading up to each State or national Special Olympics summer games.

Each year, nearly 50 local and Federal law enforcement agencies in Washington, D.C., participate to show their support of the D.C. Special Olympics. This torch relay event is a traditional part of the opening ceremonies for the Special Olympics.

Since its inception, over 15,000 District of Columbia citizens with disabilities have participated in the Special Olympics. Funds raised from the Law Enforcement Torch Run for the Special Olympics helps support year-round training and programs for Special Olympics in the District of Columbia. This type of support led to seven Special Olympics athletes competing in the Penn relays in Philadelphia, Pennsylvania, in 2008.

The D.C. Special Olympics will work closely with the Capitol Police and the Architect of the Capitol to make sure that the event is in full compliance with the rules and regulations governing the use of the Capitol grounds. The event will be free and open to the public. I urge my colleagues to join me in supporting this resolution.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 39 authorizes the use of the Capitol grounds for the District of Columbia's Special Olympics Law Enforcement Torch Run to be held on June 5 of this year.

The Special Olympics is an internationally recognized organization dedicated to enriching the lives of children and adults with disabilities through athletic competition and through athletic events in general.

The Law Enforcement Torch Run is the largest grassroots effort that raises funds and awareness for the Special Olympics program, Mr. Speaker. The event in D.C. is one of the many law enforcement torch runs throughout the country and across 35 Nations leading up to the summer Special Olympics.

□ 1330

The Torch Run is a special event during which members of law enforcement run the ''Flame of Hope'' to the site of the local Special Olympics games.

Mr. Speaker, this event has become a regular occurrence on the Capitol Grounds. And this year's event will represent the 24th time it has occurred on these grounds. I am pleased to be a cosponsor of this resolution along with the chairwoman of our Subcommittee on Economic Development, Public Buildings and Emergency Management.

I support this resolution and encourage my colleagues to do the same.

If I may at this time, Mr. Speaker, if I might inquire of the gentlewoman from Maryland if she has any further speakers.

Ms. EDWARDS of Maryland. I may have additional speakers, and I reserve the time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the time.

Ms. EDWARDS of Maryland. Mr. Speaker, the D.C. Special Olympics is a

really premier event in this region that highlights the athletic accomplishments of children and adults with disabilities. I would like to recognize and give special thanks to the tenacity of Eunice Kennedy Shriver and her family for exceptional work on behalf of persons with disabilities.

Mr. Speaker, as a young person I volunteered with the Special Olympics each year. And I recognize the talents, training and athleticism of young people from around the country and even from my congressional district. And each year law enforcement officers around the world participate in the local Torch Run events to raise money and awareness for the Special Olympics. In fact in 2008, the Law Enforcement Torch Run raised over $34 million for the Special Olympics. And here in the Washington, D.C. area, law enforcement officers who are part of the extensive volunteer network that support the games carry the ''Flame of Hope'' across the Capitol Grounds through the District of Columbia to Catholic University.

It is an amazing event. The event is scheduled of course to occur on June 5, 2009. And it will be open to the public and is free of charge on the Capitol Grounds. The games are a wonderful expression of inclusiveness and confirmation of individual contribution.

I enthusiastically support this resolution. And I thank the gentlewoman from the District of Columbia (Ms. NORTON) for presenting the resolution to us and this very worthwhile endeavor of the Special Olympics.

I have no further speakers, and I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding. I certainly support this resolution. The Special Olympics is a wonderful program. Certainly using Capitol Grounds is appropriate. Americans all over the country and certainly here revere this Capitol, as well we all should.

In a couple of minutes, we will be voting on a privileged resolution that I have offered. This is the third one. It is similar to the others that have been offered but it differs a little. It is a bit narrowed.

Right now, Mr. Speaker, as much as we revere this institution, there is a cloud hanging over it. And that cloud is that there are investigations going on right now at the Department of Justice investigating the relationship between earmarks and campaign contributions. And as long as that is occurring without this body doing anything, there will be a cloud hanging over this institution.

Now some may say as long as other bodies outside of Congress are investigating this issue, that Congress has no obligation to do so. I think that is wrong. We have an obligation to uphold the dignity and decorum of this body. And we haven't been doing it very well. And as long as these investigations are swirling around us and we fail to act, then this cloud remains.

Some have mentioned that, in fact in one of the papers today, it referenced that this investigation is a Republican-led effort to embarrass the Democrats because the Democrats embarrassed Republicans beforehand. It is nothing of the sort. I did not consult with my party leadership before offering this resolution. I have not consulted with them during it. This is not a partisan resolution.

This is a bipartisan problem. The problem is that the perception is that earmarks are influencing campaign contributions and that campaign contributions are influencing earmarks. And there is really no other way to look at the situation but to draw that conclusion. That is why we need to vote on this resolution and allow the Ethics Committee to look into it.

Again this is not a partisan issue. This is a problem that afflicts both sides. I hope my colleagues see it that way. And we simply cannot allow this body to have the cloud hanging over it as it is right now.

And so I would encourage my colleagues, when it comes time to vote for this resolution, I'm sorry, vote against the tabling of the resolution, which would allow the Ethics Committee to look into it.

And I thank the gentleman for yielding.

Ms. EDWARDS of Maryland. I have no further speakers at this time on this resolution.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, before I yield back, I want to thank the gentlewoman from Maryland for doing a great job in leading us through all the bills. She has done a wonderful job. I thank her for her leadership today.

And with that, Mr. Speaker, I would yield back.

Ms. EDWARDS of Maryland. Mr. Speaker, I also thank the gentleman from Florida for his patience today.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of House Concurrent Resolution 39, authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The District of Columbia Special Olympics is the premier event in this region that highlights the athletic accomplishments of children and young adults with disabilities. I'd like to recognize and give special thanks to the tenacity to Eunice Kennedy Shriver and her family for exceptional work on behalf of persons with disabilities.

Each year, law enforcement officers around the world participate in local Torch Run events to raise money and awareness for the Special Olympics. In 2008, the Law Enforcement Torch Runs raised over $34 million for the Special Olympics.

In the Washington D.C. area, law enforcement officers, who are part of the extensive volunteer network that support the games, carry the ''Flame of Hope'' across the Capitol Grounds through the District of Columbia to Catholic University.

This event, scheduled to occur on June 5, 2009, will be open to the public and free of charge. The sponsors will work with the Capitol Police Board to ensure that all rules and regulations pertaining to the use of the Capitol Grounds are followed.

These games are a wonderful expression of inclusiveness and a confirmation of individual contribution. I enthusiastically support this resolution and the very worthwhile endeavor of the Special Olympics.

I urge my colleagues to join me in agreeing to H. Con. Res. 39.

Ms. EDWARDS of Maryland. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 39.

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

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore (Mr. ROSS). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 228

Whereas The Hill reported on February 10, 2009, that ''a top defense-lobbying firm'' that ''specializes in obtaining earmarks in the defense budget for a long list of clients'' was ''recently raided by the FBI.'';

Whereas the Associated Press reported on February 25, 2009 that the ''FBI searched the lobbying firm. . .and the residence of its founder. . .'';

Whereas The Hill reported on March 4, 2009, that the firm ''has given $3.4 million to 284 Members of Congress'';

Whereas Politico reported on February 13, 2009, that ''federal investigators are asking about thousands of dollars in campaign contributions to lawmakers as part of an effort to determine whether they were illegal 'straw man' donations.'';

Whereas Roll Call reported on February 20, 2009, that they have ''located tens of thousands of dollars worth of [the raided firm]-linked donations that are improperly reported in the FEC database.'';

Whereas Roll Call also reported that ''tracking Federal Election Commission records of campaign donations attributed to [the firm] is a comedy of errors, misinformation and mysteries, providing more questions than answers about how much money the lobbying firm actually raised for Congressional campaigns.'';

Whereas CQ Today reported on February 19, 2009, that ''104 House members got earmarks for projects sought by [clients of the firm] in the 2008 defense appropriations bills,'' and that 87 percent of this bipartisan group of Members received campaign contributions from the raided firm;

Whereas The Hill reported on February 10, 2009, that in 2008 clients of this firm had ''received $299 million worth of earmarks, according to Taxpayers for Common Sense.'';

Whereas The Hill reported on February 23, 2009, that ''clients of a defense lobby shop under investigation are continuing to score earmarks from their patrons in Congress, despite the firm being on the verge of shutting its doors permanently'' and that several of the firm's clients ''are slated to receive earmarks worth at least $8 million in the omnibus spending bill funding the federal government through the rest of fiscal 2009...'';

Whereas the Washington Post reported on June 13, 2008, in a story describing increased earmark spending in the House version of the fiscal year 2009 defense authorization bill that ''many of the earmarks serve as no-bid contracts for the recipients.'';

Whereas the Associated Press reported on February 25, 2009, that ''the Justice Department's fraud section is overseeing an investigation into whether [the firm] reimbursed some employees for campaign contributions to members of Congress who requested the projects.'';

Whereas Politico reported on February 12, 2009, that ''several sources said FBI agents have spent months laying the groundwork for their current investigation, including conducting research on earmarks and campaign contributions.'';

Whereas House Resolution 189, instructing the Committee on Standards of Official Conduct to investigate the relationship between earmark requests already made by Members and the source and timing of past campaign contributions, was considered as a privileged matter on February 25, 2009, and the motion to table the measure was agreed to by recorded vote of 226 to 182 with 12 Members voting present;

Whereas House Resolution 212, instructing the Committee on Standards of Official Conduct to investigate the relationship between earmark requests already made by Members on behalf of clients of the raided firm and the source and timing of past campaign contributions, was considered as a privileged matter on March 3, 2009, and the motion to table the measure was agreed to by recorded vote of 222 to 181 with 14 Members voting present;

Whereas the reportedly fraudulent nature of campaign contributions originating from the raided firm, as well as reports of the Justice Department conducting research on earmarks and campaign contributions, raise concern about the integrity of congressional proceedings and the dignity of the institution; and

Whereas the fact that cases are being investigated by the Justice Department does not preclude the Committee on Standards of Official Conduct from taking investigative steps: Now, therefore, be it

Resolved, That (a) the Committee on Standards of Official Conduct, or an investigative subcommittee of the committee established jointly by the chair and ranking minority member, shall immediately begin an investigation into the relationship between earmark requests for fiscal year 2009 already made by Members on behalf of clients of the raided firm and the source and timing of past campaign contributions related to such requests.

(b) The Committee on Standards of Official Conduct shall submit a report of its findings to the House of Representatives within 2 months after the date of adoption of this resolution.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

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

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

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

Mr. FLAKE. 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.

Pursuant to clause 8 of rule XX, this 15-minute vote on tabling the resolution will be followed by 5-minute votes on suspending the rules with regard to:

H.R. 813, by the yeas and nays, and

H.R. 842, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 228, nays 184, answered ''present'' 14, not voting 5, as follows:

[Roll No. 113]

YEAS—228

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Klein (FL)
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rohrabacher
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—184

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boccieri
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Halvorson
Harper
Heller
Hensarling
Herger
Himes
Hodes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Kosmas
Lamborn
Lance
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Loebsack
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Minnick
Mitchell
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Posey
Price (GA)
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walz
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

ANSWERED ''PRESENT''—14

Barrett (SC)
Bonner
Butterfield
Castor (FL)
Chandler
Conaway
Dent
Hastings (WA)
Kline (MN)
Latham
Lofgren, Zoe
Poe (TX)
Walden
Welch

NOT VOTING—5

Abercrombie
Blunt
Cooper
Miller, Gary
Putnam

□ 1410

Messrs. SMITH of Texas and TEAGUE and Ms. JENKINS and Mrs. MYRICK changed their vote from ''yea'' to ''nay.''

Messrs. BERMAN and McMAHON and Mrs. McCARTHY of New York changed their vote from ''nay'' to ''yea.''

Mr. BUTTERFIELD changed his vote from ''yea'' to ''present.''

Mr. WALDEN changed his vote from ''nay'' to ''present.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

J. HERBERT W. SMALL FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 813, 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 gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and pass the bill, H.R. 813.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 427, nays 0, not voting 4, as follows:

[Roll No. 114]

YEAS—427

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—4

Abercrombie
Cooper
Miller, Gary
Putnam

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1418

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

R. JESS BROWN UNITED STATES COURTHOUSE

The SPEAKER pro tempore (Mr. BLUMENAUER). The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 842, 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 gentlewoman from Maryland (Ms. EDWARDS) that the House suspend the rules and pass the bill, H.R. 842.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 7, as follows:

[Roll No. 115]

YEAS—424

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski

Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—7

Abercrombie
Cooper
Gohmert
Miller, Gary
Oberstar
Putnam
Rooney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1425

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Ms. FUDGE) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 20, 2009.

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

DEAR MADAM SPEAKER: Pursuant to 44 U.S.C. 2702, I hereby reappoint as a member of the Advisory Committee on the Records of Congress the following person: Mr. Bernard Forrester, Houston, Texas.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk.

HELP IS ON THE WAY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, we have seen the unemployment numbers continue to climb in our Nation. We're watching the Dow tremble. But I think it is important that we understand help is on the way, that the American people are watching a process in this body and in the other body that will generate not earmarks but dollars for communities. For many people think that earmarks are moneys that we grab and put in our pocket. It is only the direction given to money already there to help the people in your community: rural Appalachia, Iowa.

So in addition to this appropriations bill that is now in the other body, this Congress voted against their salary increase. And for those who don't understand that, as the debate is going on in the other body, we have already done it. We have already put forward a bill that speaks to the people's needs and makes sure that our salary increase is not there. Our leadership demanded that.

So I ask the other body to get on with their work and vote for the bill.

□ 1430

GREEN HARD HATS

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

Mr. POE of Texas. Madam Speaker, someday we may be using alternative energy, and we must work to that end. But right now we need clean crude oil for energy.

We should drill safely off our own shores because that will make us energy independent. It will increase jobs. Some of those offshore jobs pay up to $100,000 a year. The leases that oil companies pay for are expensive, and that lease revenue comes to the U.S. Treasury.

Madam Speaker, we are also going to need crude oil in the future for other things, and here is why. Last week on one of the coldest days in D.C. during 8 inches of snow, the global warming folks were in town. They were all wearing green hard hats, and I asked one did she know what that hard hat was made out of, and she told me plastic. Well, I asked her where did the plastic come from, and she said, ''Well, it's plastic. It's made out of plastic.''

Madam Speaker, plastic is not an element or mineral. That plastic helmet and much of what we use daily is a derivative of crude oil. We are always going to need crude oil for the thousands of products that come from it.

We need to take care of America and drill safely off our shores and keep jobs and revenue in America instead of sending it to the Middle East.

And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ONE TEAM—ONE FIGHT—ONE NAME: REDESIGNATING THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Madam Speaker, earlier this year I introduced H.R. 24, legislation to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

For the past 7 years, the language of this bill has been part of the House version of the National Defense Authorization Act. Last year, 152 Members of the House cosponsored the bill to support this change. This session, the bill has gained 58 cosponsors so far. I hope many of the new Members of the House will consider supporting H.R. 24.

This year, I am grateful to have the support of Senator PAT ROBERTS, a former Marine, who recently introduced a companion bill in the Senate, S. 504. I hope that the Senate will support the House position and maybe this will be the year that Congress sends legislation to the President to bring proper respect to the fighting team of the Navy and Marine Corps.

Changing the name of the Department of the Navy to the Department of the Navy and Marine Corps is a symbolic gesture, but is important to the team. I would like to read a statement

by one supporter of this change, the Honorable Wade Sanders, Deputy Assistant Secretary of the Navy for Reserve Affairs from 1993–1998:

''As a combat veteran and a former Naval officer, I understand the importance of the team dynamic, and the importance of recognizing the contributions of team components. The Navy and Marine Corps team is just that: a dynamic partnership, and it is important to symbolically recognize the balance of that partnership.''

Madam Speaker, the Marines who are fighting today deserve this recognition. Before I close, I would like to point out there are many, many justifications for renaming the department Navy and Marine Corps. We all know that the Navy and Marine Corps are one fighting team, and that is the history of both the Navy and the Marine Corps.

Madam Speaker, on this poster is a condolence letter from the Department of the Navy. This was sent to the wife of a Marine who was killed in Iraq for this country.

Madam Speaker, on the letter sent by the Secretary of the Navy, it says ''The Secretary of the Navy.'' Then the first sentence, it says, ''On behalf of the Department of the Navy, please accept our very sincere condolences.''

Well, Madam Speaker, that is very kind of the Secretary of the Navy, and I am sure that the Marine family that gave a loved one who died for this country during warfare appreciates that letter, but I respectfully say that even more important to the Marine family who lost a loved one would be that if the letter had said, ''The Secretary of the Navy and Marine Corps,'' with the flag of the Navy and the flag of the Marine Corps, and then it further stated, ''Dear Marine Corps Family: On behalf of the Department of the Navy and Marine Corps, please accept my sincere condolences.''

Madam Speaker, before I close, I have Camp Lejeune Marine Base and Cherry Point Air Station in my district, and also Seymour Johnson Air Force Base. Other parts of the Armed Forces have the Secretary of the Army, the Secretary of the Air Force. Now we need to have a Secretary of the Navy and Marine Corps. It's only right to the Marine Corps that they be equally represented and equally respected.

With that, Madam Speaker, I ask God to please continue to bless our men and women in uniform and their families, and may God continue to bless America.

END OCCUPATION OF IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, today I rise to deliver my 300th speech on the floor of the House, speeches demanding an end to the occupation of Iraq.

I take no pleasure in marking this milestone, except that in this great democracy we have it is possible for one Member of the House to stand here and express her opinions. But instead of pleasure, it deeply saddens me, for it reminds me just how long the Iraq occupation has been dragging on.

America's invasion and occupation of Iraq began 6 years ago this month. On March 21, 2003, the previous administration gave us ''Shock and Awe.'' There were big explosions on our TV sets, but innocent people were being killed that night in Baghdad. And for the next 6 years, the body count continued to rise as Iraq became a hell on Earth.

Today conditions on the ground have improved, but the occupation goes on. Over 140,000 American troops remain in harm's way. Over 100,000 military contractors continue to roam the streets of Iraq, unaccountable to anyone but themselves. Military families continue to suffer here at home and tens of thousands of veterans suffer from injuries that will last a lifetime.

I voted against authorizing the use of force in Iraq, and I was the first Member of Congress to introduce a resolution calling for the withdrawal of our troops. For 6 years I have made the case that the occupation makes no sense.

On February 2, 2005, I said on the floor of the House ''The sad irony is that after our Nation was attacked on 9/11 by al Qaeda, (our) response was to bomb and kill civilians in one of the few countries in the Middle East that was inhospitable to al Qaeda.''

I also pointed out that the occupation wasn't making America any safer. On March 19, 2007, I said, ''The rate of fatal terror attacks worldwide was increased by a factor of seven since the Iraq war began.''

And I noted that the occupation was bleeding our Treasury dry and threatening our economy. On October 25, 2007, I said, ''It's incredible to me that my colleagues on the other side of the aisle, who lecture us daily about fiscal constraints, (do) not make a peep about the fiscal catastrophe'' of Iraq.

I also raised my voice over and over again to decry the other tragic consequences of the occupation, which included the tragic loss of over 100,000 American and Iraqi lives, the refugee crisis, the torture at Abu Ghraib and elsewhere, the shabby treatment of our veterans at Walter Reed, the ''Mission Accomplished'' and weapons of mass destruction fiascos, the manipulation of intelligence to create a false cause for war, the cynical use of the 9/11 tragedy to justify military action against Iraq that the Bush administration had been planning all along, the scandal of sending our troops into battle without proper body armor and the terrible damage to our Nation's moral standing and reputation in the world.

I also spoke about the tremendous bravery and the skill of our troops and the amazing courage of the mothers of section 60 at Arlington National Cemetery, and I rose time and time again to offer a real alternative to the occupation, a smart security plan, a plan that would defeat terrorism without the need to wage immoral and unnecessary wars.

Most recently, I rose to declare that the current plan to leave 50,000 residual troops after August 2010 in Iraq is unacceptable. I believe the best approach now is to withdraw all our troops by August 2010 and coordinate their removal with reconciliation and reconstruction efforts, efforts to promote the unification of the Iraqi people.

Madam Speaker, the occupation of Iraq violates America's core values of peace, freedom and human rights. I will continue to raise my voice on the floor of the House for these values until we bring all our troops home to their families and the peace and sovereignty of Iraq is restored.

I will also continue to raise my voice on this floor for a new and better foreign policy based on diplomacy and peaceful international cooperation.

I shall soon deliver speech number 301.

CUT GOVERNMENT SPENDING AND TAXES

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. Madam Speaker, the Washington Post the other day commented about the President's support of the $410 billion omnibus spending bill that's crawling through the Senate, and they said that it borders on the irresponsible for the administration to try to blame this on last year's administration because they are the ones that are going to sign the bill into law and spend the money.

In another newspaper here in Washington D.C., the Washington Examiner, they wrote ''In quick succession, (President) Obama rolled out a $2 trillion financial services bailout, $2 trillion, a $788 billion stimulus package, the $13.4 billion preliminary bailout for automakers, a $410 billion spending plan to cover the rest of the current fiscal year, a proposed $275 billion foreclosure rescue plan, and a $3.5 trillion budget that includes a $634 billion fund for health care.''

People in America, their eyes glaze over when they hear this. Trillions and trillions and trillions of dollars that we don't have are going to be spent for all of these programs.

And so people say, well, how are you going to solve the economic problems facing this country if you don't spend that money? If we spend the money, we are not going to solve the problems. The economic conditions will continue to go in the wrong direction, but we will be loading on the backs of our kids and grandkids and future generations, higher inflation and higher taxes and a quality of life that won't be anything like what we have today.

The key to solving these problems is to cut government spending, and to cut

taxes for every American so they have more disposable income, and to cut taxes on capital gains so people will take stocks, bonds and property they have and sell it and reinvest it someplace else, thus creating money for investment in business and industry so they can create jobs and cut business taxes across the board.

□ 1445

If we did those three things, we would have an immediate movement toward improvement in our economy, and we wouldn't be doing it by loading trillions and trillions of dollars on the backs of our kids and grandkids.

This chart here shows what's happened in the last several years as far as the growth in the money supply. It was pretty consistent up until the year 2000, and now it's going straight up. That means to every single American that the cost of living is going to go up because there's more money in circulation, fewer goods and services, and the cost of everything is going to rise because of the inflation that's created by printing all this money.

John F. Kennedy said that the way to solve these problems—back in the early sixties, a Democrat—that it was to cut taxes. Here's exactly what he said. ''Our true choice is not between tax reduction, on the one hand, and the avoidance of large Federal deficits on the other. It is increasingly clear that no matter what party is in power, so long as our national security needs keep rising, an economy hampered by restricted tax rates will never produce enough revenues to balance our budget, just as it will never produce enough jobs or enough profits. In short, it is a paradoxical truth that tax rates are too high today, and tax revenues are too low, and the soundest ways to raise the revenues in the long run is to cut taxes now.''

The best way to raise revenues for the Treasury is to cut taxes. The best way to stimulate economic growth is to cut taxes. Yet, this administration is going to be raising taxes in one way or another on every single family in this country, either through the tax that is going to be on energy or the taxes they are going to levy on the upper income people. But there's going to be taxes levied on every single American, and that is the wrong way to stimulate economic growth.

What they are doing is they are throwing money at this problem, saying that that will solve the problem. It has never worked in the past. It will not work now.

Back in the 1970s, under Jimmy Carter, this was tried. And we ended up with double-digit inflation—14 percent inflation, 12 percent unemployment—and they ended up raising interest rates to 21.5 percent to stop the runaway inflation that was killing the economy of the United States, and they put us into another real bad recession. It wasn't until Reagan came in in 1980 and cut taxes across the board that we ended up with the longest period of economic recovery in the United States history.

History shows that cutting taxes in times of economic stress is the way to work our way out of this situation. And throwing money, trillions and trillions and trillions of dollars, and move us toward a socialistic economy, is not the solution.

I hope my colleagues will look into history. Look at what John F. Kennedy, what Ronald Reagan, and others said about this, because it's extremely important that we profit from history.

RON BROWN FEDERAL BUILDING NAMING

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

Ms. CORRINE BROWN of Florida. I rise to celebrate the life of former Secretary of Commerce Ron H. Brown, who was the first African American to hold that position, and the first African American to serve as chairman of the Democratic National Committee. I want to thank Chairman RANGEL for bringing this resolution to the floor, designating the Federal building located at the United Nations Plaza in New York City as the ''Ron H. Brown United States Mission to the United Nations Building.''

At the time of his death in 1996, Mr. Brown was a figure of global importance and an advocate for American businesses at home and abroad. Through his example, Ron was a pioneer for many African Americans, and a role model, and was respected for his leadership, intelligence, and public service.

Born in Washington, DC, on August 1, 1941, and raised in Harlem, New York, he spent most of his life working for the people of New York and the citizens of the United States. As Secretary, he circled the globe spreading goodwill with his enthusiasm.

I remember traveling with Ron once to Africa as he was cultivating opportunities and markets for American products. It was on one of these trade missions that he died in a plane crash in war-torn Eastern Europe on April 3, 1996.

Ron left behind a wife, Alma, two devoted children, Michael and Tracey, and a record of commitment to the job he loved. Since his death, Ron has been recognized with many awards and scholarships, including the Ron Brown Award for Corporate Leadership and Responsibility, established by President William J. Clinton; the annual Ron H. Brown American Innovator Award, established by the U.S. Department of Commerce; and the largest ship in the National Oceanic and Atmospheric Administration's fleet named in honor of his public service, the *Ronald H. Brown*.

Please join me today in celebrating the life and service of one great American statesperson and pioneer, Mr. Ron H. Brown.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EARMARKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. I would like to address the subject of earmarks today. I think there's a lot of misunderstanding here among the Members as to exactly what it means to vote against an earmark. It's very popular today to condemn earmarks, and even hold up legislation because of this.

The truth is that if you removed all the earmarks from the budget, you would remove 1 percent of the budget. So there's not a lot of savings. But, even if you voted against all the earmarks actually, you don't even save the 1 percent because you don't save any money.

What is done is, those earmarks are removed, and some of them are very wasteful and unnecessary, but that money then goes to the executive branch. So, in many ways, what we are doing here in the Congress is reneging on our responsibilities, because it is the responsibility of the Congress to earmark. That is our job. We are supposed to tell the people how we are spending the money, not to just deliver it in a lump sum to the executive branch and let them deal with it, and then it's dealt with behind the scenes.

Actually, if you voted against all the earmarks, there would be less transparency. Earmarks really allow transparency, and we know exactly where the money is being spent.

The big issue is the spending. If you don't like the spending, vote against the bill. But the principle of earmarking is something that we have to think about, because we are just further undermining the responsibilities that we have here in the Congress.

If we want to get things under control, it won't be because we vote against an earmark and make a big deal of attacking earmarks because it doesn't address the subject. In reality, what we need are more earmarks.

Just think of the $350 billion that we recently appropriated and gave to the Treasury Department. Now everybody's running around and saying, Well, we don't know where the money went. We just gave it to them in a lump sum. We should have earmarked everything. It should have been designated where the money is going.

So, instead of too many earmarks, we don't have enough earmarks. Transparency is the only way we can get to

the bottom of this. And if you make everything earmarked, it would be much better.

The definition of an earmark is very, very confusing. If you would vote to support the embassy, which came up to nearly $1 billion in Baghdad, that is not called an earmark. But if you have an earmark for a highway or a building here in the United States, that is called an earmark. If you vote for a weapons system, it would support and help a certain district, and that's not considered an earmark.

When people are yelling and screaming about getting rid of earmarks, they're not talking about getting rid of weapons systems or building buildings and bridges and highways in foreign countries. They are only talking about when it's designated that certain money would be spent a certain way in this country.

Ultimately, where we really need some supervision and some earmarks are the trillions of dollars spent by the Federal Reserve. They get to create their money out of thin air, and spend it. They have no responsibility to tell us anything. Under the law, they are excluded from telling us where and what they do.

So, we neglect telling the Treasury how to spend TARP money, and then we complain about how they do it. But just think literally; the Treasury is miniscule compared to what the Federal Reserve does.

The Treasury gets hundreds of billions, which is huge, of course, and then we neglect to talk about the Federal Reserve, where they are creating money out of thin air, and supporting all their friends and taking care of certain banks and certain corporations. This, to me, has to be addressed.

I have introduced a bill, it's called H.R. 1207, and this would remove the restriction on us to find out what the Federal Reserve is doing. Today, the Federal Reserve under the law is not required to tell us anything. So all my bill does is remove this restriction and say, Look, Federal Reserve, you have a lot of power. You have too much power. You're spending a lot of money. You're taking care of people that we have no idea what you're doing. We, in the Congress, have a responsibility to know exactly what you're doing.

This bill, H.R. 1207, will allow us for once and for all to have some supervision of the Federal Reserve. They are exempt from telling us anything, and they have stiffed us already. There have been lawsuits filed over the Freedom of Information Act. Believe me, they are not going to work, because the law protects the Federal Reserve.

The Constitution doesn't protect the Federal Reserve. The Constitution protects the people to know exactly what is going on. We should enforce the Constitution. We should not enforce these laws that protect a secret bank that gets to create this money out of thin air.

So, the sooner we in the Congress wake up to our responsibilities, understand what earmarks are all about, and understand why we need a lot more earmarks, then we will come to our senses, because we might then have a more sensible monetary and banking system, the system that has brought us to this calamity. So, the sooner we realize that, I think it would be better for the taxpayer.

CONGRATULATING CONGRESSWOMAN WOOLSEY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE of California. Madam Speaker, I come to the floor today to join my distinguished colleague, Congresswoman LYNN WOOLSEY, and recognize her for her 300th Special Order, or 5-minute speech, on the ongoing war and the occupation in Iraq. I also stand here calling yet, again, for an end, and I mean an end, to this unjust war, and for the return of our troops and military contractors from Iraq.

Congresswoman WOOLSEY, let me just commend you for being such an unparalleled leader and a guiding light in Congress for peace, for smart security, and for justice. Congresswoman WOOLSEY, if you may remember, offered the first resolution calling for the withdrawal of our young men and women and the redeployment and bringing them home, and that was years ago.

Today, Congresswoman WOOLSEY, thanks to your leadership, I think we are closer to that first resolution, where you stepped out on faith but knew that that was the right thing to do. I think we are closer to that day.

Congresswoman MAXINE WATERS, founder of the Out of Iraq Caucus, and Congresswoman WOOLSEY and myself cofounded the Out of Iraq Caucus in order to really amplify this important message and the call to action to end this war of choice. And that is what it is.

But Congresswoman WOOLSEY has been the one who's been down here representing us and representing the voices of peace in the entire country each and every day to make sure that she shone light on the untold hazards and costs of the United States military presence in Iraq.

As cochair of the Progressive Caucus, Congresswoman WOOLSEY has worked tirelessly to bring attention to these vital issues of global peace and national security. And so, today, 300 times, this is really an amazing milestone.

So, I am very, very pleased to be able to be with you today, Congresswoman WOOLSEY, and also just to say I am proud that you're my colleague and sister next to my district from the north.

It's really, though, with a heavy heart that I note next week that our country will enter into the seventh year of this unnecessary and immoral war in Iraq. Six years of unnecessary bloodshed in Iraq. We have wasted too much American treasure, drained too much and too many of our American resources and, most importantly, Madam Speaker, we have, unfortunately, claimed too many American lives.

As of February 25, 2009, according to the Defense Department, 4,252 brave servicemen and women have given their lives, and more than 30,000 United States troops have been injured. This war has already cost the American people more than $650 billion—this is $10 billion a month—as the economy spirals further and further into crisis.

□ 1500

The costs to the people of Iraq also have been far greater. Tens of thousands of Iraqi men, women, and children have been killed. More than a million Iraqis have fled their homes and live as refugees. Hundreds of thousands have been internally displaced.

As we have watched our Federal resources go toward the continuation of violence and strife in Iraq, Congresswoman WOOLSEY has reminded us over and over and over again, 300 times now, that these are dollars that are not coming back into our communities or toward vital programs to help our neighbors most in need. We have committed more than a half trillion dollars to an occupation that, yes, has undermined our standing and credibility in the world, the enormous costs of which will no doubt be exacted on the physical and economic security of future generations. Of course we know the simple truth, that no unjust war ever produced a just and lasting peace. We look forward to working with our new administration to continue our efforts to bring our troops and military contractors home.

I have to say again to Congresswoman WOOLSEY, thank you for your unwavering leadership and commitment. I am truly proud to serve with you in this body. When this unfortunate chapter in American history is written, especially the foreign policy chapter, your consistency and your courage and your resolve before this body will be long remembered. Moreover, your Special Orders should be acknowledged for their effort in rallying the American people to demand an end to this war and to finally bring our troops home.

So this is a milestone today. Hopefully we won't have too many more 300 times of your sounding the alarm, and that we can bring our young men and women home and begin to really move forward in seeking global peace and security.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EARMARKS AND NO-BID CONTRACTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

Mr. FLAKE. Madam Speaker, when most people think about earmarks, they think of the silly earmarks that we hear about like the one in the omnibus spending bill that will pass the Senate today, $1.7 million to combat swine odor in Iowa. And there are a lot of earmarks like that. Or one for the Rock and Roll Hall of Fame, or one for a hippie memorial. That is typically what is on people's minds when they think of earmarks. But today there is a different type of earmark, and it is not your grandfather's earmark. It is something that has really come about in the last several years or really been perfected in the last several years. These earmarks are no-bid contracts to private companies.

Now, when the Federal Government spends money, there are stipulations in how they spend that money. It is very difficult for a Federal agency to award a no-bid contract. If they do, they have to jump through a lot of hoops. There has to be a national security exemption. There have to be other exemptions. It is difficult to do, and gratefully so.

President Obama announced the other day that he is going to try to make sure that there are no more no-bid contracts from Federal agencies. And that is a great move. But what hasn't been talked about are the no-bid earmarks, no-bid contracts that are in the form of earmarks that come from Congress that is congressionally directed no-bid contracts. And what it leads to is what I like to call circular fundraising, and this is what has been the subject of a few of the privileged resolutions that have been offered here in the House in the last couple of days.

What happens is you have money here that Congress has from the U.S. taxpayer. Earmark spending which will be some $8 billion to $10 billion this year, goes this way. It goes to the earmark recipient. Say it is a defense contractor. And in this case if a defense contractor is getting a no-bid contract to make some widget for the Navy or for the Army or something else, or to make a shirt or a pair of gloves for our Armed Forces, they will get that contract, a no-bid contract, and then what you will see is money will come right back to the Member of Congress who secured that earmark in the form of a campaign contribution. That is represented by the line that goes around there. And in some cases, in most cases now, those who secure the earmark for a no-bid contract receive campaign contributions from those who they got no-bid contract for.

Oftentimes the earmark recipient will hire a lobbying firm, and that lobbying firm will also make contributions to the Member. And then sometimes the lobbying firm will also have a PAC, and that PAC will make contributions to the Member. So, in some cases, a Member of Congress will get what could be called the trifecta: They will get regular contributions from the earmark recipient, money from the lobbying firm, and also money from the lobbying firm's PAC.

For one defense contract, say, for a few million dollars, a no-bid contract, sometimes the Member of Congress can receive as much as $50,000 to $100,000 for one earmark, for what appears to be for one earmark. By the time the earmark recipient and the lobbying firm and the lobbying firm's PAC contribute to the Member, that is a lot of money that makes it back into the Member of Congress' hands. So what happens? It is easier then to earmark more spending the next year and to do more no-bid contracts.

This is the essence of the privileged resolution that was offered. There is a lobbying firm called PMA that has been raided by the FBI in recent weeks, or we learned of it in recent weeks. That lobbying firm contributed millions and millions of dollars to Members of Congress who had secured earmarks for the client of this lobbying firm. The lobbying firm's PAC had contributed millions and millions of dollars as well to those Members of Congress who secured earmark spending.

Madam Speaker, it simply isn't right for Members of Congress to get a no-bid contract for anyone, let alone those who turn around and contribute money back to that Member. It simply doesn't look right. There may not be a quid pro quo here, but it should not be allowed by the House to happen. The House should set a higher standard. We are charged with upholding the dignity and decorum of the House. And when you have circular fundraising like this happening and investigations swirling around, we simply can't allow this to continue, Madam Speaker.

I hope that the next time a privileged resolution is up that we will all vote to carry it to the Ethics Committee.

COMMEMORATING THE TENTH ANNIVERSARY OF HUNGARY'S ACCESSION TO NATO

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, today I rise to commemorate the 10th anniversary of Hungary's accession to NATO. Hungary is the first former Soviet nation, followed soon thereafter by Poland and then the Czech Republic, to join NATO. I stand here today to express gratitude for that historical moment and being given the opportunity to witness it and to recognize Hungary's pioneering commitment to solidarity, freedom, and security.

Despite years of Soviet rule, Hungary maintained a posture that looked both east and west. She became one of the first countries to institute meaningful political and economic reform after the fall of the Berlin Wall. And during the Cold War, Hungary struggled mightily not to let the door to her people close completely.

The country's exceptional acumen also boasts an impressive mathematical and scientific legacy that includes 13 Nobel Prizes, inventing the BASIC programming language, and even creating Rubik's cube. This is a nation of major measure.

When Hungary joined NATO on March 12, 1999, an enduring relationship was cemented between Hungary, Europe, and the United States. This partnership means more than a military alliance. It marked a rebirth of freedom with an end to oppression by the then Soviet Union. This historic achievement was celebrated from Budapest to Ohio, which boasts the largest Hungarian American population in our country according to the last census. This new era was marked importantly by our congressional district of Toledo that adopted two cities in Hungary, Szeged and its county, Csongrad County.

Hundreds of citizens since 1999 have been involved in cultural, educational, and political exchanges of extraordinary impact. And through the lifelong efforts of major leaders in our community, including now deceased Monsignor Martin Hernady, Ohio Representative Peter Ujvagi, the Hungarian Club of Toledo and its leader Mr. Andy Raikay, Holy Rosary, Calvin United and St. Stephen's Churches, Dr. Elizabeth Balint and Mr. Al Baldwin of the Great Lakes Consortium for International Training and Development, along with the University of Toledo, Bowling Green State University and Lords College, all are working together to build freedom forward.

Because of the new opportunities presented by NATO, the United States and Hungary were able to enrich our friendship. Our Ohio National Guard began an early partnership with the Republic of Hungary for the express purpose of demonstrating through the example of the citizen soldier the proper role of the military in a democratic society. Hungary's rich history, as well as its embrace of a new post-Soviet era governance, sets a strong example for other countries in the region that are still grappling with a meaningful identity as newly independent states. By working with our allies, America continues to nurture democracy and advance political freedoms in Eastern Europe and around the world.

An independent film that I was able to view last year, called Torn From the Flag, which has won all kinds of international awards, traces the history of Hungary from World War II through its current independence. I commend this film to all of our citizenry.

Tonight, I rise to pay tribute to Hungary, our great sister nation in liberty's cause. What a great joy it has been to get to know her people and her traditions in greater measure. And I

thank the people of my community who truly have been, each and every one of them, ambassadors of freedom from the United States to our great sister state of Hungary.

AUTO INDUSTRY FACTS AND FIGURES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. RYAN) is recognized for 5 minutes.

Mr. RYAN of Ohio. Madam Speaker, I appreciate the opportunity to rise today.

Madam Speaker, over the course of the last 30 years, pockets of our country have been facing some very difficult times. And I have the honor of representing an area in Northeast Ohio, from Akron over to Youngstown. This is an area that was built on steel and rubber and auto and manufacturing. And I want to make one comment, as I rise to talk a little bit about the auto industry, about my friend, the gentleman from Arizona, who was commenting about earmarks and investments that Members of Congress are constitutionally required to make and spend money on behalf of the people of this country.

In areas like mine who, for 30 or 40 years, were booming, had the highest per capita income in the country when the steel mills were going, we were taking our tax dollars and we were sending that money to Washington, D.C.; Washington, D.C. was sending that money to help build the West, to help build up States like Arizona, and to implement water projects and dam projects to take the Colorado River into the desert.

These congressional districts in Arizona and New Mexico, they didn't just pop up. There was a significant Federal investment to say that we want to develop the West. And now, Members of Congress who are looking for the opportunity to rebuild their community, to take specific projects and specific money and invest it in Youngstown State University, Akron University for Polymers, Youngstown State for Defense Center of Excellence, Youngstown State for Metrology and Materials Science Development, these are investments that we need to make to rehabilitate some old industrial areas to get them on the cutting edge, and I think our obligation is to do that. But in our area, what has transpired just over the last few months has been significant. And I will give you one example.

Earlier last year, in the summertime, General Motors at a local Lordstown plant said that they were going to put on a third shift. We had the governor in; there were state tax incentives, $350 million. And eventually, because of the credit crisis and globalization and 30 years of bad trade agreements, the third shift was pulled. Then the second shift was pulled. And now we have a fraction of the workers that we used to have there.

But the minute GM announced that they were going to lay off 900 workers, a couple days later the seat manufacturer laid off a few hundred; a couple days later the logistics company laid off a couple hundred workers; Delphi laid off. And on and on and on the ripple effect goes throughout the community, to the point where Trumbull County's unemployment rate last year, Madam Speaker, was 7 percent.

□ 1515

It is to the point where Trumbull County's unemployment rate last year, Madam Speaker, was 7 percent. Today it is 14 percent. It doubled in a year.

And the point of my rising here today is to say to anyone who will listen and to the powers that be in Washington, D.C., that we need a manufacturing policy in the United States of America. We can look at the Dutch, the Spanish and the Brits. When 20 to 25 percent of their gross domestic product became finance, where people are just shuffling money around, where it is a Ponzi scheme and Wall Street is making a lot of money, and wages don't ever go up, then eventually you get to where we are today. And that is a collapse of the financial system.

We have a system now that is set up, Madam Speaker, that if an average family makes some mistakes, they are on their own. We cut them loose. But if the financial markets make a major mistake and do illegal and unethical acts, that they have the system so rigged that the whole thing collapses. And so everyone has to jump in to save it.

And so as we move over the course of the next few weeks and next few months, we need to recognize that the auto industry has a multiplier effect of five jobs for every one job in the plant, and finance has two jobs for every job in the finance industry. And we can talk about companies like Wheatland Tube, who have closed factories down in northeast Ohio and western Pennsylvania because of the tubing coming in from China. We could talk about auto. We could talk about Severstal Steel, who laid off 1,000 people. We could go on and on and on, Madam Speaker.

So let me suggest that as we talk about financial reform and universal health care, that we also add a manufacturing policy to the United States plan for the future.

IN RECOGNITION OF COAST GUARD PETTY OFFICER FIRST CLASS LAVELAS LUCKEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. First of all, Madam Speaker, I would like to associate myself with the words of Mr. RYAN of Ohio. He is absolutely right. And we can do better in this country with regard to the issues of making sure that we have a manufacturing base. Not only must we have a manufacturing base, but we must have an innovation base. And in order to have that, certainly we have to build up our educational systems throughout these United States.

Madam Speaker, I come before the House today as chairman of the Subcommittee on Coast Guard and Maritime Transportation to pay a special tribute to a true American hero, Coast Guard Petty Officer First Class Lavelas Luckey. Last week, a 33-year-old woman tragically lost her life when her car was struck from behind and pushed into the path of a garbage truck as she was preparing to drop her daughter off at a nursery school in Glen Burnie, Maryland.

Petty Officer Lavelas Luckey, an electrical equipment specialist at the nearby Engineering Logistics Center's Equipment Management Division at the Coast Guard Yard in Curtis Bay, Maryland, happened to be in the area at the time. And he immediately sprung into action. According to authorities, after realizing people were still in the badly damaged vehicle, Petty Officer Luckey immediately pushed through a crowd of onlookers and pulled the 5-year-old girl from her car seat minutes before the car burst into flames. The little girl's mother was freed from the car by a police officer.

Unfortunately, the girl's mother, Christine Schoppert, was pronounced dead at the scene. Thankfully, however, the child survived the crash and was immediately taken to the Johns Hopkins Hospital with life-threatening injuries. Recent reports indicate that she is improving. My prayers, and I know the prayers of this Congress, are with the family of Christine Schoppert and her daughter as she begins to make what we hope will be a speedy and complete recovery.

I'm extremely grateful that I have a chance to thank Petty Officer First Class Lavelas Luckey for putting his own safety at great risk in saving this precious young life. After speaking to his commanding officers and fellow members of the Coast Guard, none of them were surprised by Petty Officer Luckey's actions. Petty Officer Luckey has been described as being an extremely dedicated member of the United States Coast Guard—and as a great human being. These are powerful words that should not be taken lightly. Far too often we look to the red carpets of Hollywood and our local football stadiums to find our heroes while overlooking the individuals who perform truly heroic actions in our own neighborhoods.

I take my hat off to Petty Officer First Class Lavelas Luckey for his act of bravery and applaud the entire United States Coast Guard and the rest of our armed services for their efforts to protect this country from all harm. I also extend a special salute to all of the Nation's first responders who risk their lives every day to save others.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 111–35) on the resolution (H. Res. 229) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

OUT-OF-CONTROL SPENDING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. BACHMANN. Madam Speaker, I appreciate this opportunity to be able to speak this afternoon to the American people about something that has been on all of their minds for the last 5 months, and that is spending, the out-of-control spending that they see occurring here in their Nation's Capital. And they are worried. They are worried, Madam Speaker, about what they are seeing.

And there is an old adage that we have heard as a precursor to a joke. Since we have been children, we have heard the adage that asks a simple question: What comes first, the chicken or the egg? And we ask that question in public policy: What comes first, spending or taxes? And clearly, spending is the precursor to taxes. And what we have seen the Obama administration and the Democrats who currently control both the House and the Senate embrace is a new initiative never seen before in the history of our country, a level of spending that is unprecedented.

Joining me now in this hour that we have to speak to the American people is one of our new freshmen. His name is Mr. JASON CHAFFETZ. And he hails from Utah's Third Congressional District. We are very excited to have him join us and to have him speak now to this body and to the American people on spending and what that means for our economy. Mr. CHAFFETZ, I yield.

Mr. CHAFFETZ. I thank the gentlewoman. It is a pleasure and honor to serve in the United States Congress. I'm a freshman here. I didn't create this problem, but I am here to help clean it up. I argued for a long time that the Republican spending was far too egregious, that we were spending far too much money and continued to propel ourselves into debt that was unsustainable and unacceptable in my opinion.

It is funny, though, that as I hear the Democrats argue that while there was all this out-of-control spending when the Republicans were in charge, that somehow that has changed, that somehow deficit spending has changed. It has not. It is partly what got us into this problem.

We, on an average day, have added $2.8 billion to our national debt since January of 2007. That doesn't count the stimulus. That doesn't count the bailout. That doesn't count any of these nearly $2 trillion, trillion, of additional spending that we have seen this Congress all too often just quickly go off and give away.

We cannot run this government on a credit card. Our families can't do that. My family can't do that. The American people can't do that. This Federal Government has got to stop doing that. We don't have a revenue problem in this country for our Federal Government. We do have a spending problem. We have a huge spending problem.

I remember when I was in college, not too long ago, but it was a while ago, and I had my monthly stipend for the month. And at about week 3, I ran out of money. And I thought I will just call mom and dad and they will just send me the money. So I called up and talked to my mom. And she said, no, I'm sorry, you're going to have to figure it out. And my dad, whom I really didn't want to call, said, you had your allowance, you have got to learn to live within it. It is one of the most valuable lessons that I ever learned. I learned more about Top Ramen noodles than anyone in this country in that week. And it was a good thing. It was a healthy thing. It made me reprioritize what was important. And it made me think through what was a priority in my life, that I couldn't just go on the credit card and continue to spend more money.

The primary reason I ran for the United States Congress is because I care about the future and because we are on a trajectory that is unsustainable. Until we return to those core principles of fiscal discipline, limited government, accountability and a strong national defense, we will continue to suffer as a Nation. And right at the top, right at the top of that list is fiscal discipline. Because there are things, there are roles and responsibilities that our government has to execute on. And we can all point to failures. We can all point to successes. But fundamentally, the spending in this Congress, the spending that is proposed by the Obama administration, is simply unacceptable.

We cannot be all things to all people. And my concern is that the rhetoric is not matching the reality. I sat right here at in this Chamber, row 7, thrilled and honored to watch the President of the United States address the joint session of Congress. He asked in that session that we present appropriation bills free of earmarks. And yet the very next day, it hadn't even been 24 hours, the House of Representatives passed a bill with more than 8,500 earmarks. I'm proud to say I voted ''no'' on that. There was a presentation that said that they wanted more openness, that we wanted more transparency, that we were going to get 5 days to review a bill online, that the American people would get to see what is in these bills, and that we as a body here in the House of Representatives would have 48 hours, 48 hours, to be able to see what is in a bill before we voted on it. It unanimously passed this body in a resolution. And yet just over 12 hours later, we got the single largest spending bill in the history of the United States. It was more than 1,000 pages. We had just over 12 hours.

That is not openness. That is not transparency. And the consequence is this out-of-control spending. It was $1 trillion, a number so big it is not even fathomable. And now we look and we hear people say, well, 95 percent of Americans are not going to pay one dime more in taxes. That is not true. It is not true. American people, I hope you digest this, it is not true.

The so-called carbon tax, or the cap-and-trade, is a tax that will be paid by 100 percent of Americans, 100 percent of Americans. If you consume or use any form of energy, you're going to have to pay this tax. Now, I want to take care of the environment. I care about the environment. But this is simply not the time and the way to do it. And if you look at this chart here, what is sickening to me and our future is what is going to happen with our debt. Based on the President's presentation, based on the spending plan that he has put together, based on the President's budget, we are going to double, double, our national debt to $20 trillion. Somebody has to pay that. It is the American people that are going to pay that, my kids and their grandkids. We have got to cut the size and scope of government. We cannot be all things to all people.

Somehow, some way, we have got to find a way to be disciplined enough to say, enough is enough. Let's prioritize those things that are most important that we have to do to protect and take care of the American people. But we cannot continue this out-of-control spending.

Just over 10 years ago, our Federal budget was $1.5 trillion. Now we are over $3 trillion on our way to $4 trillion. And that doesn't count the bailouts, the stimulus and the others who are already beating the drum saying, we need more. No, you don't. We need to cut spending and cut back the size and scope of government, because in my opinion this government right now is spending too much, the administration is taxing too much, and this administration is absolutely borrowing too much money.

□ 1530

Mrs. BACHMANN. I thank Representative CHAFFETZ from Utah's Third Congressional District, and what an honor to serve with you. What an honor to know that we have freshmen who have learned the true lessons of life, that you live on Ramon noodles rather than get money from mom and

dad. That's where it all comes from. Our country is well served from having his representation.

Spending is the issue that we need to address right now. It comes down to a philosophical claim and a philosophical shift. That may not seem like much, but we are here debating ideas on the floor of the House of Representatives. And there is a big idea that we are grappling with right now: where are the answers to the problems that lie before our Nation? Where are those answers? Who is the best person to solve those problems?

What we have seen in just the last 50 days is a decided shift, a transformational shift, a groundbreaking shift from the way America has previously done business, and it says this. It says that there is a real belief that the genius of America lies in government, and that it lies in Washington, D.C., and that it lies with the Federal Government making more and more decisions over the personal areas of our lives. And that the Federal Government is far wiser with our money than the individual is with their own money, or that a private business is with their money, or a local community is with their money.

These are troubling times to be sure, but is the answer to be found in a larger government that comes about through greater levels of spending? Well, that is not what a Harvard study found back in about 2002. Researchers from Harvard made an exhaustive study, one of the largest of its kind done over a series of years. This is what they studied. They studied over 18 different economies across the world. Of course not all of them are free market-based economies like America's economy. It was the whole gamut of economies across the world, and they asked a very simple question and one that would be prudent for us to look at now as we are engaging in this economic debate, and it is this: What are the courses of action that causes an economy to climb and to grow and to find prosperity? Just exactly what we are trying to find now here in the midst as we grapple with these very real problems. What is the way out? And conversely, what is not the way out? What causes economies to contract, to fail, to have hyperinflation ensue, to see a misery index go up? What is that policy? And this is the result. I think for the common sense quotient that makes up most Americans today, the answer is not real startling.

This Harvard study from 2002 that looked at 18 different economies said this: When nations have contracted their spending, when they have brought their spending under control and reduced their spending, when they have lowered the amount of spending that they pay for government wages so they aren't increasing government public wages, in fact they are lowering government wages, and when those same economies cut taxes for the people of the government, then you see the economies turnaround and you see the economies thrive and you see the economies grow.

The study also found just the converse. It found that where nations decided that the answer to the economic problem would be to grow spending, in fact dramatically increase spending, to increase wages for public employees in the government sector, where taxes would be increased on the people and burdens would be heaped up on both businesses and on private individuals, again the common sense quotient that makes up the great majority of American people won't be surprised by the results from this Harvard study.

These are the results: the results are when governments decide to dramatically increase spending, as the current Obama administration and the current Democrat-controlled Congress is about to engage in and in fact have engaged in, then government economies at that point fall into a spiral. It becomes negative, the revenue that comes in, and there is not growth out of the economy.

That only makes sense because where do governments have to go to finance what they have to do. There is one place that they have to go, and that is in my pocket and in the pocket of the American consumer and that is in the pocket of private industry.

Now there are some nations that don't allow for private industry. They have government-controlled economies. We have seen that in the living laboratory of the last 100 years of history across the world. We have seen the engine, the greatest engine of prosperity known to man through the annals of history which would be the United States free market capitalist-based system.

You look at the dramatic growth and increase of standard of living, opportunity and freedom, it has occurred on America's watch from 1900 to the year 2000. You saw dramatic growth and wealth creation like we have never seen before in the history of the world.

In fact, up until about 2006, we saw the greatest wealth enhancement in recent times. Under six of the eight years of President Bush, we saw some of the greatest increases in private wealth enhancement than we had ever seen in all of history. How did that happen? How did that occur? Well, it didn't occur because of dramatic increases in government spending. Where it occurred was the genius of private wealth creation. That is what America has given to our people. We have given the genius of freedom which in turn has given us the genius of prosperity and the genius of private wealth creation. It is what I wish for my parents. It is what I wish for my children. It is what I wish for my neighbors, that they would have private wealth sufficient to be able to satisfy not only themselves, but so that they can give out of their bounty to others. And that is what we have seen occur in this country, and the genius of wealth creation in private hands that has led to some of the greatest levels of compassion and of charitable giving that we have ever seen in the history of our country.

But what has been the response of the Obama administration? President Obama in his State of the Union address stood in this Chamber addressing this body as well as the United States Senate and the American public. And he said very simply and unashamedly, he planned to cut the deduction that Americans can take for charitable giving.

Now I don't know about you, but I think it is very good, Madam Speaker, to encourage Americans to give more money to the charity of their choice. Whether it is their local church, and local churches and religious groups were the groups which began America's hospital system. In every community across the United States, we boast wonderful hospitals—Presbyterian hospitals, Lutheran hospitals, Catholic hospitals, Baptist hospitals. Denominations saw to it that in their local communities, they weren't just meeting the needs of their parishioners only—only of Catholics, only of Presbyterians, only of Lutherans—they saw as Christ reached out to the infirm with his own hand, that they wanted to reach out in a charitable context and reach the needs of people beyond their own denominational doors, reach out to literally give a glass of cold water to those who were infirm, and meet the health care needs of those in their community.

I worry, Madam Speaker, I fear, Madam Speaker, that as President Obama is seeking to cap the gift giving that Americans will now be able to do to their local churches, to their local hospitals, to their local charitable institutions, that we will see these great givers of gifts, local charities, dry up. Why, because the Federal Government, the philosophical direction that President Obama has taken is that he believes the Federal Government can do a far better job spending your money than the American people can spending their own money. Madam Speaker, I beg to differ. No one spends their money better than the individual, and no one needs their money more right now than the individual. No single mother needs their money more right now than that single mother who may have three kids, who may have four kids.

I know personally in my own life when my mother found herself a single mother after a divorce that left her with four children, she had to take a low-paying job because she was determined that her children would be fed, sheltered and clothed. There wasn't much money available. We went immediately overnight from being middle class to being below poverty. But I had a mother who was determined that her children would have shelter. We didn't have a home any longer in the suburbs. That had to be sold. But we had an

apartment, we had somewhere to live, and my mother made sure that she worked. And I began at about age 12 getting baby-sitting jobs. My brothers got newspaper routes. We did what families are doing today. They are doing whatever it takes so they can survive so their children can have a meal tonight when they come home from school. They are doing whatever they can.

So, Madam Speaker, it strikes me as cruel that a philosophical decision has been made by the Obama administration and by the Democrat leadership that runs both the House and the Senate now in Washington, D.C., every lever of power today is controlled by the Democrat majority, and that decision has been made. Clearly it has been made affirmatively, and it has been made time and time again in the last 50 days of this administration. And it has been that we need to spend more money which in turn will mean the poor American people will have to be taxed almost into poverty to pay for this profligate spending.

Madam Speaker, I would ask: what is this emergency spending that the President believes must be done to save the economy? And I think, Madam Speaker, that it would sicken the American people if they knew what some of these spending projects are. Here are some among them. My colleague, Representative JASON CHAFFETZ of the Third Congressional District of Utah talked a little bit about the stimulus bill that is costing the American taxpayers well over a trillion dollars with debt service.

We received that bill and had only limited hours to be able to debate and vote on that bill. But the nasty little secret, Madam Speaker, that the American people are sadly learning is that not one Member of Congress was given an opportunity to read this bill before we were asked to vote on the highest spending bill that has ever come before this body. Ever in the history of man, no one has ever spent in one fell swoop a trillion dollars before in a spending measure. And the Members of this body, the people's representatives, weren't even given the courtesy of reading this bill which broke every promise that was made to the American people during the course of the last election.

On the campaign trail, we heard over and over again from then-Senator Obama that he wished to give the American people 5 days to read these bills online so the people's representatives would have time to read these bills before we vote on them. He wanted to ensure complete transparency, complete openness. We cheered President Obama when we heard that, and we are sadly disappointed that President Obama has chosen, together with the Democrat leadership that runs Congress, that they did not want, that they were so ashamed, could it be, of the stimulus bill, we don't know what their motives were, we don't know. But what would lead them to keep this bill in hiding?

As a matter of fact, there isn't one Republican word in the trillion-dollar spending bill, not one word of bipartisan support. There were some offers of bipartisanship that we heard in the press, but no real extending of the hand to the American people to have true bipartisan intervention in this bill.

As a matter of fact, President Obama came over to meet with the Republicans, and we were so delighted. When President Obama came over to the Capitol, the Republicans in the House came together. We welcomed President Obama. When he came in our closed-door meeting, we prayed for our President and we promised him that we will pray for him at every meeting and that we will also have an open door to him. We have an eternal olive branch held out to President Obama because we want to be able to work with him. However, what we saw was that olive branch was not extended to the House Republicans.

□ 1545

We were not invited to those negotiations. As a matter of fact, the ranking member, the House Republican, lead member on the House Ways and Means Committee—and that would be Ranking Member U.S. Representative DAVE CAMP from the great State of Michigan—he said he was walking to the rotunda, and never in his career here in Congress has this ever happened to him. He walked past Senator HARRY REID, who was at a microphone announcing that a deal had already been struck in negotiations on the stimulus bill. Where was Representative CAMP going? He was going to attend the conference committee that was supposed to come up with the agreement on the stimulus bill. Representative CAMP, the Republican, hadn't even yet made it into the conference committee meeting and Senator HARRY REID was already at the microphone announcing that an agreement had been made.

The Republicans had been had. But what was worse, Madam Speaker, the American people had been had because there was no bipartisan agreement. We questioned President Obama. One of our Members, Representative ROSCOE BARTLETT from the State of Maryland, said, Mr. President, I have lived through the Great Depression, I have seen it. What evidence do you have that this radical spending and radical government intervention into a troubled economy will be able to pull our economy out of these current doldrums? Because it's never occurred before in the history of America where radical spending has literally brought us back to American prosperity. Prosperity does not follow spending. Prosperity follows the belt tightening that government has to do so the American people have more of their own money to spend.

When our Member, Representative BARTLETT, asked this question of the President, here was the President's response; he said, I disagree with your premise. He said, I believe that the problem with President Roosevelt is that he failed to spend too much in the 1930s. I, for one, was incredulous, Madam Speaker, when I heard President Obama say that he believed that President Roosevelt failed to spend too much to bring the economy out of the doldrums. That was amazing. No President has ever intervened more, has ever spent more. In fact, many historians agree that what was a recession that President Roosevelt inherited turned into a Great Depression. And we don't want to see that happen again for the sake of our children, for the sake of the United States economy.

And then the question was asked about taxes to our President. He was asked about the massive tax increases that will surely result as night follows day from all these dramatic spending increases. And President Obama said simply this—he was attempting to be humorous, and he said, Well, I live down the street in a very nice house, Pennsylvania Avenue, 1600. I really like it there. And he said, I don't have a lot of expenses and I don't pay property taxes; I can afford to pay a little more. And again, I was incredulous by that statement. It almost reminded me of Marie Antoinette when she said, ''Let them eat cake,'' meaning that the rest of us aren't living in public housing, the rest of us are struggling with the day-to-day expenses that we deal with. We are all in need of as much money as we can keep in our own hands, not sending it on to the Federal Government.

We have joining us in the Chamber right now another representative from the great State of Missouri. His name is TODD AKIN. And TODD AKIN has long been a champion against dramatic increases in government spending. He has long called on this body to get its house in order. And I will now yield to the gentleman from Missouri.

Mr. AKIN. Well, thank you, gentlelady. It's a treat to be able to join you this afternoon on the topic that I think arrests the attention of Americans everywhere, the state of our economy, and what should and could the government be doing about it?

If we just back up a small amount and try to frame the question, we go back to a time, a number of years ago, when there were created these Freddie and Fannie quasi corporate entities. And what happened was, under President Clinton what happened was that they decided they were going to increase the number of loans that were going to be made to people who couldn't afford to pay their loans—which is a little bit of a risky thing. And so we created these entities and we issued a whole bunch of loans to people.

And while the real estate market was doing well, it looked okay on the surface. And then, as everybody knows, what happened was the real estate bubble popped, and now all of a sudden you

have this socialistic kind of policy that was implemented by the Democrats that was supposedly to help people with loans, and now the whole thing is collapsing and people say, well, this is a failure of free enterprise. It's not. It's a failure of another one of these government programs that's trying to take two plus two and get eight out of it. So that's essentially what happened.

If you want to take a look at the New York Times, you can look at September 11, 2003. And you can see what happened in 2003, and that was the President, President Bush at that time, was saying, hey, we've got problems with Freddie and Fannie, you've got to give me authority to regulate these guys. And a Member of the House here, Congressman FRANK, said there's no trouble with Freddie and Fannie. A couple of years later it turned out he was radically wrong, and now the whole world is in an economic tailspin because we had these loan programs. Well, that's where we are.

So the question then becomes, what should we do? Well, obviously we shouldn't keep making loans to people who can't afford to pay them. But the other thing that you know in a recession is this; you don't want the government spending too much money. Well, why would that be? Well, because there is an effect that goes on. When the government spends too much money, it's like a big vacuum, it sucks that liquidity out of the regular private sector. And the private sector are the very ones that have to fix the problem.

To get the economy going, you've got to get the private sector going. The government can do anything it wants, it can do handsprings and all this sort of stuff, but the government makes no wealth whatsoever, all it does is spend wealth. It can print money, it can tax people, it can spend money, but it doesn't create prosperity, it doesn't create efficiencies. It simply can hamper the process.

So what's going on here? You've got two basic theories about what you do in a recession. One of them was started by FDR. And he had a guy, this fellow here that I have a quote, his name was Morgenthau. Morgenthau was Secretary of Treasury under FDR—and this is the first theory of what to do. And Morgenthau's idea was, we're going to spend a whole lot of money to stimulate the economy, and that will make everything better—because we're starting to enter into a recession back in the 1930s. And so Morgenthau, along with this Little Lord Keynes—who was a little weird—came up with this idea that they were going to spend a whole lot of money. And so they did it. And here at 1939, after he's done this for 8 years, Morgenthau meets with the Ways and Means Committee, and he takes a look and says, we've tried spending money. We've spent more than we've ever spent before, and it doesn't work. I say after 8 years of the administration, we have just as much unemployment as when we started, and enormous debt to boot. So that's one theory. The theory is—and this is one that the liberals have always liked because they love to spend money—is if you spend enough money, you can get out of trouble.

It's a little bit like if I were to tell those of you here today, reach down, grab your shoe laces and lift hard and fly around the House Chamber. That's what this is like doing. And, you know, there isn't hardly an American family I can think of that's dumb enough to support this idea, and Morgenthau finally figured it out in 1939. There's not an American family that would say, when you're in economic trouble, go buy a brand new car, spend money like mad because maybe things will be better the next day. We just know intuitively, when you get in trouble, you've got to hunker down a little bit. That's what you do in Missouri, you've got to hunker down and use a little common sense. So this theory doesn't work.

Now, what's the other approach? What do you do when you have a recession? Can the government do anything? Well, it can. What it should be doing is not spending so much money, which is the topic of the congresswoman's discussion this afternoon. We're doing the wrong thing, we're spending too much money. The reason that that doesn't work is it pulls money out of the basic, particularly out of the places in the economy that need to have money in order to create jobs and productivity.

So, you see, jobs here, they had a big problem with unemployment. Eight years of government spending, they still had a big problem with unemployment. Now, what we've done is spent money like mad in the last couple of months, and people say, I'm not sure it's going to work. The stock market is saying, I don't think that's going to work. And history says, I don't think that's going to work. And the Japanese tried it and they say, that didn't work for us. You don't want to go spending a whole lot of money when you're in trouble.

What do you want to do? Well, here's what you want to do. You want to make sure particularly that the small business people have enough liquidity to get their companies going. And so what you want is policies that are going to keep money in small businesses so they will invest because 80 percent of the jobs are in small business. You've got unemployment? You want small businesses going like mad to create more jobs.

And so how do you do that? You let the small businessman keep money so that he can plow it back into the business, create the jobs that create the productivity. You need people who are entrepreneurs and who are inventors and investors. You want those people with the liquidity to be able to get the economy jump-started. And that means the government has got to stop spending money.

Well, what way are we spending money? Wow, we're really spending money. This last thing that they called the stimulus package—I call it the porkulous package—I'm on Armed Services, we deal with things like military things. And one of the biggest, most expensive things in our budget is called an aircraft carrier. We have ships surround them to protect them. We've got 11 of them. They're really expensive and they're really big, and we protect them because 11 of them are very valuable. And they cost about $3 billion apiece.

So what we passed in the House, do you know how many aircraft carriers you could buy for the money we borrowed that our kids and grandchildren have to pay back? You could make 250 aircraft carriers. Can you picture 250 aircraft carriers in a row? That's an incredible number. Or if you want to look at it a different way, you've heard us complain, you've heard the media complain about how big the spending was in the war in Iraq and Afghanistan. Add the spending in Iraq and Afghanistan together totally for both wars, add it up. Well, we spent more than that in the first 5 weeks we were here in Congress this year. That's a lot of spending.

And now here we've got, on top of that, here's the President's tax increases for 2010. And what exactly does this big tax policy do? One, this is cap and trade. What this is is global warming, which means your electricity and your power is going to be more expensive. Guess who uses that? Small businesses. This is going to be hammering not only to small people, not people making a lot of money, the little guys. You have to pay an electric bill? You're going to get hit with this tax. This bit about this is just for rich people is baloney. If you have an electric bill, you're going to pay this tax.

And this one over here is on small business. Both of these things affect small business. This is exactly the wrong thing to be doing. Tax increases is not what we should be doing. We should be going in the opposite; we should leave the money in the small businessman's pocket to create the jobs.

And the gentlelady, Congresswoman BACHMANN, I really appreciate you taking some time to talk about the economics because this is on the minds and hearts of Americans. I appreciate your sharing a little bit of your time on the floor with me.

I see you have some other distinguished colleagues here that are very qualified to talk on this subject, so I don't want to rattle on too long. But I thank you very much for giving me a few minutes.

Mrs. BACHMANN. Thank you for yielding back.

The gentleman from Missouri, TODD AKIN, is so well respected in Missouri for a reason; he's a great historian and a lover of history. And I had done some reading myself on depression-era economics because that's really, I think, a very important area for us to look at

right now when you look at the parallel and compare and contrast between the policies that are being implemented today and the parallel nature that they have with the 1930s. Eleanor Roosevelt said that there were only two people who could say anything to her husband and cross him; one of them was Henry Morgenthau. And Henry Morgenthau, the United States Treasurer, as Mr. AKIN had stated, was one of the people who came to the very clear conclusion that overspending had been a huge mistake. And that is the focus of this Special Order hour this evening is on spending. And we saw that, throughout the 1930s, a misery index unlike any other had been created because of rampant out-of-control spending. And Henry Morgenthau said—probably the person who could testify the best to that level of government intervention—it was wrong, it was a mistake, it didn't work. And the one thing we know about history is if we don't learn from it, we will live to repeat it.

And I believe, Representative AKIN, you can correct me, that it seems that you are saying clearly to the American people, let's not, President Obama and the Democrats who run the House and Senate here in Washington, repeat that same mistake.

I will yield to the gentleman.

Mr. AKIN. I think you're absolutely right. And that is definitely my point. The point is is it was tried under FDR. You can at least say they were trying a new theory of how to get the economy going. And they tried it and it didn't work and he made it clear it didn't work. And now, apparently the Japanese didn't learn too much from our history, so they tried it for 10 years, did all kinds of government spending like mad, and they basically wasted 10 years of the productive use of their own economy because the Japanese knew it didn't work.

And the thing that's ironic is, not only do we know what doesn't work, we know what does work. JFK and Ronald Reagan, both of them did the right kind of tax cuts. The economy turned around. We had long periods of very productive, good economic times in America because they did the right thing. Why don't we use the good example? Well, I think part of the reason is is because we have a mindset now in Washington, DC. that big government is God and it knows better how to spend our money. And we just like spending a whole lot of money, but it's not what's going to make the economy better. And there are going to be more and more of your and my constituents who are going to be suffering because they don't have jobs, they've got mortgages that are too big, and they're really feeling the squeeze.

And it's a shame when you can't learn when history is staring you right in the face. But I really appreciate your putting the focus where it belongs in this excessive government spending. And you can take a look at billions and billions of dollars—and the numbers just seem so big, but when you put it in perspective, the whole war in Iraq, the whole war in Afghanistan, added together, spent by this House in the first 5 weeks of this year, that's a lot of money, that's an awful lot of money. But I do see we have some experts on the floor, and I thank the gentlelady for yielding me time.

Mrs. BACHMANN. I thank the gentleman from Missouri again, Mr. AKIN.

And this is a tremendous historic shift in philosophy that has occurred in the last 50 days. Again, the Obama administration, what's occurring—and this just came out in the Washington Times, ''The world loses over $50 trillion.'' The markets are responding, the markets aren't happy.

□ 1600

When they take a look at this massive government spending and, as Mr. AKIN had said, the new shift that says that government is God, what we are doing now is we are embarking on a new level of tyranny never seen before in the history of this country. And that's really the divide: liberty/tyranny. There is a constitutional scholar, Dr. Mark Levin, who's writing a book that's about to come out that talks about that chasm between liberty and tyranny. America was birthed out of liberty. We want to make sure that that continues.

And a cradle of liberty was the great State of Tennessee, and hailing from the Second Congressional District of Tennessee is Mr. JIMMY DUNCAN, one of the great gentlemen of this body, Mr. DUNCAN, with his words of wisdom on spending.

Mr. DUNCAN. I certainly want to first commend the gentlewoman from Minnesota. She has been a real leader in the Congress here in attempting to call attention to the great problems that we're going to face if we don't get our fiscal house in order.

And she just showed an article from the Washington Times. Just yesterday there was another article in the Washington Times that said the Polish currency had dropped 60 percent in value since last August and the Ukrainian currency had dropped in value 43 percent just since last September. And those are the kinds of things that we're going to face.

A few years ago, I was told that in Argentina, they got into such bad fiscal or financial shape that suddenly they had to start raising the prices in the grocery store every 4 hours. And the American people, I don't think, realize how tough and how difficult and how extreme our problems are going to become if we don't get our fiscal house in order.

It's mind-boggling, in fact, it's incomprehensible, that Congress voted a few months ago, and we voted against it, but they voted to raise our national debt to $11.315 trillion. And nobody can really comprehend a figure like that, but what it really means is that it's not going to be long at all before we're not going to be able to pay all of our Social Security and veterans' pensions and all of the things we've promised our own people with money that will buy anything, and people are going to face some really tough times if we're not careful.

Some of our leaders are looking dreamily back at the New Deal, and our colleague from Missouri just gave a quotation from one of President Franklin Roosevelt's Cabinet members. What we are doing now is, unbelievably to me, astoundingly to me, we're almost making Franklin Roosevelt look conservative by what we're doing. And I have talked about debt that we have. Under the administration's most optimistic predictions, we are going to add $4 trillion more to our debt over the next 3 years. I'm in my 21st year in the Congress. I never believed that we would be facing the kinds of deficits and debt that we're taking on and facing over these next 3 years. So I want to commend our colleague from Missouri, Congressman AKIN, for his remarks. I heard a lot of the things he had to say, and I know that Judge CARTER, our colleague from Texas, is going to speak shortly, and I'm going to just take just another minute or two. But I think this problem that's being discussed here is so very important, we can't emphasize it enough because it overrides and affects everything else that we are talking about here in the Congress.

David Walker, who's the former head of the GAO, has been going all over this country over the last few months trying to be a Paul Revere and sound the warning about what we're facing and what we're getting into, and he talks about the $11 trillion debt that we have, as mind-boggling as that is.

But what is even worse, in one of the Capitol Hill newspapers today, he has a column and he mentions, as he has mentioned before, that we have over $56 trillion of unfunded future pension liabilities. Under our law if a private company sets up a pension plan for its employees, it has to fund it, and its leaders can be put in jail if they don't fund those private pension plans. But our leaders, we've done this very thing over these last few years. It started with the Great Society because President Lyndon Johnson didn't think people would stand in the late 1960s for huge deficits at that time, but what we did back then was just nothing, was minuscule, compared to what we're doing today.

We talked about the New Deal. A few days ago in the Washington Times, 203 leading university economists signed a full-page ad, and they said this:

''We, the undersigned, do not believe that more government spending is a way to improve economic performance. More government spending by Hoover and Roosevelt did not pull the United States economy out of the Great Depression in the 1930s. More government spending did not solve Japan's 'lost

decade' in the 1990s. As such, it is a triumph of hope over experience to believe that more government spending will help the U.S. today.''

These economists, as I said, 203 leading university economists, continued and said this: ''To improve the economy, policymakers should focus on reforms that remove impediments to work, saving, investment, and production. Lower tax rates and a reduction in the burden of government are the best ways of using fiscal policy to boost growth.''

Unfortunately, we're going in the opposite direction now, and it is a very dangerous road. We're going down a socialist path, and socialism, my colleagues, has never worked anyplace in this world. If it had, the Soviet Union and Cuba would have been heavens on Earth. Instead, every place where we have let the government get too big and get out of control from a financial standpoint, we have ended up with a few elitists at the top, almost no middle class, and a huge starvation or underclass. That's the only thing government is good at is wiping out the middle class.

And what we have got to make more people realize is this: There's waste in the private sector, I recognize, just like there's waste in government. But the waste in the private sector pales in comparison to the waste that is in government. So every dollar that we can keep in the private sector does more to hold down prices and create jobs than does any money that's turned over to government, and that's been proven all over the country. And the best way we can help the poor and the lower income and the working people of this country is by keeping more of our money in the private sector where it will be spent much more economically and efficiently than it will be if we turn it over to the government.

I know there are others that want to speak, and I have taken up more time than I should have, but I once again want to thank the gentlewoman from Minnesota for taking out this Special Order and for all the good work that she does in this Congress.

Mrs. BACHMANN. I appreciate the gentleman from Tennessee's Second Congressional District, Mr. JIMMY DUNCAN. He's a tremendous gentleman of the South but also a tremendous fighter for the people, the common man, who understand how they have to run their own family budget. And they look at this Congress and they look at this current Obama administration, and they are shaking their heads. In coffee shops and barber shops and beauty parlors all across the United States, Americans are disgusted because they know in their own life, they can't begin to spend that kind of money and think that their family can possibly remain afloat. And they know that they are going to suffer, that their local neighbor is going to suffer, that small businessmen are going to suffer, and suffer they will.

But that does not have to be our story in the United States. It can be completely different. The House Republicans have a very positive solution to all of this, and we can come out of these economic doldrums very quickly, and the solution is this: If we would zero out capital gains, the taxes that you have to pay when you invest your money, if we would zero that out for 4 years, people would invest in this economy. And if we would take the business tax, it's the small businesses, after all, that create 70 percent of all jobs in the United States. If we would take away their crushing burden and, instead of the second highest tax rate in the world, give them about one of the lowest rates in the world, 9 percent, make that a permanent tax.

Right now all across the world, nations are scared to death financially. They want to go somewhere where they can invest their money. Imagine if we would make the United States the premier place in the world to invest for business creation and advancement. We would bring jobs into the United States, high-paying jobs. Zero out the capital gains tax, 9 percent corporate tax, and then lower everyone's income tax by 5 percent. And the death tax, the most immoral tax there ever could possibly be, that Uncle Sam would reach into your coffin at the time of your death and say now you pay taxes once again. Get rid of that tax. Get rid of the alternative minimum tax. Our problem would then be finding enough workers to fill all the jobs.

Someone who understands this very well is a southerner named Judge John Carter from middle central Texas, representing Texas's 31st Congressional District. He has been a champion. He understands the devastation of overspending, and he's here to bring that, Mr. Speaker, to our body.

Mr. CARTER. I thank the gentlewoman for yielding. She has done a wonderful job in expressing, I think, the mood of the country and the mood of the people in the country.

This weekend I had a great weekend. I opened up a park in one part of my district, then moved to another part of my district and opened another park. And then I went to something called a Daffodil Festival, which is put on by the elderly in our area to raise funds for their center. And there was a huge crowd there, and I just wandered around talking to people. I wasn't there to make a speech or do anything like that, just to talk. And it was amazing how much people wanted to talk about what's going on in Washington.

Maybe my part of the world is different from everybody's part of the world, but everybody that I talked to said we are scared to death about what we're spending our money on and how much of our money we're spending.

When you start tossing around trillions of dollars, those are numbers that the American people, it's so big, they don't conceive what it means. But when somebody gives them an example like it's a stack of $1,000 bills 63 miles high or if you started giving $1 million away on the day Jesus was born, you still wouldn't have given away $1 trillion today. Those kinds of numbers make people say, wow, that's a lot of money.

The average person, they know what they've got in their pocket. They know what the government takes out of their check every month. At least most of them do. And they know what they care about. They want to live a life where they can live the comfortable life of being a free American, the life of liberty that we created when we founded this country. And they see this spending to be enslaving not only this generation but generations and generations to come. And especially, especially, this is such a risk because we have the experience of the New Deal, which, according to the Secretary of Treasury Morgenthau, after 10 years, 9 years of trying, didn't work. He was the guy in charge of the program, and he said the spending didn't work.

Now, today there was a fact that came out and it was given to me as the truth. I don't know what the source was, but I think it is the truth, that we have now seen the most rapid fall in the stock market in American modern history, that history going back to 1900. Now, that means during the Great Depression the stock market didn't fall at the rate it has fallen now.

Now, I'm not telling people that to scare everybody because everybody is already scared. The truth is it's time for us to step up and say what would you do in your house if the ski was falling, as it seems to be falling in Washington, D.C. today? Most everybody would say, man, you know what we're doing? I'll tell you what we're doing. We're making sure we hold on to our jobs. We're making sure that we are going to have the resources to feed, clothe, and shelter our family first and foremost. We're going to take care of the basics, and we are not going to waste a dime in our budget.

I know waste is in the eye of the beholder, and, of course, I probably don't agree with many of the programs that the President has put into the budget and the stimulus package because we have a different view of government and of society. But I can tell you that there was so much put into the package that didn't even have a target to stimulate but rather was to promote an agenda which was a part of political promises that were made on the campaign trail. And when you're talking about three-quarters of $1 trillion, almost, then you're talking about an awful lot of money being spent on promise and not on production.

□ 1615

What our job is here in Washington is to produce jobs for the American people.

Mrs. BACHMANN. I just wanted to give one illustration of this, and it

caused me to think of this when you were speaking, if you take a look at just the money that's been spent in the last 50 days, just in the past 50 days, let alone the debt that the Comptroller General David Walker said the American people owe, which is $53 trillion in unfunded Federal debt liabilities, just in the last 50 days, the Obama administration and the Democrats that control the House and the Senate have spent and committed and put a burden on the back of every American household, $18,500, $18,500.

So not only do the American people have to figure out how to pay their water bill and their electric bill, they have got to figure out how to come up with $18,500 just to come up with the spending of the last 50 days.

Mr. CARTER. And that spending was new spending.

Mrs. BACHMANN. That's correct.

Mr. CARTER. That was new spending. You see, we are creating new spending. Well, just for example, we are expanding welfare spending by $2.9 billion.

We were proud, and the Democrats and the Republican puffed our chests out when we said we fixed welfare in the 1990s. We did, but we turned it right back around in 2009 and put it right back where it was when we fixed it.

Mrs. BACHMANN. I think the American people would be shocked to learn, because the welfare reform that passed in the 1990s was with a Republican House and a Democrat President, President Clinton, has been dramatically effective to reduce even illegitimate rates and reduce welfare rolls and reduce costs to taxpayers all across the country.

I think the American people would be shocked to learn that all of those positive reforms have been repealed in one fell swoop. In the stimulus package the Obama administration rolled back the positive reforms that Republicans, working hand-in-hand in a bipartisan way, were able to bring about for the American people.

Mr. CARTER. Here we have got some other things that are curious, Barney Frank's Affordable Housing Trust Fund of $1 billion. Here is one, this is something that concerns me.

And I am going to state this on the record so it's very, very clear, that I did not vote for the stimulus bill, and I will tell you why I didn't vote for the stimulus bill. I spent almost the whole night before that vote talking with the former chairman of the FDIC, and the question that he couldn't answer, the question I couldn't get anybody in this House to answer, including my President, the President from my party and the Treasury Secretary from my party, the answers I wanted were what exactly are you going to do with this money?

And they said buy bad assets and other things. It was the ''and other things'' that I didn't like. It was the ''and other things'' that said who in their right mind gives a blank check to anybody? I don't care who they are.

Mrs. BACHMANN. That's a tremendously powerful point that you are making, tremendously powerful. You cannot spend trillions of dollars and not see massive waste, fraud and abuse. In fact, it's so bad that a lawsuit was filed by Bloomberg Media to the Federal Reserve saying we would like the American people to see the data.

Who is getting these loans out of this $350 billion, now $700 billion, that have been spent on these bailouts? Every day the Federal Reserve is spending money in bailouts, but no one knows. No one knows, no one knows who is getting these loans, what is it for?

The American people deserve answers. The American people aren't getting them, and that's the kind of immorality that occurs when we have dramatic spending like we have never heard before. This is real people, real people are paying out this money. This is no joke. These are people that literally will become slaves to the government in order to pay their taxes in future years, and this is a crime for the next generation.

Mr. CARTER. I bring this up because I want to point out that one of the things we are about to do in the omnibus is health care reform fund, $634 billion. Now, what does that mean, health care reform fund?

Well, we don't know what it means. Just yesterday the President was asked, are you a socialist, and he said, in several different answers, no, he was not. And yet you hear people say it's for some form of single-pay socialized medicine, but you don't get any commitment that's what it for. In fact, it just says ''fund.''

Mrs. BACHMANN. I wonder if this bill will come to us the same way that stimulus bill came after midnight, and then we are expected to take up the debate at 9:00 in the morning. In fact, experts said we had 23 seconds per page to read that bill.

It was a slap in the face to the American people to spend that kind of money in stimulus, and now you are talking socialized medicine. This is nationalizing. This administration loves to nationalize every aspect of every American industry that there is. The health care industry, which could be 18 percent of our economy, in one fell swoop, could be nationalized.

Mr. CARTER. Even more important, the Constitution of the United States says the Congress initiates spending, not the executive, the Congress.

I have absolutely nothing against the President, this is not any criticism, any man sitting in that office, not just Barack Obama, but any person, male or female, and if you give them a blank check and they don't tell you what they are going to use it for—$634 billion, then Congress is not doing its duty.

Mrs. BACHMANN. It doesn't matter which person is in that office, which party.

EXCESSIVE GOVERNMENT SPENDING AND WASTE

The SPEAKER pro tempore (Mr. LUJÁN). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes.

Mr. CARTER. Well, it's hard to change from one bicycle ride to another one, but we will give it a shot anyway and finish up what we were talking about on that spending.

I just want to tell a story to you about a little old, a real good little school that's in my district, Tarleton State University, who took on a project which was started by Congressman Stenholm and then later supported by me to do a little data mining on crop insurance. This is a relatively small but important program used in the farm community, crop insurance.

And they wanted to see if they could find, by doing data mining, waste, fraud and abuse. And, in reality, they found and actually, I guess, went forward on, prosecuted, $500 million, a half a billion, $500 million of waste, fraud and abuse in the crop insurance program. This is a little small but good university in central Texas.

They also, by going actually going after these people, turned around, they estimated, another $1 billion worth of crop insurance fraud that was out there. Now, if Tarleton State University, this fine little school in my district, can go out and do a data mining project on a small program and find that kind of waste, fraud and abuse, what could we find in a put together rapidly massive spending program like we have been describing in the previous hour?

I think that's what the American people want this government to do. They want to find out where we are cheating and wasting the government and getting rid of it, and they want us to put together a tax structure that encourages businesses to hire people. I had a conversation, and this will be the last thing I will say on this, I had a conversation with a family, a Hispanic family, four or five, I forget, at that fiesta I was telling you I went to.

They were talking about one of them lost his job, the other two had gone on reduced hours, and you know what their comment was? They made a joke about I haven't received my check yet, about the famous percentage check they thought they were go going to get.

And then they laughingly said and got serious, they said, we don't want a check, we want a job. And we want something to turn around to where people want to keep their jobs open. Let us work a full, 40-hour week. We want to work. We are not looking for a handout.

I really think that's the American people and that's what they stand for, and I think that is our challenge that we go forward on that. But today there are some other issues that I think there are issues that go hand-in-hand

with what we are doing with the economy, because in reality, the real issue of what drives the markets and what drives the confidence of the American people support the trust issue.

It's can we trust the people we put in charge of this mess in Washington to be doing this thing as straight and as straightforward as they honestly can without any particular person or agenda or personal profit from the procedure, but, rather, to be doing the best they can for the American people. Can we trust them?

And that's really what we are up here about. You know, when I ran for Congress, I made the statement, which I was loaned from JOHN CULBERSON, his campaign, that it's all about who do you trust to go a couple of thousand miles away from home and do what they say they are going to do.

Well, that's the real issue. The real issue is trust. If we start to see it, and in the last Congress, our colleagues on the other side of the aisle, they came up with the culture of corruption and used it very effectively to defeat Republicans and raised issues, certain issues that ended up with people going to prison, and I understand that.

But that doesn't mean when we change that those issues all of a sudden don't matter any more to be discussed, because they need to be discussed, and we have issues right now that are destroying the underpinnings of trust that the American people have for those who are in charge.

And I have, on a couple of occasions prior to today come in and talked about the Rangel rule. I was interested to see this morning on the news, some gentleman wrote in to the IRS that he had failed to pay his taxes and he was going to catch up when he could. Until that time, he was exercising the Rangel rule, and he named three or four other people's rule, and that he didn't expect to pay penalties and interest when he got caught up with his taxes.

Well, I didn't tell you that was the law, I told you that's what I thought the law ought to be. But the point is somebody gets it, that's not fair. Somebody gets it, how can you trust somebody when they get special privileges and you don't?

Then I picked up this morning's newspaper, Roll Call, and I find that we have got another issue that ought to be talked about, and these are people that we work with and we respect, and there may be an explanation, but I think we are owed an explanation. Congressman MOLLOHAN, according to this morning's paper, his family foundation received $75,000 worth of free rent from a group that he helped start and he got millions of dollars of earmarks for so they could exist, and he got $75,000 worth of free rent for his family foundation.

I don't know if that's a bad thing or a good thing, but it doesn't sound right. It doesn't meet the "'tain't right test." Maybe it does meet the "'tain't right test," and something needs to be explained.

I am not calling anybody corrupt, like we were called corrupt, which, by the way, irritated the heck out of me. But, I am saying it ought to be explained, and I am saying that it is part of what I have been talking about, that there is accountability that's required of folks in this House.

Besides the things that I have raised against Chairman RANGEL and the taxes, there are those and other things. I have a poster over there, which I guess I am not going to put up, I forgot to, but it shows a long line of people waiting in New York City to sign up for rent-subsidized apartments.

And by Mr. RANGEL's own admission on the floor of this House, he had four rent-subsidized apartments—and I understand none of which qualified to live in—that he knocked out walls and made it into one big apartment and a campaign headquarters in a building where lines were going around the corner for families who were entitled to live in rent-subsidized apartments were waiting to get in.

I think that needs to be more adequately explained than it was. Just by turning yourself into the ethics department does not mean that you have answered the question.

□ 1630

So these issues are issues that are with us. They are issues that, if we are going to talk about trust in Washington, we have got to also be able to talk about trust from the American people about the activities that are going on in Washington.

We learned that the Chief of Staff of the White House, Rahm Emanuel, he lived rent-free in an apartment that was owned partially by one of our Members, Ms. DELAURO, but also owned by her husband, who the DCCC, which Rahm Emanuel is in charge of, gave $500,000 in projects to do I think it was surveys and such and so and so. So, he benefited of a value of $100,000 worth of free rent over a 5-year period of time, and it can be argued that he gave contracts to the people that he benefited from. Now, maybe that's not what happened.

You know, I used to tell juries all the time—for 20 years, I looked every juror in the eye and said, You're not to read anything about this case in the newspaper, watch anything on television, or listen to anything on the radio about this case. Because, believe it or not, sometimes the newspapers get things wrong. And they would all laugh because they knew that was the truth.

And I'm just saying, we have at this time probably the biggest crisis in American history, certainly in my lifetime, and I have been around much longer than the Speaker has, and I can tell you that this is the biggest crisis. And I had a man, one of the most highly respected former Members of this body, both sides of the aisle respect and love him—I won't use his name because I don't want people to know how he feels—but he said, Never, in all the things I have been through, war, recessions, and other things, have I ever been so concerned for the future of my country as I am today.

When that kind of statesman makes those kind of statements, we are in a time where at least it is the feeling of our Nation that we are worried about the future. And we are worried and want to trust those we have put in office. And I want them to be able to trust us.

So, I am saying when I raise these issues, these are issues that cause more distrust. And they need to be responded to, and they need to be resolved. Quite frankly, they need to be resolved, in many instances, by a body of this House—the Ethics Committee. The Ethics Committee needs to function.

And I don't know if the American people would think, if they don't know the Ethics Committee, they would say, Why wouldn't it function? I don't know. I'm not on the Ethics Committee. But I can tell you this. It's a committee made up of 50 percent Democrats and 50 percent Republicans. If everybody votes their party line, nothing happens, because it's 50–50.

So, it's a serious committee to be assigned. It's a committee that requires you to sit in judgment upon your fellow Members and to do what is right for America, not what is right for either party or any Member of this House, but what is right for the United States of America under the rules we operate under.

That Ethics Committee needs to function, and it needs to function now.

Mrs. BACHMANN. If the gentleman would yield, I appreciate the remarks that you're making regarding ethics. Ethics, after all, is the study of what's right and what's wrong. That is really, if you want to get down to the brass tacks, that is what ethics is all about—what is right, what is wrong.

And what the gentleman has been talking about is the behavior of Members of this body, as well as the actions that Members of this body take, that lead to what's right and what's wrong.

If we look at this current economic mess that we are in the middle of, what is the morality, what are the ethics that got us into this mess, what are decisions that Members of this body made?

We are taking our fingers right now—and our mothers often said to us, If you point your finger at someone, remember, there's always three fingers that point back at yourself.

One thing that I think would be a credit to this body is if we examine—now, I am a fairly new Member of this body. This is just the beginning of my second term. But we need to look, how did government contribute to this economic meltdown. How did individual Members, individual Senators, individual House Members contribute to this economic meltdown.

I believe that my colleague, Judge JOHN CARTER, is asking the right questions when it comes to ethics. And I

commend Speaker PELOSI, who said she wanted this to be the most open, ethical Congress ever when she took the gavel as Speaker of the House. We agreed with her. We applauded her for making that statement. However, what we have seen since that time has given us great concern.

The same with President Obama. He has said he wants the most open, ethical administration. But we have been very concerned about what we have seen. And I would just bring up one example of that, and that would be one of our former colleagues—my colleague, Judge JOHN CARTER, brought that up himself.

Again, we don't necessarily know the answers. We aren't a court of jurisdiction here. But we are asking questions that I think the American people have the right to know.

We know that the Chief of Staff of President Obama was one of our former colleagues. A very bright, intelligent man. But we wondered what was missed during the Obama team's vetting process because the Chief of Staff served on the Freddie Mac Board of Directors. Why is this important?

When you look at the economic meltdown, what we often hear is that all roads lead to Freddie and Fannie. That is the government-sponsored entity that was the guarantor of all of these mortgages that are now falling—many of which are falling into disarray.

Well, our former colleague, the new Chief of Staff of the President, served on the Freddie Mac Board of Directors during the time that the Freddie Mac lied about its earnings. It was a leading contributor to this current economic meltdown.

The Federal Housing Enterprise Oversight Agency later singled out Freddie Mac, that Board of Directors of which the current Chief of Staff sits on. And, again, we are not condemning. We just don't know. We are asking questions. That is all we are doing. We are not trying to cast aspersions.

But the Federal Housing Enterprise Oversight Agency said this; that the Board of Directors of Freddie Mac, of which the current Chief of Staff to the President sits on, contributed to the fraud that took place in 2000 and 2001 for, ''failing in its duty to follow up on matters brought to its attention.'' In other words, the Board of Directors ignored the red flags that we are waving in their faces.

Later on, the Securities and Exchange Commission fined Freddie Mac $50 million for deliberate fraud for those years, 2000, 2001, 2002.

The Chief of Staff currently for President Obama was paid more than $260,000, again, according to records and, again, this has to be answered, for the service that he gave while he sat on that Board of Directors for Freddie Mac. And after he resigned from that Board to run for Congress in 2002, Freddie Mac, or the troubled agency's PAC, gave the current Chief of Staff of the President, gave his campaign $25,000, the largest single gift to a House candidate.

Well, again, this is incredible because currently the Chief of Staff to the President of the United States is in the process of trying to dig us out of the mess that it appears Freddie Mac started, all while he sat on the Board of Directors and information was given to that Board.

Again, we don't know. And I agree with my colleague, Judge CARTER, we don't know what those answers are. But surely the American people deserve to have answers. They deserve to have answers about Freddie Mac and Fannie Mae. Who knew what; what did these Board of Directors know; what did they attempt to do, what was their role in all of this? After all, they were fined by the FDIC for their failure to be diligent. Who would have suspected that that failure could have resulted in a multitrillion-dollar meltdown that has brought a terrible disservice to our country, as well as the Community Reinvestment Act.

We need to know what did, for instance, Chairman FRANK, who's currently the chairman of the Financial Services Committee, of which I am a member, what did he know during his time? We know that he has made statements that Freddie Mac was in good condition, Fannie Mae was in good condition, when in fact they weren't in good condition.

What we need to get are answers. What did Members of Congress know about these organizations? Did they contribute or didn't they contribute to their failure? The American people know these are ethical questions because ethics is an issue of what is right, of what is wrong, and we all stand before the American people. None of us are perfect. We don't pretend to be perfect. But the American people deserve answers because we are in a very precarious situation right now and, Judge CARTER, I want to thank you for bringing these questions up before the American people

Mr. CARTER. I thank the gentlelady. Reclaiming my time, I want to point out this is the same Rahm Emanuel who I think flippantly said, A crisis is a terrible thing to waste. As he added all these programs that had been promised programs of various sorts into the various spending bills that we had, he made that statement.

That statement has been quoted on multiple occasions in the newspaper. Probably a flippant statement. But it shows the cynicism within which this whole thing is viewed, and it undermines the trust that we are supposed to have for the people that are in charge.

Mrs. BACHMANN. If the gentleman would yield, I would just add to that. That statement has been repeated many times, and American people wonder exactly what that means. But it's not a standalone statement. That was something that the current Chief of Staff to the President said, but also our Secretary of State, Hillary Clinton, just last week in Brussels, advised a European audience to, Never waste a good crisis.

Those were her words. Exactly what the Chief of Staff to the President said. In fact, 5 days before President Obama became President, he said that we are, ''5 days away from fundamentally transforming the United States of America.''

Judge CARTER, I think you would agree with me, the last 50 days of American history we have seen a fundamental transformation of the United States of America, and Americans have questions.

Mr. CARTER. Reclaiming my time, that is exactly what we have seen. And that is exactly what I think these statements mean. I mean, when we're talking about that trust factor, I don't think that anyone, including the President of the United States, ran on that he was going to fundamentally change the United States of America. What he said was: Hope. Give hope a chance. We are going to bring a new world to this world. But he didn't say, I'm going to change the whole United States government. And maybe it won't. We are still a democracy. And life changes as we move through this 4-year period of time.

But getting back to what I'm here to talk about, which is what we've been talking about, is accountability and ethics. And I want to continue to emphasize that I do this out of no malice toward any of the individuals, and I would hope that all of those issues are resolved favorably. The reason I would hope that is I'm not in the business, as others have been, of burning down this House. That's a slogan that's been used for years, but nobody ever went that far. That is far enough to where the American people distrusted the Congress. Yet, we are sitting still at around a 20 percent approval rating, both sides, the Senate and the House. So that means 80 percent of the people don't approve of us.

It's because we burn down the Congress. We called each other corrupt. I'm a person who believes that every person has the right to be heard and every person has the right to a fair defense. Everyone. And I would hope that we hear those defenses and see those defenses, because the list goes on and on.

John Murtha, with the millions of dollars he's funneling to companies in his district, with the explanation that they create jobs. Yet, those questions by Defense Department to see if they even have a purpose. Hilda Solis, who is the Treasurer of the America's Right to Work Association, which were fiduciary duties, and she lobbied Congress and took direction action. None of those things would entitle her to be holding office. She failed to pay taxes to the IRS for 16 years. Nothing has been done about that.

William Jefferson is under indictment for $90,000 in cash in his freezer. The cold cash case. I'm sure that's

going to be resolved sometime, now that it is in the court system. And it goes on and on.

We have Tim Mahoney, who was using taxpayer funds to pay extortion to a former staffer to keep his mistress a secret from his wife. The voters kept him from coming to Congress. Recently, Senator BURRIS, who now it's pretty clear that there are accusations that he perjured himself when he gave testimony about the Governor's campaign funds, and yet no one seems to be wanting to do anything about that. This just goes on and on and on.

□ 1645

And, quite frankly, there is so much more to go, I don't really want to go into it. I have talked about some of these things previously.

And what is the issue that I am trying to bring forth here? The issue that I am trying to bring forth here is: Government, when you send someone to Washington, whether you send them 100 miles or 50 miles away from home, or whether you send them 2,000 miles away from home, you expect to be able to trust those people to do what they said they would do and to stand for what they say they stand for. And one of the things you want to know is that these people are trustworthy.

Now, when we have issues like this that are raised without being answered and we have a body whose job it is to resolve those issues, the Ethics Committee, and the Ethics Committee is not doing their job, or if they are we are not seeing the results, then you can't expect people in Wichita, Kansas, or Round Rock, Texas, or San Francisco, California, to hear these things and see these things and not wonder, are those people trustworthy enough to be taking care of my business in the Nation's capital? And I think many of them would then say, if it sticks to one, it sticks to all; which is basically the message that was put out by the Democrats in the last Congress.

I don't agree that if it sticks to one, it sticks to all. I think any time you gather the amount of people that gather in this Congress there are going to be mistakes made. I don't think you can get past it. And I think you can take any body of people, even any membership in a church, and you are going to find that there are issues that would cause people to be concerned. That is not our job. Our job is to make sure that we are the most honest, ethical Congress in history, as the Speaker has challenged us to be. And it is her job as the Speaker, I think, to promote going forward on these issues in every way she can to get these matters resolved; because until they are resolved, they deserve to be talked about, and when they are talked about they can't help but cause people to be concerned.

I am going to tell you that I have been in Congress now since 2002, and prior to that time I served 20 years as a trial judge in Georgetown, Texas, trying felony cases among other things. But I can tell you, I have encountered an awful lot of people on both sides of the aisle in this Congress, and the vast majority of these people are beyond reproach and outstanding individuals and great Americans. They are working long, terrible hours, and wearing out a lot of shoe leather marching up and down these halls to subcommittee and committee hearings to make sure that the Nation's business is done to best of their ability. And that is why, as someone who believes that there is a world of right and wrong, good and evil, that it isn't what each person thinks it is, but there is a concept among humanity that says certain things are right and certain things are wrong. And you can't make it relative to anything. It is a fact.

As one who believes that way, I think it is our duty, and, in particular, it is my mission to point these things out and say let's resolve these issues. And that is part of my message here, because I don't want the vast, vast majority of the people in this Congress tainted. I don't care what party they are in, I don't want them tainting the whole body politic of the Congress. There are just too many good people here working too hard to do the right thing, what they and their constituents perceive to be the right thing. That is as it should be.

But for us to not address these issues, allow them to be swept under the carpet and forgotten, whenever you mention something and it just logs a little thought pressed in the back of somebody's brain, it is always there until it is resolved. We need to resolve these issues and they need to be resolved properly. And if we are going to put people who have unresolved issues in a position of authority in this Congress, I think that brings consequences that are grave to the Congress and this Nation.

So, therefore, if people are in a position where ethics is questioned, morality is questioned, it is for the good of the Congress that they not serve in those positions. It happens to be a Republican party rule that if someone is indicted, they must step down from the position of leadership. And that actually occurred in the last Congress.

I happen to be someone who, for 20 years, told juries every week: An indictment is nothing but a legal accusation. It is no proof of guilt, and no assumption of guilt should be taken by any member of the jury based upon the indictment. It is a legal acquisition, a form by which the State knows what it has to prove and the defense knows what it has to defend. But the Republicans decided that was enough to require someone to step down, which is kind of above and beyond the call of duty; but if that is the standard, it ought to be the standard for everybody. Everyone should choose to adopt the high standards that are set by the highest of standards in this body.

So that is what I have been talking about in these days when I have come in here, and that is what I will continue to talk about, because I believe in our court systems. I believe that our court systems are good sources of justice for the people who use them. And every time somebody walks out the door, one party is unhappy. But the fact is, they resolve the conflict, and they do it justly and fairly between the parties.

I believe we should justly and fairly deal with each other in this Congress, and I believe that we should justly and fairly respect each other in this Congress. And I believe that when there are issues which taint the Congress, we should be willing to demand those issues be resolved; and, if they aren't resolved, we should demand that the persons who are not trying to get it resolved step down from positions of authority that they may hold.

Now, that may be harsh, but I believe in justice. If you believe in justice, right is right and wrong is wrong. And if there is wrong and it goes unresolved, it is bad for the entire Nation and the world. And for that reason, I have been standing before this House many days all by myself, kind of the voice crying in the wilderness. Let's get to be a just body again. Let's get to be where people look at congressmen and say, I am proud to know that Congressman.

You know, when I ran for the Congress, I was in College Station, Texas, and I ran into three of my colleagues in the judiciary, trial judges, district judges, in College Station. And they asked me, why would anybody leave the branch of government that generally makes sense to go to the branch of government that never makes sense? And I laughed and I said, well, maybe an old judge can help make some of it make sense. And maybe not. But I also at that time thought they thought, and as I thought and still think, that the Congress is worthy of respect.

So that we may be a body worthy of respect, I raise these issues. I will continue to raise these issues until we have resolved these issues, and hopefully we can go forward in raising the standards for this body so that people look with respect upon the Congress of the United States of America.

I yield back the balance of my time.

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 Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. LEE of California, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, March 17.

Mr. PAUL, for 5 minutes, today, March 11 and 12.

Mr. JONES, for 5 minutes, March 17.

Mr. GOODLATTE, for 5 minutes, March 11.

Mr. FLAKE, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

SENATE CONCURRENT RESOLUTIONS REFERRED

Concurrent Resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 4. Concurrent resolution calling on the President and the allies of the United States to raise the case of Robert Levinson with officials of the Government of Iran at every level and opportunity, and urging officials of the Government of Iran to fulfill their promises of assistance to the family of Robert Levinson and to share information on the investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation; to the Committee on Foreign Affairs.

S. Con Res. 10. Concurrent resolution congratulating the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols; to the Committee on Armed Services.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 11, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

809. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Women's Final Four Fireworks Display, Ybor Turning Basin, Tampa Bay, Florida. [Docket No. USCG-2008-0095] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

810. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bay Area Destination Fireworks Display Seddon Channel, Tampa Bay, Florida [Docket No. USCG-2008-0089] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

811. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fort Lauderdale Super Boat Grand Prix, Atlantic Ocean, Offshore Fort Lauderdale, FL. [USCG-2008-0058] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

812. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Provision Fireworks Display [Docket No. USCG-2008-0023] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

813. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Old Tampa Bay, FL. [Docket No. USCG 2008-0024] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

814. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Haulover Cut, St. Thomas, USVI [Docket No. USCG-2007-0174] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

815. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Thames River Channel, New London, Connecticut [Docket No. USCG-2008-0004] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

816. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Temporary Safety Zone; Columbia River, all water within 200 yards radius around the Ship ZHEN HUA 17. [USCG-2008-0139] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

817. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Temporary Safety Zone; M/V Magdelana, Columbia River bank to bank from River Mile 75 to River Mile 77. [USCG-2008-0144] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

818. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Langley Air Force Base Air Show. Willoughby Point, Hampton, VA. [Docket No.: USCG-2008-0159] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

819. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Red Bull Air Race; San Diego Bay, CA [Docket No.: USCG-2008-0162] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

820. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Island Creative Management, LLC Fireworks Display, San Francisco Bay, CA. [Docket No.: USCG-2008-0194] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

821. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; National Fish and Wildlife Foundation Benefit Fireworks Display, San Francisco Bay, CA. [Docket No.: USCG-2008-0195] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

822. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Olympic Torch Ceremony, San Francisco Bay, CA [Docket No.: USCG-2008-0262] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

823. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Saftey Zone; KFOG Kaboom Fireworks Display, San Francisco, CA. [Docket No.: USCG-2008-0261] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

824. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Giants Fireworks Display, San Francisco Bay, CA [Docket No.: USCG-2008-0260] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

825. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Boat Fire Miami Beach Marina Salvage Operations [Docket No. USCG-2008-0257] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

826. A letter from the Director, National Legislative Commission, American Legion, transmitting the financial statement and independent audit of The American Legion, proceedings of the 90th annual National Convention of the American Legion, held in Phoenix, Arizona from August 22-28, 2008 and a report on the Organization's activities for the year preceding the Convention, pursuant to 36 U.S.C. 49; (H. Doc. No. 111–23); to the Committee on Veterans' Affairs and ordered to be printed.

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. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 813. A bill to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse'' (Rept. 111–27). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 837. A bill to designate the Federal building located at 799 United Nations Plaza in New York, New York, as the ''Ronald H. Brown United States Mission to the United Nations Building'' (Rept. 111–28). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 842. A bill to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse'' (Rept. 111–29). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 869. A bill to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the ''Scott Reed Federal Building and United States Courthouse'' (Rept. 111–30). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 887. A bill to designate the United States courthouse located at 131 East 4th Street in Davenport, Iowa, as the ''James A. Leach United States Courthouse'' (Rept. 111–31). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 37. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. 111–32). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 38. Resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service (Rept. 111–33). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 39. Resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run (Rept. 111–34). Referred to the House Calendar.

Mr. MCGOVERN: Committee on Rules. House Resolution 229. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes (Rept. 111–35). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RAHALL (for himself, Mr. GRIJALVA, Mr. DICKS, Mr. SIMPSON, and Mr. WALDEN):

H.R. 1404. A bill to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILSON of Ohio:

H.R. 1405. A bill to amend the Internal Revenue Code of 1986 to allow Head Start teachers the same above-the-line deduction for supplies as is allowed to elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. KIRK:

H.R. 1406. A bill to direct the Securities and Exchange Commission to reinstate the ''uptick rule'' on short sales of securities and to suspend the application of mark-to-market accounting principles; to the Committee on Financial Services.

By Mr. DOGGETT (for himself, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ARCURI, Mr. BOSWELL, Mr. KENNEDY, Mr. LANGEVIN, Ms. MCCOLLUM, Mr. SNYDER, and Mr. SOUDER):

H.R. 1407. A bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. FARR, Mr. MCGOVERN, Ms. BORDALLO, Mr. GUTIERREZ, and Mr. KIRK):

H.R. 1408. A bill to require all newly constructed, federally assisted, single-family houses and town houses to meet minimum standards of visitability for persons with disabilities; to the Committee on Financial Services.

By Mr. GEORGE MILLER of California (for himself, Mr. SCOTT of Georgia, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. KILDEE, Mrs. CAPPS, Mr. WALZ, Ms. LEE of California, Ms. SCHAKOWSKY, Mrs. NAPOLITANO, Ms. LINDA T. SÁNCHEZ of California, Ms. DELAURO, Mr. KENNEDY, Mr. DOGGETT, Mr. FILNER, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. GRIJALVA, Ms. MCCOLLUM, Ms. WOOLSEY, Mr. LYNCH, Mr. GUTIERREZ, Mr. YARMUTH, Ms. SUTTON, Mr. MARKEY of Massachusetts, Mr. HARE, Mr. LEVIN, Mr. SARBANES, Mr. BRALEY of Iowa, Ms. HIRONO, Mr. TIERNEY, Mr. MCGOVERN, Ms. EDWARDS of Maryland, Mr. ABERCROMBIE, Mr. JOHNSON of Georgia, Mr. HOLT, Mrs. MALONEY, Mr. NADLER of New York, Mr. CAPUANO, Mr. HIGGINS, Mr. BLUMENAUER, Mr. SMITH of Washington, Mr. ELLISON, Mr. MCDERMOTT, Ms. RICHARDSON, Mr. MCNERNEY, Mr. SCHIFF, Mrs. LOWEY, Mr. OLVER, Ms. ZOE LOFGREN of California, Mr. ACKERMAN, Mr. ENGEL, Mr. LEWIS of Georgia, Mr. WILSON of Ohio, Mr. KUCINICH, Mr. WELCH, Mr. AL GREEN of Texas, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. PAYNE, Mr. DAVIS of Illinois, Ms. CLARKE, Mr. ISRAEL, Mr. CUMMINGS, Mr. COSTELLO, Mr. LANGEVIN, Mr. FARR, Ms. PINGREE of Maine, Ms. CORRINE BROWN of Florida, Mr. BERMAN, Mr. PETERS, Mr. ANDREWS, Ms. SHEA-PORTER, Mr. CARNAHAN, Mr. WU, Mrs. DAVIS of California, Mr. SCOTT of Virginia, Ms. CASTOR of Florida, Mr. SERRANO, Mrs. HALVORSON, Mr. MURPHY of Connecticut, Mr. SHERMAN, Mr. MOORE of Kansas, Mr. CONYERS, Mr. WEINER, Ms. TSONGAS, Mr. BISHOP of New York, Mr. KIND, Mr. PETERSON, Mr. LIPINSKI, Mr. MAFFEI, Mr. DEFAZIO, Mr. WEXLER, Ms. ESHOO, Mr. DINGELL, Mr. MCMAHON, Mr. SCHRADER, Mr. STUPAK, Mr. GENE GREEN of Texas, Mr. LOEBSACK, Mr. CARDOZA, Mr. HALL of New York, Ms. SLAUGHTER, Mr. RAHALL, Mr. FRANK of Massachusetts, Ms. MATSUI, Mr. RUPPERSBERGER, Mr. CLEAVER, Mr. HINCHEY, Mr. ROTHMAN of New Jersey, Mr. GRAYSON, Ms. BALDWIN, Mr. JACKSON of Illinois, Ms. BEAN, Mr. NEAL of Massachusetts, Mrs. TAUSCHER, Mr. WAXMAN, Ms. KILPATRICK of Michigan, Mr. HASTINGS of Florida, Ms. KAPTUR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARSON of Indiana, Mr. ADLER of New Jersey, Mr. MEEK of Florida, Ms. KILROY, Mr. RYAN of Ohio, Mr. MASSA, Mr. FOSTER, Mr. TOWNS, Mr. ORTIZ, Ms. ROYBAL-ALLARD, Ms. VELÁZQUEZ, Mr. RUSH, Mr. HODES, Mr. CLYBURN, Mr. BOSWELL, Mr. MOLLOHAN, Mr. MICHAUD, Mr. KISSELL, Mr. PASCRELL, Mr. MELANCON, Mr. BECERRA, Mr. DELAHUNT, Ms. WASSERMAN SCHULTZ, Mr. INSLEE, Mr. PALLONE, Mr. BOCCIERI, Mr. MCHUGH, Mr. DRIEHAUS, Mr. HONDA, Mr. CLAY, Mr. OBERSTAR, Mr. TONKO, Ms. WATERS, Mr. SCHAUER, Mr. VISCLOSKY, Mr. MILLER of North Carolina, Mr. RANGEL, Mr. SPACE, Mr. LUJAN, Mr. CROWLEY, Ms. MOORE of Wisconsin, Mr. STARK, Ms. JACKSON-LEE of Texas, Ms. SCHWARTZ, Mr. BACA, Mr. PASTOR of Arizona, Mr. FATTAH, Mr. HOYER, Mr. LARSON of Connecticut, Ms. WATSON, Ms. LORETTA SANCHEZ of California, Mr. PRICE of North Carolina, Mr. SIRES, Mr. SMITH of New Jersey, Mr. LARSEN of Washington, Ms. FUDGE, Mr. MEEKS of New York, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. BAIRD, Ms. KOSMAS, Mr. DICKS, Mr. BISHOP of Georgia, Mr. HEINRICH, Mr. COURTNEY, Mr. TEAGUE, Mr. MURTHA, Ms. HARMAN, Mr. VAN HOLLEN, Mr. LOBIONDO, Mr. REYES, Mr. HIMES, Mr. OBEY, Mr. BOUCHER, Mr. KANJORSKI, Mr. HOLDEN, Mr. SALAZAR, Mr. ARCURI, Mrs. DAHLKEMPER, Mr. SKELTON, Mr. ALTMIRE, Mr. CONNOLLY of Virginia, Mr. GONZALEZ, Mr. RODRIGUEZ, Mr. MORAN of Virginia, Mr. KAGEN, Ms. MARKEY of Colorado, Ms. DEGETTE, Mr. PIERLUISI, Ms. HERSETH SANDLIN, Ms. SPEIER, Mr. THOMPSON of California, Mr. DONNELLY of Indiana, Mr. WATT, Mr. SABLAN, Mr. SESTAK, Ms. BERKLEY, Mr. DAVIS of Alabama, Mr. FALEOMAVAEGA, Mr. POLIS, Mr. PERLMUTTER, Mr. COSTA, and Ms. TITUS):

H.R. 1409. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes; to the Committee on Education and Labor.

By Ms. MCCOLLUM (for herself, Mr. REICHERT, Mrs. CAPPS, Mr. PAYNE, Mr. BLUMENAUER, Mr. SCHIFF, Mr. MOORE of Kansas, Mr. GRIJALVA, Ms. MOORE of Wisconsin, Ms. JACKSON-LEE of Texas, Mrs. TAUSCHER, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. WALZ, Mr. MORAN of Virginia, Ms. WATSON, Ms. WOOLSEY, Ms. DELAURO, Mr. HINCHEY, Mr. CARSON of Indiana, Mr. YOUNG of Alaska, Ms. LEE of California, Mr. OBERSTAR, Mr. MURPHY of Connecticut, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. HIRONO, Mr. SERRANO, Ms. SLAUGHTER, Mr. FILNER, Ms. DEGETTE, Mr. CROWLEY, Mr. HONDA, Mr. OLVER, Mr. SNYDER, Mr. SHIMKUS, Mr. JACKSON of Illinois, and Mrs. MALONEY):

H.R. 1410. A bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCDERMOTT:

H.R. 1411. A bill to amend the Public Health Service Act to establish a Primary and Public Health Scholarship Program; to the Committee on Energy and Commerce.

By Mr. COHEN (for himself, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Ms. FUDGE, Mr. PAYNE, Ms. NORTON, Mr. DAVIS of Illinois, Mr. GRIJALVA, Ms. CLARKE, Mr. HINCHEY, and Mr. GUTIERREZ):

H.R. 1412. A bill to increase public confidence in the justice system and address any unwarranted racial and ethnic disparities in the criminal process; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself and Mr. MCHUGH):

H.R. 1413. A bill to amend the Internal Revenue Code of 1986 to allow certain public employees a deduction for distributions from governmental plans for health and long-term care insurance, and for other purposes; to the Committee on Ways and Means.

By Ms. FOXX (for herself, Mr. JONES, Mr. PAUL, Mr. ROHRABACHER, Mr. AKIN, and Mr. BILBRAY):

H.R. 1414. A bill to amend title 31, United States Code, to end speculation on the current cost of multilingual services provided by the Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GORDON of Tennessee:

H.R. 1415. A bill to provide for a demonstration project regarding Medicaid reimbursements for stabilization of emergency medical conditions by non-publicly owned or operated institutions for mental diseases; to the Committee on Energy and Commerce.

By Mr. LOBIONDO (for himself, Mr. SMITH of New Jersey, and Mr. ANDREWS):

H.R. 1416. A bill to direct the Secretary of Veterans Affairs to expand the capability of the Department of Veterans Affairs to provide for the medical-care needs of veterans in southern New Jersey; to the Committee on Veterans' Affairs.

By Mr. MATHESON:

H.R. 1417. A bill to protect public health and safety, should the testing of nuclear weapons by the United States be resumed; to the Committee on Armed Services, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS of New York:

H.R. 1418. A bill to eliminate the exemption from State regulation for certain securities designated by national securities exchanges; to the Committee on Financial Services.

By Mr. PAUL (for himself and Mr. JONES):

H.R. 1419. A bill to sunset Federal laws and regulations which treat the American people like children by denying them the opportunity to make their own decision regarding control of their bank accounts and what type of information they wish to receive from their banks, and for other purposes; to the Committee on Financial Services.

By Mr. PAUL (for himself, Mr. BURTON of Indiana, Mr. JONES, and Mr. BARTLETT):

H.R. 1420. A bill to amend title 5, United States Code, to provide for the establishment of a precious metals investment option in the Thrift Savings Fund; to the Committee on Oversight and Government Reform.

By Mr. SHUSTER:

H.R. 1421. A bill to amend title XIX of the Social Security Act to provide Medicaid coverage of drugs prescribed for certain research study child participants; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself, Mr. POE of Texas, Mr. GALLEGLY, Mr. GOHMERT, Mr. SENSENBRENNER, Mr. HARPER, Mr. ROONEY, Mr. COBLE, Mr. FORBES, Ms. GINNY BROWN-WAITE of Florida, and Mr. CARDOZA):

H.R. 1422. A bill to reauthorize through 2014 certain programs under the Adam Walsh Child Protection and Safety Act of 2006; to the Committee on the Judiciary.

By Mr. STARK (for himself and Mr. RYAN of Wisconsin):

H.R. 1423. A bill to restore and make permanent the exclusion from gross income for amounts received under qualified group legal services plans and to increase the maximum amount of the exclusion; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 1424. A bill to name the front circle drive in front of the Oscar G. Johnson Department of Veterans Affairs Medical Facility in Iron Mountain, Michigan, as ''Sergeant First Class James D. Priestap Drive''; to the Committee on Veterans' Affairs.

By Mr. WEXLER (for himself, Ms. BORDALLO, Mr. GRIJALVA, Mr. HOLT, Mr. HONDA, Mr. KIRK, Mr. ROTHMAN of New Jersey, Mr. SIRES, Mr. BOSWELL, Mr. GUTIERREZ, and Mr. MCMAHON):

H.R. 1425. A bill to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; to the Committee on the Judiciary, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRELINGHUYSEN (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. ISSA, Mr. LATHAM, Mr. CRENSHAW, Mr. MICA, Mr. FRANKS of Arizona, Mr. CHAFFETZ, Mr. GARRETT of New Jersey, Mr. EHLERS, Mr. RADANOVICH, Mr. SAM JOHNSON of Texas, Mr. PETRI, Mr. TIBERI, Ms. FOXX, and Mr. MANZULLO):

H. Con. Res. 70. Concurrent resolution expressing support for the District of Columbia school scholarship program; to the Committee on Oversight and Government Reform.

By Mr. FLAKE:

H. Res. 228. A resolution raising a question of the privileges of the House.

By Mr. BACA (for himself, Mr. MORAN of Virginia, Mr. HONDA, Ms. VELÁZQUEZ, Mr. PIERLUISI, Mr. CUELLAR, Mr. AL GREEN of Texas, Mr. BECERRA, Mr. SABLAN, Mr. GRIJALVA, Mr. RODRIGUEZ, and Mr. COSTA):

H. Res. 230. A resolution recognizing the historical significance of the Mexican holiday of Cinco de Mayo; to the Committee on Foreign Affairs.

By Mrs. CAPPS (for herself, Mrs. MCMORRIS RODGERS, Mr. REICHERT, and Mr. HASTINGS of Washington):

H. Res. 231. A resolution supporting the goals and ideals of ''Deep Vein Thrombosis Awareness Month'' and ''National DVT Screening Day'' and supporting efforts to educate the public about deep vein thrombosis, in memory of former Representative Jennifer Dunn; to the Committee on Energy and Commerce.

By Mr. GRAVES:

H. Res. 232. A resolution recognizing and commending the Toys for Tots Literacy Program for its contributions in raising awareness of illiteracy, promoting children's literacy, and fighting poverty through the support of literacy; to the Committee on Education and Labor.

By Mr. LATTA (for himself, Mr. HALL of Texas, Mr. TERRY, and Mr. SKELTON):

H. Res. 233. A resolution recognizing the thousands of Freemasons in every State in the Nation and honoring them for their many contributions to the Nation throughout its history; to the Committee on Oversight and Government Reform.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. BISHOP of New York, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. COURTNEY, Mr. HARE, Mr. HIGGINS, Mr. HINCHEY, Mr. HOLDEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LOEBSACK, Mr. LUJAN, Mr. MCDERMOTT, Mrs. MILLER of Michigan, Mr. ROSS, Mr. SARBANES, Mr. SCALISE, Mr. STUPAK, Mr. SHULER, Mr. WALZ, Mr. FILNER, Mr. ROHRABACHER, Mr. RODRIGUEZ, Ms. EDWARDS of Maryland, Mr. GONZALEZ, Mr. BOSWELL, Mr. DAVIS of Tennessee, Mr. CHANDLER, Mr. INSLEE, Mr. CAPUANO, and Mr. CARNAHAN):

H. Res. 234. A resolution expressing support for designation of a ''Welcome Home Vietnam Veterans Day''; to the Committee on Veterans' Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. PIERLUISI and Mr. SABLAN.

H.R. 19: Mr. COFFMAN of Colorado.

H.R. 22: Ms. VELÁZQUEZ, Mr. BAIRD, Mr. BOUSTANY, Mr. DENT, Ms. TITUS, Mr. ALEXANDER, Ms. BERKLEY, Ms. HARMAN, Mr. LANCE, and Mr. TIM MURPHY of Pennsylvania.

H.R. 24: Mr. DREIER, Mr. REHBERG, Mr. MURTHA, Mr. WALZ, Mr. CONAWAY, Mr. KINGSTON, Mr. NEAL of Massachusetts, Mr. PLATTS, Mr. DINGELL, Mr. THORNBERRY, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. LOEBSACK, Mr. BONNER, and Ms. SHEA-PORTER.

H.R. 52: Mr. CONNOLLY of Virginia and Ms. WOOLSEY.

H.R. 98: Mrs. CAPITO.

H.R. 111: Mr. LANCE, Mr. MURTHA, and Mr. PAYNE.

H.R. 154: Mr. AL GREEN of Texas.

H.R. 159: Mr. LOEBSACK and Mr. LANCE.

H.R. 179: Mr. SCOTT of Virginia.

H.R. 197: Mr. BARTON of Texas, Mr. CARNEY, Mr. PUTNAM, Mr. HALL of Texas, and Mr. POSEY.

H.R. 265: Mr. BISHOP of Utah.

H.R. 269: Mr. WU.

H.R. 272: Mr. MINNICK and Mr. BRADY of Pennsylvania.

H.R. 303: Mr. SCOTT of Georgia and Mr. KLINE of Minnesota.

H.R. 333: Mr. INSLEE and Mr. TEAGUE.

H.R. 422: Mr. MEEKS of New York.

H.R. 426: Mr. TONKO and Mr. MASSA.

H.R. 444: Mr. MICHAUD.

H.R. 503: Mr. STARK.

H.R. 510: Mr. MINNICK, Mr. WELCH, and Mr. CARNEY.

H.R. 574: Mr. SARBANES, Mr. STEARNS, Mr. SCHAUER, Mr. GERLACH, Mr. TERRY, Mr. ABERCROMBIE, Mr. LOEBSACK, Mr. KIRK, Mr. HALL of Texas, Mr. BROWN of South Carolina, and Mr. DENT.

H.R. 578: Mr. KUCINICH.

H.R. 606: Mr. MORAN of Virginia.

H.R. 610: Mr. BARROW and Mr. LANGEVIN.

H.R. 613: Mr. WITTMAN, Ms. FOXX, Ms. GINNY BROWN-WAITE of Florida, Mr. MCMAHON, Mr. FORBES, Mr. COBLE, Mr. TEAGUE, Mr. TIAHRT, Mr. MINNICK, and Mr. HODES.

H.R. 618: Mr. COURTNEY.

H.R. 626: Mr. LATOURETTE.

H.R. 627: Mr. SCHAUER, Ms. NORTON, Mr. LIPINSKI, Mr. MAFFEI, Mr. KRATOVIL, Ms. PINGREE of Maine, Mr. DELAHUNT, and Mr. BLUMENAUER.

H.R. 664: Mr. GALLEGLY.
H.R. 669: Mr. COHEN.
H.R. 847: Mr. MURPHY of Connecticut, Mr. HOLT, and Mr. LARSON of Connecticut.
H.R. 848: Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ROTHMAN of New Jersey, Ms. CLARKE, Ms. NORTON, and Mr. ISRAEL.
H.R. 855: Mr. VAN HOLLEN.
H.R. 872: Mr. BOSWELL.
H.R. 873: Mr. DINGELL and Ms. HARMAN.
H.R. 875: Mr. RUPPERSBERGER.
H.R. 877: Mr. BOEHNER and Mr. PENCE.
H.R. 878: Mr. MCCOTTER.
H.R. 919: Mr. BURGESS.
H.R. 930: Mr. COOPER.
H.R. 939: Mr. MANZULLO.
H.R. 980: Ms. WATSON.
H.R. 983: Mr. COLE.
H.R. 997: Mr. OLSON.
H.R. 1023: Mr. COLE, Mr. BARTLETT, and Mr. MCCLINTOCK.
H.R. 1054: Mr. BROUN of Georgia.
H.R. 1058: Mr. GOODLATTE.
H.R. 1103: Mr. WESTMORELAND.
H.R. 1135: Mr. LATTA.
H.R. 1147: Mr. MCGOVERN, Mr. OLVER, Mr. SERRANO, Mr. FARR, Mr. ENGEL, Mr. MASSA, and Mr. CLEAVER.
H.R. 1151: Mr. BRADY of Pennsylvania.
H.R. 1152: Mr. BRADY of Pennsylvania.
H.R. 1153: Mr. BRADY of Pennsylvania.
H.R. 1154: Mr. BRADY of Pennsylvania.
H.R. 1167: Mr. MCMAHON, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania.
H.R. 1190: Mr. GOODLATTE and Mr. SCHRADER.
H.R. 1204: Mr. GORDON of Tennessee.
H.R. 1205: Mr. ROTHMAN of New Jersey, Mrs. TAUSCHER, Mr. HOLT, Mr. HARE, and Ms. NORTON.
H.R. 1207: Mr. ALEXANDER, Mr. PRICE of Georgia, Mr. PETRI, and Ms. FOXX.
H.R. 1211: Mr. PETERSON.
H.R. 1240: Mr. COLE, Ms. TITUS, Mr. FRANK of Massachusetts, Mr. FALEOMAVAEGA, and Mr. PERLMUTTER.
H.R. 1242: Mr. TURNER.
H.R. 1245: Mr. ROONEY.
H.R. 1256: Mr. MEEKS of New York, Mr. LANCE, Mr. ROSS, Mr. FRANK of Massachusetts, Mr. CLEAVER, Ms. ZOE LOFGREN of California, Mr. POLIS, Mr. ARCURI, Mr. KENNEDY, Mr. COSTA, Mr. TIBERI, Mr. HARE, Mrs. TAUSCHER, Mr. HONDA, Ms. GIFFORDS, Ms. SHEA-PORTER, Mr. BISHOP of Georgia, and Mr. MARSHALL.
H.R. 1264: Mr. AL GREEN of Texas.
H.R. 1276: Mr. COSTA.
H.R. 1285: Mrs. MILLER of Michigan.
H.R. 1289: Mr. ELLSWORTH and Mr. KING of New York.
H.R. 1293: Mr. ROGERS of Kentucky.
H.R. 1317: Mr. PATRICK J. MURPHY of Pennsylvania, Mrs. MYRICK, and Mr. SIMPSON.
H.R. 1319: Mr. DEAL of Georgia.
H.R. 1326: Mr. VAN HOLLEN, Mr. GEORGE MILLER of California, Mr. SCHIFF, Mr. GRIJALVA, and Mrs. TAUSCHER.
H.R. 1337: Mr. STARK.
H.J. Res. 18: Mr. GONZALEZ, Mr. ELLISON, Ms. SLAUGHTER, Mr. HODES, and Mr. COHEN.
H. Con. Res. 36: Mr. KING of New York.
H. Con. Res. 50: Mr. BRADY of Pennsylvania.
H. Con. Res. 55: Mr. SHULER, Mr. ROSKAM, Mr. KLINE of Minnesota, Mrs. BACHMANN, and Mr. ACKERMAN.
H. Res. 81: Mr. BARRETT of South Carolina.
H. Res. 171: Mr. BOOZMAN, Ms. JACKSON-LEE of Texas, Mr. COSTA, Mr. OLVER, Ms. SCHAKOWSKY, Mr. CHANDLER, and Mr. COHEN.
H. Res. 174: Mr. LEVIN.
H. Res. 175: Mr. YOUNG of Alaska and Mr. MARSHALL.
H. Res. 178: Mr. OLSON.
H. Res. 182: Ms. KILPATRICK of Michigan, Mr. POLIS, and Mr. EHLERS.
H. Res. 209: Ms. TITUS.
H. Res. 211: Mr. ISRAEL, Mr. VAN HOLLEN, Mr. GUTIERREZ, Mr. MCNERNEY, Mrs. BIGGERT, Ms. HERSETH SANDLIN, Mr. NADLER of New York, and Mr. KENNEDY.
H. Res. 223: Mr. SHUSTER, Mr. LUCAS, Mr. BISHOP of New York, Ms. GIFFORDS, Mr. CONAWAY, Mr. BOOZMAN, Mr. MACK, Mrs. BONO MACK, Mr. KIND, Mr. MCCARTHY of California, Mr. FRANKS of Arizona, Mr. CALVERT, Mr. WESTMORELAND, Mr. LOBIONDO, Mr. LEE of New York, Mr. MCHUGH, Mr. CRENSHAW, Mr. NUNES, Mr. FRELINGHUYSEN, Mr. ALEXANDER, Mr. DAVIS of Kentucky, Mr. PAUL, Mr. SENSENBRENNER, Mr. MORAN of Virginia, Mr. COLE, Mr. BLUNT, Mr. SHIMKUS, Mr. TIAHRT, Mr. HALL of Texas, Mr. LANCE, Mr. POE of Texas, Mr. PASCRELL, Mr. MILLER of Florida, Mr. GINGREY of Georgia, Mr. MCHENRY, Mr. TIERNEY, Mr. BUYER, Mr. ROONEY, Mr. RYAN of Wisconsin, Mr. PETRI, Mr. CAMPBELL, Mr. HOLT, Mr. CAPUANO, Mr. BRADY of Texas, Mr. KLEIN of Florida, Mr. MCCAUL, Mr. LATHAM, Mr. PENCE, Mr. BONNER, Mr. REHBERG, Mr. BOUSTANY, and Mr. LAMBORN.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, MARCH 10, 2009 No. 42

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, eternal and unchangeable, shine Your light upon our path as we work today. Lord, You have led America through troubled times in the past. Be now to our lawmakers a source of life, light, and wisdom. Give them the wisdom to follow Your light and to trust You, finding their strength in Your presence. Teach them what they should think and do, so they will not stumble along the way. Replace fear with faith in You and one another, as You remove from their lives the things that thwart the doing of Your will.

And, Lord, bless today our military men and women in harm's way. Protect them from danger and sustain their loved ones.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN 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 10, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will resume consideration of H.R. 1105, the appropriations bill. The Senate will recess from 12:30 until 2:15 to allow for the weekly caucus luncheons. All the amendments are before the Senate. We have seven of them. It is expected that probably five of them will require votes. So I hope Senators would come and debate their amendments. We have a number of Democrats who are wanting to speak in opposition to the amendments.

I will be discussing a time to begin voting with the distinguished Republican leader. What we are going to do is have stacked votes, and finish the votes once we start them. I hope we can do that sometime late afternoon. I do not think there are any events going on off the Hill that would prevent us from doing that. But I will be working with Senator MCCONNELL to see what we can do in arranging an appropriate time to start the votes.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

OMNIBUS APPROPRIATIONS

Mr. MCCONNELL. Madam President, the bill the Senate will vote on later today represents a missed opportunity. In the midst of a serious economic downturn, the Senate had a chance to show it could impose the same kind of restraint on itself that millions of Americans are being forced to impose on themselves at the moment. The bill costs far too much for a government that should be watching every dime. If the President is looking for a first bill to veto, this is it.

The original version of the bill showed no recognition whatsoever of the current economic climate. With the stock market plunging, unemployment at a 25-year high, and millions struggling to pay their mortgages, the bill sent over from the House included an across-the-board 8-percent increase in spending over last year. That is twice the rate of inflation.

Republicans in the Senate tried to cut the bill's cost. Our ideas would have saved billions of taxpayer dollars. Unfortunately, every single effort was turned aside.

The senior Senator from Arizona proposed an amendment that would have held spending in the omnibus at last year's level. The senior Senator from Texas offered an amendment that would have cut spending on the 122 programs that were already funded in the stimulus bill—the so-called double dipping that many of us warned would take place if Congress moved the stimulus before the omnibus. Remarkably, even that was too much for some. The junior Senator from Oklahoma proposed an amendment that would have cut projects that benefited a lobbying firm under Federal investigation. That too was rejected.

These Republican ideas were sensible, commonsense ways to cut spending. Unfortunately, the majority did not like any of them. This would have been irresponsible in good economic times.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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At this moment, this total unwillingness to cut a single dollar from this bill is simply indefensible.

Just as troubling as the lack of restraint is a provision to literally shut down the DC Opportunity Scholarship Program which helped 1,700 students in the District of Columbia attend private schools last year at a fraction of what the city spends per pupil on public education. This program is clearly—clearly—popular among parents, since the city receives four applications for every available slot. Yet our friends on the other side will reject an amendment to preserve it.

On this issue, it is incredibly difficult to see how the majority can match their rhetoric with their actions. It should be unthinkable to terminate a program aimed at giving inner-city students the same educational opportunities that middle-class or affluent students enjoy.

Republicans tried to improve the omnibus with commonsense proposals that Americans support. The junior Senator from Arizona proposed an amendment that would have required the Secretary of State to certify that none of the funds made available for reconstruction efforts in Gaza are diverted either to Hamas or to entities controlled by Hamas. The junior Senator from South Dakota offered an amendment that prohibits the use of funds for any effort aimed at reviving the fairness doctrine, which limited free speech until its repeal more than two decades ago. Unfortunately, the majority said no.

In the midst of an economic crisis, a government has an obligation to show restraint. But as our friends turned aside every effort to trim back spending on the omnibus bill, it became clear that many in Congress still think Government operates in a different realm of reality than the rest of the country. Apparently, they do not think the Federal Government is obligated to make any of the tough decisions that millions of American families are making every single day.

Spending and borrowing at this dizzying rate is simply unacceptable. We need to be thinking about the long-term sustainability of our economy and creating jobs and opportunity for future generations. We should have started on this bill by insisting that it include some of the hard choices on spending that Americans themselves are making every single day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

OMNIBUS APPROPRIATIONS

Mr. REID. Madam President, I direct everyone's attention to today's column in the New York Times written by David Brooks. David Brooks is a Republican columnist, conservative, but basically he is saying that the Republicans are opposing everything. It does not matter what it is, they are opposing it. And I think that is basically what we have here today with Senator MCCONNELL. I mean, I cannot imagine how he could stand before this body, after having talked favorably of this bill in the past—and his statements have been read in the RECORD on previous occasions about how much he believed in this omnibus bill. In fact, he said—and I am paraphrasing—that there had been input by Democrats and Republicans, it had been fully vetted. But suddenly—using the David Brooks theory of Government—they are opposed to everything.

It is not helping the Republicans around this country. You have to be in favor of something. And for my friend, the senior Senator from Kentucky, to stand before this body and lament the deficits—''this spending that has to stop''—where were they during the 8 years of the red ink of George Bush? The biggest deficits in the history of this country are all held by George Bush: the unending spending on the Iraq war, not putting that in the budget in an effort to hide it from the American people—how much it cost—the tax cuts that were never big enough for the Republicans that ran us into this deep hole President Obama has inherited.

So everyone should read David Brooks. Let's have the Republicans start being in favor of something. That would be the right thing to do.

The fairness doctrine. What a ghost that does not exist. None of us wants to go back to the way it was before. It is an issue they brought up to talk about. No one wants to reestablish the fairness doctrine, Democrats or Republicans.

I know the State of Nevada is prideful in determining what the education standards should be in the State of Nevada. I think we should do more in the State of Nevada. I am not happy about where our educational levels are, the spending levels in the State of Nevada. But Nevada determines that, and that is the way it is around the other 49 States, that it is a prerogative Governors have protected for many generations—that the Federal Government should stay out of local education. But when it comes to the District of Columbia, they do not count, I guess. So how would the rest of the States feel if we suddenly determined what was going to happen in those States as it related to vouchers, school choice, charter schools?

So I hope we can get these amendments out of the way and pass this legislation and go on to other things. I am sorry I had to file cloture on three nominations. I hope we do not have to take those votes because it goes in opposition to what the Republicans always told us: What right does the party in the minority have to hold up Presidential nominations or judges? We are finding that is happening. I hope we can work our way through that.

This legislation is important. It is important because it takes care of these Government agencies that had been, over the Bush years, so underfunded, underresourced that we had—because of the 8 years of neglect—to increase spending for these Government agencies so they can do their job. I met yesterday with new Secretary of the Interior Ken Salazar. He is lamenting how the parks in our country are in such bad shape, terrible shape. The Mall out here, because the Republicans complained about the money for the Mall—there was a major feature on all public radio stations yesterday about the Mall, what terrible shape this Mall is in. It is used. It is an American landmark. But they do not want money spent on that.

When I read David Brooks this morning, I thought: Gee whiz, he has an understanding of what is wrong with the Republican Party. And no one more than a Republican can probably say it as strongly as he did. David Brooks—I have told him how on a number of occasions I disagree with his end line, but his reasoning is always brilliant, as it was today.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

OMNIBUS APPROPRIATIONS ACT, 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1105 which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 1105) making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

Pending:

Ensign amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program.

Kyl amendment No. 629, to provide that no funds may be used to resettle Palestinians from Gaza into the United States.

Bunning amendment No. 665, to require the Secretary of State to issue a report on investments by foreign companies in the energy sector of Iran.

Sessions amendment No. 604, to extend the pilot program for employment eligibility confirmation established in title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 for 6 years.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

AMENDMENT NO. 673

Mr. CORNYN. Madam President, I ask unanimous consent to set aside any pending amendment and call up Cornyn amendment No. 673 and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 673.

Mr. CORNYN. I ask unanimous consent that the 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 prevent collection of excessive contingency legal fees by lawyers hired to protect the public interest)

On page 366, line 24, strike ''rule.'' and insert the following: ''rule, provided that an attorney general of a State may not enter into a contingency fee agreement for legal or expert witness services relating to a civil action under this section. For purposes of this paragraph, the term 'contingency fee agreement' means a contract or other agreement to provide services under which the amount or the payment of the fee for the services is contingent in whole or in part on the outcome of the matter for which the services were obtained.''.

Mr. CORNYN. Madam President, I rise to offer an amendment 673 to the Omnibus appropriations bill. As a former State attorney general, I am very concerned that the current bill lets State attorneys general outsource their responsibilities on behalf of their citizens to enforce the Truth in Lending Act. This is a very important piece of legislation that was passed in 1968 to protect consumers in credit transactions by requiring clear disclosure of key terms of the lending agreement at all costs. As I said, this is an important piece of legislation. However, the current provision in the bill allows the attorney general, the elected representative of the people—the people's lawyer—to basically hire trial lawyers on a contingency fee arrangement. Thus, the litigation that might follow under this piece of legislation would benefit not just the citizens, not just the public, not just the taxpayers but trial lawyers too. I don't believe that should be the intent of Congress.

Specifically, this amendment clarifies that State attorneys general may not outsource these lawsuits to outside lawyers or expert witnesses on a contingency fee basis. As we all know, contingency fee means you get a piece of the pie if you win. This would not prohibit attorneys general from hiring lawyers on a more reasonable basis, such as a set fee or an hourly rate, but the new causes of action created by this bill could add up to significant money damages, and this money, as I indicated, should be paid to the people, not to private lawyers.

Both Democrats and Republicans have expressed some concerns about the enforcement of this Truth in Lending Act by State attorneys general. Senator DODD, the distinguished Senator from Connecticut, said that ''giving such broad authority to State attorneys general would be a departure from the current regulatory regime,'' and he is right.

This amendment prevents the authority to enforce the Truth in Lending Act from being further disbursed by State attorneys general delegating it to trial lawyers on a contingency fee basis. Without this amendment, it is likely that plaintiffs' lawyers will develop class action lawsuits, then go to their State attorney general proposing to pursue these cases on a contingency fee basis, perhaps reaping millions of dollars in attorneys' fees awards.

My colleagues have expressed concerns the bill would increase the number of authorized enforcers from 1 to 51. I would submit that unless this amendment is adopted, we are effectively increasing the number of authorized enforcers of this legislation from 1 to 5,100 or more.

Hiring outside counsel on a contingency fee basis, unfortunately, as we have learned through hard experience, can lead to other problems, including the appearance of corruption or outright corruption. For example, my predecessor in office, the Texas attorney general, entered into contingency fee agreements with outside lawyers in the tobacco litigation, which was then being pursued across the country. These lawyers ended up making roughly $3 billion in attorneys fees through contingency fee provisions that my predecessor in office entered into. Unfortunately, my predecessor also falsified records in an attempt to funnel some of that money to a friend, and he paid the price. He went to the Federal penitentiary.

This is not just a problem in my State; this is a national problem as well. Last year, the Wall Street Journal reported and editorialized about the appearance of corruption in Mississippi, where the State attorney general had retained as many as 27 law firms as outside counsel to pursue at least 20 different State lawsuits over a 5-year period. In 2007 alone, the attorney general received almost $800,000 in political contributions from those same lawyers and law firms and, thus, the appearance of conflict of interest, if not an outright conflict, was created.

This kind of conflict of interest has no place in the attorney general's job, which is to protect the legal interests of the people of his or her State. Amendment No. 673 would ensure that State attorneys general either do the work themselves in enforcing this law or hire an outside lawyer at a reasonable, competitive hourly rate or flat rate; no windfall attorneys' fees for hitting the long ball over the fence.

When Federal agencies bring suits to enforce the Truth in Lending Act, they are barred from hiring outside counsel on a contingency fee basis. All I am suggesting is that this same rule should apply to the State attorneys general who are now authorized enforcers under the law. Particularly at this time in our Nation's economic history, it should hardly be one of Congress's priorities to increase the number of lawsuits. We cannot sue our way to recovery. Unless amendment 673 is adopted, the bill would give trial lawyers a share of the public's money and will disrupt the Federal credit regulatory regime and, as I indicated a moment ago, create dangerous incentives to corruption. I ask my colleagues to support amendment No. 673.

AMENDMENT NO. 674

Madam President, I have another amendment, Cornyn amendment No. 674, so I now ask unanimous consent to set aside temporarily my previous amendment and ask for the immediate consideration of amendment No. 674.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 674.

Mr. CORNYN. I ask unanimous consent that the 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 prohibit the use of funds to implement an Executive Order relating to employee notice of rights under Federal labor laws)

At the appropriate place in title I of division F, insert the following:

SEC. ____. No funds made available under this Act shall be used to implement the Executive Order dated January 30, 2009, entitled ''Notification of Employee Rights Under Federal Labor Laws'' to the extent that the implementation of such order is in conflict with Executive Order 13201, dated February 17, 2001.

Mr. CORNYN. Madam President, my second and final amendment to this Omnibus appropriations bill would help protect workers' paychecks and increase transparency, something we all heard our new President speak about just a few short weeks ago—I believe about 50 days ago now—when he said he believed increased transparency would increase accountability and help restore the public's confidence in their Government. This amendment is offered in that vein.

The U.S. Supreme Court, in Communication Workers v. Beck, said workers could not be forced to pay dues for purposes other than collective bargaining. That means workers have the right to keep more of their money rather than support political action committees, lobbying and gifts, things they may not even agree with.

We know every dollar counts in this economy, and many workers object to scenes such as the one we saw last week in Miami. There, the AFL–CIO held a meeting at the Fontainebleau Resort, which describes itself as ''the epicenter of style, fame, and glamour.'' Now, if workers don't want to support that kind of extravagance based on their union dues, they shouldn't have to. And, frankly, who can blame them?

The Bush administration issued an Executive order that required employers to post signs at the workplace that informed workers of these rights regarding union dues. These notices are similar to those that inform workers of

their rights regarding family and medical leave, workplace safety, equal employment opportunity, and other rights they have under the law.

Now, this chart shows what the notice says. It says:

Under Federal law, employees cannot be required to join a union or maintain membership in a union in order to retain their jobs. Under certain conditions, the law permits a union and an employer to enter into a union security agreement requiring employees to pay uniform periodic dues and initiation fees. However, employees who are not union members can object to the use of their payments for certain purposes and can only be required to pay their share of union costs relating to collective bargaining, contract administration, and grievance adjustment.

It goes on to say:

If you do not want to pay that portion of dues or fees used to support activities not related to collective bargaining, contract administration, or grievance adjustment, you are entitled to an appropriate reduction in your payment.

Meaning your payment of your union dues.

If you believe that you have been required to pay dues or fees used in part to support activities not related to collective bargaining, contract administration, or grievance adjustment, you may be entitled to a refund and to appropriate reduction in future payments. For further information concerning your rights, you may wish to contact the National Labor Relations Board, either at one of its regional offices or at the following address.

The Supreme Court has said when a worker pays their dues, they cannot be forced to financially support things they don't agree with, whether it is extravagant spending at the Fontainebleau Resort or perhaps even a political speech where a union might use those dues to help finance a campaign against a political candidate or perhaps an incumbent.

President Obama, unfortunately, has signed an Executive order that, among other things, rescinds the requirement to inform workers of their rights regarding union dues. This Executive order, contrary to what we heard a few short weeks ago, actually reduces transparency in the workplace, and it places unnecessary limits on the information available to help workers make informed decisions about their union dues.

Amendment No. 674 would prohibit Federal funds from being used to implement that part of President Obama's Executive order related to this notice to workers. It would have no other effect on the Executive order, other than to reinstate this notice to workers that you don't have to join a union; and, No. 2, if you do not join a union, you cannot be forced to finance points of view or activities you disagree with, and you can assure that your money can only be used for legitimate collective bargaining contract administration and grievance adjustment.

I urge my colleagues to support amendment No. 674.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 673

Mr. PRYOR. Madam President, I rise today to speak against an amendment filed by Senator CORNYN of Texas. The amendment deals with the ability of State attorneys general to hire outside counsel for various lawsuits they may be pursuing. I wish to talk about that amendment for a few minutes and tell my colleagues how that works in the real world.

One of the things we did when I was in the State attorney general's office is we looked at several cases on which we considered hiring outside counsel because the State did not have the resources to front the costs of the litigation. We ended up not retaining any outside counsel. We did not pursue those matters. Nonetheless, the fact that we had the ability to look at that option is very important for States. It is also very important for State sovereignty. In fact, I am not convinced—I have to look at the U.S. Constitution—I am not convinced that the U.S. Congress can limit a State's ability to file a lawsuit. My sense is that the States have that authority. They can do what they want to do. They are sovereign. My guess is that this amendment may be unconstitutional. I have not yet done a thorough analysis of it, but that is my suspicion.

I say this too. One of the points my colleagues need to remember about the State AGs is that most of them—I think over 42, 43, 44 State attorneys general are just like us: they are elected by the people. There are a few appointed one way or another—by a supreme court, a legislature, a Governor. That happens State to State, but the vast majority of them are elected just as we are. They have accountability. They are responsible to the people who elected them. There is that check and balance that already exists. I am not sure about other States because I don't know how their outside counsel statutes work, but in our State, in order for us to hire outside counsel, we have to go to the legislature and get their approval, and we also have to get the Governor to sign off on it. Again, States are going to be different on point.

Again, in Arkansas, we have another check and balance beyond just that the State attorney general is elected and is accountable to the people. There is also a check and balance between the State attorney general's office and the legislature and the Governor. Everyone has an interest to make sure this is done right and done well. It works very well in our State. If we had a lot of State attorneys general here, they would agree that it worked very well for them as well.

Another point I wish to address in the Cornyn amendment is the underlying premise of this amendment. My understanding is it is based on some language dealing with the Federal Trade Commission in the omnibus bill we are discussing today and will vote on later today. We have to recognize that the Federal Government does not always have the manpower or the attention span or the ability, for one reason or another, to go after some bad actors out there. The States do not always have that manpower, attention span, or ability either, but the fact that the States can help augment and supplement the enforcement of the Federal Trade Commission and other Federal agencies can be very good for the people of this country.

Again, we need to allow the States the flexibility to be on the team. They need to be on the team because these folks—again, most of them—are elected by their people. Most of them have some sort of consumer protection function or some sort of public safety function. Most of them have an office that is ready, willing, and able to make sure their State's citizenry is protected and taken care of sometimes when the Federal Government cannot do it or is not able to do it or is not willing to do it. The State AG enforcement can be a very important part of that protection.

With regard to the narrow issue of whether States can hire outside counsel, let me speak about that point for a moment.

When I was elected to the State attorney general's office in Arkansas in 1998—we all remember the tobacco case, the big, mammoth tobacco case. I was elected and within weeks it settled. By the time I became attorney general, sworn into office, the case was over. It was done, and we were in the enforcement phase. The case itself was behind us.

One of the first things I had to do—this literally happened on the first day I was in office—is I had to undo an outside counsel agreement my predecessor had entered into. Here, again, not only have I never entered into an outside counsel agreement as an attorney general, but I undid one my predecessor tried to enter into. That puts me in a different position than most people because I had been around this issue a lot during my years in the attorney general's office.

The other point we need to keep in mind about the tobacco case—and this is just true for how State AGs work—one of the reasons, and I would say the primary reason, that the States brought that case in the first place is because Washington failed to act. Washington failed to act. We may remember those days in the nineties. President Clinton wanted to do something with the tobacco companies. He wanted to have a global settlement of these claims. I was not around then. A lot of my colleagues were around then

and remember the details of those discussions and the bill that came through. It got bogged down in the Congress. In fact, I remember listening to the news media saying it came like a Christmas tree—everybody was adding an ornament as it went through the process. It never passed. It got burdened down, and it never passed and never got to the President's desk for his signature. So when Congress did not act, the States did.

We have seen that in other context as well. When there is a void, when there is a vacuum and the Federal Government is not out there trying to take care of an issue, whatever it may be, oftentimes the States want action. It could be the Governors, it could be the State AGs, it could be the State legislatures, but—what is the old saying about power abhors a vacuum? That is what happens in this country. Again, we need to keep the States' flexibility in bringing lawsuits if they need to do that.

The other point we need to keep in mind is that a lot of today's litigation, a lot of the litigation the States are either involved in or are looking at is very complex and very expensive. I personally believe that an outside counsel contract can make a lot of sense. Again, we looked at these contracts when I was in the attorney general's office. We never did one, but we looked at them very closely because there are cases where it is very complex, it is very expensive, and you can structure an agreement with an outside counsel. It is not a get-rich-quick scheme by the outside lawyers, by the plaintiffs' attorneys, but it really is good for public policy, and if it is done right and done well, the public interest is very much served.

I think we should look at the Cornyn amendment. With all due respect to my colleague and friend from Texas, I think we should vote against the Cornyn amendment. We should not limit the States' ability to hire outside counsel if they feel they need to. Let the States make that decision. As I mentioned before, constitutionally, I am not sure we have the authority to limit the States anyway.

In the end, the interest of our people back home would be disserved if we adopted this amendment because what we would do would be to take some of the authority, some of the ability away from the State to protect its citizenry. As this amendment is voted on—apparently later this afternoon; I don't know exactly when it will be voted on—as it is voted on, I strongly urge my colleagues to vote no on the Cornyn amendment.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Madam President, I take the floor to give a little background, important background on the amendment I will call up later today. That Vitter amendment would do away with the system that is now in place under the law whereby Members of Congress get automatic pay increases annually without any open debate and without any open, clear rollcall vote.

Madam President, I have to say, Americans—certainly Louisianans in my State—are frustrated about a lot that is going on in Washington and in Congress. They are frustrated about the direction of the country, about runaway spending, about bailouts, but they are also frustrated with how we in Congress often seem to do our business. They are not frustrated so much with disagreement. People can have legitimate disagreements, vast differences in points of view and philosophy and approaches to issues. What they are most frustrated about is pure partisanship for partisanship's sake, political games, and a cynical approach to doing what should be the people's business in the Halls of Congress.

Unfortunately, a lot of voters and citizens in Louisiana and across the country are going to view some of the maneuvering and some of the political strategizing over attempts to defeat my amendment in that light, and they are certainly going to consider it more of the same. What am I talking about? Well, we have a big omnibus spending bill on the floor of the Senate, and last week the majority leader took great pains to say—including from his spot on the floor several times—we are going to have an open amendment process; that the floor is open for business, it is open for amendments. He invited Members to come on down. We will consider them. We are moving forward and taking care of amendments, having votes, and getting back to the proper procedure of the Senate.

I was excited to hear that because I had an amendment I very much wanted to call up for debate and a vote. The problem is, when I tried to do that, both through staff and individually, we were blocked every step of the way. At every turn, my amendment would never be put in order. It was never allowed to be called up, and I was never allowed to get that vote on this pay raise amendment.

Thursday night, that changed, and it changed for one simple reason: The majority leader needed to cancel a vote. He needed 60 votes for cloture. He didn't have the votes, as he explained from his podium. To cancel that vote, under the rules of the Senate, he needed unanimous consent—the consent of each and every Member of this body. Well, I took the opportunity—after a week of being frustrated and blocked and hemmed in at every turn from getting a vote on my amendment—to say very simply, in a straightforward way: I will be happy to grant that unanimous consent request with regard to my role in this if—if and only if—I will finally be guaranteed a vote on my amendment. The majority leader had to agree, and he did agree.

So here we are today, the following week, debating the Vitter pay raise amendment to stop pay raises on autopilot. This will finally lead to a vote. But as soon as that vote was scheduled, a sort of funny thing happened. The next day the majority leader introduced his own bill, coauthored by the entire Democratic leadership, which would do the same thing. Now, if I thought I had gained that many enthusiastic converts to the cause, I would be excited. But even though I was born at night, I wasn't born last night. I know—and every observer to the process knows—something else is going on. The something else is simple: The majority leader filed his own bill regarding automatic pay raises simply to be able to point to it and say: I am offering this bill, we can push this forward through this vehicle, and therefore you must vote against the Vitter amendment to the omnibus spending bill.

Again, I think the American people are going to be frustrated by the maneuvering and the cynical political games. I think they want a full, straightforward open debate. I think they want to hear where people are coming from. If folks support this idea of changing and doing away with automatic pay raises—pay raises on autopilot and no debate, no votes, they just happen every year—then I think they are going to want to see those Members vote for the Vitter amendment on the floor of this body today.

Quite frankly, I think it is a cynical maneuver to point to a bill that will never pass, that is controlled by individuals who don't want the measure to pass, in order to defeat an amendment that can pass and that can be the vehicle for this important change and reform. So I would encourage all Members to support the Vitter amendment, to support the idea in the form in which it can actually be passed into law.

This is a must-pass bill. This is an appropriations bill—something to fund this part of the Government. Something has to pass within the next several days. In this bill—in the original version of this bill—the pay raise issue is already there. It is a perfectly germane and natural amendment to the bill and agrees with my provision to do away with automatic pay raises. Nothing could be more natural than to debate the issue on this bill, to offer this amendment on this bill, and it is the legitimate and appropriate and effective way if we actually do want to pass this into law.

The way to never pass it into law is to have a stand-alone straw man; to point to a separate bill that will never be passed, certainly in the House.

Now, I expect what will happen is, the majority leader will not only point to this stand-alone bill, but he will actually ask unanimous consent that it be passed through the Senate and sent down the road to the House in the process. Well, that would be very promising if there was any hope whatsoever that the Speaker of the House and the House leadership would take up the matter and put it on the House floor.

So I would ask the majority leader and the Speaker of the House if they have had those discussions. Is there a commitment to putting any stand-alone bill passed through the Senate on the House floor for a vote in the very near future?

If there is that commitment, I would love to hear that expressed publicly, clearly, and in a straightforward way, and then that would rebut my argument that this is all a cynical, political game. I am afraid we are not going to hear those assurances. We are not going to hear that public commitment because I am afraid what is swirling around my amendment is a cynical political game. Let us treat the people's business the way it should be treated. Let us come to the floor, let us express our opinions. If we have legitimate differences of opinion, let us express them and let us debate them. But let us do it in that straightforward way and then let us have a vote on the Vitter amendment—the amendment that would do away with automatic pay raises—which is the true effective way to pass this reform into law on a must-pass appropriations bill.

I urge all my colleagues to come to the floor in that spirit. I urge all my colleagues to express themselves and wherever they are coming from in that straightforward way, in that straightforward spirit and not to drop in stand-alone bills the day after I was finally able to secure a vote on this matter, particularly when this proposal—thanks to my good friend, Senator RUSS FEINGOLD—has been around at least since the year 2000, 9 years. Neither the majority leader nor any of his Democratic leadership who are cosponsors to his brand new bill have ever reached out to Senator FEINGOLD to express support and join him in supporting his bill, which, as I say, has been around since the year 2000.

I am now happy to yield to the distinguished Senator from Iowa.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

AMENDMENT NO. 604

Mr. GRASSLEY. Madam President, I rise to speak on another amendment. I spoke on Senator VITTER's amendment yesterday, and I spoke in support of it. I will now speak on the Sessions amendment.

I rise in support of the Sessions amendment to extend the E-Verify Program for a period of 5 years. The E-Verify Program is an effective Web-based tool that provides employers with a process for the purpose of verifying the Social Security numbers and, at the same time, for the main purpose of determining the legal status of newly hired employees.

As my colleagues know, it is unlawful for employers to knowingly hire or employ aliens not eligible to work in the United States. Under current law, if the documents provided by an employee reasonably appear on their face to be genuine, then the employer has met the obligation to review the worker's documents. Unfortunately, counterfeit documents and stolen identities have made a mockery of this law. But with the E-Verify Program, employers can electronically verify a new hire's employment authorization through the Social Security Administration and, if necessary, follow it up with the Department of Homeland Security databases.

E-Verify has been an extremely successful program for employers who are seeking to comply with the law. The program is voluntary and free for all employers. Right now, over 100,000 employers have signed up for the program, and, in addition, each week more than 2,000 employers sign up. E-Verify has a proven track record—more than 5 million queries by employers were made last year and, of those, 96.1 percent were verified automatically.

The small percentage of applicants who receive a tentative nonconfirmation must sort out their records with the Social Security Administration. I would think if the Social Security Administration has bad information about you, you would want to clear that up for sure anyway. Many times this is a simple misunderstanding with the Social Security Administration or a case in which records were not updated. In the event a person receives a tentative nonconfirmation after his employment application, that person can still continue to work and cannot be fired.

The Sessions amendment would extend the E-Verify Program for 5 more years. Now, frankly, I would like to see more reforms to the E-Verify Program. For example, I would like to make E-Verify mandatory for all businesses. I would like employers to check all their employees through E-Verify, not just new hires. I would also like to see the program made a permanent provision in our immigration laws. But for now, I am happy to support this first baby step in extending E-Verify for 5 years.

There is a bottom line to everything we do around here, and the bottom line is that this amendment is a jobs amendment. Our economy is on the skids. Americans are losing their jobs. The E-Verify Program will help stimulate the economy by preserving jobs for a legal workforce. It will help root out illegal workers who are taking jobs from Americans. We need the E-Verify Program to encourage employers to use the system to prevent them from hiring foreign labor that has come here illegally.

I wish to make clear this has nothing to do with whether we have people coming to this country. It has nothing to do with whether we have people coming to this country to work. It only has to do with laws being followed—following the rule of law—to make sure people are working here legally and are conforming with our laws. That is all this is about, and E-Verify is a process—not mandatory, but a process to help people who are employers to verify whether the people who apply for the jobs are here legally and are registered with our Social Security system in a legal way.

I urge my colleagues, then, to support the Sessions amendment. Of course I appreciate very much the leadership of Senator SESSIONS in this E-Verify Program extension for 5 years, which is what the amendment calls for.

I yield the floor and I don't see anybody yet ready to speak so I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 621

Mr. GRASSLEY. Madam President, for Senator VITTER, I ask his amendment be called up. It is amendment No. 621.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa (Mr. GRASSLEY), for Mr. VITTER, for himself, Mr. FEINGOLD, Mr. GRASSLEY, and Mr. ENSIGN, proposes an amendment numbered 621.

Mr. GRASSLEY. I ask unanimous consent 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 provision of law that provides automatic pay adjustments for Members of Congress)

At the appropriate place, insert the following:

SEC. _____. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS FOR MEMBERS OF CONGRESS.

(a) IN GENERAL.—Paragraph (2) of section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 601(a)(1) of such Act is amended—

(1) by striking ''(a)(1)'' and inserting ''(a)'';

(2) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively; and

(3) by striking ''as adjusted by paragraph (2) of this subsection'' and inserting ''adjusted as provided by law''.

(c) EFFECTIVE DATE.—This section shall take effect on December 31, 2010.

Mr. GRASSLEY. Madam 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. GREGG. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Madam President, I rise today to speak a little bit about where we are in our economic situation in

this country and specifically as it is affected by the President's budget as he has brought it forward. I want to begin by acknowledging my respect and appreciation for what this administration has tried to do in the area of stabilizing the financial industry of this country. They, in conjunction with the Chairman of the Federal Reserve, Treasury Secretary Geithner, and Larry Summers, the Special Adviser to the President, along, obviously, with the input of Chairman Volcker, have put together a very comprehensive effort to try to use the strengths of the Federal Reserve and the Federal Government to basically inject liquidity into the system and put stability into the financial system of the country.

There has been a tremendous amount of commentary on this and much of it has reflected a lack of confidence in the initiatives that have been brought forward by this administration because, in many instances, they have not been as specific as they might have been. But the general thrust of what the administration has done in this area has been positive and I believe we are starting to see it work. The initial TARP dollars, which were put in by the prior administration, did stabilize the banking industry during a critical time. That has been followed on with additional TARP dollars from this administration, followed on by the initiatives from the Fed in the area of TALF, which basically is potentially over $1 trillion of support for new loans in the area of consumer credit and maybe commercial real estate; trying to do something in the mortgage area—initiatives have begun there using the FDIC and also the Treasury and the Fed again; in the area of basically underwriting the stability of major banking systems in the country, significant efforts have been made; and we are now hearing there is going to be an additional effort made to take toxic loans off the balance sheets of the banks using the leverage from the private sector.

All this has been, in my opinion, the right way to go. I didn't support the stimulus package because I thought it was unfocused and I did not think the dollars were used as effectively as they might. I wanted to see the dollars in the real estate area. But as a very practical statement, on balance the efforts of this administration to try to stabilize the financial industry, because stabilizing the financial industry is critical to getting the economy going, have been positive in my opinion. There is still a long way to go and there are more specifics that need to come and I guess more of that is going to come this week.

But that initiative to try to get this economy going and try to address the issue of people's concerns about their jobs and the value of their homes and their ability to live their lives in a constructive way in the face of severe financial distress which is being caused by this recession, stands in juxtaposition to this budget they have sent up. It is as if they have a ying and yang personality down there at the White House because they sent us up a whole group of ideas in the area of stabilizing the financial industries and trying to get the economy going with their stimulus package, the purpose of which is to lift the economy using the Federal Government.

Then they sent us up a budget which essentially creates a massive expansion in spending, a massive expansion in taxation, a massive expansion in borrowing, not only in the short run when you might be able to justify more spending, when you can justify more spending and borrowing, but as far as the eye can see with the practical effect of having a dampening effect, throwing a wet blanket on top of this country's productivity capabilities and this country's ability to be moving forward as an entrepreneurial society.

Look at the budget in specifics. The budget, in the short run, spikes the deficit dramatically. I am not going to argue with that. That may be necessary—maybe not at the levels they are doing it, but it may be necessary. It is necessary in order to put liquidity into the market, put liquidity into the American economy.

But then it continues to expand the size of Government; 28 percent of GDP will be the size of the Government this year. That is massive compared to our historical size of the Government as part of the GDP. That has got to come down. It does come down, but it does not come down all that much. By the fifth, sixth, seventh year, we still have Government spending that is 22, 23 percent of GDP. We have a deficit in the fifth year that is 3 to 4 percent of GDP.

The debt of the Federal Government, the public debt, is doubled in 5 years under this budget. It is tripled in 10 years under this budget. Taxes are increased by $1.4 trillion under this budget, $1.4 trillion. What are those taxes used for? Not to reduce the deficit but to expand the size of the Government even further.

Health care is essentially put on a track toward nationalization. Educational loans are nationalized. Discretionary spending goes up by almost three-quarters of a trillion dollars. And there is absolutely no restraint in any accounts of any significance on the spending side of the ledger in this budget. So that by the time we get to the fourth and fifth year of this budget, rather than seeing the numbers come down to something that is manageable for our society, rather than seeing the debt-to-GDP ratio come down to what might be a manageable number, it remains at a very high level, 67 percent.

Historically, debt to GDP in this country has been about 40 percent. Those are numbers. What do they mean? Well, essentially, instead of having a traditionally strong industrialized society, where your debt is manageable at 40 percent of your GDP, you are heading toward a banana republic society or country where your GDP-to-debt ratio is up around 70 percent. You cannot sustain that. Yet this budget presumes we are going to have a debt-to-GDP ratio of the banana republic type as far as the eye can see.

And the deficit? It is claimed that it is cut in half. Well, if you increase the deficit four times, and then you cut it in half, you do not gain very much. That is like taking four steps backward and only two steps forward. The practical effect of that is that we still end up with a deficit 4 or 5 years out, well after we are past this recessionary period, hopefully. I am sure we will be past it by then because we are a resilient nation. A deficit which is still way above the historical norm for this country, a $712 billion deficit is projected by the year 2019 under this budget, 3 to 4 percent of GDP. That is not sustainable. What is the practical effect of this?

Well, the practical effect is that we give our kids a country they cannot afford. We put on them a debt burden which basically stymies their ability to succeed and prosper.

In addition to this, you have got to look at the policies underlying this budget. What are the policies that are driving this massive expansion of Government in this massive expansion of debt? Well, they are basically policies which say, we are going to take the Government and we are going to explode its role relative to the private sector activities.

There is a proposal in this budget, as I mentioned earlier, to nationalize the student loan program. That is certainly an unnecessary act. We had a very vibrant private sector student loan program and a vibrant public sector student loan program. There is no reason we cannot have both. That is no longer acceptable. We are going to nationalize the student loan program.

There is a $636 billion place holder in this budget for the expansion of health care. They say it is a downpayment. Well, if it is a downpayment, we are talking about health care expenditures exceeding $1 trillion under this budget, growth in health care costs. Well, health care already absorbs 17 percent of the gross national product. That is about 5 percent higher than any other industrialized nation. It is not that we do not put enough money in our health care system, it is that we do not use it very well. And to increase the dollars going into health care by those numbers means what you are proposing is essentially for the Government to take over the entire health care system at some point in the future—another great expansion in the size of Government.

Then you have got this expansion on the discretionary side of the account. Every discretionary program expanding, except for defense, where they play a gimmick for the purposes of claiming budgetary savings that do not even exist on spending that will not occur.

So the goal of this budget is not to contain or to slow the rate of growth of

Government in the outyears after we are past this recession, it is rather to explode the size of Government as we move out of this recession, and put in place a government that continues to grow at a rate which the economy cannot afford and which obviously our children cannot afford.

How is this paid for, this dramatic expansion of Government? Well, most of it is borrowed, borrowed money. But some of it comes out of taxes. There are major new taxes proposed. We have all heard about the taxes on the wealthy. Let me point out that essentially what is being proposed here is that if you make more than $250,000, your income is going to be nationalized. Well, there are a lot of wealthy people who make more than $250,000, but there are also a lot of small businesses in this country that make $250,000.

That is where jobs come from in this country—the person running the local restaurant, the person running the local garage, the person who started a software company, the person who has initiated a new product, a new catalog product, maybe, selling something. All of these are small businesses, and they are across this Nation, and they are what create jobs. When you say to those folks, well, we are going to tax away whatever you make above a certain amount, $250,000, you are saying to them they do not have the assets to reinvest in their small businesses. You are basically going to create a huge disincentive. This creates a huge disincentive for small businesses to expand and for people to be added, for employees to be added to their businesses. It throws a wet blanket on the expansion of small business.

There is another tax in here that is not talked about too much. They call it a carbon tax. This is a massive new tax on everybody's electric bill. If you described it fairly, it should be described as a national sales tax on electricity. If you use electricity for anything, something in your home, if you use energy basically for anything—and almost every American does; I cannot think of anyone who does not—you are going to find yourself hit with a new tax, this carbon tax, this national sales tax on energy.

And what does it amount to? It is not a small sum. It is scored in this budget. It is understated in this budget. It is scored at, I think, $70 billion a year or something like that. That is still a lot of money, by the way. But it is understated. According to the MIT study and according to the numbers which were being used last year when this was being discussed, the actual number is closer to $300 billion, $300 billion in a brandnew tax burden on the American consumer.

And what is this tax used for? Well, it is used, in large part, for walking-around money for various constituencies who have an interest in getting money from the Federal Government. It is not used to contain the Federal Government or to reduce its size by reducing the deficit. A large percentage of these tax revenues are going to be added to various initiatives around here which are the projects of Members—worthwhile, I am sure.

But it is pretty hard to justify hitting Americans with a brandnew national sales tax on their energy bills for the purposes of expanding this Government, which is already too large to begin with. And, remember, none of this expansion in the Government taxes takes into account the huge costs which we have coming at us which we do not know how we are going to handle. Those are the costs of the retirement of the baby boom generation, for as this baby boom generation continues to retire—it has begun retiring now—it is going to generate massive costs on our Government.

We know we have $60 trillion of unfunded liability to pay for Medicare, Social Security, and Medicaid for the baby boom generation as it retires. And why is that? Why are there all of those trillions of dollars? Why is all of that money out there and obligated?

Because we have created a massive cost, and we have the largest generation in America retiring that is going to push that cost onto our children. We go from 35 million retired people to 70 million retired people, and most of that is going to occur by the end of this administration's term in office should the President be reelected.

So you would think that in this budget they would have said, well, we better start addressing that issue. We better start disciplining ourselves relative to how we are going to handle this massive increase in spending, which we know is coming at us—I call it a fiscal tsunami—as a result of the baby boom generation retiring. But, no, not one word in this budget about containing or slowing down or in any way addressing the issue of entitlement spending as a result of retirement of the baby boom generation.

The practical effect is there is an elephant in the room that we know we are going to have to address relative to cost that is not addressed, but at the same time the budget radically expands the size of Government, using resources that might have been used to address entitlement reform.

It is a budget which, if you look at it, essentially says to the productive and entrepreneurial side of our Nation: We are going to tax you. We are going to regulate you. And we are going to create an atmosphere where we are going to crowd out your ability to borrow money because the Federal Government is going to borrow so much money.

It is simply an attack on the entrepreneurial elements of our society, the people, the small business people who go out there and create jobs. That is why I said there is a conundrum here. On the one side this Government is proposing all sorts of initiatives, which I agree with, to try to float the economy using the liquidity of the Federal Government in a lot of different areas but primarily focused on getting stability back into our financial system and helping people who have mortgages that they cannot pay.

But, on the other side, you have this budget sent up here which is a clear and present attack essentially on the productive side of our ledger as a nation, while it expands radically the size of Government. So you can understand why the stock market and others are saying, whoa, what is happening here? Who am I to believe, the part of the administration which says we are going to try to get this economy going or the part of this administration that says, once we get it going, we are going to stuff it down with a major new tax burden and a dramatic expansion in Government?

So much more could have been accomplished in this budget than what has been proposed. If it had come forward with any reasonable ideas in the area of disciplining and managing the entitlement accounts, there would have been strong bipartisan support for that. But none were put on the table.

The opportunity to move forward in the area of Social Security was not taken. The opportunity to do something significant in the area of Medicare was certainly not taken in this budget, and the practical effect of that is, that if you are looking at this budget, and you are an investor from somewhere around the world buying American bonds—and, remember, most of our debt today is being bought by people outside the United States. They are basically funding our capacity as a nation to function—you are going to look at this budget and you are going to say, do I have confidence that the bonds I am buying are going to have the value that I am putting into them 5 or 10 years from now?

If I look at this budget, I am going to conclude that the American Government is not going to discipline itself, that it is going to continue to run a debt-to-GDP ratio that is not sustainable, and that, therefore, it is very likely that maybe my debt that I am buying from the United States, the Treasury bonds I am buying, are not going to be the value I am paying for them.

This budget not only stifles the entrepreneurial spirit of America in the outyears—and people looking 4 or 5 years down the road are not thinking that far now, but in October, this budget repeals many of the tax initiatives which create entrepreneurship and tax people at a heavier rate; it starts pretty soon here—at the same time it is putting at risk the value of our currency and the value of our debt. It is saying to the world: We are not going to discipline ourselves in the outyears.

When we raise taxes, which this administration is proposing—and that is what they said they would do—one presumes they would do what President Clinton did when he raised taxes. He

used it to try to reduce the deficit. With the help of a Republican Congress, which limited spending, we were able to accomplish that. This budget does not accomplish that. This budget takes $1.4 trillion in new taxes and spends it on a massive expansion of the Federal Government in the area of health care and the way we finance student loans, all the different initiatives basically expanding Government's role.

The practical effect of that will be to weaken the dollar, our currency, and to cause people to question the value of our debt. That is serious. That is very serious for us as a nation.

I agree with those who say the market is confused by this administration. It is confused because, on one hand the administration is pursuing what is a necessary policy to get liquidity into the market and stabilize the financial industry, stabilize the housing industry, but, on the other hand, it has put forward a budget which is probably the largest expansion of Government in the history of the country or the largest proposed expansion of Government in the history of the country, unpaid for and, therefore, threatening the future of our children with debt they can't possibly afford.

As we move forward in this effort, I suggest a better course of action would be for this administration to come forward with some fiscal discipline. Why don't they propose some specific ideas which will address the impending fiscal tsunami? There are bipartisan initiatives in the Senate to do so. Senator CONRAD and I have proposed a procedure which would allow us to put in place a process which would lead to policy, which would lead to a vote, which would actually limit and make affordable a large percentage of the outyear cost of entitlement programs as we try to fund the retirement of the baby boom generation.

Take us up on that offer. It has very significant bipartisan support. Why not take up an initiative in the area of trying to get the deficit and the debt back to the prerecession period? When we went into the recession, the debt was 40 percent of GDP. The deficit was down to about 1.5 percent of GDP. Let's get back to those numbers. If we are going to raise revenues, let's use them to reduce the deficit, not to expand the size of Government.

These are initiatives that would get a lot of Republican support, certainly on the first point. There might even be some support on the second idea of getting the deficit down. I would certainly support lowering the debt. But the proposal as put forward now is confusing. Not only is it confusing, but if it were actually put in place, it would put our country in a very serious situation as our children try to lead their lives and move forward in a nation which gives them an opportunity for prosperity.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 629 WITHDRAWN

Mr. KYL. Madam President, yesterday I spoke to my pending amendment No. 629, an amendment that would have required an assurance that none of the funds in the underlying legislation would be used to resettle Gazans in the United States. There had been a flurry of news stories suggesting that an Executive order by the President might have that result.

In contacting the State Department, we have been assured that is not the case. As a result, I ask unanimous consent to withdraw the amendment and to have printed in the RECORD a letter from the U.S. Department of State, Michael Polt, Acting Assistant Secretary, addressed to me, dated March 9.

There being no objection, the material was ordered to be printed in the Record, as follows:

U.S. DEPARTMENT OF STATE,
Washington, DC, March 9, 2009.

Hon. JON KYL,
U.S. Senate.

DEAR SENATOR KYL: Thank you for your inquiry regarding Presidential Determination No. 2009–15, signed on January 27, 2009, which approved a $20.3 million drawdown from the Emergency Refugee and Migration Assistance Fund (ERMA) to assist Palestinian refugees and conflict victims in Gaza. These funds will be used to provide humanitarian assistance to Palestinian refugees and conflict victims in Gaza. None of these funds will be used to resettle Gazans in the United States.

We appreciate your inquiry regarding this U.S. humanitarian program. If we can be of further assistance on this or any other issue, please do not hesitate to contact us.

Sincerely,

MICHAEL C. POLT,
Acting Assistant Secretary,
Legislative Affairs.

Mr. KYL. Madam President, I will read the two specific sentences from the letter that cleared up this matter. The letter says:

> These funds will be used to provide humanitarian assistance to Palestinian refugees and conflict victims in Gaza. None of these funds will be used to resettle Gazans in the United States.

As a result of that assurance, the amendment is not necessary, and that is one less vote my colleagues have to take this afternoon.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENSIGN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 615

Mr. ENSIGN. Madam President, I wish to talk about my amendment dealing with the DC Opportunity Scholarship Program. Unfortunately, if the current bill should pass, this program will end. There is specific language in the bill that says unless this program is reauthorized and the DC City Council approves it, 1,700 children will lose their opportunity scholarships that allow them to attend a private school in the District of Columbia. That is unfortunate, and that is why my amendment must be adopted.

When we take a close look at the data on DC schools, it is no wonder the DC opportunity scholarship parents are so vocal about keeping this program alive. Here in the District of Columbia, public schools spend, on average, over $14,000 per year per student. The DC class size has one of the lowest student-teacher ratios in the country, 14 to 1. Yet reading scores continue to languish at or near the bottom in every national assessment. Recent data shows that 69 percent of fourth graders in the DC Public Schools are reading below basic levels as defined by the Department of Education. DC students in DC Public Schools ranked last in the Nation in both SAT and ACT scores. About 42 percent of DC students drop out of school.

Beyond the low performance in the classroom, DC schools are often violent and dangerous. A Federal government study found that roughly 12 percent of DC students were threatened or injured by someone possessing a weapon on school property during a recent school year. This percentage is well above the national average. Perhaps, it is because of these statistics, that President Obama chose to enroll both his daughters in a private school.

Let's see what his Secretary of Education said about the DC scholarship program:

> I don't think it makes sense to take kids out of a school where they're happy and safe and satisfied and learning. I think those kids need to stay in their school.

Secretary Duncan was referring to the D.C. Opportunity Scholarship Program, the same program we are trying to save today.

Michelle Rhee, the Chancellor of DC city schools said:

> I would never, as long as I am in this role, do anything to limit another parent's ability to make a choice for their child. Ever.

That is what she said.

DC Mayor Fenty said:

> We should not disrupt the education of children who are presently enrolled in private schools through the DC Opportunity Scholarship Program.

Last Friday, Senator DURBIN, the senior Senator from Illinois, made some charges against this DC Opportunity Scholarship Program that I wish to address. Senator DURBIN claims the program doesn't work. He claimed the Department of Education study proves the DC Opportunity Scholarship Program doesn't work. What Senator DURBIN failed to mention were some of the fundamental flaws of the Department of Education study. First, the study fails to examine the performance

of students who actually took advantage of the scholarship and actually attended private school versus the performance of those who attended public schools. Instead, it compares the students who were just offered the scholarships to those in public schools. In fact, over a quarter of the students who were considered private school participants for purposes of this study did not even attend the private schools.

This study has many flaws and we could go through all of them. How can the program be considered not working yet there are 1,700 kids whose parents showed they are satisfied and that think their kids are getting a better education? The parents are happier, and they can sleep well knowing their kids are going to safer schools. I believe that if there were more than 1,700 scholarships available, there would be a lot more people who would be enrolled in the program because of the satisfaction of both the parents and the teachers.

According to the Heritage Foundation, 37 percent of the members in the House of Representatives and 45 percent of Senators send their children to private schools. That is almost four times the rate of the general population. The senior Senator from Illinois, Mr. DURBIN, stated on Friday that he and his wife sent their children to private Catholic schools. He said this was their choice, and it was a personal family decision. I respect Senator DURBIN's choice to send his own children to private schools, but why should the choice to send children to private schools be the right of only a privileged Senator's family or those who make a lot of money?

Keep in mind, the 1,700 children we are talking about come from families whose average income is less than $23,000 a year. A good education is a civil right, and this should not be the exclusive purview of the rich or the well connected.

Before closing, I wish to highlight some of the stories of success in the DC Opportunity Scholarship Program so it can be clear who is losing out because of the Democrats' efforts to kill the Program. I wish to put some names with some of the faces and show how important this program truly is.

Sarah and James Parker attend the Sidwell Friends School in our Nation's Capital with President Obama's children. Here they are right here. Unlike the Obama girls, they could not afford this school without the $7,500 voucher they received from the DC Opportunity Scholarship Program. Now, keep in mind, these two students are funded at half what it costs to send a child to DC Public Schools. Every time we take these students out of the public schools in Washington, the DC Public Schools save money. So why would we want to end this program? Plus the fact that these kids love going to school where they are going.

Now, Sanya Arias is a scholarship recipient who lives in Adams Morgan. She said some of her friends she went to school with in middle school and who now attend public high school speak using profanities and aren't making the kind of progress she is making academically. This is Sanya, here. Sanya said in middle school she started slacking off and she would have probably followed her friends' path if she didn't receive the scholarship to attend private school. Sanya currently has a GPA of 3.95. She is vice president of her class, captain of the soccer team, a player on the lacrosse team, president of the International Club, and a peer minister. This is the type of student the Democrats are going to take out of a school that she loves so much.

Rashawn is 16 years of age and started school in 1996. His father had him tested and found he was 3 years behind his grade level. The scholarship program gave him the opportunity to attend Academia De La Recta Christian Day School where Rashawn has said: ''I can now do my classwork with very little help'' because of this scholarship.

Dominique, who is Rashawn's sister, is a 14-year-old girl who lives in Washington, DC. She is now attending the same school and, in Dominique's own words, she says: ''I love my school, and I am working on my level and my grade.''

Breanna Williams is a 9-year-old girl in the fourth grade. She loves her new school, St. Peter's, because she is getting all As and Bs. She loves to read and is doing that at a level above her grade. In addition, Breanna plays the clarinet in the school band and when Breanna grows up, she wants to be a translator who travels the world.

I would be remiss if I did not reintroduce you to Ronald Holassie. He is a 10th grader at Archbishop Carroll High School in the District, where he is thriving—running track, studying physics, mentoring middle-school students. Further, he has just been appointed as DC's deputy youth mayor. Ronald said that maintaining the DC opportunity scholarship is his chief legislative priority. Ending the program will send Ronald, who is just a sophomore, to Woodson High School, a failing school under the No Child Left Behind Act, for his senior year.

Individually and collectively, these students demonstrate just how important it is to continue the DC Opportunity Scholarship Program and just how wrong the program's opponents are to eliminate it for political purposes. We should continue this scholarship program and help students like the ones I just pointed out—help them to continue to succeed and to develop in our Nation's Capital. I ask President Obama and the Democrats to keep Sarah, James, Sanya, Rashawn, Dominique, Breanna, and Ronald in mind before deciding to kill the DC Opportunity Scholarship Program. I ask my colleagues to please join me in supporting this critical program.

Madam President, I will close with this. I met Ronald last week. I met him and his folks. I met his little brother who is also in the program. I looked in their eyes and saw their heartfelt pleas to keep this program going. I challenge any member to look into their eyes and then vote against this program. We should be putting kids before special interest groups. Shouldn't our educational system be about kids? Shouldn't it be about their education and providing them the opportunities to compete in the 21st century?

I think the people who are against this program are afraid of this program for one reason—because it is actually working. This program is very popular. The senior Senator from Illinois sends his kids to private school. Parents choose to send their kids to private schools because they want better education for their kids.

Let's give these children a chance at a better education. Let's prove that it is working. Let's study the students and the program. Don't stop this program when it is still in its infancy. Let's decide how we need to measure it, prove it is working or not working. But I predict that at the end of the day, if we really follow these kids in an objective manner, we will show this program has great promise, and maybe we can even take it to other places in the country and help other low-income kids get a better chance at a better education.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I am glad I am here to speak in reference to the Ensign amendment. Senator ENSIGN mentioned my name several times during the course of that debate, which he is entitled to do on the floor of the Senate. I would like to respond.

Five years ago, we started a program in the District of Columbia. It was never tried before by the Federal Government. Here is the program. We said we would give to the parents of up to 2,000 students Federal money to pay for the tuition costs of sending their kids to private schools. It was called the DC Voucher Program. At the time—it was proposed 5 years ago—it was proposed as a pilot program. It basically said we are going to do this on an experimental basis to see whether it works, whether at the end of the day these kids going into private schools will turn out to be better and more successful students, and then at the end of the authorizing period Congress will make a decision whether to proceed forward with this program.

Sometime last year, I ended up with the responsibility of funding this program just as it was about to expire. It was going to expire this June, at the end of this school year. I said: I don't think that is fair. We have not done the evaluation we were supposed to do. We have not considered reauthorizing the program as we planned to do. And we do not want to leave 1,700 students and their families in suspense about their future. So, unlike the statement

made by the Senator from Nevada, I did not end the program in the bill. I think he knows I did not. Instead, we extended it an additional year beyond the authorization period. We said that we will cover the kids in this program for not only the school year we are in right now but the next school year, 2009 to 2010. I did not think it was fair for these kids to be uncertain about where they would be in the next school year while Congress did its work.

What has happened to this DC Voucher Program? Let me tell my colleagues what happened initially to the DC Voucher Program. I offered three amendments in the Senate Appropriations Committee to this program. Here is what they were, I say to Senator ENSIGN:

No. 1, I said that any DC voucher school teacher had to have a college degree. Is that a radical idea? Do you have any public schools in Nevada where the teachers do not have a college degree? We don't in Illinois. We put this up for a vote, and the people who were supporting the DC Voucher Program voted it down. They said: We can't require teachers in these private schools to have a college degree. Imagine that.

The second amendment I offered said the buildings that we will call DC voucher schools have to pass the Life Safety Code. They have to be safe buildings so that if there is a fire in the building, the kids will survive. I don't know of a single school in Nevada or Illinois that is not in a safe building, an inspected building. Do you know what happened to the amendment in the committee? They voted it down. They told me: Don't get in the way of creativity. We have these voucher schools that are very creative. The teachers may not have college degrees and the building may not be judged safe, but these are creative ideas. This could work, Senator, step aside.

The third thing I said was that it is only fair, since we are all critical of the current DC public schools and what is happening there, in most instances, that we have the same achievement test offered in the voucher school as in the DC public school so that at the end of a year or 2 years or 3 years, we can compare the results. Are the kids really doing better? It was voted down.

DURBIN, you are standing in the way of creativity. These are voucher schools. They don't need teachers with college degrees. They don't need to be in buildings that are inspected and safe. We don't need to have comparable tests. You are missing the point.

I guess I did miss the point. Do you know what happened when the General Accountability Office took a look at these schools? They found that many of them were world-class schools. And I bet you the students the Senator from Nevada was pointing to were the products of those schools. Do you know what they also found, I say to Senator ENSIGN. They also found schools where somebody's mom or somebody's wife declared themselves principals and teachers and went in to teach without college degrees and received Federal subsidies to do it.

Mr. ENSIGN. Madam President, will the Senator yield?

Mr. DURBIN. I will yield when I finish.

They also found schools that did not pass the Life Safety Code inspection. They found schools where they had misrepresented what the building was being used for. And, of course, there were no comparative tests they could use.

In my mind, if this were to be an experimental program, a pilot program, and we wanted to make sure that the kids were protected and that at the end of the day we could measure the results honestly and accurately, you would have included these provisions. Unfortunately, they were not included.

So now the question is, Should the Federal taxpayers continue to subsidize the education of the students in the DC voucher schools? It is a legitimate question, and it is one that a serious committee should look at. In fact, I think it should be a committee the Senator serves on, and that is what we suggested. He is a member of the Homeland Security and Governmental Affairs Committee, chaired by Senator LIEBERMAN. He came to the floor when the Senator asked 2 weeks ago and stated publicly: Yes, I will have a hearing on the reauthorization of the DC Voucher Program, and, in fact, has indicated to many of us that he supports the program. He is no enemy of the program.

So when our bill says we ought to take a look at the total results of the millions of dollars we put into DC voucher schools, let's judge how the students are doing—incidentally, in the first year or two, it turned out that the test scores, when they tried to compare them, they said there doesn't seem to be much difference between students in voucher schools and those in public schools. Maybe that has changed. It is certainly worth asking the question.

In this bill, I also require now that the teachers in the DC voucher schools in this next year have a college degree. Is that what you call ending the program? I think it makes the program more responsible. I think it makes the program more likely to produce students with a good education.

Let me tell you what else happened. When the Department of Education took a look at this program, they raised questions about whether the people administering the program were spending the money wisely, whether they were watching how the resources were gathered and spent. There is a lot of talk about oversight here and a lot of criticism that taxpayers' money and Government funds are being wasted. That is a fair criticism of everything we do on the floor. Why should this program be any exception? Why should we create a standard for this program that is different from any other program in Government or any agency of Government? I think it ought to withstand the oversight and review that every single program does.

I want to also tell you that this provision which created these schools—the law is a DC City Council ordinance. It was codified. It was made a law in the DC City Council, where it said specifically:

> The Secretary may make grants under this section for a period of not more than 5 years.

We have gone beyond 5 years. I have not only allowed it, I said we should. It is only fair it go beyond at least an additional year. Now the Senator from Nevada objects to the DC government itself deciding whether to continue this program. For a lot of people who come to this floor and talk about home rule, local control of schools, they are basically saying to DC: You don't have any voice in this matter. You are our laboratory. We will decide what happens to your school right here in Congress.

The Senate and the House of Representatives are filled with many gifted politicians, people who have served in many offices throughout their careers and bring that service as an experience to help them serve in the Senate. But it turns out that many of them, more than anything else, always wanted to be mayors, and in particular Mayor of the District of Columbia. Time and again, this Congress—and an attempt is being made right now—tries to preempt the District of Columbia from making its own choices for its own citizens. I would no more think of imposing on Las Vegas, NV, an education program that its school district did not want, would not accept, without saying to them: You ought to have a voice in this as well.

So at the end of the day, we say the program needs to be reauthorized to make sure it is working, that the money is not being wasted, and the program needs to be approved by the DC City Council.

I have met some of these students to whom Senator ENSIGN has referred. They are truly impressive. They tell a wonderful story about lives that were turned around and new opportunities. And that is exactly what I wanted to create for my children and what everyone else wants to create. But believe me, we are not going to create new opportunities when we have DC voucher schools stuck in the basement of a home where the principal has no academic credentials and the teachers do not have college degrees. We are not going to create excellence in buildings which are dangerous for kids to be in. We are not going to create excellence until we have accurate measurement between the progress students are making in the DC voucher schools and in the public schools as well.

While we are engaged in this conversation, many on the other side—I am not pointing at the Senator from Nevada when I say this—many on the other side have completely given up on the DC public schools. They are wrong.

Michelle Rhee is the new chancellor of education in the District of Columbia. She is an extraordinarily talented young woman who has come from the Teach For America Program, one of the most successful new programs and largest employer of college grads in America. She was successful in Baltimore in bringing back a classroom that had fallen behind. She went up to New York to recruit nontraditional teachers. And she is now here with the same dedication and commitment. I am not about to give up on DC public schools. I honestly believe the vast majority of kids are going to be in those public schools, and they deserve a decent education. As much as we can help them, we should. To despair and say there is no hope for these public schools is not fair to Michelle Rhee, to the new Mayor, Mayor Fenty, or to those who want to see this new day in education in the District of Columbia.

I think an honest evaluation of the DC voucher schools, as well as the DC charter schools, and a commitment to reform in the DC public schools is the answer. For those who want to stop and say no evaluation, no reauthorization, no investigation, spend the money on the program, no questions asked, I am going to say no. I am going to fight this amendment because I think it is a move in the wrong direction. It is a move away from accountability. It is a move away from a local voice in the future of the education of kids in the District of Columbia. And it is a movement away from quality and back to the DC voucher original model that did not include the most basic standards we require of virtually every public school in America.

I can tell you that many who are participating in the DC Voucher Program agree with the reforms I have suggested. I have talked with them about it. There are those who will resist it. We cannot let them win the day by adopting the Ensign amendment.

Now I will yield for a question.

Mr. ENSIGN. I thank Senator DURBIN for yielding.

Madam President, is the Senator aware that in all of the private schools these kids are attending the core subject teachers have 4-year degrees and that it was only in subjects such as art and wood shop that they did not necessarily have 4-year degrees? Madam President, I ask the Senator from Illinois, through the Chair, whether he is aware of that.

Mr. DURBIN. Madam President, I say to the Senator from Nevada that the complement of teachers in the DC voucher schools has changed and improved over the years, there is no question about that. But it is also true to say that the standards imposed on the DC public school teachers are not being followed by the teachers in the DC voucher schools. We have created a double standard. As far as I am concerned, if you are arguing that we shouldn't require all teachers to have the appropriate academic credentials based on the course they teach, I ask in response, through the Chair, is that the standard you are suggesting for your home State of Nevada?

Mr. ENSIGN. Madam President, I actually send my kids to schools where not all of the teachers in core subjects have 4-year degrees. But if a teacher is teaching art, if a teacher is teaching woodshop, or some other kind of program, I would ask: Does the Senator from Illinois really believe imposing that on private schools is necessary?

You send your kids to private schools just as I am sending my kids to private schools. We sent them where we thought they would get a good education. Does the Senator think these parents who are taking advantage of these programs don't care enough about their kids to send them to the best schools? That is why they are choosing to get them out of public schools. Wouldn't the Senator from Illinois agree those are wise parents signing up voluntarily for this program because they care about their kids?

Mr. DURBIN. I would like to respond to the Senator—I know our time is about to end—by saying that when the GAO did their study, incidentally, they found what you stated on the floor was not exactly the case. It turned out there were teachers in so-called ''core academic subjects'' without college degrees. Those subjects include English, reading, and language arts, math, science, foreign language, civics and government, economics, art, history, and geography. That is the definition of core academic subjects. And the teachers in many voucher schools did not meet those requirements.

I might also say to the Senator from Nevada that my wife and I made a personal decision to send our children to Catholic schools, knowing we would be paying public property taxes in my hometown of Springfield, IL, to support public education, and we had an additional financial burden on our family to pay for tuition, as you have. We accepted that burden, and I believe it is part of the bargain. We support public education, but we made a family decision to pay for our kids to go to Catholic schools.

I have supported public school referenda throughout my time in my hometown. I believe public education is the core when it comes to the development of the community. In my hometown of East St. Louis, when the public schools went to Haiti, the Catholic schools followed quickly behind. They are all in this together.

Madam President, I know we have run out of time.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, at 12:32 p.m., the Senate recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. CARPER).

OMNIBUS APPROPRIATIONS ACT, 2009—CONTINUED

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, what is the pending order?

The PRESIDING OFFICER. There is no pending order. There has been no unanimous consent. The Senator is recognized.

Mrs. HUTCHISON. Mr. President, I rise today to speak in opposition to the Omnibus appropriations bill that is before us. I think this debate has been good. We have had amendments. I thank the majority leader for allowing amendments to be offered. I note that not one amendment has been agreed to, but nevertheless we have had the debate and I think the American people do deserve to know more about this bill and why there are so many objections to it.

I am speaking against it today because of its sheer size. It is a $408 billion bill. But when you account for the previous bills that have already passed appropriations this fiscal year for defense, military construction, veterans affairs, and homeland security, the bottom line is for fiscal year 2009 we are going to spend $1 trillion. Passage of this bill will mark the first time in U.S. history that our regular appropriations process, funding Government in the routine and regular order, will surpass $1 trillion.

Last week I offered an amendment. Senator MCCAIN offered an amendment, Senator COBURN offered several amendments, Senator DEMINT, Senator VITTER, Senator KYL—so many amendments have been offered but they were basically different ways to bring down the cost of this bill to some kind of responsible, agreed-upon area so we can say we are doing the people's bidding by taking care of taxpayer dollars. That is what we tried to do.

First, Senator MCCAIN offered an amendment to say let's do a continuing resolution that funds Government at 2008 levels until October 1, the end of the fiscal year. Next, an amendment was offered by Senator ENSIGN that basically said 2008 spending levels, but with the new bill, with the new authorizations. It will have all of the congressional imprint but it will be 2008 levels. That failed.

My amendment was 2008 levels with the rate of inflation, so instead of an 8-percent increase in spending in a 1-year period, double the rate of inflation, it would have been a 3.8 percent increase from 2008, which I thought was quite reasonable. Furthermore, I said let's decide that we will only take it from the accounts in the bill before us that duplicate what we passed in the stimulus bill weeks ago. In that way, we would say to the American people we are going to fund the Government at 2008 levels plus the rate of inflation, and the way we are going to cut it back is to let the Appropriations Committee decide which of the duplicated accounts that were passed in the stimulus bill 2 weeks ago would be taken

out—either the stimulus bill or the bill before us. That was my amendment and it too failed.

We have tried everything we know how to do in a reasonable and responsible way to say to the American people: Everyone is hurting right now and we should not be spending in the regular order on regular Government business, 8 percent above last year's rate. My amendment would have been a 1-percent cut from this bill and the Appropriations Committee could have chosen where that went. I also suggested that we take it out of the duplicate measures that we passed within 1 month of each other. The American people expect more responsible actions from Congress than spending without restraint.

I hear from my constituents all the time. A lot of common sense is coming out of my constituents. I wish we could export the good old Texas common sense to the Congress because what we are saying is why don't we look at the big picture here? Instead of a $1 trillion stimulus spending package on top of $1 trillion to fund Government for the next 9 months, and furthermore we have not even dealt with the financial institutions yet, why don't we step back and look at the problem we have, which is that our financial institutions are not working, our small businesses are not getting credit so they are not able to borrow to stay in business, and the housing market is in the tank? We have not addressed those issues yet and here we are, spending as if there is no restraint, adding to the debt because we do not have the money in the bank. I cannot think of anything more irresponsible than what we are doing in these last couple of months in the Congress.

Actually, the stimulus packages from last year were also erroneous. But couldn't we have learned from the mistakes? Couldn't we have learned from what did not work in the first stimulus package? But, no, we do not seem to have learned, even though it was less than a year ago. I think the American people are showing the concern they have because the stock market is low, and is not getting stabilized.

Now we have coming on the heels of this omnibus bill, which we are not accounting for, a $3.6 trillion budget proposed by the President with a deficit for 2010 projected at $1.75 trillion. The cumulative debt of America today is $11 trillion. The proposed budget plan recently suggested a doubling of this debt over the long term.

Mr. President, 25 percent of the national debt that we are accumulating is owned by foreigners. The Chinese Government owns almost $700 billion of our debt. This is the same Chinese Government that last weekend took a rather hostile action toward one of our naval vessels in the South China Sea. I think we should be looking at the national security implications of having so much of our country's debt in the hands of any foreign country or any foreign national.

In addition to the concerns about whether the borrowers are going to buy our debt—what if they say: $10 trillion, $11 trillion, you know, maybe we will buy your debt, but the risk is too great and we will have to jack up the interest rate? What is that going to do to an economy that is teetering so badly?

I do not think we can turn a blind eye to the long-term consequences of this debt burden. It is not only irresponsible but it borders on being reckless. When are we going to stop it? If not today, then when? We have a chance today to say to the American people we will go back to the drawing boards and we will put reasonable limits on the amount of debt we are accumulating. We will put limits on the deficits that are being created. I think we should go back to 2008 levels because we passed a $1 trillion spending plan. Why not go back to 2008 levels and take out the duplication from the stimulus bill and what is in the bill before us today? That would be a responsible action that might start giving confidence to the American people that the Congress and the President will be able to work together in a bipartisan way to act responsibly, with the big picture in mind. I urge the President of the United States not to go forward with the budget that he has put forward, not to go forward with an energy plan that is going to start increasing taxes on every electric bill that every consumer in this country will have, but instead to step back and say let's fix the financial industries. Let's fix the financial institutions. The idea has been propounded is that the FDIC is going to start putting an assessment on every bank deposit to pay for these other schemes that have no impact whatsoever.

There are a lot of things coming out of here that do not make sense. I think it is time for us to begin to show the American people we are going to step back. We are going to fix the financial markets so people can borrow to make payroll and keep people working, so people can stay in their homes and not get foreclosed, and to shore up the housing industry and help them start building and selling homes again.

If we can start there, then we will know what kind of stimulus we need, or what kind of further spending would be in the best interest of this country to get our economy going again. But until then, we should not pass the bill before us today. We should go back to the drawing board and begin responsible, bipartisan leadership from Congress and the President on behalf of the American people.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from South Dakota.

AMENDMENT NO. 662

Mr. THUNE. Mr. President, I ask unanimous consent to call up amendment No. 662, and make it pending.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for himself, Mr. DEMINT, Mr. INHOFE, and Mr. ENZI, proposes an amendment numbered 662.

The amendment is as follows:

(Purpose: To prohibit the use of funds by the Federal Communications Commission to repromulgate the Fairness Doctrine)

On page 410, after line 2, insert the following:

SEC. 753. None of the funds appropriated in this Act may be used by the Federal Communications Commission to prescribe any rule, regulation, policy, doctrine, standard, guideline, or other requirement that has the purpose or effect of reinstating or repromulgating (in whole or in part) the requirement that broadcasters present or ascertain opposing viewpoints on issues of public importance, commonly referred to as the ''Fairness Doctrine'', as such doctrine was repealed in In re Complaint of Syracuse Peace Council against Television Station WTVH, Syracuse New York, 2 FCC Rcd. 5043 (1987).

Mr. THUNE. Mr. President, 2 weeks ago, 87 Members of the Senate voted to uphold our first amendment rights by supporting a statutory prohibition on the so-called fairness doctrine. The amendment was offered by Senator DEMINT and was accepted as part of the DC voting rights bill which is currently awaiting consideration by the House of Representatives. I am concerned that once the House considers this bill, whenever that might occur, and the Senate and House versions are conferenced together, this provision will no longer be a part of the final DC voting rights bill.

I will say I am hopeful that the DeMint amendment is retained in the final version of the DC Voting Rights Act, but I am fearful it will be stripped out behind closed doors when the conference committee gets underway.

So I filed an amendment to the Omnibus appropriations bill that would prohibit the FCC from using any funds to reinstate the fairness doctrine during the current fiscal year.

If this amendment is accepted to the omnibus bill, then the 87 Senators who supported this prohibition last week will have assurances that the fairness doctrine will not be reinstated for the remainder of this year regardless of whether the DeMint amendment remains part of the DC Voting Rights Act.

I would also like to remind my colleagues a similar provision was included as part of the fiscal year 2008 Omnibus appropriations bill, section 621, that was enacted into law last year. However, that language was not included as part of the fiscal year 2009 Omnibus appropriations bill.

Now, one of the arguments that has been made against this amendment from my colleagues on the other side is, well, this issue is not that important. Nobody really cares about it. It is not going to happen.

If that is the case, then why is it that the prohibition on funding to reinstate the fairness doctrine was stripped out of this bill after it had been included in the fiscal year 2008 appropriations bill?

The so-called fairness doctrine has a long and infamous history in our country. The FCC promulgated the fairness doctrine in 1949 to ensure the contrasting viewpoints would be presented on radio and television. In 1985, the FCC began repealing the doctrine after concluding that it actually had the opposite effect.

They concluded then what we still know today, and that is the fairness doctrine resulted in broadcasters limiting coverage of controversial issues of public importance.

Now, recently, many on the left have advocated reinstating the doctrine. They argue that broadcasters, including talk radio, should present both sides of any issue because they use the public airwaves. However, recent calls to reinstate the fairness doctrine failed to take into account several considerations, which I will mention in just a moment. But in the event that there would be any question about whether there are those out there who would like to see this happen—because that has been one of the arguments raised in the course of the debate, that nobody in here is very serious about really doing this—if you look at what the Speaker of the House said when she was asked: Do you personally support revival of the fairness doctrine? She said, ''Yes.''

The leader of the Democrats in the House of Representatives recently said:

> There is a real concern about the monopoly of information and the skewering of information that the American public gets.
>
> First, as to the monopoly. Obviously if one group or a large group controls information and only allows one perspective to be presented, that is not good for democracy. That is not good for the American public.

That is, of course, what the fairness doctrine is directed at. It can have great merit. Those are the two top Democrats in the House of Representatives, and those are statements made within the last year.

Then perhaps even more telling is what was said by a top staffer in the House. And it says:

> Conservative radio is a huge threat and political advantage for Republicans, and we have had to find a way to limit it.

I would submit that really is what this is all about. We have had Members on this side, in the Senate, on the other side of the aisle, who have made similar statements. Recently, on a radio program one of my colleagues on the other side was asked: Do you think there will be a push to reinstate the fairness doctrine? ''I don't know; I certainly hope so'' was the answer.

Do you support it? ''I do.''

I mean, would you want this radio station to have to change? ''I would. I would want this station and all stations to present a balanced perspective and different point of view.''

What we are talking about is a first amendment right. In reality, the fairness doctrine resulted in less, not more, broadcasting of issues that are important to the public because airing controversial issues subjected broadcasters to regulatory burdens and potentially severe liabilities. They simply made the rational choice not to air any such content at all.

Now, the number of radio and TV stations and development of newer broadcast media, such as cable and satellite TV and satellite radio, have grown dramatically in the past 50 years. In 1949, there were 51 television stations and about 2,500 radio stations in the entire United States.

In 1985, there were 1,200 television stations and 9,800 radio stations. Today, there are nearly 1,800 television stations and nearly 14,000 radio stations. There is simply no scarcity to justify content regulation such as the fairness doctrine.

The third point I will make is this: Development of new media, social networking, and access to the Internet has changed media forever. Supporters of government-mandated balance either ignore the new multiple sources of media or they reveal their true intention, which is to regulate content on all forms of communication and ultimately stifle certain viewpoints on certain media such as talk radio.

Fourth, broadcast content is driven by consumer demand. Consumers of media show whether they are being served well by broadcasters when they choose either to tune in or turn off the programming that is being offered. The fairness doctrine runs counter to individual choice and freedom to choose what we listen to or see on the air or read on the Internet.

The fairness doctrine should not be reinstated, and 2 weeks ago the Senate acted in a strong bipartisan manner in opposition to the fairness doctrine. I am asking the Senate to agree to my amendment because it simply prohibits any funding from being used to reinstate the fairness doctrine just as we included as part of last year's Omnibus appropriations bill.

Adoption of my amendment would ensure that our first amendment rights are protected and that consumers have the freedom to choose what they see and hear over our airwaves. This amendment ensures that the Federal Communications Commission does not use any resources to reinstate the fairness doctrine through the end of the fiscal year until a more permanent solution can be reached through a statutory prohibition.

As I said, 2 weeks ago, the Senate adopted this by a vote of 87 to 11. There were 87 Senators in the Senate who agreed to language that was contained in the DeMint amendment to the DC Voting Rights Act.

Similar language prohibiting the FCC from reinstating the fairness doctrine again, as I said earlier, was contained in last year's Omnibus appropriations bill. The administration of President Obama is on record opposing efforts to reinstate the fairness doctrine. It makes sense, in my judgment, that we echo all of those statements and the vote that was made by the Senate a couple of weeks ago by including a prohibition on funding for the FCC to reinstate the fairness doctrine.

Again, we do not know what is going to happen in the DC Voting Rights Act, whether this provision is going to be stripped out, whether the DeMint amendment is going to be stripped out. So it is important, in my view, that we reinforce the vote by making a strong statement, at least for this fiscal year's funding, that funding in the FCC cannot and will not be used to reinstate the fairness doctrine.

There is no reason for the Senate not to vote for this language. I hope my colleagues will join me in supporting this amendment and putting us on record when it comes to the funding that would be used to reinstate the fairness doctrine that this appropriations bill will not do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to engage my colleagues, Senator NELSON and Senator MARTINEZ, in a colloquy. And as I do, let me start off by saying, we want to take a moment to discuss some important provisions in the omnibus bill. I discussed these provisions at length last week on the Senate floor, and I want to give an update as to where things stand today.

As I discussed last week, this bill includes three important foreign policy changes with respect to Cuba that have not been subjected to debate in this body. They have not gone to the Foreign Relations Committee, they have not been subject to a vote in either body, and these modifications deserve a full examination. This has not taken place. Instead, this body would have been forced to swallow these changes in the crudest process I can imagine, without analysis, and without inclusion.

Since we have been unable to debate the substance of these provisions, I have asked for a clarification, along with my colleagues, to the Secretary of the Treasury on the implementation of these provisions and expressed my concern for their possible implications and the unproductive signals they might send to those who are fighting for democratic change on the island.

We did this to get clear, first, of what might have been major loopholes that could have been exploited by individuals or organizations seeking to circumvent the longstanding and necessary economic embargo. In response, Secretary Geithner has provided me with two letters that I ask unanimous consent be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
Washington, DC, March 5, 2009.

Senator ROBERT MENENDEZ,
U.S. Senate,
Washington, DC.

Senator BILL NELSON,
U.S. Senate,
Washington, DC.

DEAR SENATORS: I understand that you have concerns with provisions of the Omnibus Appropriations Act, 2009 that would amend Cuba sanctions on travel and agricultural and medical trade. As you know, the Obama Administration had nothing to do with these or any other provisions of that bill.

We are, however, currently reviewing United States policy toward Cuba to determine the best way to foster democratic change in Cuba and improve the lives of the Cuban people. Your views and the views of others on Capitol Hill will be important to that review, and the President remains committed to consulting with you as we consider changes to Cuba policy.

I understand that one of your chief concerns with the Omnibus is Section 622, which would prohibit the Treasury Department from using funds to administer, implement, or enforce the current definition of ''cash in advance,'' which is one of the permissible ways to finance exports to Cuba. Treasury believes that this change likely will have no influence on current financing rules. The term ''cash in advance'' is in the Trade Sanctions Reform and Export Enhancement Act of 2000 and therefore private parties are and will continue to be statutorily required to comply with those payment terms. Because the bill's language does not modify or negate the statutory requirement in the 2000 Act, exporters will still be required to receive payment in advance of shipment and will not be permitted to export to Cuba on credit other than through third-country banks.

I also understand you are concerned about Section 620. As you know that is a provision that will also be administered by the Department of the Treasury. I can assure you that regulations promulgated pursuant to that provision will seek to ensure that only travel for credible sales of food and medical products is authorized.

Sincerely,

TIMOTHY F. GEITHNER,
Secretary of the Treasury.

DEPARTMENT OF THE TREASURY,
Washington, DC, March 9, 2009.

Hon. ROBERT MENENDEZ,
U.S. Senate,
Washington, DC.

DEAR SENATOR MENENDEZ: You have expressed concerns to me about provisions of H.R. 1105, the FY 2009 Omnibus Appropriations bill, regarding Cuba sanctions. You have also shared your views regarding Section 620 of the bill, which relates specifically to travel to Cuba for the commercial sales of agricultural and medical goods pursuant to the Trade Sanctions Reform and Export Enhancement Act of 2000.

Section 620 would be administered by the Department of the Treasury. The regulations promulgated pursuant to that provision would provide that the representatives of only a narrow class of businesses would be eligible, under a new general license, to travel to Cuba to market and sell agricultural and medical goods. Any business using the general license would be required to provide both advance written notice outlining the purpose and scope of the planned travel and, upon return, a report outlining the activities conducted, including the persons with whom they met, the expenses incurred, and business conducted in Cuba. All travelers who take advantage of the general license would also have their daily expenses limited to the then-applicable State Department per diem rate.

It is my hope that this letter has assisted you in understanding how the Treasury Department would implement Section 620 of H.R. 1105, the FY 2009 Omnibus Appropriations bill. If there is anything that I can do to be of assistance in the future, please do not hesitate to contact me.

Sincerely,

TIMOTHY F. GEITHNER,
Secretary of the Treasury.

Mr. MENENDEZ. Section 620 liberalizes individual travel regulations to Cuba for the promotion of agricultural and medical sales. This provision would systemically broaden the category of licenses available and allow individuals, in a self-policing manner, to travel to the island under the auspices of selling such supplies.

While I am sympathetic to the U.S. agricultural industry, I remain concerned that provision was written with the aim not of benefitting the private sector but, rather, of undercutting the current travel regulations for individuals and putting a wedge in a broader issue of denying our currency to the Castro regime. Depending on how this provision was implemented, it could encourage a radical break in existing travel regulations and provide the Castro regime with enhanced financial benefit in the pursuit of its repressive policies.

As a result, we asked Secretary Geithner specifically how the provision would be implemented. Secretary Geithner assured us in his letter dated March 5, 2009:

> Regulations promulgated pursuant to that provision, [Section 620] will seek to ensure that only travel for credible sales of food and medical products is authorized.

In his letter dated March 9, 2009, Secretary Geithner wrote:

> The regulations promulgated pursuant to that to provision [Section 620] would provide that the representatives of only a narrow class of business would be eligible, under a new general license, to travel to Cuba to market and sell agricultural and medical goods. Any business using the general license would be required to provide both advance written notice outlining the purpose and scope of the planned travel and, upon return, a report outlining the activities conducted, including the persons with whom they met, the expenses incurred, and business conducted in Cuba.

Section 622 concerns cash in advance payments. This provision would strip the ability of the Department of the Treasury to enforce a 2005 amendment that defined the term ''cash in advance.''

In his March 5 letter, Secretary Geithner wrote that the U.S. Treasury ''believes that this change likely will have no influence on current financing rules. The term 'cash in advance' is in the Trade Sanctions Reform and Export Enhancement Act of 2000 and therefore private parties are and will continue to be statutorily required to comply with those payment terms. Because the bill's language does not modify or negate the statutory requirement in the 2000 Act, exporters will still be required to receive payments in advance of shipment and will not be permitted to export to Cuba on credit other than through third-country banks.''

Which is the law today.

This comes particularly at a moment that is very important. The Paris Club recently announced that Cuba has defaulted on over $9 billion of obligations. At a time that we are facing challenges in the United States in terms of our financial institutions and credit, in general, to be giving credit to a country that has not only a repressive policy but has $30 billion in default is not, in my mind, good policy.

President Obama said:

> My policy toward Cuba will be guided by one word: Libertad——

Which means freedom—

> and the road to freedom for all Cubans must begin with justice for Cuba's political prisoners, the rights of free speech, a free press and freedom of assembly; and it must lead to elections that are free and fair.

I could not agree more with President Obama on this point, and I fully support him in moving forward in this direction.

Finally, I know some of my colleagues might be confused about my persistence with this issue over the last couple of weeks. So let me clarify what, for me, is a principled position.

First, I have many citizens in New Jersey whose personal stories speak powerfully to the repression of the Castro regime. Many of them have spent 10 to 20 years of their lives in a prison cell. Their only crime was trying to seek peaceful change in their country. They are now proud U.S. citizens. But they languished in a jail for a decade or two decades simply for seeking to make peaceful change. Many of them were tortured in that process. They are a powerful reminder to me every day, when I am back in New Jersey, of that reality.

Second, let me propose that for some it is difficult to imagine the deep personal significance these changes have for the human rights and democracy activists on the island who fight for the ability to speak freely and think freely, as well as my own personal convictions on this issue that my family has both lived under and died trying to change.

Changes in our Nation's policy toward Cuba, such as changes in our Nation's policy toward any nation our country determines a state sponsor of terrorism—such as Iran, Sudan, and Syria—are extremely delicate policy issues. Any such changes in our policy with these countries deserve a democratic debate and careful deliberation. It is simply undemocratic to tuck them in the middle of a large unrelated but must-pass spending bill.

I thank Secretary Geithner for his understanding of the sensitivity of these issues, working with Senator NELSON and myself to ensure that the spirit of the legislation is carried out

in a responsible manner. I also thank my colleagues in the Senate who have worked with us on this and others who have understood and Majority Leader REID for working with me on getting clarification on the implementation of these provisions. It is disappointing that the process unfolded in this way. We will look just as unkindly upon any future attempts to make significant foreign policy decisions of any sort, not only about Cuba, in this type of secretive and undemocratic manner. Instead, I wish to work with my colleagues in an open and transparent manner to deliberate the substance before we get to this point, even though, at the end of the day, we may still not find common ground. I would, of course, prefer that the provisions not be in this bill at all. But the assurances I have received from Secretary Geithner have allayed my most significant concerns, and I will vote in favor of the Omnibus appropriations bill.

I yield to the distinguished senior Senator from Florida, who has been an ally in this effort to ensure that the clarifications needed were there. He is a tremendous advocate for freedom and democracy for the people of Cuba. I was privileged to work with him in getting the clarifications and making sure we are in a position so human rights activists and political dissidents in Cuba still have their opportunity to create change.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I commend Senator MENENDEZ for the conviction and passion with which he comes to this important position of influencing the Senate on this particular issue. I likewise wish to say the same thing about my colleague from Florida who has been my good friend for 31 years and who comes to this issue with equal passion and commitment. I thank my colleague from Florida for coming out here on the floor. Even though this issue was negotiated among Senator MENENDEZ and myself and Secretary Geithner, he is willing to come and stand to embrace the product of our work.

I wish to call to the attention of the Senate that our majority leader, Senator REID of Nevada, came up to me and indicated he supports this and wanted me to state that to the Senate.

I came to Congress 30 years ago. This issue has been an issue that any Floridian has lived with for a long time. I have supported an economic embargo against Cuba along with a ban on tourist travel to the island. I am a supporter of isolating the regime in Havana and giving the Cuban people the democracy they so desperately seek. The provisions in this omnibus that came out of the Appropriations Committee did not do away with the embargo but did weaken it. I think the better course is to allow our new President to undertake his own review of U.S. policy toward Cuba before pushing hasty and ill-advised language through on an omnibus bill, as Senator MENENDEZ said, that was crafted behind closed doors, kept from public view, and kept from the rest of the Senate's view until it was disgorged from the full committee only a couple weeks ago; ''it'' being the omnibus, a must-pass piece of legislation to keep the Government functioning.

As Senator MENENDEZ has outlined, we reached out to the Secretary of the Treasury and to the White House to clarify the implementation and enforcement of these regulations. Senator MENENDEZ has already put into the RECORD Secretary Geithner's letter of March 5 and his responsive clarification in a letter of March 9. I wish to enter into the RECORD the letter Senator MENENDEZ and I sent to Secretary Geithner on March 6, memorializing the personal conversation we had with him, to which he so graciously then followed up with his letter of March 9.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, March 6, 2009.

Hon. TIMOTHY F. GEITHNER,
Secretary of the Treasury, Department of the Treasury, Washington, DC.

DEAR SECRETARY GEITHNER: We appreciate your recent correspondence clarifying the implementation of Sec. 622 of the Omnibus Appropriations Act of 2009. As we discussed last night, we continue to have serious concerns with Section 620. Thank you for your personal commitment that the Department of the Treasury will promulgate regulations pursuant to Section 620 that:

1. Provide a narrow definition of the eligible businesses that may travel to Cuba to sell agricultural and medical products under a general license;

2. Require written notice to the Office of Foreign Assets Control (OFAC) in advance of travel to Cuba outlining the purpose and scope of such travel to Cuba, pursuant to the provisions as defined above;

3. Require a filing upon return of travel to Cuba by travelers outlining activities conducted, including persons with whom they met, the amount of expenses incurred, and the business conducted; and

4. Limit such travelers to the current Department of State per diem.

Currently, the Office of Foreign Assets Control (OFAC) pursues significant enforcement with regard to travel regulations relating to Cuba. We would expect that such enforcement would not be diminished in the ultimate enforcement of the regulations outlined above.

Sincerely,

ROBERT MENENDEZ.
BILL NELSON.

Mr. NELSON of Florida. I would like to engage my colleague from Florida, Senator MARTINEZ, in this colloquy.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I thank my two colleagues from New Jersey and Florida for what they have had to say but most of all for the work they have done. They have done good work. We have stood together, the three of us, along with others but particularly the three of us with the most immediate concern with this issue, in a way that is heartening. To me, oftentimes I have seen our names written as hardliners on Cuba. I prefer to think of ourselves as voices of freedom standing to oppression. That is what is at stake. People in the district of Senator MENENDEZ and people in Florida, countless of them, we know their stories. We know their names. We know their suffering. It isn't about settling an old score because these conditions continue even today. Oscar Elias Biscet, to name one. He is in jail. His family seldom gets to visit him. His health is in peril. It is because of all these things that are not only part of history, but they are also part of today's reality, that we stand on the side of freedom. That means a state that is a sponsor of terror needs to be treated differently.

I daresay that while I might not agree with everything that might be done, I trust President Obama and Secretary of State Clinton to do a review of our policy toward Cuba and then, perhaps in the light of day, have a discussion about what would and would not be appropriate. What I would object to is anything that would be unilateral, that simply would say: We will do this, that and the other thing and expect nothing on behalf of those oppressed people of Cuba. We need to expect that there will be reciprocity of some type, that there will be steps taken by the Cuban Government contrary to what they seem to have done last week, which is to circle the wagons and hint of more military control of the Government and more repression for the people.

I deeply thank both Senators NELSON and MENENDEZ for what they were able to accomplish in this misguided piece of legislation. I agree with them, it was inserted in the dark of night with no debate and discussion. The letters and the understanding they have reached with the Secretary of the Treasury handles the problem as it relates to agricultural sales to Cuba as well as the related licensing for travel relating to doing business in Cuba.

We talk often about an embargo. This embargo supposedly is limited to trade sanctions because we sell almost a billion dollars in agricultural goods to Cuba. We sell medicine. More humanitarian aid flows to Cuba from here than any other country in the world, hundreds of thousands, into the billions of dollars in remittances that go from folks in this country to those in Cuba. Sadly, the Cuban Government takes too big a cut out of it.

I look forward to this implementation, which I think fixes the problem created by this misguided legislation. I thank both the Senators for their yeoman work in getting this accomplished. I remain concerned about travel by family members. While I am not one to begrudge anyone who wants to see an uncle or aunt, there will be a need for regulations that will enshrine what I know will be a different policy

under President Obama, and I respect that completely. But there needs to be some regulation about the frequency of travel and also about the amount of per diem dollars carried back and forth to Cuba. I am sure those will be forthcoming down the road.

I believe it is important we continue to request that if there is going to be legislating on this topic, that it be done in the open air, that we have an opportunity for fair debate and for a legislative process that is worthy of the kind of institution we are.

I thank both my colleagues for the great work and appreciate the fact that we have been able to maintain what is an important foreign policy initiative that should never be disturbed in the way this was done but should be left in the hands of the Executive and be done carefully, measuredly and after study and consideration.

Mr. NELSON of Florida. Mr. President, I thank Senator MARTINEZ again. It is important we understand that when we have that full and fair and open debate in the sunshine, we remember what Candidate Obama said during the campaign. He said what he wanted to do was go back to the status quo ante on travel to Cuba by family members every year instead of once every 3 years and to have more remittances every quarter than was cut back a few years ago by the previous administration. That seems to be common sense and family value oriented. That is what the candidate who became our next President articulated.

Then once the new President announces his declaration of that policy, we can come out here and openly debate that issue. While there has been disagreement within this body over the most effective way for us to help the Cuban people, I believe if there is to be a new strategy toward Cuba, we must have the opportunity for the Commander in Chief to lay it out, not have it come from the tinkering of a few lawmakers inserting language in a must-pass appropriations bill without any opportunity for debate.

I stand with our Cuban American families, many of them in Florida, who have ties to loved ones still on the island. That is why I support President Obama's efforts to allow increased family travel once a year, instead of only once every 3 years, and the increased remittances to family members.

Our job in guiding U.S. foreign policy toward Cuba is to isolate the Castro regime but not to prevent families from being able to take care of their loved ones. On the basis of these letters entered in the RECORD today and on the personal assurance of the Secretary of the Treasury, which we appreciate very much, I have been assured by the administration as to the implications and enforcement of these regulations. Although I agree with many of my colleagues that this omnibus bill is far from perfect, I believe it is in the best interests of the country to provide the badly needed operational funding for the U.S. Government and for other important initiatives.

This bill includes funding for lifesaving equipment at Florida hospitals, for sheriffs' offices, and for police departments to upgrade communications systems or to prevent kids from joining street gangs. It provides money for cleaning up blighted downtown neighborhoods, for retraining workers who are losing their jobs, and for projects to save one of the world's greatest natural treasures, the Florida Everglades. These are just a few of the reasons why this legislation is so important.

If this bill, shepherded through this body by our esteemed chairman of the Appropriations Committee, Senator INOUYE, were not to pass, NASA's contractors would have to start laying off skilled aerospace workers developing the replacement of the space shuttle. So it is my intention to vote for cloture on the 2009 omnibus bill, and I urge our colleagues to do so.

Mr. President, I yield to Senator MENENDEZ.

The PRESIDING OFFICER (Mr. KAUFMAN). The Chair recognizes the Senator from New Jersey.

Mr. MENENDEZ. Thank you, Mr. President.

Let me now make some broader comments about the omnibus, having expressed my concerns. And, again, in recognition and in light of the assurances we have received on the matter that Senator NELSON, Senator MARTINEZ, and I have discussed, I have come to the floor today to support the omnibus bill.

It is an important measure to help our economy recover and keep essential public services running. It includes important funding for my home State of New Jersey, including everything from an initial burst of capital for a new trans-Hudson tunnel—incredibly important to move large numbers of people across the Hudson River to New York, and also for reverse commutes, for economic opportunity, access to hospitals, a whole host of critical issues in a way that is promoting mass transit and does so not only in terms of economic opportunity and an enormous number of jobs that will be created as a result of that but also as it relates to the quality of life and the environment by moving a lot more people in a high-speed, nonpolluting process versus through a car—to support for flood control and protection of our shore—which is incredibly important in terms of the tourism and fishing industry and the economy of New Jersey—to grants that allow local law enforcement to have the latest technology to help the police officer on the beat.

This bill invests in education, strengthening our commitment to science over the next decade so we can have a workforce that can compete on a global playing field and be second to no one in terms of that ability in those fields that are going to be the competitive future opportunities for our citizens and for our Nation.

It makes strong advances in health care. It includes more than $30 billion for lifesaving research so that the National Institutes of Health leaves no stone unturned in the search for treatment for cancer, for diabetes, and the Alzheimer's that I have watched take over my strong and proud mother.

The bill allows us to immunize an additional 15,000 children against debilitating diseases. And it funds the Patient Navigator program I established to help citizens make their way through a complicated health care system.

The legislation puts resources toward revitalizing local communities and keeping families in their homes—because the housing crisis is at the root of our overall economic crisis. It funds community and economic development in over 1,000 cities and towns, gives competitive grants to revitalize neighborhoods, and renews section 8 vouchers to help nearly 45,000 families keep a place to call home.

In short, the omnibus makes a broad range of the kind of worthy, needed investments that will help our economy recover and our citizens get through this difficult time. I am happy to see the Senate move forward on this vitally important legislation. Although I know I am not the only Senator to have felt frustration in this process, I wish to take this opportunity to express that I am always open to discussions with my colleagues, and I hope we can work together in the future to make sure in the greatest deliberative body in the world we will all do our part to deliberate before we take significant action.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

AMENDMENT NO. 662

Mr. INOUYE. Mr. President, I rise in opposition to amendment No. 662, an amendment offered by the Senator from South Dakota. This amendment would prevent the Federal Communications Commission from reinstating the fairness doctrine.

This amendment is totally unnecessary. There is no funding in this bill for the FCC to reinstate the fairness doctrine. This bill does not contain any provisions directing the FCC to reinstate the fairness doctrine.

Further, President Obama does not support reinstating the fairness doctrine. The FCC repealed this doctrine in 1987, and has no plans to bring it back.

Finally, last week, 87 Senators, including myself, voted to include a similar amendment to the voting rights bill that would prevent the FCC from reinstating the fairness doctrine, which is exactly what this amendment would do. So there is no question about Democratic support for the position being proposed by the South Dakota Senator.

I wish to take a few seconds and talk about the history of this issue. The

fairness doctrine, which was originally adopted by the FCC in 1949—60 years ago—is a concept that broadcasters should cover issues fairly, allowing for different viewpoints to be presented in a balanced way.

I agree with the goals the fairness doctrine advanced, but the need for this policy today has become obsolete. In the 1950s, there were only three nationwide broadcast stations—NBC, ABC, and CBS. There was a legitimate public concern that the small number of media outlets could abuse their power and present a biased public agenda. At that time, the fairness doctrine was the right answer to a small and heavily concentrated media world.

A lot has changed since the 1950s. Technology has exploded. There are more ways than ever to hear a variety of perspectives and opinions on any number of issues. There are hundreds of channels on cable TV. We have public broadcasting, which was nonexistent at that time. We have more than 14,000 AM and FM radio stations, and hundreds of satellite radio stations. We also have the Internet.

As I stated earlier, the FCC repealed the provision in 1987, and has no plans to reinstate this doctrine. The amendment is simply an attempt to take an issue on which a vast majority of the Members of this Chamber voted in agreement last week and offer it to an unrelated bill of significant importance to the day-to-day operation of our Government.

It does not belong in this bill. I urge my colleagues to oppose this matter so we can send the bill to the President of the United States.

AMENDMENT NO. 604

Mr. President, if I may, I wish to speak on another amendment. This is amendment No. 604.

The bill before us, the Omnibus appropriations bill, would provide funding for the majority of the Federal Departments which have been funded under a continuing resolution since October of 2008.

This bill, the omnibus bill, is not an authorization bill. At the request of both the chairman and ranking member of the authorizing committee of jurisdiction, this bill includes a simple 1-year extension of the E-Verify employment verification system, known as the Basic Pilot Program, and includes a simple extension of the EB–5 program.

The Appropriations Committee chose not to include the controversial authorization measures associated with the E-Verify Program. Rather, the extension provided in the Omnibus appropriations bill provides the authorizing committee ample time during this session of Congress to consider the 6-year authorizing legislation contained in this amendment.

The continuing resolution expires at midnight this Wednesday, March 11 and, therefore, I urge my colleagues to oppose this controversial authorization language, particularly since this bill provides time to the authorizing committees to address this issue through the authorizing process.

I oppose that amendment.

AMENDMENT NO. 674

Mr. President, now, if I may, I wish to speak on another amendment. This is amendment No. 674, which would prohibit the use of funds to implement Executive Order 13496 which was issued on January 30 of this year.

This Executive order requires Federal contractors to post a notice informing workers of their existing labor rights under Federal labor laws. The pending amendment, however, prohibits President Obama's order from being implemented unless it uses the same exact language as a prejudiced order issued by former President George W. Bush in 2001.

The Bush Executive order required Federal contractors to post a Federal labor rights notice, but that notice only provided one-sided material about the right to not join a union or pay certain union dues. Unlike President Bush's order, President Obama's executive order does not limit the notice to pro- or anti-union material, and it does not dictate what specific language must be used. It simply requires the Department of Labor to issue guidelines within 120 days from January 30 of this year about the notice, and for the notice to be more comprehensive and informative than the Bush Executive order.

Mandating that the one-sided Executive order from the previous administration be restored defies logic. Many new federally funded projects to improve our Nation's infrastructure are underway and productive labor relations are more important than ever. Ensuring that workers are aware of their rights promotes better working relationships between labor and contractors.

Federal law gives the President discretion to determine what is in this notice. President Bush exercised that right during the 8 years he served as President, and issued an Executive order on this matter that many of us in this Chamber believed to be one sided. President Obama deserves the same authority and discretion that was afforded to President Bush to issue Executive orders. The Congress should not take steps to intercede on this matter by adopting this amendment and, therefore, I urge my colleagues to vote no.

Mr. President, I yield the floor.

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. ENSIGN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 615

Mr. ENSIGN. Mr. President, I wish to speak once again about my amendment dealing with the DC Opportunity Scholarship Program we have here in the District of Columbia. Currently, 1,700 children from lower income families are able to attend a private school with a $7,500 voucher thanks to this program, a program we implemented about 5 years ago.

It seems the No. 1 priority for the National Education Association, one of the largest unions in the country, is to eliminate this program. We are talking about real children here. These are two of the kids who attend school with President Obama's children. It is a great school. The President and Mrs. Obama could afford to send their kids to any school. They chose this particular school because it is an excellent school. They chose not to send them to a public school in Washington, DC. After seeing some of the statistics on the DC public schools, it doesn't surprise me. Why should these two happy, healthy kids who are enrolled at the same school as the President's children be forced to leave?

The bill before us allows the program to continue for one more year, then, if not reauthorized and approved by the DC City Council, the bill de-funds the program and forces 1,700 children out of private schools where they are happy, healthy and learning.

I quoted these statistics earlier: forty-five percent of Senators and 37 percent of members of the House send their children to private schools. That is almost four times the rate of the general population. Quality education shouldn't be only for a privileged few. We should be able to send kids such as Sarah and James here to the schools where they can get a better education, where they are safer.

The safety of DC public schools is a major concern. One-half of all teenagers attending DC public schools are in a school that has enough criminal activity to be classified as persistently dangerous. In school year 2006–2007, DC Metropolitan Police reported that over 6,500 crimes were committed in D.C. public schools. Too many of these schools are not safe.

It is a civil right to get a good education. So we came up with a plan a few years ago that took up to 2,000 poor children in the metro DC area and sent them to a school of their parents' choice. Washington, DC, spends more than any school District in America per student. The District of Columbia spends over $15,000 per student per year—three times as much as we spend in my home State of Nevada. Yet the public schools are failing here in Washington. So we decided to design a program to see if we can help some of those kids escape the failing public schools in Washington. We thought: if it works as a pilot project, maybe we can expand it to other places.

Well, the National Education Association has come out with their No. 1 priority, which is to destroy this program. My question is, Why? I believe they are afraid this program is working, so it is a threat to their power. It

is a threat to union member dues. That is unfortunate because when it comes to education, our only concern should be in the quality of education for our children. They need that kind of quality education to compete in the 21st century.

I have a couple other kids to tell my colleagues about.

This is Sanya. She is a beautiful, happy young lady, and is receiving a great education in a private school here in DC. Today, she has a 3.95 GPA. She is the vice president of her class. She is the captain of her soccer team, a player on the lacrosse team, president of the International Club, and she is a peer minister. She is a future leader whom we are going to be taking out of the school she loves if this bill is enacted without my amendment.

Rashawn is 16 years old and a handsome devil. He started school in 1996. His father had him tested and found out he was 3 years behind his grade level. The scholarship program provided him the opportunity to go to the Academia De La Recta Christian Day School. Rashawn said he can now do his classwork with very little help because of the scholarship. His sister, Dominique, who is 14 years of age, is now attending the same school, and these are her words. She says: ''I love my school now. I am working on my level on my grade.''

Do we really want to take these kids out of their schools? Do we really want to do that? We have to ask ourselves, Do we want to protect this bill and the special interests this bill is addressing so much that we are actually going to pull 1,700 children from lower income families out of the schools they are attending today? I think it is unconscionable that we are going to be doing that.

Breanna Williams is 9 years of age and in the fourth grade. She loves her new school, St. Peters. She is getting all A's and B's. She loves to read and is reading at a level above her grade. In addition, Breanna plays clarinet in the school band. When she grows up, she wants to be a translator and travel the world.

Lastly, I wish to tell my colleagues about Ronald Holassie. He is currently Washington, DC's deputy youth mayor. I had the honor of meeting this young man, and I had the honor of meeting his little brother, Richard. His little brother, Richard, 8 years of age, came to our press conference and stole the show. These are two incredibly bright young men. Ronald, a tenth grader, runs track, he is studying physics, mentoring middle-school students, and absolutely loves every minute of it. As the Youth Deputy Mayor, he considers saving this program his chief legislative priority, because he has seen what it has done for him and what it has done for his little brother.

So individually and collectively these programs are working. We just have to put ourselves in a commonsense position.

There have been some studies quoted here claiming that this program wasn't working. First of all, the studies were incredibly flawed. We pointed out all of the flaws of the study. But we just have to ask ourselves, if 45% of the Senators send their kids to private schools, and they pay a lot of money to do that, would they do that if they thought the educational opportunity was inferior? Of course not. It just makes common sense. Do you think the parents of these 1,700 children would voluntarily send their kids to the DC schools of their choice if these schools were inferior or if their kids weren't getting a better education? Well, of course not.

This is what President Obama's Education Secretary said about the DC scholarship program. He said:

> It is a mistake to take kids out of a school where they're happy and safe and satisfied. I think those kids need to stay in their school.

So we need to adopt my amendment to keep the DC scholarship program funded. It is the right thing to do for these kids. Showing them we care more about their education than we do some special interest group is the right thing to do.

So I urge all of my colleagues, when they are voting, to think of Ronald. Think of the kids we have talked about and many others. Instead of doing away with this program, let's study it. Let's study what is working about it. If it is working, let's expand it to other places in the country.

America leads the world when it comes to higher education. Our colleges and universities are the best. One of the reasons they are the best is because you can take a GI bill, student loan or Pell grant, and you have the opportunity to attend any college you desire. You have a choice. About 5 years ago, this program gave these kids a choice. Our public, K–12 school system is in bad shape when compared to the rest of the industrialized world. We are falling behind, especially in science, math and in the technical fields. If we want our kids to have the chance to compete in the 21st century, we have to improve our school system. One of the ways to do that is through competition. This is just a little experiment and a little competition that some people now want to come to this floor and destroy.

So let's think of these kids, and let's think of kids all over America when we are thinking about the educational choices we are going to be making in the Senate. Let's give children in DC a choice. We, as senators, are fortunate enough to have a choice for our children. Forty-five percent of the Senators chose private schools, including the chief opponent of this amendment, Senator DURBIN.

I thank the Chair. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 604

Mr. SESSIONS. Mr. President, I hope that in a little bit we will vote in favor of the amendment I have offered to extend the E-Verify system for 5 years. It is time we do that. It is a proven, effective system that brings integrity to our immigration system.

The E-Verify system is up and working today all over America. Between 1,000 and 2,000 businesses a week are signing up voluntarily. Over 112,000 have already signed up. When an applicant submits an application for a position with a company, the company can input their Social Security number into an electronic system, and the computer checks it to see whether it is a valid Social Security number.

People who are not authorized to be in the U.S. know they can use any Social Security number you choose. We found a few years ago that hundreds of people were using the exact same Social Security number to get a job. People were also using the same fake ID and getting jobs in that fashion. E-Verify is a program that would help eliminate the jobs magnet, the ability of a person who enters America illegally to get a job. If employees aren't authorized to work after they have been checked through E-Verify, nobody will be arrested. Police officers are going to be called out. Nobody is going to be put in jail under this system. What would happen is the employer would simply say: You don't qualify. You are not a legal resident. If there is any doubt about it, the applicant has a mechanism to very quickly validate their status if they have a legitimate status to validate. It can make a big difference.

The Heritage Foundation and I believe the Center for Immigration Studies a few days ago did a study, and they estimate that under the stimulus bill, 300,000 people who are not legally American will be given jobs.

My colleagues probably saw the article—I am sure many of my colleagues did—a couple of days ago where 700 people signed up for a janitor's job in Ohio. The American people are seeing an increase in unemployment. I don't think the numbers are going to reach as high as they did in the 1980s—at least that is the testimony we just had at the Budget Committee at two different hearings—where employment reached 9.4 percent, 8.6 percent. People were estimating what unemployment will reach. I don't know what it will reach, but I know a lot of good people are out of work and looking for a job. We created a stimulus package, $800 billion worth, and that stimulus package was supposed to create jobs. The President says he wants to create 3 million, and we have just been given a report that says almost 10 percent of those jobs could go to people who are in the country unlawfully.

Let me just say as an aside something that worries me. I think every Member of this Congress should be worried about it. Under President Bush's Executive order 12989, which was supposed to be implemented in February of this year, every business that got a contract with the U.S. Government must use the E-Verify system. As I said, over 112,000 are using it voluntarily today.

What worries me is that President Obama pushed back implementation of that Executive Order. He has now put it off until May 21. At the same time, our Democratic leadership is blocking an effort to make E-Verify permanent or even extend it for just 5 years.

What does that signal, I ask? Do we want people here unlawfully in this country to get jobs working for the Government when there are hundreds of people applying for a janitor's job? Do we want contractors who hire illegals to get Government work while Americans cannot get the jobs? I don't think so.

I will just say with regard to extending the E-Verify Program, in the House they had a square vote on it last July. It passed 407 to 2. So now we are not going to put that in this legislation. I was blocked 3 times in my attempt to get a vote on the amendment as part of the stimulus package. At least, I have to say, I am pleased I will apparently get a vote on this bill. But I am troubled with what I am hearing that the leadership is going to put pressure on Democratic Members to vote no. There is a majority there, and if they do, it will not even pass today.

I urge my colleagues to listen to the telephone calls. I am getting calls asking that I vote for it. It is my amendment. People care about this issue. The American people wonder what it is we are doing here. Do we not get it? Do we not understand what this is all about? It is about a jobs package to create jobs for lawful American workers. They can be noncitizens, but they need to be lawfully present in the country.

The first thing you do in dealing with a situation of illegality is stop rewarding it. You do not give them good jobs.

I am amazed there is an objection to this amendment. I had a suspicion that a move was afoot to keep my amendment from passing on the stimulus bill, and that turned out to be correct. In addition to a 5 year extension, the House accepted an amendment making E-Verify mandatory for stimulus money recipients without objection in the House Appropriations Committee. It was in their bill, but Senate leadership was able to block us from getting a vote on it. So we did not get a vote and it was not in the Senate bill.

What happened when they went to conference? Speaker PELOSI and the majority leader meet. They control the conference. And, oh, goodness, they decided the House would concede and the amendment would be taken out of the bill. Since the Senate had not put it in the bill, it would be stripped from the legislation. That is how the stimulus package passed without any E-Verify extension. I think it has expired now, actually.

We need a long-term extension because it is going to cause businesses that don't use it to wonder whether they should sign up if they do not even know it is going to be a continuing system. It would be very bad.

The new Secretary of Homeland Security, Secretary Napalitano, President Obama's Secretary, says she does favor this program. Michael Chertoff, the previous Secretary of Homeland Security, strongly supported this program. A bipartisan group of people support it. We need to extend it. We need to actually make it permanent, and we need to make it apply to all Government contractors, as even President Bush required in his Executive order, which has now been abrogated by President Obama.

To sum up, this amendment does not make E-Verify required for Government contractors. All it does is extend the E-Verify system for another 5 years. I cannot imagine we would let this cornerstone of a plan to establish a lawful system of immigration to expire. We are on the verge of that now.

I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma.

AMENDMENT NO. 622

Mr. INHOFE. Mr. President, one of the amendments we are going to have the opportunity to vote on this afternoon is the Thune amendment. I have some strong feelings about it. I wish to make a couple observations that I think are necessary dealing with the fairness doctrine.

As indicated by the vote on Senator DEMINT's amendment to the DC Voting Rights Act, any attempt on the part of any Senator to reinstate the fairness doctrine clearly goes against the will of Congress and the American people. It is a dangerous policy to enact more Government policing of our airwaves.

With the onset of the Internet and other media technology, there are countless sources of information at our fingertips. I can remember, and you can remember, I say to the Chair, many years ago when we had nothing but three networks, and we didn't even have talk shows at that time. Then CNN came along. I guess it was the first cable network.

At the time, there was limited opportunity. As it is now, with all the information that is going around, that is no longer a problem.

Senator DEMINT's amendment addressed this issue. It was similar to the intent of the Thune amendment that will be coming up this afternoon. The DeMint amendment was adopted by a margin of 87 to 11. One would believe, then, that the Thune amendment would pass by an equally substantial margin. However, it was obvious at the time the vote on the DeMint amendment was merely a political game on the part of some of my colleagues to mask their true intent to regulate broadcast media, and I suspect the vote on this amendment will be different. I encourage my colleagues on the other side of the aisle to hold true to their earlier conviction and pass this measure by an equally substantial margin.

A lot of mail went out after that vote. People were talking about how they were going to protect first amendment rights, and we were not going to try to infringe on the airwaves with the fairness doctrine.

While reinstatement of the fairness doctrine still poses a threat to free speech on the airwaves, the debate over Government regulation of broadcast media has changed. Media ownership diversity and broadcast localism are the new liberal tools they intend to use to regulate the airwaves.

Two weeks ago, in a straight party-line vote, Democrats chose to adopt an amendment—it was amendment No. 591 sponsored by Senator RICHARD DURBIN of Illinois—which calls on the FCC to ''encourage and promote diversity in communication media ownership and to ensure that broadcast station licenses are used in the public interest.''

That is very nebulous, very vague language, just enough to scare people who are in business but not enough to define what they are trying to do. There is no indication in the legislation as to what ''encourage and promote diversity'' and ''in the public interest'' means. These clauses can be interpreted by the FCC in any manner they choose.

The Durbin doctrine, as I refer to it, is legislation that is so incredibly vague and so potentially far reaching that there is no certainty what the end result will be. This is not good governance. This is not a good idea.

Another threat to our freedom of speech is a proposal called broadcast localism. We have two different issues. We have localism and then we have, of course, the diversity issue. Neither one is well defined. The FCC gave notice of proposed localism regulations in January of 2008. While the proposal was ultimately dropped, it is indicative of future attempts to regulate the airwaves and is something all Americans need to know about.

Among other things, the proposal would have required radio stations to adhere to programming advice from community advisory boards. It doesn't say what kind of advice. It doesn't say who these boards are. It could be ACORN. It could be just about anybody, I suppose. Then to report every 3 months on the content of their programming, they have to report what the content is when it has been a matter of public record anyway. They talk about how their program reflects the community interest. If you have one biased source of localism, they can dictate the content of broadcast material.

The localism rule, if it were promulgated, would mean that radio stations

would have to comply with blanket regulations and broadcast programming that may not be commercially viable and be forced to take into account the advice of community advisory boards over their regular listeners.

Right now it is market driven. That is what people do not understand. The reason we have content—I admit it is biased on the conservative side because most people are biased on the conservative side. In my State of Oklahoma, it does not matter if you are Democrat or Republican. They are people who are conservative. They want limited Government. They want limited taxation. I think Oklahoma is not the only State that is unique in that respect. Although the rule was ultimately abandoned, President Obama has expressed support for a new localism regulation, and it is expected to come up again under this administration.

Both localism and diversity—those are the keywords—in media ownership will force radio stations to comply with blanket regulations and to broadcast programming that is not commercially viable rather than taking into account the needs of their communities.

I was in Bartonsville, OK, last week. There is a guy up there named Kevin Potter who owns a station. That is his whole livelihood. He has been doing it for as many years as I can remember. It is a very competitive business he is in. He has to comply with something if it is specific, but this is so nebulous he doesn't know what he has to comply with. He is panicking that they would have the power under this new regulation to shut him down.

I think what is most concerning to me is the enforcement procedure for breaches of localism and diversity. Certainly, no one has been able to determine what that is or what the definition is.

Senator DURBIN's amendment requires affirmative action on the part of the FCC stating ''the Commission shall take actions to encourage and promote diversity.'' It doesn't stipulate what actions or to what degree but instead leaves the enforcement mechanism up to the determination of the FCC, which is likely to be emboldened by the affirmative language of the amendment. I find it to be extremely dangerous and this, too, should be a concern of everyone.

We tried to do this on the Senate floor, I think it was 2 years ago, when there was an objection that most of the broadcast radio talk shows and television shows were biased on the conservative side. I admit they are. There is no question about that.

There was an attempt made—I think it was Senator HARKIN at that time—to change the content of what our troops overseas would be listening to on the overseas radio.

Frankly, that probably would have passed. We arranged to have a survey done through the Army Times of all those overseas, and it was 97 percent wanting the market to determine—in other words, the conservative type of programming.

I hope when the Thune amendment comes up that we will support it. To do otherwise, to me, is a little bit disingenuous and would show that the 87 people who voted in favor of the DeMint amendment are not really concerned about it.

I have often been concerned. I hear all over my State of Oklahoma that it is a tough enough business to deal with, to have a station that makes money and survives. On the issue of localism, Kevin Potter told me: We pay attention to localism because we have to sell products. We interrupt these nationally syndicated programs with weather reports and with all the local things.

So localism is there, and it is there because the market demands it, not because Government says you have to do it. I just think, let's let the market take its effect. I will certainly support the Thune amendment and hope that our colleagues will do what they did with the DeMint amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 615

Mr. DURBIN. Mr. President, later this afternoon, the Senate will consider an amendment by the Senator from Nevada, Mr. ENSIGN, relative to the DC Voucher Program. Senator ENSIGN has been on the floor several times today to discuss this program. I wanted to make certain the record was clear on both sides as to the issue before us.

This was an experimental program that was started 5 years ago. At that time, under the Bush administration, with a Republican Congress, they made a proposal to the District of Columbia. They basically said: We will give you somewhere in the range of $14 million to $18 million for your public schools—which any school district would gladly accept—and another $14 million to $18 million for your charter schools if you will use a similar amount to start a DC voucher program. So we started this program 5 years ago and had some $14 to $18 million, and it was said to the District of Columbia, we will pay tuition, we will give families up to $7,500 to pay the tuition of children who want to attend private schools.

The argument was made that the DC Public Schools were not as good as they should be; that many of these children would have a much better opportunity if they attended these voucher schools. So this was an experiment. It had never been tried before. There was some controversy associated with it. I offered amendments in the Appropriations Committee to try to establish what kind of standards there would be at these DC voucher schools. In fact, I thought my amendments were rather straightforward—the kind of amendments most people would take for granted.

The first amendment I offered in the committee said: I hope all the teachers in the DC voucher private schools will have college degrees. That amendment was defeated. The argument was made that we shouldn't restrict the teachers in those schools, who may be nontraditional. They may not have a college diploma. Though we require in the public schools that all teachers have college degrees, they didn't want to require that in the DC voucher schools.

The second amendment I offered said the buildings where the DC voucher schools are being conducted should meet the basic life safety codes—health and fire safety code of the District of Columbia. That was rejected as well because these would be nontraditional buildings. Now what kind of comfort does that give a parent whose kids are going to school—whether it is a public school, a charter school or a voucher school—if there is any question of safety? But my amendment was rejected.

The third amendment I suggested was one I thought was only fair. If we are trying to create a private school voucher so students can have a better learning opportunity, at the end of a year or two we need to measure success. The only way to measure success is if the DC Public Schools and the voucher schools use the same achievement test so we can see if a fourth or fifth grader in one school or the other is doing better. That was rejected too. They wanted no comparison.

Excuse me if I am suspicious of this program if you can't mandate bachelor's degrees for teachers, if you can't mandate the buildings pass the health and safety code of the District of Columbia, and you can't mandate they have the same basic tests so we can compare them. So I went into this skeptical. I thought the fix was on. They were going to create this program with few, if any, rules and take it or leave it.

Well, it went forward and it was funded. After a year or two, the Department of Education and the General Accountability Office took a look at it and they raised serious questions about all this money—these millions of dollars coming into this program in a hurry—and whether they had the proper management techniques, whether they were handling the money right, whether they were giving it out properly, and whether the right families were receiving it—some fundamental accounting and bookkeeping issues which we should ask of every program, particularly those using taxpayers' money. So there was a question of the administration of the program. Then they went on to find some things which were troubling. For example, the GAO report said schools that didn't traditionally charge tuition were now being funded. In other words, they were free schools before we created this program and now they were charging tuition.

What does that mean? For the school year 2006–2007, they offered scholarships to about 30 students in one of

these schools, and a school that traditionally had asked only for a small monthly fee as a sign of commitment to the school. They raised their money from charity and donors. Now, since the Federal Government was here with this DC voucher scholarship program, they decided that 30 of their students should qualify for these scholarships. Well, that comes out to $210,000 being spent by the Federal Government in a school that traditionally didn't even charge tuition. Does that raise a question? It raised a question in my mind.

They also found out there were a number of schools that lacked these occupancy certificates. Even after I offered this amendment raising a question about the safety of the schools, the schools went on to operate without filing the adequate certificates with the District of Columbia—the City of Washington, DC—that they were safe and that they, in fact, offered the kind of facilities they said they did. The GAO report said District officials provided documentation indicating that 3 of 18 schools the GAO selected for review lacked certificates of occupancy—3 out of 18. Six of them had permits that did not specify their use as a private school, child development center or before and after school care center, and 7 of the 18 appeared to have occupancy permits that designated use as child development centers with before and after school care.

It turned out there wasn't a consistent presentation by these schools of what they were. They included in the GAO report photos of two of these schools. One of these schools looked like a single-family residence in a neighborhood where they were supposedly holding school in the basement. Another one looked like some kind of commercial building. It didn't look like a school at all. It raised a question in my mind as to why we would allow them to get by with this. If they were receiving Federal money to sustain their program, at a minimum they ought to have teachers with a bachelor's degree, they ought to meet the requirements of safety, and they ought to have a test they can compare with the DC Public Schools. They didn't.

Now, what happened? The program was 5 years in duration. It was described as a pilot program—an experimental program—and the idea was, at the end of the day, to take a measurement as to whether this worked: Did this provide better education for the millions of dollars we put into it? Well, if we followed the law, that program would have expired in June of this year. I was in charge of the Appropriations Committee for the District of Columbia, and I decided that wasn't fair to the 1,700 students currently in the DC voucher scholarship program. To cut them off as of June of this year, without any certainty as to what is going to happen the next year, I thought was unfair to the students and their families. So instead of ending the program, which would have happened without an authorization, I extended it 1 year so it will cover the students in these programs for the school year 2009–2010.

I thought that was fair. And I said in that period of time Congress had to do its job. We had to go in and ask these questions about the schools: Are they working? Are they worth the money spent? Are the teachers doing a good job? Are the students better off at the end of the day?

Senator ENSIGN has brought some impressive photographs of young students who have been successful using this program, but we have to ask about 1,700 students and what is working and what isn't.

The second thing we said in the bill which we are considering is that this is a program that affects one public school district—Washington, DC—that is managed by the DC City Council. I believe that if they are going to extend this program beyond next school year, the government of Washington, DC, should decide whether they want it in their school district. I wouldn't want it in Chicago—which I am proud to represent, or in Springfield, IL, my hometown—to have someone come in from the Federal Government and say: We are creating a new school program here. We don't care what the local voters say or the local school board says. We are from the Federal Government; we are only here to help you.

I don't buy that logic. So we said those two things are required: Reauthorize the program, have the DC City Council approve the program, and then we can consider going forward. Now, the committee that considers this reauthorization is not a hostile and angry committee. It is chaired by Senator JOE LIEBERMAN from Connecticut, who has expressed his support for the DC voucher program. So it isn't as if I am sending it to a committee that is going to deep six it and forget it. He is going to have a hearing about the future of the DC voucher schools. Senator ENSIGN, who comes to the floor and argues we should not ask the questions, we should not demand reauthorization, we should not ask the DC City Council whether they want the program to continue, is also a member of that committee. So he will have his chance under the bill that is before us to make this evaluation.

Now, let me be very candid about this. Half the students are in Catholic schools. The archdiocese of Washington is offering education to many of these students. I have had teachers and parents and others who have come to me and said it is working. A lot of these kids who otherwise wouldn't be getting a good education are getting a good education. I don't believe the archdiocese and schools should be frightened by this examination. If they are doing what they say they are doing—and I trust they are—this examination is going to prove it, and they are going to find out, at the end of the day, that the money is being well spent.

In the recent version of the Catholic newspaper here, which was published in the Washington, DC, area—and I will not read it in detail—there was some language about how a reauthorization could take years. Well, that is not the fact. It can be done on a very expeditious basis by the committee. Senator REID, the majority leader, has said he will bring this matter to the floor for consideration.

Let us assess where we are with this DC voucher program, which would have expired in June of this year. We have extended it another year. We have said the 1,700 students are protected. They can continue to go to the schools they are attending right now. We have said that in that period of time Congress will take a look at the program and decide if the money is well spent and then report a bill if they want to reauthorize the program to the Senate floor for consideration. I think that is fair.

I hope those who are opposed to my language in this bill can come before the Senate and explain the alternative. If we are going to continue this program, literally for millions of dollars each year, and never ask any questions, it is not only unfair to taxpayers, it is unfair to the students. We have to make sure this is working and working effectively.

I had it within my power, I believe, to have ended this program, as promised, in June of 2009. I didn't do it. I extended it for an additional year. So those who argue the language in this bill kills this program are ignoring the obvious.

Mr. President, I yield the floor.

AMENDMENT NO. 665, WITHDRAWN

Mr. REID. Mr. President, I ask unanimous consent that at 4:15 p.m. today, the Senate proceed to vote in relation to the following amendments in the order listed, with the time until 4:15 p.m. equally divided and controlled between the leaders or their designees, that the Bunning amendment No. 665 be withdrawn as soon as this order is entered: Cornyn No. 673; Cornyn No. 674; Thune No. 662; Sessions No. 604; Ensign No. 615; that there be 4 minutes equally divided and controlled prior to the Ensign vote; and Vitter No. 621; provided further that prior to the vote in relation to amendment No. 621, the majority leader be recognized, and that the time the majority leader consumes not count as time against the debate time previously provided under the orders of March 6 and 9; further that the other relevant provisions of those previous orders remain in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, amendment No. 665 is withdrawn.

Mr. DURBIN. Mr. President, 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. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent that during the quorum call the time remaining between now and the time the vote is scheduled be evenly divided between the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, 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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Nebraska.) Without objection, it is so ordered.

AMENDMENT NO. 673

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 673, offered by the Senator from Texas, Mr. CORNYN.

The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, if amendment No. 673 is adopted, State attorneys general could still enforce the Truth in Lending Act, they can still hire outside counsel, they just could not do so on a contingency fee basis.

Contingency fee contracts offer three hazards in this context that are not presented with more traditional fee arrangements. First, there is a serious risk of overcompensating the lawyer at a loss to taxpayers, since typically they work on 30 percent up to 50 percent of whatever is recovered goes to the lawyers and not to the taxpayers, as should be the case.

Second, the proposed prospect of contingency fees actually creates an incentive for trial lawyers to encourage litigation that State would not otherwise bring. State attorneys general could initiate this litigation when it is in the public interest. With contingency arrangements, too often the lawyer decides who should initiate the case because, of course, of the profit motive. And this undermines the current regulatory regime.

Third, contingency fee agreements have been proven to be a temptation for corruption.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CORNYN. For that reason I ask my colleagues to support the amendment.

Mr. PRYOR. Mr. President, I rise in opposition to the Cornyn amendment, and I do this for three reasons. First, the Federal Trade Commission does not have the resources to pursue all bad actors in the lending markets under their jurisdiction.

The States need the ability to enforce what the FTC is doing in their State. Occasionally State governments do not have adequate resources or the expertise on these very complicated matters. Sometimes they need outside counsel. And in order to get outside counsel, they need to put that in a contingency fee in many cases.

Also, I have great concern that this amendment may be unconstitutional. I am not sure that the Congress can limit the States' ability to bring an action or to structure a contract for outside counsel.

So for those three reasons, I would respectfully ask my colleagues to vote against the Cornyn amendment.

I thank everybody for their hard work.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 32, nays 64, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—32

Alexander	Cornyn	McCain
Barrasso	DeMint	McConnell
Bond	Ensign	Murkowski
Brownback	Enzi	Roberts
Bunning	Grassley	Sessions
Burr	Gregg	Snowe
Chambliss	Hutchison	Thune
Coburn	Inhofe	Vitter
Cochran	Isakson	Voinovich
Collins	Kyl	Wicker
Corker	Lugar	

NAYS—64

Akaka	Graham	Nelson (FL)
Baucus	Hagan	Nelson (NE)
Bayh	Harkin	Pryor
Begich	Hatch	Reed
Bennet	Inouye	Reid
Bennett	Johnson	Risch
Bingaman	Kaufman	Rockefeller
Boxer	Kerry	Sanders
Brown	Klobuchar	Schumer
Burris	Kohl	Shaheen
Byrd	Landrieu	Shelby
Cantwell	Lautenberg	Specter
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Conrad	Lincoln	Udall (NM)
Crapo	Martinez	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feingold	Mikulski	
Feinstein	Murray	

NOT VOTING—3

Gillibrand	Johanns	Kennedy

The amendment (No. 673) was rejected.

Mr. NELSON of Florida. Mr. President, I move to reconsider the vote.

Mr. BEGICH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 674

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 674 offered by the Senator from Texas, Mr. CORNYN.

Mr. CORNYN. Mr. President, my amendment would protect workers' paychecks and promote transparency. Currently, the NLRB permits an employer and union to enter into a contract that requires all employees in a bargaining unit to pay union dues as a condition of employment whether or not the employee actually is a member of the union.

In a Supreme Court case recently, Communication Workers v. Beck, the Court ruled that nonunion workers could get a refund for that portion of their dues which would be used for political action or other purposes other than collective bargaining. President Obama has now changed the rules by Executive order, and now Federal contractors are no longer required to post signs in the workplace informing workers of their rights regarding union dues. President Obama's Executive order does not change the law, for workers are still entitled to the refund. It is just that now, under the Executive order, employers don't have to tell the workers of their rights, which they should.

My amendment prohibits omnibus funds from being used for this provision of the Executive order. I ask my colleagues for their support.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. DURBIN. Mr. President, I rise to oppose the Cornyn amendment and urge my colleagues to oppose it as well.

On January 30, President Obama issued Executive Order 13496 to inform Federal contractor employees of their rights under Federal labor law. Under the Executive order, there are 120 days of rulemaking to prescribe the size, form, and content of this notice to be posted. In other words, it is underway at this moment.

I am opposed to this amendment because we didn't restrict the ability of former President Bush to inform employees of Federal employers of their labor rights. We should allow President Obama the same opportunity.

I urge Members to vote no.

The PRESIDING OFFICER. All time has expired.

Mr. MARTINEZ. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Nebraska (Mr. JOHANNS).

The result was announced—yeas 38, nays 59, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—38

Alexander	Crapo	Martinez
Barrasso	DeMint	McCain
Bennett	Ensign	McConnell
Bond	Enzi	Murkowski
Brownback	Graham	Risch
Bunning	Grassley	Roberts
Burr	Gregg	Sessions
Chambliss	Hatch	Shelby
Coburn	Hutchison	Snowe
Cochran	Inhofe	Thune
Collins	Isakson	Vitter
Corker	Kyl	Wicker
Cornyn	Lugar	

NAYS—59

Akaka	Gillibrand	Nelson (FL)
Baucus	Hagan	Nelson (NE)
Bayh	Harkin	Pryor
Begich	Inouye	Reed
Bennet	Johnson	Reid
Bingaman	Kaufman	Rockefeller
Boxer	Kerry	Sanders
Brown	Klobuchar	Schumer
Burris	Kohl	Shaheen
Byrd	Landrieu	Specter
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Lieberman	Udall (NM)
Conrad	Lincoln	Voinovich
Dodd	McCaskill	Warner
Dorgan	Menendez	Webb
Durbin	Merkley	Whitehouse
Feingold	Mikulski	Wyden
Feinstein	Murray	

NOT VOTING—2

Johanns Kennedy

The amendment (No. 674) was rejected.

AMENDMENT NO. 662

The PRESIDING OFFICER (Mrs. MCCASKILL). Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 662, offered by the Senator from South Dakota, Mr. THUNE.

Who yields time? The Senator from South Dakota is recognized.

Mr. THUNE. Madam President, amendment No. 662 is simply a prohibition on funding being used to implement the fairness doctrine.

A couple of weeks ago, the Senate had a vote, and 87 Members of the Senate voted for a statutory prohibition on reinstating the fairness doctrine. In fact, the appropriations bill last year included similar language to what I am proposing in my amendment that would prohibit the FCC from using funds, appropriating funds to implement the fairness doctrine. So it is consistent with what the appropriations bill included last year. It was not included in this year's bill. All this simply does is makes it consistent with what we did in last year's appropriations bill.

Furthermore, the legislation that was actually passed by the Senate 2 weeks ago, the DC voting rights bill, my hope is the prohibition on implementing the fairness doctrine will stay in that legislation, but I have a fear that when it gets to conference with the House, it might be stripped out. This is yet another way of ensuring that funds will not be used to implement this very bad idea.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Madam President, this amendment is unnecessary. There is no funding in the bill to reinstate the fairness doctrine. The bill does not contain any provisions directing the FCC to reinstate the doctrine. President Obama does not support it. The FCC has no plans to reinstate the doctrine. Opposition to the amendment is not based on substance, it is based on fact. It does not belong in the bill.

Things have changed since the fairness doctrine was adopted in 1949. Today, there are more ways than ever to hear a variety of opinions on any issue. We have hundreds of channels on cable TV, over 14,000 AM and FM stations, and we have the Internet. Therefore, we don't need it.

I urge a ''no'' vote.

Mr. THUNE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a second? There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Nebraska (Mr. JOHANNS).

The result was announced—yeas 47, nays 50, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—47

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Bayh	Enzi	Nelson (NE)
Begich	Feingold	Risch
Bennett	Graham	Roberts
Bond	Grassley	Sessions
Brownback	Gregg	Shelby
Bunning	Hatch	Snowe
Burr	Hutchison	Specter
Chambliss	Inhofe	Thune
Coburn	Isakson	Udall (CO)
Cochran	Klobuchar	Vitter
Collins	Kyl	Voinovich
Corker	Lugar	Webb
Cornyn	Martinez	Wicker
Crapo	McCain	

NAYS—50

Akaka	Gillibrand	Mikulski
Baucus	Mrs. Hagan	Murray
Bennet	Harkin	Nelson (FL)
Bingaman	Inouye	Pryor
Boxer	Johnson	Reed
Brown	Kaufman	Reid
Burris	Kerry	Rockefeller
Byrd	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Conrad	Lieberman	Udall (NM)
Dodd	Lincoln	Warner
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feinstein	Merkley	

NOT VOTING—2

Johanns Kennedy

The amendment (No. 662) was rejected.

Mr. KERRY. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 604

The PRESIDING OFFICER. Under the previous order, there is 2 minutes equally divided prior to a vote in relation to amendment No. 604 offered by the Senator from Alabama, Mr. SESSIONS.

The Senator from Alabama is recognized for 2 minutes.

Mr. SESSIONS. Madam President, 1 minute or 2 minutes?

The PRESIDING OFFICER. Excuse me, 1 minute.

Mr. SESSIONS. Madam President, this amendment simply will extend the authorization for the E-Verify system for 5 years. On this current bill, it will be extended only for 6 months. I ask why we would not make it a more extended period of time unless we have doubts about it, unless we don't like it, unless we are looking for a way to eliminate it.

It is the core system businesses are signing up to use voluntarily. Over 100,000 are now using it. They punch in a Social Security number and determine whether the job applicant who is before them is legally authorized to be employed, if they are legally in the country. That is what it is. It is not required to be used even in Government contracts. It does not require there to be any police officers, detention spaces, or any enforcement. It simply allows businesses to use this system voluntarily.

We cannot allow it to expire. I am amazed we are not extending it permanently. We need to do that. And we need to soon pass legislation, which this bill does not do, that would require all Government contractors to use the system because that would have been the law as of January until President Obama stopped that Executive Order.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, my good friend from Alabama knows that the bill contains an extension of the E-Verify Program through September 30 of this year. I share his frustration about short-term extensions. Similarly, I have been trying to work in good faith to extend the EB–5 Regional Center Program, which is as important to Alabama as it is to Vermont.

Much to the detriment of the economic benefits created by the EB–5 program, such as capital investments and new jobs in American communities, the Senator from Alabama and others have refused to pass an EB–5 extension without simultaneously extending the E-Verify Program. I believe they should both be extended.

While I have no objection to reauthorizing the E-Verify Program for a longer term, so long as it remains voluntary and free of mandates, I cannot vote for one that leaves the EB–5 program behind.

Besides, in the context of this bill which has to be passed and enacted to keep the Federal Government running, this amendment is inappropriate. It is the wrong action at this time and would jeopardize the swift passage of this legislation.

I support the efforts of Chairman INOUYE, Senator BYRD, and others to oppose it.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. LEAHY. Madam President, I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second on the motion to table?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. REID. Madam President, I ask the Senate to allow me to make a statement prior to this next vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SENATOR LEAHY

Mr. REID. Madam President, I pause to honor the senior Senator from Vermont, PATRICK LEAHY, chairman of the Judiciary Committee. He will cast his 13,000th vote.

(Applause.)

This is a remarkable tally that few men or women in the hallowed history of this Chamber can match. But I guess what we note most about our friend from Vermont—I think I can say ''we''—is not the quantity of his votes so much as the quality. In his 3½ decades of service in the Senate, PAT LEAHY has been a reliable friend in the cause of justice.

PAT was elected to the Senate at the age of 34. Few gave this young prosecutor from Burlington much of a chance to win. After all, not a single Democrat had ever been elected to the U.S. Senate from Vermont. And, of course, Vermont was one of our early States.

Senator LEAHY recalls that the Republican Senator George Aiken was asked by some to resign his seat a day early to give Senator LEAHY a headstart in seniority among his fellow freshmen, which you could do. Senator LEAHY recalls Senator Aiken replying:

> If Vermont is foolish enough to elect a Democrat, let him be number 100.

On the contrary, the people of Vermont acted wisely by sending PATRICK LEAHY to Washington and sent him again and again and again and again.

As chairman of the Judiciary Committee, Senator LEAHY has been a national leader for an independent judiciary, the promotion of equal rights, and the protection of our Constitution. He also has been chairman in the past of our Agriculture Committee, where he did remarkably good work protecting the State of Vermont and all agricultural interests. As a senior member of the Appropriations committee, Senator LEAHY has ensured that all communities throughout Vermont and across America have access to the tools they need to grow and to prosper. Senator LEAHY is a leading voice for conservation and environmental protection. He has led the charge to expand broadband access to rural communities.

Senator LEAHY is also a leader on foreign policy, working to protect human rights across the world while ensuring our men and women in uniform have the training, equipment, and respect they need and deserve.

This is a fine man, and it can best be shown as a result of his wonderful wife Marcelle. I am fortunate to call Senator LEAHY my friend. I am fortunate I have had the good fortune of being able to serve in the Senate with this senior Senator from the State of Vermont, PATRICK LEAHY.

Congratulations, PATRICK, on your 13,000th vote as a U.S. Senator.

(Applause.)

The PRESIDING OFFICER. The minority leader.

Mr. MCCONNELL. Madam President, let me add to our friend and colleague from Vermont for this side of the aisle how much we admire and respect his extraordinary record. He and I had an opportunity to serve together as either ranking member or chairman—we switched hats several times—of the Foreign Operations Subcommittee of Appropriations.

I will pick out one area for which I think PAT LEAHY is known around the world, and that is his efforts with regard to demining all over the world.

He has made an extraordinary contribution, not only to his State but his Nation. I know I speak for all Republicans in congratulating my friend from Vermont for his—how many votes is this?—13,000th vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I join in congratulating the distinguished senior Senator from Vermont. I have had the pleasure of knowing him longer than his Senate colleagues because we met in 1970 at a district attorneys convention where I was the host in Philadelphia. We have been fast friends ever since, going on the 29th year I have been working with him on the Judiciary Committee and on the Appropriations Committee. We have disagreed very infrequently. Mostly, we have been able to carry forward bipartisanship, which has been in the interest of the Senate and in the interest of the country.

I could commend him for many of his votes, but I would pick out his vote in favor of Chief Justice Roberts at a time when there were considerable political considerations and strengths against an affirmative vote. He saw the importance of a unifying factor being the ranking member—I chaired at that time—and saw the importance of a unifying factor with a courageous vote.

He has been an extraordinary Senator. I look forward to seeing him serve many years, and I hope to serve with him.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I don't want to hold up the votes, but I do want to thank my dear friend, the majority leader, and my good friend, the Republican leader, for their kind remarks and, of course, my friend, the senior Senator from Pennsylvania. As he said, we first knew each other when we were much younger and prosecutors.

I will just take a moment. When Marcelle and I first came here in January 1975 with three young children—Kevin, Alicia, and Mark—we never thought we would be here this long. I have enjoyed every moment of it. But especially, I have served with hundreds and hundreds of Senators, both Republican and Democratic Senators. I have enjoyed my relationship with every single one of the men and women with whom I have had the privilege to serve.

We have often said we are the conscience of the Nation—the Senate. Only 100 of us have the privilege to serve here at any given time to represent a great and wonderful Nation of 300 million people. It is a privilege, and it is an honor.

I thank my colleagues for this tribute. This is something I will long remember.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Nebraska (Mr. JOHANNS).

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—50

Akaka	Feinstein	Mikulski
Begich	Gillibrand	Murray
Bennet	Hagan	Nelson (FL)
Bingaman	Harkin	Pryor
Boxer	Inouye	Reed
Brown	Johnson	Reid
Burris	Kaufman	Rockefeller
Byrd	Kerry	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Dodd	Lieberman	Warner
Dorgan	Lincoln	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	

NAYS—47

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Baucus	Enzi	Nelson (NE)
Bayh	Graham	Risch
Bennett	Grassley	Roberts
Bond	Gregg	Sessions
Brownback	Hatch	Shelby
Bunning	Hutchison	Snowe
Burr	Inhofe	Specter
Chambliss	Isakson	Tester
Coburn	Klobuchar	Thune
Cochran	Kyl	Vitter
Collins	Lugar	Voinovich
Corker	Martinez	Webb
Cornyn	McCain	Wicker
Crapo	McCaskill	

NOT VOTING—2

Johanns	Kennedy

The motion was agreed to.

Mr. LEAHY. Madam President, I move to reconsider the vote.

Mr. CARPER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 615

The PRESIDING OFFICER. Under the previous order, there will now be 4 minutes of debate equally divided prior to a vote in relation to amendment No. 615, offered by the Senator from Nevada, Mr. ENSIGN.

The Senator from Nevada is recognized.

Mr. ENSIGN. Madam President, in the underlying bill there is language addressing the DC Opportunity Scholarship Program that would effectively, after next year, kill the program. It requires that not only it be reauthorized by Congress but also that the DC City Council approve the program. There are 1,700 kids from families making an average of less than $24,000 a year that now participate in this program. The parents love this program. The kids love this program. I am a big believer in the public school system, but the DC Public Schools, which spend more than any other school district in the country, over $15,000 per student per year, are failing too many kids in Washington. So this program was put in to give some low-income kids the opportunity to succeed.

Guess what. They are thriving in this program. Earlier, the senior Senator from Illinois said we have to make sure all the teachers have 4-year degrees. The omnibus bill before us requires that. My amendment does not touch that requirement. He also says we have to make sure they are in structurally safe schools. The bill before us requires that. My amendment does not touch that. So those are both side issues that are not affected at all by my amendment.

We need to put special interests aside and focus on the children from Washington, DC, especially those low-income children

I ask unanimous consent that this letter from the Mayor of Washington, DC, Adrian Fenty, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WASHINGTON, DC,
March 10, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: Thank you for contacting me about the DC Opportunity Scholarship Program. I appreciate your continued interest in matters that are vitally important to the residents of the District of Columbia.

As my staff had the opportunity to advise your staff last week, the position of the Administration is consistent with our position during the last two budgets—we support the three sector approach initiated by the Williams Administration because in the past two years the District has made tremendous strides toward improving the educational experience of all students.

Accordingly, we do not support any measures that would reverse the three sector approach or strategy. We further agree with Secretary of Education Arne Duncan: that while the ultimate goal is to fix the entire school system it would not be productive to disrupt the education of children who are presently enrolled in private schools through the DC Opportunity Scholarship Program.

Once again, thank you for your inquiry and continued support of the District of Columbia. If you have any questions please feel free to contact me or Bridget Davis in my Office of Policy and Legislative Affairs.

Sincerely,

ADRIAN M. FENTY,
Mayor.

Mr. ENSIGN. Mayor Fenty is agreeing with the Education Secretary, who says these kids should not be pulled out of this program, and this program should not end. There are so many scholarship recipients across this town who want to stay in their private schools. We should stand up for the kids and not the special interest groups, such as the National Education Association, that want to end this program.

Mr. VOINOVICH. Madam President, I rise in support of the amendment by Senator ENSIGN to continue funding for the DC Opportunity Scholarship Program, which has given thousands of children in the District of Columbia a chance to escape failing schools. Unfortunately, the underlying bill contains language which would have a devastating impact on low-income families in the District of Columbia by prematurely ending the program.

Many of us are outraged that a Member of the Senate has included a provision to kill the program. The provision has not gone unnoticed. On March 6 The Washington Post asked why ''anyone would want to force children out of schools where they are happy, safe and satisfied'' and on March 9, Newsweek asked why lawmakers would consider stopping a $14 million program which is a ''rounding error'' on the General Motors bailout figure. Finally, The Wall Street Journal calls it what it is: ''perhaps the most odious of double standards in American life today: the way some of our loudest champions of public education vote to keep other people's children—mostly inner-city blacks and Latinos—trapped in schools where they'd never let their own kids set foot.'' Whoever is responsible should be ashamed and admit who put them up to it. I think I know who is behind efforts to end this program.

The program provides 1,700 children with scholarships of up to $7,500 each to attend the school of their choice. To qualify, students must live in the District and have a household income of no more than 18 percent of the poverty line. For 2008–2009, the average income for families using the program was just over $23,000 a year.

Since 2004 when the program began, approximately 7,200 families have applied for spots in the program—nearly four applicants for each available scholarship. It is a program that has repeatedly shown improved family satisfaction and increase parental involvement.

The students themselves are perhaps the best testimonials. Tiffany Dunston, valedictorian of Archbishop Carroll High School's class of 2008, who was a four year scholarship recipient, is now studying biochemistry at Syracuse University. Tiffany's thoughts on the program underscore why this program must continue: ''I am determined to build a better life and want others in my community to have that chance as well.'' Another scholarship student, Ronald Holassie, was recently sworn in as deputy youth mayor for the District. Ronald says he ''wouldn't be where he is today'' without his scholarship.

It is premature to add conditions to this important program. This spring, Congress will have the results of the comprehensive analysis of the program. Chairman LIEBERMAN has committed to holding a hearing to review the program and discuss proposals for improvement in advance of the Senate's debate on reauthorization. I appreciate the majority leader's commitment to a fair debate on long-term reauthorization.

My colleagues know that I have been through this fight before. As Governor I supported opportunity scholarships for Cleveland in 1992. With hard work and dedication, we managed to get the bill through in 1995 and within 3 years, over 3,600 children were attending the school of their choice. Just last year, there were over 6,000 students participating!

It wasn't easy. After we stood-up the Cleveland Scholarship and Tutoring Program, the American Federation of Teachers, National Education Association, and others filed a lawsuit and for nearly a decade Ohioans fought for the program. All along I had advocated that the program was constitutional. I will never forget the day when the U.S. Supreme Court agreed the program was constitutional in Zelman v. Simmons-Harris, 536 U.S. 639, on June 27, 2002. The program continues to thrive and expand because of its success. I consider it one of the major contributions to our country's educational system. It is a morsel on our smorgasbord of educational opportunities.

And the benefits go far beyond the academic. A study by the Buckeye Institute found that students involved in

the Cleveland program are gaining access to a more integrated school experience. Here in Washington, a Georgetown University study found that with their children in safer schools, parents were free to focus on their child's academic development and the school's curriculum.

Now, after so much progress and money invested, some Members of Congress wish to establish premature roadblocks for the program. What is lost in the underlying language is the need for the children of the District of Columbia to have every opportunity to receive a high-quality education. How offensive for Members of Congress, many with the means to send their children to any school, to limit the ability of District students to do the same.

Just last week, one of my esteemed colleagues came to the floor and discussed how he had sent his children to private Catholic School. He said that it was a family decision and that they made the ''extra sacrifice'' to pay for it. What my colleague fails to realize is that many of the parochial schools that participate in the program do so because they are giving witness to the Second Great Commandment.

During the State of the Union, President Obama said that ''good education is no longer just a pathway to opportunity—it is a prerequisite . . . to ensure that every child has access to a complete and competitive education—from the day they are born to the day they begin a career.'' The DC Opportunity Scholarship Program provides District students the pathway to meet the President's goal. Shame on the President for not getting involved and telling his friends in the Senate how embarrassed he is about what they are attempting to do to the DC Opportunity Scholarship Program in this bill.

Two weeks ago, the Senate voted by supermajority to give voting rights to the District of Columbia—which I was proud to cosponsor. I am sure if we were to let parents in the District vote on this amendment—let the parents tell Congress what they want for their children—their answer would be to continue funding the DC Opportunity Scholarship Program.

The language in the base bill takes away the opportunity for parents of limited means to choose the best education available for their children. The Omnibus appropriations bill provides $410 billion to fund Federal programs through the end of the fiscal year. Surely my colleagues would be willing to continue to spend $14 million on a program that continues to give quality education to thousands of deserving children.

I urge my colleagues to support the amendment.

I wanted to briefly comment on the remarks by the senior Senator from New York in opposition to Ensign amendment 615 to H.R. 1105. The Senator emphasized the importance of local support for educational programs. My colleagues may be interested to know that the DC Opportunity Scholarship Program had the support of the District of Columbia government when it was created.

On June 24, 2003, in testimony before the House Committee on Government Reform, then District of Columbia Mayor Anthony Williams testified, ''I support the President's desire to create a scholarship program in the District. I believe, if done effectively, such a program could truly expand choice to low-income families, who currently do not have the same freedom of choice enjoyed by more affluent families.''

The PRESIDING OFFICER. The majority whip is recognized.

Mr. DURBIN. Madam President, 5 years ago we created an experimental pilot plan for 5 years that would expire in June of this year. Rather than let it expire and these 1,700 students and their families be disadvantaged, we extended it for a year in this bill. What is going to happen in the course of that year? Senator LIEBERMAN's committee is going to take a close look to see if the over $70 million we spent on this program has worked. Are the students getting a good education, better than they would in public schools, better than in charter schools? Are the teachers competent in this program? Are the schools they are learning in safe buildings?

These are fundamental questions we should ask of every school program. I do not understand reluctance on the other side to have an honest evaluation of the program that has cost us over $70 million in taxpayer funds.

At the end of the day, those schools that are doing a good job will be given good grades. Those that are failing in this process do not deserve to be renewed. I have extended this program for a year in the bill, and the other provision, which I am going to allow Senator SCHUMER to address, gives to the DC City Council the same thing you would want the Las Vegas City Council to have if Congress tried to impose a program on them.

I yield my remaining time to Senator SCHUMER.

Mr. SCHUMER. I thank my colleague for his excellent remarks. The bottom line is this: On the issue of vouchers in DC schools, some people are for them; some people are against them. We are all for our local school districts determining what they ought to do. I would not want Washington to tell any of my 800 school districts in New York they must have vouchers or they can't have vouchers. Yet this law, which was put on the books 5 years ago, forces DC to use the program.

The amendment is very simple. It says leave it up to the DC City Council. I think every one of us would support that kind of independence and autonomy for our local school boards.

I yield the floor.

Mr. ENSIGN. Is there any time remaining?

The PRESIDING OFFICER. There is no time remaining. The question is on agreeing to the amendment.

Mr. ENSIGN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 39, nays 58, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—39

Alexander	Cornyn	Lugar
Barrasso	DeMint	Martinez
Bennett	Ensign	McCain
Bond	Enzi	McConnell
Brownback	Graham	Risch
Bunning	Grassley	Roberts
Burr	Gregg	Sessions
Byrd	Hatch	Shelby
Chambliss	Hutchison	Thune
Coburn	Inhofe	Vitter
Cochran	Isakson	Voinovich
Collins	Kyl	Warner
Corker	Lieberman	Wicker

NAYS—58

Akaka	Gillibrand	Nelson (FL)
Baucus	Hagan	Nelson (NE)
Bayh	Harkin	Pryor
Begich	Inouye	Reed
Bennet	Johnson	Reid
Bingaman	Kaufman	Rockefeller
Boxer	Kerry	Sanders
Brown	Klobuchar	Schumer
Burris	Kohl	Shaheen
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Specter
Carper	Leahy	Stabenow
Casey	Levin	Tester
Conrad	Lincoln	Udall (CO)
Crapo	McCaskill	Udall (NM)
Dodd	Menendez	Webb
Dorgan	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feingold	Murkowski	
Feinstein	Murray	

NOT VOTING—2

Johanns	Kennedy

The amendment (No. 615) was rejected.

Mrs. FEINSTEIN. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS CONSENT REQUEST—S. 542

Mr. REID. Mr. President, last week the junior Senator from Louisiana offered an amendment to the Omnibus appropriations bill that would change the way the cost-of-living adjustments are given to Members of the House and the Senate. The bill before us, which has already passed the House, ensures there will be no cost-of-living adjustment in 2010. Most Senators, me included, have indicated support for that provision that is in this bill.

Senator VITTER's amendment would require the House and the Senate to vote every year on cost-of-living adjustments rather than having those adjustments take effect immediately. I

agree with Senator VITTER that cost-of-living adjustments for Members of Congress should not be automatic. That is why I introduced a freestanding bill last week that would do just that. That is why we seek consent to pass this bill before we are scheduled to vote on the amendment by the Senator from Louisiana.

By passing this legislation as a stand-alone, it can become law without threatening completion of this appropriations bill. If Senators want to demonstrate their support for the proposed automatic cost-of-living adjustments, they can and should support my stand-alone legislation. It is fiscally responsible, responsible to the state of our economy, and will allow us to continue the good progress we have made toward passing this bill.

Objecting to this request will have two negative results: It will jeopardize our ability to pass legislation ending the automatic COLAs, and it will deal a serious blow to our efforts to pass this appropriations bill. Any Senator who wishes to end the automatic COLA should support this consent request I will shortly make. Likewise, any Senator who wishes to move forward with the omnibus will support my request. The only way to accomplish these objectives is to support my request, take up and pass the stand-alone pay adjustment bill.

I urge all of my colleagues to support this unanimous consent pay request.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 29, S. 542, a bill which repeals the provisions of law to provide for an automatic pay adjustment to Members of Congress; that the bill be read three times, passed, and the motion to reconsider be laid upon the table.

This is a serious piece of legislation. It accomplishes what the Senator from Louisiana obviously wants to accomplish. I would hope we can do this tonight. It would end all discussion on autopay adjustments. We should do that.

The PRESIDING OFFICER. Is there objection?

Mr. VITTER. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I believe the way to actually get this done, to actually pass this into law, is to include it in a must-pass bill, such as the appropriations bill before us, not to point to a stand-alone to give people cover for votes; a bill that would not be taken up on the floor of the House. So in that regard I would simply ask the majority leader, does he have a commitment from the Speaker of the House that his bill will be given a vote on the House floor in the near future?

Mr. REID. Mr. President, it is obvious that this is an important issue. We have an economy that is in distress. That is why we should pass this. I have not gotten commitments from anyone in the House. But it seems to me there is tremendous movement to get this accomplished.

I say to my friend from Louisiana, this is an important piece of legislation. We should go ahead and pass this. We know there are not going to be any amendments to the appropriations bill that I can get through the House. That is clear.

Everyone read in the newspaper what happened there Thursday night. So I would hope that in good faith this is not an effort to avoid anything, this is not an effort to try to play any legislative games. This is important legislation, I repeat for the third time, that we should adopt, and the House will take care of this itself.

Now, for me to stand and say what the House is going to do—I think it is pretty clear that with what is going on around the rest of the country, there is going to be significant support for this legislation, as I hope there is here in this body.

The PRESIDING OFFICER. Is there objection?

Mr. VITTER. Mr. President, reserving the right to object.

Ms. STABENOW. Would the majority leader yield for a question?

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Well, certainly I agree with the distinguished majority leader on one point: there is movement on this issue. Just 12 hours after I was finally able to secure a vote on my amendment, after being blocked at every turn for a week, the majority leader himself adopted the cause and introduced, out of the blue, a stand-alone amendment. I wish he had been with his colleague, Senator FEINGOLD, on this issue since at least the year 2000, when Senator FEINGOLD has had legislation on the topic. I applaud Senator FEINGOLD for that.

But, again, I renew my objection because I think this stand-alone bill is nothing more than cover, nothing more than something to point to, when it will not be taken up on the floor of the House. I would be happy to lift my objection to the majority leader's stand-alone bill if the Speaker of the House publicly commits to a vote of his bill on the House floor in the very near future.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I will certainly yield to my friend from Michigan.

Mr. President, I did not block his amendment last week. I never heard from him until we were here Thursday night, late. I have had a number of Republicans come to me—as I look through this crowd here, there were a number of Senators who came to me and said: We would like our amendments to be offered. There was general agreement Thursday night after final passage did not take place; Senators told me they wanted to offer amendments. They talked during the week the same way.

So I did not block his amendment. The Democrats did not block it. No one knew he wanted to offer it, that I know of, on this side of the aisle.

I am using leader time so no one feels constrained.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I say to the majority leader, is it not true that if this amendment were to pass on this bill, that, in fact, it would never take effect because it will not be taken up in the House? But if we pass it independently, as our leader has put forward, and we all support it, it would, in fact, pass immediately in the Senate and then go to the House for consideration?

Mr. REID. I say to my friend from Michigan, it is clear as the daylight hour that my friend from Louisiana doesn't want the underlying bill to pass. Common sense dictates the best way to go is by adopting this consent agreement I made.

Let me also say this: I will be happy to ask consent—I ask unanimous consent the Senate proceed to consideration of Calendar No. 29, this legislation, S. 542, tomorrow, March 11, at 3 p.m. I make a commitment that I will bring this bill up. If there are people who don't want to agree to this tonight, assuming the Senator from Louisiana is that person, I will bring it up some other time. I am committed to doing this.

The PRESIDING OFFICER. Is there objection?

Mr. VITTER. Reserving the right to object, again, unfortunately, the same game is at work. I would object. I would also be happy to lift my objection if the Speaker of the House would offer a public commitment to give Senator REID's bill a vote on the House floor in the near future.

Mr. REID. Mr. President, to show how—what is the right word—how Senator VITTER is not serious, he knows that I can't represent what the Speaker is going to do. She doesn't know I am here doing this. She runs her little show over there, and I do my best to have some input on what happens here. But I can't make that kind of commitment.

I can't imagine why anyone would object to our passing this. It would move this down the road a long way. I am sorry the Senator from Louisiana obviously is not serious about passing this legislation, because I have asked that we do it right now. I have asked that we go to it tomorrow. He objects.

The PRESIDING OFFICER. Is there objection?

Mr. VITTER. There is objection.

The PRESIDING OFFICER. Objection is heard.

AMENDMENT NO. 621

Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 621 offered by the Senator from Louisiana, Mr. VITTER.

The Senator from Louisiana.

Mr. VITTER. Mr. President, in this economy there are millions of Americans who are seeing their savings dwindle to nothing, who are losing their jobs, their homes. Yet they also see, as recently as last January 1, Members of Congress getting an automatic pay raise, in that instance $4,700. It is wrong. The system that has these pay raises on autopilot is wrong. We should have full, open debates and votes. That is what my amendment would ensure.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, Senator VITTER wants to bring this bill down. He wants to score political points. Do you know what is in this bill? We stop our pay raise from next year. He wants to bring this bill down. We stop our pay raise in this bill. Senator REID offered a unanimous consent request. All of us could have gone right down the aisle here together saying every year we vote on a cost-of-living raise. So don't be fooled by this. The people need our help, the help that is offered in this bill. People are unemployed. There is funding in this bill to get them back to work, to do the business of government. This bill stops our pay raise. This is a cheap shot, in my opinion. We ought to vote no.

The PRESIDING OFFICER. The majority leader.

Mr. REID. The Senator from California is absolutely right. If this bill goes down, the work we have done, in keeping with Senator FEINGOLD—that is, to not have a cost-of-living adjustment next year—we would have to start all over. This is wrong. We should move forward and defeat this amendment.

Mr. VITTER. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 22 seconds.

Mr. VITTER. People do need our help and the people are watching. So if you want to change the law that puts our pay raises on autopilot while they suffer, that system, not pass on it one year but change that law, vote for this amendment. If you want to kill that concept, vote against the amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. I move to table the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. REID. I ask for the yeas and nays on the motion to table.

The PRESIDING OFFICER. Is there a sufficient second on the yeas and nays on the motion to table?

There appears to be.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 45, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—52

Akaka	Gillibrand	Mikulski
Baucus	Gregg	Murray
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Brown	Kaufman	Rockefeller
Burris	Kerry	Sanders
Byrd	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Cochran	Lieberman	Warner
Conrad	Lugar	Whitehouse
Dorgan	Martinez	Wicker
Durbin	Menendez	
Feinstein	Merkley	

NAYS—45

Alexander	Dodd	McConnell
Barrasso	Ensign	Murkowski
Bayh	Enzi	Nelson (NE)
Bennett	Feingold	Risch
Bond	Graham	Roberts
Brownback	Grassley	Sessions
Bunning	Hatch	Shelby
Burr	Hutchison	Snowe
Chambliss	Inhofe	Specter
Coburn	Isakson	Tester
Collins	Klobuchar	Thune
Corker	Kyl	Vitter
Cornyn	Lincoln	Voinovich
Crapo	McCain	Webb
DeMint	McCaskill	Wyden

NOT VOTING—2

Johanns	Kennedy

The motion was agreed to.

Mr. KERRY. Mr. President, I opposed the amendment offered by Senator VITTER to the Fiscal Year 2009 Omnibus appropriations bill that would repeal the automatic cost of living adjustment, COLA, for Members of Congress starting in fiscal year 2010. The Omnibus appropriations bill already eliminates the Members of Congress COLA for fiscal year 2010. I choose to give my COLA to worthy charities because I know that many families in Massachusetts and across the Nation are struggling to make ends meet and need help.

I opposed the Vitter amendment because it could have jeopardized the enactment of the omnibus legislation which includes critical investments in America's future. Given the process of the bill winding its way through Congress, the Vitter amendment would have essentially stopped the omnibus in its tracks. We can't afford to have this bill delayed. The bill increases our energy security by prioritizing research and development of renewable energy and energy efficiency including solar power, biofuels, vehicle technologies, energy-efficient buildings, and advanced energy research. It also includes strong investments into cutting-edge science so that our Nation will maintain its preeminence in the global economy and create new jobs. The bill also keeps Americans safe by supporting the Community Oriented Policing Services, or COPS program, and the Byrne justice assistance grants, which help State and local law enforcement fight and prevent crime in communities across America.

The Vitter amendment should be considered on another legislative vehicle that would not jeopardize our national priorities.

Mr. CASEY. Mr. President, I support annual votes on congressional pay raises to avoid automatic cost of living increases. I was a cosponsor of an alternative by Senator REID that would have accomplished this goal without derailing the Omnibus appropriations bill. The underlying Omnibus appropriations bill cancels the pay raise that would have gone into effect in January 2010. Additionally, I have previously stated that I will give the 2009 cost of living increase to charity.

Unfortunately, this amendment was nothing more than political grandstanding and a poison pill designed to block necessary appropriations bills from passing and I was forced to vote against the amendment.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the 30 minutes prior to the cloture vote be reduced to 10 minutes, to be divided as previously ordered, with the remaining provisions of the previous order in effect, meaning that Senator INOUYE will control 5 minutes and Senator COCHRAN will control 5 minutes.

Let me say this, Mr. President: I simply want to tell everyone—Democrats and Republicans—this has been very difficult, but I think it has been good for this institution. And I, frankly—I do not want to lay out all of my dirty laundry, but I think it has been good for me. I think the situation that has developed on the Republican side—I had a number of Republican Senators come to me and say: We need a few more amendments, and I had enough votes to pass it, and I ignored them. That will not happen in the future. I am going to try to be more aware of trying to create a better feeling in this body, not necessarily count 60 or 51, whatever it is.

So I appreciate what everyone has done here, but especially do I appreciate the two managers of this bill. This has been extremely difficult for them. All of the difficult issues had to be resolved by them. I think people looking at this Senate today should know how fortunate we are as a country to have two people such as DAN INOUYE and THAD COCHRAN being the managers of this bill. These are two of the best, and I want to personally extend my appreciation. I applaud and commend both of them for doing an excellent job on a very difficult piece of work.

I have spoken to both of them. Everyone should understand, we are going to move into an appropriations process we can all be proud of. No more of these big, lumpy bills. We are going to move forward and try to do a bill at a time.

Again, thanks for everyone's cooperation.

Mr. President, there is a unanimous consent request pending.

The PRESIDING OFFICER. Without objection, it is so ordered.

There is now 10 minutes equally divided.

LOAN GUARANTEE PROGRAM

Mr. BENNETT. Mr. President, for the benefit of the Senate, I would like to discuss with the chairman of the Appropriations Subcommittee on Energy and Water the congressional intent with respect to the funding provided by the pending legislation, H.R. 1105, regarding the Department of Energy's loan guarantee program.

The pending legislation provides a total of $47 billion for eligible projects pursuant to title XVII of the Energy Policy Act of 2005, to remain available until committed, of which $18.5 billion shall be for nuclear power facilities.

In order to address budget scoring issues raised by the Congressional Budget Office, regarding third party financing, the conferees included legislation recommended by CBO counsel. CBO staff believes there is concern that the Federal Government might incur mandatory spending as a result of entering into power purchase agreements for energy projects that also receive loan guarantees from the Department of Energy.

While CBO acknowledges that this scoring issue is separate from the 1-percent subsidy cost that CBO has assessed the title XVII since fiscal year 2007, the conferees were obliged to include language drafted by CBO that would mitigate the possible scoring impact.

The language is drafted to capture as many possible third party financing options and as a result has created several unintended consequences. Specifically, the omnibus language could inadvertently have an adverse impact on a number of pending projects, for numerous title XVII eligible projects including the American Centrifuge Plant, ACP. The ACP project will employ more than 3,000 people in Ohio and thousands of employees with contracts to build this facility including ATK and Hexcel located in Utah.

First, I would like to thank the chairman of the Subcommittee on Energy and Water for his work since taking over this subcommittee in 2007 to support the loan guarantee program and his willingness to find the necessary resources, when budget requests were insufficient.

I know the chairman is familiar with this frustrating interpretation and ask if he would be willing to work with me and others to find a solution to these inadvertent problems and to correct them in the first possible legislation following the enactment of this legislation?

Would the chairman of the Subcommittee on Energy and Water also agree with me that the Department of Energy should therefore continue to work on the pending loan guarantee applications for those projects which could be adversely impacted by this legislation if not corrected, such as those for renewable projects and for USEC's loan guarantee application for its ACP project?

Mr. DORGAN. Mr. President, I agree with the ranking member of the Subcommittee on Energy and Water that the House-passed language contains flaws that we would all like to see remedied. In response to his two questions I will state the following.

First, I am willing to work with him and any other Member who has a similar concern about the unintended impact of the language on these energy projects.

Second, I agree that the Department of Energy, including its Loan Guarantee Office, should not cease, delay or slow down its processing of any of these pending loan guarantee applications.

The Department of Energy should continue to take all actions and steps necessary and predicate for the issuance of a final loan guarantee so that a final loan guarantee can be issued upon enactment of the necessary technical corrections and competitive selection.

I can assure the ranking member of the Energy and Water Subcommittee that I will work with him to try to correct this situation. Accordingly, the Department of Energy and its Loan Guarantee Office should proceed to process these loan guarantee applications expeditiously so as to be prepared to act immediately on these pending loan guarantee applications to issue final loan guarantees if corrective legislation is enacted.

Mr. VOINOVICH. Mr. President, I am very pleased with the commitments of the chairman and ranking member of the Appropriations Subcommittee on Energy and Water to fix these flaws in the pending legislation. All of these energy projects are very important to the future of our country as we work towards achieving energy independence and cleaner environment.

USEC's American Centrifuge Plant project is not only very important to Ohio, it is particularly important to the Nation.

The ACP project is shovel-ready and is estimated to create over 3,000 jobs in Ohio where it is located, and another 3,000 or more jobs in 11 other States around the country through manufacturing and engineering contracts.

The ACP project will have the capacity to provide domestically enriched uranium to fuel over one-half of the 104 domestic nuclear powerplants that provide nearly all of our emission-free base-load electricity.

Once built, the ACP project will be the only U.S.-owned source of nuclear fuel that is critically important for various national security reasons.

I would like to observe that the Governors of Ohio, Maryland, Tennessee and Kentucky strongly support USEC's ACP project.

Mr. President, I will ask unanimous consent that the letter from the Governors of Ohio, Maryland, Tennessee and Kentucky be printed in the RECORD following my statement.

I would also like to observe that President Obama, during his campaign visits to Ohio last summer, expressed his support for USEC's ACP project, as articulated in his letter to Governor Strickland of Ohio dated September 2, 2008, and I will ask unanimous consent that that letter also be printed in the RECORD following my statement.

I thank the chairman and the ranking member of the Appropriations Subcommittee on Energy and Water.

Mr. BROWN. Mr. President, I also thank the chairman and the ranking member of the Subcommittee on Energy and Water for their willingness to work on addressing the unintended consequences associated with this language. Ensuring that the language is appropriately modified is crucial to ensure the U.S. has the flexibility to maintain a domestically owned and produced source of enriched uranium, rather than relying on other nations.

I am not happy with the long delay in getting the next generation enrichment technology up and running in Piketon, OH. Good paying jobs are at stake. Our national security is at stake. And, freedom from dependency on foreign sources of uranium is at stake.

I look forward to working with the senior Senator from Ohio and the chairman and ranking member to address the concerns arising from this language.

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the 2 letters to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECEMBER 19, 2008.

Hon. GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Our states provide the domestic infrastructure to support the proposed American Centrifuge Plant (ACP) in Piketon, Ohio. We are asking that you direct your Administration to act promptly within existing funding authorities and take the steps needed to reach a Department of Energy (DOE) conditional loan guarantee agreement for this project. Prompt action is essential in order to avoid demobilization of the project and workforce layoffs within the next several months.

Also, ACP represents the only U.S. advanced technology for uranium enrichment that can meet both domestic energy security and national security needs; the use of which would mitigate the present need to import over half of the domestic nuclear fuel supply from Russia. It is critically important that

we develop our domestic enrichment capabilities so we as a Nation do not create an unhealthy reliance on foreign nations for our sources of enriched uranium. It is especially important to our States that ACP will create a new domestic manufacturing infrastructure of 6,000 high-skilled jobs in 12 states. In addition, many of the technologies ACP would utilize, such as high precision machining and carbon fiber fabrication, will be able to support the growth of other new domestic industries.

Your Administration has taken a leadership role in promoting the resurgence of safe and secure domestic nuclear energy. The ACP project offers the opportunity to put a tangible capstone on this effort.

While DOE has made significant progress with its loan guarantee program, continued implementation of the ACP project is vulnerable without timely action and a conditional loan guarantee agreement. Therefore, we are seeking your commitment to set the appropriate timetable for decision-making, without compromise to the creditworthiness standards set for the program. Your leadership also would send a strong message that the business of government has not been diminished during this time of turmoil in the financial markets.

We will continue to work with your staff to reach a conditional loan guarantee agreement by the end of this Administration.

Sincerely,

TED STRICKLAND,
Governor of Ohio.
MARTIN O'MALLEY,
Governor of Maryland.
PHIL BREDESEN,
Governor of Tennessee.
STEVEN L. BESHEAR,
Governor of Kentucky.

SEPTEMBER 2, 2008.

Governor TED STRICKLAND,
Riffe Center,
Columbus, OH.

DEAR GOVERNOR STRICKLAND: You have continued to be a strong advocate for the workforce and surrounding communities of the Piketon Enrichment Plant and throughout Ohio. This workforce and community have made significant contributions to our nation's defense and energy security needs for over the past half-century.

There are a number of steps I will take as President to assure the future health and prosperity of this community and its workforce. Under my administration, the Piketon site workforce and the surrounding communities will play a central role in our nation's domestic energy supply through private sector and government initiatives. The Piketon site is ideal for either traditional or advanced energy programs, or both. The Piketon site has vast infrastructure and potential reuse applications are very promising.

Under my administration, energy programs that promote safe and environmentally-sound technologies and are domestically produced, such as the enrichment facility in Ohio, will have my full support. I will work with the Department of Energy to help make loan guarantees available for this and other advanced energy programs that reduce carbon emissions and break the tie to high cost, foreign energy sources.

I will ensure that workers' rights, pensions and retirement health care benefits are fully protected and facilitate pension portability for workers among the various contractors and subcontractors as new missions unfold with the Department of Energy. We will work with the respective union leadership at the Portsmouth site to assure that their members' rights are fully protected.

I will assure that the benefits due under the ''Energy Employee Occupational Illness Compensation Program Act'' of 2000 will be provided in a timely and equitable manner. I understand that it is imperative to help those workers who were made sick or ill while serving in our nation's defense nuclear facilities. The delays and foot-dragging over the past several years is simply inexcusable. If necessary, I will support legislative reforms to assure that workers will be promptly compensated. I will not tolerate further excuses or delays in the implementation of this important legislation, which has left deserving workers waiting. I will also support the on-going medical screening program to help workers identify occupational illnesses that may have been caused from work at this facility.

I will work with Congress to provided adequate funding and will direct the Energy Department to commence Decontamination and Decommissioning activities of those facilities which are no longer needed, and maximize the employment of site workers to achieve this end. The failure to clean up this site quickly will delay future economic development opportunities and only add additional mortgage costs and pose undue environmental risks.

I will help assure the Depleted Uranium Hexaflouride (DUF–6) Conversion Facility in Piketon will be operational on an expedited time schedule. This project was authorized through legislation in July 1998, however, it is still not operational. I will work with Congress to fund this project and the disposition of the 20,000 plus cylinders of legacy uranium material. This project will create jobs for at least 20 years and remove thousands of tons of depleted uranium.

I will support funding the cleanup of soil, groundwater and hazardous waste from legacy operations. I want to assure that when we declare the Piketon site is cleaned up, it will mean that health and environmental hazards are not left behind so that new businesses can locate at the Piketon facility without concern.

I will direct my Administration to work with the community leadership to develop a long-term site plan to include opportunities to reuse the Portsmouth plant site and maximize the vast infrastructure while creating needed jobs in the Southern Ohio region. I ant committed to making the Piketon facility a ''multi-mission site'' to drive economic development and environmental improvements.

Combined. I recognize these steps will assure energy security, environmental restoration and job creation for Southeastern Ohio and I look forward to working with you on this important project for the state.

Sincerely,

BARACK OBAMA.

CLERICAL ERROR ON BEEF IMPROVEMENT RESEARCH

Mr. BENNETT. Mr. President, I rise today to join with our Chair, Senator KOHL, in a colloquy to correct a clerical error in the attribution table accompanying Division I of H.R. 1105. Senator BOND is listed as having requested the ''Beef Improvement Research'' project under the Agriculture, Rural Development, Food and Drug Administration, Cooperative State Research Education and Extension Service. My staff has confirmed that this project was not requested by Senator BOND and, as such, Senator BOND's name should not be listed as a requestor.

Mr. KOHL. My colleague and former subcommittee ranking member, Senator BENNETT, is correct. This resulted from a clerical error involving confusion between two different projects on beef research. Senator BOND should not be listed as a sponsor of the Beef Improvement Research project.

Mr. BENNETT. I thank the Chair for his assistance in this matter.

Mr. BROWNBACK. Mr. President, I rise today to address a provision in the statement to accompany the fiscal year 2009 Omnibus appropriations bill that seeks to address a critical issue in our country, the rising rate of childhood obesity. Over the last several years, Senator HARKIN and I have worked jointly to address this issue.

During this time, we have focused our efforts on bringing together the different sectors in our society that are equipped to address this crucial issue for our Nation's children. It is my firm belief, that there is not just one solution to reducing the rates of childhood obesity but this should be a collective effort.

To that end, I am encouraged that there are those in the food and beverage industry, the advertising industry and media industry that have taken voluntary steps to address this issue.

I am pleased that the Ad Council has also worked to address childhood obesity as well with donated multimedia efforts since October 2005 that have equaled $170 million. This initiative includes creative partnerships with NFL, Qubo, an NBC-owned children's network, and the U.S. Olympics.

It is my firm belief that the best option to address this issue is not by rushing into government regulation but by working together to address this issue within our spirit of a free-market society—and that is the intention behind this language that directs the Federal Trade Commission to create a working group among the Food and Drug Administration, the Centers for Disease Control and Prevention, and the Secretary of Agriculture. I also hope that as this working group convenes they will first study the Better Business Bureau's Children's Food and Beverage Advertising Initiative, and determine whether initiatives such as these would suffice to address this crucial issue, before they implement the remainder of the directive. And, consistent with the current focus of self-regulatory initiatives, I think it would be more appropriate to limit the scope of the working group activities to children under the age of 12.

I have found that oftentimes the best results are rooted in industry-led reforms and it is my intention that this working group will keep this intent in mind as they study and develop ways in which to address foods marketed to our children. For example, in July 2007 and again in September 2008, the Grocery Manufacturers Association commissioned studies of U.S. advertising trends through Georgetown Economic Services. These studies have shown that as food and beverage marketers

have shifted the mix of products advertised to children, not only are children today seeing fewer food, beverage and restaurant ads on television, they are seeing far fewer ads for soft drinks, cookies, snacks and candy, while being exposed to more ads for soups, juices, fruits, and vegetables and water than they were in 2004.

I truly believe that with everyone coming together around a free market principled approach that we will have more expedient and effective results for our children.

Mr. AKAKA. Mr. President, I support the Omnibus Appropriations Act. I appreciate all of the efforts made by my friend, the senior Senator from Hawaii, to develop and manage this tremendously important bill. I also value the effort of the ranking member of the Appropriations Committee as well as all of the work done by the subcommittee chairmen and ranking members to draft the omnibus.

Continuing resolutions hinder the ability of agencies to meet the needs of our communities and address changing circumstances. We must enact this legislation in order to have a more effective and responsive Federal Government in dealing with many of the problems that our Nation is confronted with currently. This legislation improves access to health care, education, housing, and economic development opportunities. It also provides essential support for financial literacy programs, transportation infrastructure investments, sustainable energy development, natural resource preservation, and investor protection efforts.

This bill will help further promote medical research. Investments in medical research have tremendous potential to improve the lives of so many people by developing better methods to prevent, detect, and treat different illnesses. I am also proud that the legislation increases the ability of our federally qualified community health centers to better meet the medical needs of our communities.

The fiscal year 2009 omnibus bill will help ensure that our Nation's students are prepared for the challenges of the 21st century. This includes funding for programs to help disadvantaged students reach their potential as well as funding to help recruit and retain highly skilled and talented teachers. The fiscal year 2009 Omnibus also includes $1.2 million in funding for Impact Aid. Impact Aid assists school districts that have lost property tax revenue due to the presence of tax-exempt Federal property, including Indian lands and military bases. It is vital to a State like Hawaii where there is a significant military presence.

This legislation also provides vital resources for housing. Ten million dollars is provided for the Native Hawaiian housing block grant, which is administered in the State of Hawaii by the Department of Hawaiian Home Lands, DHHL. DHHL is the largest affordable housing developer in the State of Hawaii. Although these resources provide only about one-tenth of the DHHL's spending, it is extremely important to support additional home ownership opportunities for residents throughout Hawaii.

I also appreciated the inclusion of funding for the Laiopua 2020 Community Center. Economic Development Initiative resources will facilitate the development of this comprehensive community center. The community center will improve the quality of life for residents in the growing Kona community by increasing access to social services, recreational facilities, and educational and economic opportunities.

The omnibus provides a slight increase in resources for the Community Development Block Grant, CDBG, Program. CDBG provides essential Federal resources to help meet the specific needs of communities. In Hawaii, our counties utilize CDBG resources to help provide affordable housing, assist the homeless, expand day care facilities, provide meals to low-income families, strengthen our medical infrastructure by making physical improvements to our community health centers, and expand opportunities to help individuals with disabilities find employment.

This bill provides essential resources intended to improve our Nation's financial literacy lending and improve individual understanding of economics and personal finance. This bill includes $1.447 million in funding to implement the Excellence in Economic Education Act, which promotes economic and financial literacy among students in kindergarten through high school. An additional $1.6 million is provided for the Department of the Treasury's Office of Financial Education to increase access to financial education and protect consumers against predatory lending. Also, I applaud the inclusion of a directive in the bill that requires the Internal Revenue Service, IRS, in consultation with the National Taxpayer Advocate, to educate consumers about the costs of refund anticipation loans and expand access to alternative methods of obtaining timely refunds.

The act also will improve our roads, transit, and airports; strengthen Hawaii's transportation infrastructure; and increase the mobility of our residents.

Provisions contained within the act enable the U.S. Army Corps of Engineers to address our Nation's critical navigation, flood control, and environmental restoration needs. I was pleased that more than $1.6 million was provided for Hawaii projects.

Recognizing that shoreline erosion threatens upland development and coastal habitats along much of Hawaii's shoreline, I worked to provide funding for a regional sediment management demonstration program to further understand the dynamics of complex coastal processes and promote the development of long-term strategies for sediment management. On the island of Molokai funding has been provided to complete a much needed water resource study in order to more effectively manage ground-water resources. Wise stewardship and management at a watershed level has a significant impact on the health and quality of numerous natural resources. Inclusion of funds to address stream management and restoration is critical for Hawaii. These resources will assist and protect communities in Hawaii from destruction caused by severe weather and flooding, as well as promote conservation and revival of our islands' ecosystems.

The fiscal year 2009 omnibus includes provisions that will go a long way to improve advancements in science and technology, as well as enhance U.S. competitiveness. In Hawaii and the Pacific, we are uniquely confronted by climate fluctuations and its impact on the public, economic development, and health of our ecosystems and wildlife. I am proud to have supported the inclusion of $1.75 million for the International Pacific Research Center at the University of Hawaii to conduct systematic and reliable climatographic research of the Pacific region. Improving our understanding of climate variability empowers us to use data and models to mitigate adverse impacts.

Hawaii is home to some of the world's most critically threatened and endangered species, including the endemic Hawaiian monk seal. For years I have been an advocate for the conservation and recovery of the critically endangered monk seal and other cetaceans in the Pacific. The National Marine Fisheries Service issued the first Hawaiian monk seal recovery plan in 1983 and a revised plan in 2007. The Hawaiian monk seals are vulnerable due to a variety of influences, including human disturbances of birth and nursery habitats, entanglement in marine debris, and commercial fisheries. In the last 50 years the Hawaiian monk seal population has fallen by 60 percent. To address this need, I worked to include $2.6 million in this act to address female and juvenile monk seal survival and enhancement, as well as efforts to minimize monk seal mortality. In addition, these funds will strengthen coordinated regional office efforts for field response teams and enhance implementation of the 2007 recovery plan.

The preservation of our national parks, forests, and public lands has been a priority of utmost importance. Public lands are valued assets that must be properly managed for the benefit of all Americans and future generations. I am encouraged that the act supports the preservation of our natural landscapes, furthers conservation of wildlife, expands water resource assessment, and fosters wise management of our Nation's natural resources.

Given the unique needs of Hawaii, I supported funding in the Fiscal Year 2009 omnibus to fortify the preservation of four endangered Hawaiian

waterbirds located within the James Campbell National Wildlife Refuge, as well as combat the threat of invasive species on our natural and cultural heritage. Invasive species are the primary cause of decline in Hawaii's threatened and endangered species, and cause hundreds of millions of dollars in damage to Hawaii's agricultural industry, tourism, real estate, and water quality. Funding will continue the ongoing, collaborative, interagency, and community-based effort to address invasive species impacts. Such joint action, cooperative agreements, and collaboration will be needed to control invasive species that are crossing geographic and jurisdictional boundaries.

I am pleased that the omnibus supports the development of sustainable and clean energy. We must continue to invest in development and implementation of energy from renewable, efficient sources as this Nation transitions away from foreign oil. Our energy security and independence depend on conducting advanced research and better utilizing energy from sources including the sun, wind, ocean.

Included in the act is $3.1 million to support the ongoing Hawaii-New Mexico Sustainable Energy Security Partnership. In order to develop, demonstrate, and deploy technologies that enhance usage of renewable resources, the Partnership evaluates electric and transportation infrastructure, tests technologies, and provides sound science to inform debate and the implementation of public policy. Building upon its successful development of a comprehensive model of the transportation and electricity infrastructures on the Big Island and Maui, these funds will be used to support promising projects identified for implementation on those islands, as well as extend efforts to evaluate and address the energy infrastructure needs on Oahu and Kauai.

I am encouraged by the inclusion of funding to improve Hawaii's infrastructure and nurture sustainable agriculture production. Our agricultural industry is a key component of our State's economy, and I have long supported the policies and programs cultivating opportunities for our farmers and rural communities. Further, funds supporting research, extension, and teaching efforts are necessary as we prepare a skilled and thriving workforce focused on developing sustainable solutions that improve the health of our environment, as well as the quality and efficiency in production.

Another important provision I want to highlight is the critical support included for the Securities and Exchange Commission, SEC, to better protect investors. I will continue to work with the SEC to ensure it has the statutory authority and resources necessary to better protect and educate investors and promote market stability.

In conclusion, I want to thank the senior Senator from Hawaii for all of his extraordinary efforts to develop and shepherd this comprehensive bill through the legislative process. The Nation and our home State of Hawaii will benefit tremendously from its passage.

Mr. LEVIN. Mr. President, Congress will hopefully with this vote finally complete action on the fiscal year 2009 appropriations bills. This bill addresses some of the Nation's critical needs. It also addresses some of Michigan's special needs such as protecting the Great Lakes, improving our transportation infrastructure, and supporting our manufacturers and small businesses. In addition, it supplies our local law enforcement with tools they need to protect our citizens and provides support for our communities to help our most vulnerable citizens during this economic crisis.

This bill includes funding for a number of important Great Lakes programs. With the funding in this bill, the Thunder Bay Marine Sanctuary and Under Water Preserve will be able to complete the exhibits in the new visitor's facility. The bill provides a $2 million increase for the Great Lakes Legacy program which has made a positive impact on the Lakes by removing contaminated sediment. This bill also provides funds to the Corps of Engineers to complete construction of the permanent dispersal barrier in order to stop Asian carp and other invasive species from entering the Great Lakes.

I am pleased that funding of over $50 million that I requested for dredging and other operation and maintenance needs for Michigan's ports and harbors was included in this bill. The Great Lakes navigational system faces a backlog of 16 million cubic yards of dredging needs, which has had very real negative impacts on Great Lakes shipping. Several freighters have gotten stuck in Great Lakes channels, ships have had to carry reduced loads, and some shipments have simply ceased altogether. While an increase in some water levels is helping somewhat in this regard, the Great Lakes navigational system has an accumulation of maintenance needs. The additional funding that was included will help address this backlog, and I will keep working to increase appropriations and the budget so this important maritime highway, so that one of the lowest cost ways to transport supplies to industry and products to consumers, is not impeded.

The bill also provides $17 million to the Corps of Engineers for the Soo Lock replacement project, which would serve as a backup for the current Poe Lock. Total annual shipping on the Great Lakes exceeds 180 million tons, over half of which goes through the Soo Locks. Funding for the lock is critical to ensuring that this system remains operational.

This bill provides a boost in funding for our Nation's transportation infrastructure which will put people to work while improving mobility, safety and competitiveness in Michigan and around the country. The bill provides $15.39 billion for the Federal Aviation Administration, an increase of $865 million over the fiscal year 2008 levels. Included in that total is $9.04 billion for Federal Aviation Administration operations that would be used to improve safety and air traffic organization, and to increase the hiring and training of air traffic controllers and aviation safety inspectors. The bill provides $40.7 billion in highway funding, $483.9 million above fiscal year 2008 levels. It also provides $1.45 billion for the National Railroad Passenger Corporation, Amtrak, a $128.1 million increase over the fiscal year 2008 level. It also provides $10.1 billion for Federal Transit Administration, $773 million over fiscal year 2008 levels.

This bill also includes a number of programs to help technology companies and manufacturers in Michigan and throughout the country, including funding for the Manufacturing Extension Partnership, MEP, and the Technology Innovation Program, TIP. The bill includes $110 million for the MEP program. President Bush proposed to eliminate the program in his fiscal year 2009 budget. MEP is the only Federal program dedicated to providing technical support and services to small- and medium-sized manufacturers. MEP is a nationwide network of proven resources that enables manufacturers to compete globally, supports greater supply chain integration, and provides access to information, training and technologies that improve efficiency, productivity, and profitability. In fiscal year 2007 alone, based on services provided in fiscal year 2006, MEP helped to: create or retain over 52,500 jobs, generate more than $6.765 billion in sales, and stimulate more than $1.65 billion in economic growth. MEP is needed now more than ever as our small and medium manufacturers struggle to survive in this serious recession.

The bill includes $65 million for the Technology Innovation Program, TIP, the successor to the Advanced Technology Program, ATP. While slightly less than the fiscal year 2008 level it is still significant given the fact that President Bush proposed zeroing out the program in his fiscal year 2009 budget. TIP is a cost-sharing program that promotes the development of new, innovative products that are made and developed in the United States, helping American companies compete against their foreign competitors and contribute to the growth of the U.S. economy. During this terrible recession the TIP program is an important way to stimulate job growth and high technology R&D in the United States.

I am pleased that this bill continues the current ban on using Federal funds for future Federal contracts to so-called ''inverted'' U.S. companies that, to avoid certain U.S. taxes, have reincorporated in an offshore tax haven country but left their offices and production service facilities here in the

U.S. We should not further reward inversion by granting them Federal contracts. It is unfair to the U.S. companies left to operate on an uneven playing field, and it is unfair to the rest of our taxpayers who pay their fair share.

The fiscal year 2009 omnibus bill includes an increase in funding over fiscal year 2008 in a number of important areas at the Department of Energy. In particular, this bill includes $273 million for advanced vehicle technologies, an increase of $58 million over fiscal year 2008, with additional funding included for research and development on advanced battery technologies. The bill also includes $217 million for biomass and biorefinery systems, an increase of $17 million over fiscal year 2008, which should allow for continued and increased support of innovative technologies for production of ethanol and biofuels produced from cellulosic materials. The omnibus also includes modest increases for both solar and wind energy research and development that will contribute to ongoing efforts to improve the efficiency and decrease the cost of commercialization of these technologies. I am also pleased that this bill includes additional new funding for loan guarantees for advanced innovative technologies, specifically providing up to $18.5 billion for loan guarantees for renewable energy, energy efficiency, and manufacturing that will be available for important projects such as biofuels production and advanced battery manufacturing.

This bill includes a significant increase in several areas of funding for science and technology. Within the Department of Energy, this bill includes an increase of $754 million for the Office of Science, which will increase federal support for basic research and support the goals and programs of the America Competes Act, which called for a doubling of the U.S. investment in science over 10 years. It also includes increases in science programs at the National Science Foundation and the National Institute of Standards and Technology, both of which have a significant role to play in development of advanced technologies that will keep the U.S. competitive in the global market.

This legislation provides funding for state and local law enforcement and crime prevention. It includes much needed funding for the Community Organized Policing Services, COPS, program, which provides our police departments with the technology and training tools needed to prevent and detect crime and for the Office of Justice Programs that provides funding for Byrne justice assistance grants, juvenile justice programs, and drug courts. It also provides $415 million to the Office on Violence Against Women so that we can better prevent and prosecute violent crimes against women. Finally, I am pleased that the legislation includes $185 million for interoperable radio systems.

During this economic crisis, it is especially important that this bill includes vital funding for our Nation's nutrition, housing and economic development programs that will provide much-needed help to our communities. This bill includes increased funding for the Supplemental Nutrition Program, SNAP, and the Special Supplemental Nutrition Program for Women, Infants, and Children, WIC, which help provide nutritious food to many in this country who are in need. It also includes increased funding for public and affordable housing programs that provide housing to low-income Americans and $1.7 billion, which is $91 million above the 2008 funding level, for homeless assistance grants which provide rental assistance, emergency shelter, transitional and permanent housing, and supportive services to homeless persons and families to help break the cycle of homelessness and to move homeless persons and families into permanent housing. In addition, this bill provides $3.9 billion, $34 million above the 2008 funding level, for the community development block grant, CDBG, program which will fund community and economic development projects to revitalize our communities.

This bill includes funding I requested for the redevelopment of part of the old Tiger Stadium and its ball field. This funding will help the surrounding community move forward on a plan to preserve part of the old Tiger Stadium and its ball field as a premier baseball field for youth leagues and to redevelop part of the stadium structure and adjacent land to be used for retail shops and restaurants and other commercial and entertainment attractions. This funding will not only help preserve this part of Detroit and baseball history, but also bring much needed jobs and economic activity into this neighborhood and to the city of Detroit.

I am glad that we have finally completed the fiscal year 2009 appropriations bills. While it is unfortunate that we once again had to consider nine different bills packaged into a single omnibus spending measure, I am very pleased that this bill includes funding for many important national programs and projects that will especially benefit Michigan. It is my hope that we will be able to complete a timely, open and transparent appropriations process in the coming year.

Mr. ROCKEFELLER. Mr. President, these are difficult times in our country. American families are facing challenges that we have not seen in decades, we have record budget deficits, and we are fighting two wars.

The national economic crisis is affecting so many people across our Nation and in West Virginia, and we must give the economic recovery plan time to do what it was designed to do—create jobs and reinvest in the American dream.

In West Virginia, factories and businesses are closing their doors. Unemployment rose in all 55 counties in January 2009. Our statewide unemployment rate jumped from 4.4 percent in December to 6.2 percent in just 1 month. And February and March have brought additional plant closures, and more employees have lost their jobs.

As we work in Congress on ways to get our economy back on track and create new jobs, I stand ready to help and take bold action that will deliver real, workable solutions to families. And I am committed to working with our State leaders to do everything we can to bring opportunities to West Virginia.

It is very important that we in Congress do everything possible to uphold the public trust, protect taxpayer dollars, and show with our actions and not just our words that we take seriously our obligation and honor to serve the people.

One of the ways the legislation before us today, H.R. 1105, the Omnibus Appropriations Act of 2009, does that is by prohibiting the annual cost-of-living pay adjustment, COLA, for Members of Congress from taking effect in calendar year 2010. This is a good, small, but important step, and I thank our leadership for including this important provision. Now is not the time for an increase in the COLA for Members of Congress.

I represent constituents who earn $25,000 to $35,000 annually, and the notion that we in Congress would allow a COLA increase for ourselves, while they are just trying to put food on the table and make ends meet, is completely unacceptable. Given the state of the economy, and the income and job losses across this Nation, I strongly oppose a congressional pay increase in this bill.

I also strongly support efforts to suspend permanently the automatic congressional COLA. It will be some time before our economy turns around and the American people feel a sense of financial security again. And especially in a recession, any congressional pay increase should be subject to an up-or-down vote each year, and not simply occur automatically.

That is why I am glad to be a cosponsor of S. 542, legislation introduced by Majority Leader REID to repeal the provision of law that provides automatic COLAs for Members of Congress. I do not believe we should amend the pending bill to do this—the amendment, like so many others offered by the minority over the past week, is really a Trojan horse to kill or delay the Omnibus Appropriations Act, which is already overdue and meets our basic obligation to keep the government running. But the issue is an important one, deserving of immediate action and I appreciate the leader's commitment to act quickly on it.

I believe having transparency, accountability, and an up-or-down vote on the COLA every year makes a lot of sense—both for Congress and the American people. The American people deserve to be represented by Members of Congress who are in touch with the everyday struggles of the very people

who elected them. Just like their family budgets, Congress has to budget and live within our means and make careful spending decisions based on our most pressing priorities.

I support this bill today because it is the absolutely right thing to do and West Virginia families deserve no less.

The PRESIDING OFFICER. Who yields time?

The Senator from Hawaii.

Mr. INOUYE. Mr. President, I rise to support the Omnibus Appropriations Act and encourage my colleagues to vote for cloture.

This bill provides additional resources so our Government will be better able to meet the challenges of the economic crisis we face today.

I would remind my colleagues that without enactment of this bill, the Securities and Exchange Commission will not get the additional funding it needs to increase the integrity of the financial markets. The Federal Housing Administration will have to stop helping families facing foreclosure to refinance into affordable mortgages at the worst possible time for such a stoppage to occur.

The Food and Drug Administration will not receive the funding it needs to significantly increase the number of food and medical product safety inspections, both domestic and overseas, that it could otherwise perform.

If the Omnibus is not enacted, $550 million less would be provided for the FBI to protect our Nation and our communities from terrorism and violent crime. Not passing this bill means 650 fewer FBI special agents, and 1,250 fewer intelligence analysts and other professionals fighting crime and terrorism on U.S. soil.

In conclusion, I ask the fundamental question: Will the United States be better off in the next year, and will the Federal Government be in a better position to help lead our country out of this deep recession, if we pass this bill? The answer is obviously, yes. It is in America's best interests to close the book on the last administration and to help the new administration hit the ground running.

Now is not the time to relitigate past policy battles. Now is the time to clear the decks and look to the future. For all these reasons, I urge my colleagues to join me in supporting cloture on H.R. 1105.

The PRESIDING OFFICER. Who yields time?

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I know the hour is a bit advanced, so I will not take much time. I think it is pretty clear what the outcome of this vote will be, so I will not take a lot more time of this body. I have spent a lot of time on the Senate floor in the last week or so talking about this legislation before us.

I think there are a couple things that need to be mentioned again. Somehow it seems to be accepted around here that earmarks are a standard practice and that they have been going on forever, and it is somehow the purview of the Appropriations Committee to do these earmarks, which Americans have become pretty familiar with, I am happy to say, in the last week or so.

That is not so. It is not so. In 1991, there was a total of 537 earmarks for the entire appropriations process. This evil has grown, and it has grown, and it has grown—to the point where we now have close to 9,000 earmarks. All we are asking is to authorize. We have talked a lot about the individual earmarks. But the fact is, they are not authorized. I heard one of my colleagues today, on this side of the aisle, say: Well, the authorizing committees are too busy. Really? Really? So all we are asking is to go back to what this body had done and the Congress had done for a couple hundred years; that is, authorize the projects.

So what has happened? It has grown and grown and grown. Today, a former staffer on the Appropriations Committee pled guilty in Federal court. What did it have to do with? It had to do with earmarks, and we have former Members of Congress now residing in Federal prison because of this gateway drug, as my colleague from Oklahoma, Senator COBURN, calls it.

So last November the American people, as I am keenly aware, voted for change. They voted for change, and somehow we are saying: This is last year's business—only this is funding this year's operations.

So we will vote to pass this bill, and the message is, my friends and colleagues, that it is business as usual in Washington, while unemployment is 8.1 percent and employers have to cut another 651,000 jobs.

So if the President were serious about his pledge for change, he would veto this bill. He will not. Now, he will say we are going to outline a process of dealing with this problem in a different way. I quote from Mr. Gibbs:

> . . . and that the rules of the road going forward for those many appropriations bills that will go through Congress and come to his desk will be done differently.

Well, the first chance we get to show people change is business as usual in the Senate and the House. It is very unfortunate. It is very unfortunate. We should not be astonished at the low approval ratings we have here when Americans see the expenditure of their hard-earned tax dollars in the projects we have talked about in the past without scrutiny, without authorization, and certainly not in a fashion the American people want their tax dollars spent. So we will invoke cloture and we will move forward. The bill will go to the President's desk, he will sign it, and the signal to the American people is: You voted for change, but you are not getting any change today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, before yielding the time so we can vote, I wish to commend and thank the distinguished Senator from Hawaii for his leadership of the Appropriations Committee, particularly in our negotiations that we have had with Members of the other body. We are not legislating in a vacuum. These proposals and provisions of this bill have been carefully reviewed by our committee. In this case, it includes I think about seven bills that were individually written and proposed to the full committee by the subcommittees, after a series of hearings reviewing the administration's requests for funding, listening to outside groups that had opinions and views about the level of appropriations for many accounts and programs. But our true leader who deserves praise for this final work product, as I said, is the distinguished Senator from Hawaii.

I yield back the remainder of our time.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Has all time been used, Mr. President?

The PRESIDING OFFICER. Yes.

Mr. REID. Mr. President, the order that is now in effect indicates that if there are 60 votes on this cloture vote, there will be just a voice vote on final passage. I ask the Chair if that is factual.

The PRESIDING OFFICER. The yeas and nays have not been ordered on the measure.

Mr. REID. So that is the understanding we have. If that, in fact, is the case, then we would—this will be the last vote today.

People are asking: What are we going to do the rest of the week? First of all, we are going to spend the rest of this week on nominations. We are going to try to get one up tomorrow that we can debate and hopefully vote on. We may not be able to do that.

I would say to everyone there has been a lot of pent-up desire to come out and give speeches on other issues. I think we will have plenty of time to do that tomorrow. So we will set aside a couple hours, at least, tomorrow for morning business. I look forward to this vote and ending this long process on this appropriations bill.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 1105, the Omnibus Appropriations Act:

Harry Reid, Daniel K. Inouye, Bernard Sanders, Tom Udall, Patrick J. Leahy, Ron Wyden, Christopher J. Dodd, Benjamin L. Cardin, Mark R. Warner, John

D. Rockefeller IV, Debbie Stabenow, Patty Murray, Richard Durbin, Edward E. Kaufman, Jim Webb, Mark Begich, Byron L. Dorgan, Carl Levin, Dianne Feinstein, Roland W. Burris.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on H.R. 1105, an act making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER (Mr. UDALL of Colorado). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 35, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—62

Akaka	Gillibrand	Nelson (NE)
Alexander	Hagan	Pryor
Baucus	Harkin	Reed
Begich	Inouye	Reid
Bennet	Johnson	Rockefeller
Bingaman	Kaufman	Sanders
Bond	Kerry	Schumer
Boxer	Klobuchar	Shaheen
Brown	Kohl	Shelby
Burris	Landrieu	Snowe
Byrd	Lautenberg	Specter
Cantwell	Leahy	Stabenow
Cardin	Levin	Tester
Carper	Lieberman	Udall (CO)
Casey	Lincoln	Udall (NM)
Cochran	Menendez	Warner
Conrad	Merkley	Webb
Dodd	Mikulski	Whitehouse
Dorgan	Murkowski	Wicker
Durbin	Murray	Wyden
Feinstein	Nelson (FL)	

NAYS—35

Barrasso	DeMint	Lugar
Bayh	Ensign	Martinez
Bennett	Enzi	McCain
Brownback	Feingold	McCaskill
Bunning	Graham	McConnell
Burr	Grassley	Risch
Chambliss	Gregg	Roberts
Coburn	Hatch	Sessions
Collins	Hutchison	Thune
Corker	Inhofe	Vitter
Cornyn	Isakson	Voinovich
Crapo	Kyl	

NOT VOTING—2

Johanns	Kennedy

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 35. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. INOUYE. Mr. President, I wish to recognize the staff of the Senate Committee on Appropriations. Since I assumed the chairmanship of the committee less than 2 months ago, on January 21, the staff of the committee has accomplished some extraordinary things.

The committee held a markup on the American Recovery and Reinvestment Act less than a week after I assumed the gavel, on January 27. We passed the Recovery Act on Februay 10, held an open conference with the House and then passed the conference report on February 14. On February 17, the President signed the Recovery Act into law.

The committee then moved immediately to take up the 2009 Omnibus Act, which we have passed today. I want to recognize the many late nights, the weekends, and the lost family time that have all been sacrificed by staff in order that we might accomplish the passage of two significant appropriations bills in less than 2 months.

As is our tradition, the committee operated in a fully bipartisan fashion in all of our efforts, and our nonpartisan support staff did their usual superb job of allowing the policy staff to complete their work under such tight deadlines.

Without the hard work, dedication and extraordinary effort of all the staff members of this committee, we would not have passed the Recovery Act or the 2009 omnibus. As the chairman of this committee, and on behalf of the American people who they serve so well, I thank them for their exceptional efforts and for providing me such an outstanding start to my time as leader of this committee.

I submit the names of all of the staff members of the Senate Appropriations Committee for the RECORD.

The list is as follows:

Carrie Apostolou, Arex Avanni, Michael Bain, Dennis Balkham, Gabrielle Batkin, Katie Batte, Ellen Beares, Rebecca Benn, Suzanne Bentzel, Lisa Bernhardt, Jessica Berry, Rob Blumenthal, David Bonine, John Bray, Dale Cabaniss, Art Cameron, George A Castro, Doug Clapp.

Roger Cockrell, John J. Conway, Erin Corcoran, Carol Cribbs, Margaret Cummisky, Teri Curtin, Allen Cutler, Scott Dalzell, Rebecca Davies, Nicole Di Resta, Mary Dietrich, Drenan Dudley, Fitz Elder, Kate Eltrich, Christina Evans, Bruce Evans, Alycia Farrell, Erik Fatemi, Kate Fitzpatrick.

Leif Fonnesbeck, Galen Fountain, Jessica Frederick, Lauren Frese, Brad Fuller, Barry Gaffney, Colleen Gaydos, Paul Grove, Katy Hagan, Adrienne Hallett, Diana Hamilton, Ben Hammond, Jonathan Harwitz, Lila Helms, Stewart Holmes, Charles Houy, Doris Jackson, Virginia James, Rachel Jones.

Jon Kamarck, Dennis Kaplan, Kate Kaufer, Charles Kieffer, Peter Kiefhaber, Jeff Kratz. Mark Laisch, Richard Larson, Ellen Maldonado, Nikole Manatt, Stacy McBride, Matthew McCardle, Meaghan McCarthy, Rachel Milberg, Mark Moore, Fernanda Motta, Ellen Murray, Scott Nance.

Hong Nguyen, Nancy Olkewicz, Scott O'Malia, Thomas Osterhoudt, Sudip Parikh, Melissa Petersen, Brian Potts, Dianne Preece, Bob Putnam, Erik Raven, Gary Reese, Tim Rieser, Peter Rogoff, Betsy Schmid, Rachelle Schroeder, Chad Schulken.

LaShawnda Smith, Renan Snowden, Reggie Stewart, Goodloe Sutton, Rachael Taylor, Bettilou Taylor, Christa Thompson, Marianne Upton, Chip Walgren, Chris Watkins, Jeremy Weirich, Augusta Wilson, Sarah Wilson, Brian Wilson, Franz Wuerfmannsdobler, Michele Wymer, Bridget Zarate.

The PRESIDING OFFICER. Under the previous order, cloture having been invoked, all postcloture time is yielded back. The question is on the third reading and passage of the bill.

The bill (H.R. 1105) was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is on passage of the bill.

The bill (H.R. 1105) was passed.

Mr. DURBIN. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of S. Res. 73, which was submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 73) authorizing expenditures by committees of the Senate for the periods March 1, 2009, through September 30, 2009, and October 1, 2009, through September 30, 2010, and October 1, 2010, through February 28, 2011.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 73) was agreed to, as follows:

S. RES. 73

Resolved,

SECTION 1. AGGREGATE AUTHORIZATION.

(a) IN GENERAL.—For purposes of carrying out the powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate there is authorized for the period March 1, 2009, through September 30, 2009, in the aggregate of $69,152,989, for the period October 1, 2009, through September 30, 2010, in the aggregate of $121,593,254, and for the period October 1, 2010, through February 28, 2011, in the aggregate of $51,787,223, in accordance with the provisions of this resolution, for standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committees for the period March 1, 2009, through September 30, 2009, for the period October 1, 2009, through September 30, 2010, and for the period October 1, 2010, through February 28, 2011, to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate.

SEC. 2. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the

Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $2,735,622, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $4,809,496, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $2,048,172, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 3. COMMITTEE ON ARMED SERVICES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,639,258, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $8,158,696, of which amount—

(1) not to exceed $80,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,475,330, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 4. COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,204,901, of which amount—

(1) not to exceed $11,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $700, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,393,024, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,200, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,148,531, of which amount—

(1) not to exceed $8,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $500, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 5. COMMITTEE ON THE BUDGET.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraph 1 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,384,507, of which amount—

(1) not to exceed $35,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $70,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,711,049, of which amount—

(1) not to exceed $60,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $120,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,284,779, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 6. COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the

Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,529,245, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,963,737, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,391,751, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 7. COMMITTEE ON ENERGY AND NATURAL RESOURCES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $3,833,400.

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $6,740,569.

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $2,870,923.

SEC. 8. COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $3,529,786, of which amount—

(1) not to exceed $4,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $6,204,665, of which amount—

(1) not to exceed $8,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $2,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $2,641,940, of which amount—

(1) not to exceed $3,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 9. COMMITTEE ON FINANCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $5,210,765, of which amount—

(1) not to exceed $17,500, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $5,833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $9,161,539, of which amount—

(1) not to exceed $30,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,901,707, of which amount—

(1) not to exceed $12,500, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $4,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 10. COMMITTEE ON FOREIGN RELATIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,291,761, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,546,310, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,214,017, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 11. COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $5,973,747, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $10,503,951, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $4,473,755, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 12. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules and S. Res. 445, agreed to October 9, 2004 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $6,742,824, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $11,856,527, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $5,049,927, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(e) INVESTIGATIONS.—

(1) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(E) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(iii) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

(ii) the implementation of effective energy conservation measures;

(iii) the pricing of energy in all forms;

(iv) coordination of energy programs with State and local government;

(v) control of exports of scarce fuels;

(vi) the management of tax, import, pricing, and other policies affecting energy supplies;

(vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(viii) the allocation of fuels in short supply by public and private entities;

(ix) the management of energy supplies owned or controlled by the Government;

(x) relations with other oil producing and consuming countries;

(xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(xii) research into the discovery and development of alternative energy supplies; and

(G) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(2) EXTENT OF INQUIRIES.—In carrying out the duties provided in paragraph (1), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

(3) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this subsection, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from March 1, 2009, through February 28, 2011, is authorized, in its, his, hers, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(4) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this subsection shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(5) SUBPOENA AUTHORITY.—All subpoenas and related legal processes of the committee and its subcommittee authorized under S. Res. 89, agreed to March 1, 2007 (110th Congress) are authorized to continue.

SEC. 13. COMMITTEE ON THE JUDICIARY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $6,528,294, of which amount—

(1) not to exceed $116,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $11,667, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $11,481,341, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $4,890,862, of which amount—

(1) not to exceed $83,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $8,333, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 14. COMMITTEE ON RULES AND ADMINISTRATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,797,669, of which amount—

(1) not to exceed $30,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $6,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $3,161,766, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,346,931, of which amount—

(1) not to exceed $21,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $4,200, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 15. COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,693,240, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $2,976,370, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,267,330, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 16. COMMITTEE ON VETERANS' AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,565,089, of which amount—

(1) not to exceed $59,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $12,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $2,752,088, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,172,184, of which amount—

(1) not to exceed $42,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $8,334, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 17. SPECIAL COMMITTEE ON AGING.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,892,515, of which amount—

(1) not to exceed $117,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $3,327,243, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $15,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,416,944, of which amount—

(1) not to exceed $85,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $5,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 18. SELECT COMMITTEE ON INTELLIGENCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976 (94th Congress), as amended by S. Res. 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under sections 3(a) and 17 of such S. Res. 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such S. Res. 400, the Select Committee on Intelligence is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,151,023, of which amount—

(1) not to exceed $37,917, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,298,438, of which amount—

(1) not to exceed $65,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $2,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,108,302, of which amount—

(1) not to exceed $27,083, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 19. COMMITTEE ON INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,449,343, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $2,546,445, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,083,838, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 20. SPECIAL RESERVE.

(a) ESTABLISHMENT.—Within the funds in the account ''Expenses of Inquiries and Investigations'' appropriated by the legislative branch appropriation Acts for fiscal years 2009, 2010, and 2011, there is authorized to be

established a special reserve to be available to any committee funded by this resolution as provided in subsection (b) of which—

(1) an amount not to exceed $4,375,000, shall be available for the period March 1, 2009, through September 30, 2009; and

(2) an amount not to exceed $7,500,000, shall be available for the period October 1, 2009, through September 30, 2010; and

(3) an amount not to exceed $3,125,000, shall be available for the period October 1, 2010, through February 28, 2011.

(b) AVAILABILITY.—The special reserve authorized in subsection (a) shall be available to any committee—

(1) on the basis of special need to meet unpaid obligations incurred by that committee during the periods referred to in paragraphs (1), (2), and (3) of subsection (a); and

(2) at the request of a Chairman and Ranking Member of that committee subject to the approval of the Chairman and Ranking Member of the Committee on Rules and Administration.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

SENATOR LEAHY JOINS THE 13,000 VOTE CLUB

Mr. BYRD. Mr. President, in the entire history of the U.S. Senate, only eight Senators have cast 13,000 votes. Today, our honorable colleague, Senator LEAHY, has become the ninth Senator to do it.

Mr. President, I congratulate the distinguished senior Senator from Vermont upon achieving this monumental milestone in his life and career. As a 34-year veteran of the Senate, and as chairman of the Senate Agriculture Committee and chairman of the Senate Judiciary Committee, Senator LEAHY has already provided invaluable service to his state and our country.

Now he has become a member of one of the most exclusive clubs in our country, ''U.S. Senators who have cast 13,000 votes club.''

As the charter member of this exclusive club, I welcome Senator LEAHY into it.

TRIBUTE TO KENTUCKY CHEERLEADING SQUADS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to the accomplishments of the North Laurel Middle and High School cheerleading squads from the city of London in my home State of Kentucky. Recently, both teams won national championships in the Universal Cheerleaders Association, at competitions held in Orlando, FL.

Both teams overcame setbacks and injuries but still triumphed. Through hard work and dedication, they were able to clinch the national titles for Kentucky. Recently, the Sentinel-Echo newspaper in London, KY, published an article detailing the victories of both teams.

Mr. President, I ask my colleagues to join me in honoring the cheerleaders and coaches from North Laurel Middle and High Schools for their performances in the national competition. I further ask unanimous consent that the full article be printed in the RECORD, as well as the names of the participants and coaches.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Sentinel-Echo, Feb. 13, 2009]

LAURELS FOR NORTH LAUREL

(By Tara Kaprowy)

With full police and fire truck escort, marching band fanfare and thousands of students waiting to greet them, North Laurel middle and high school cheerleaders came home wreathed in victory Tuesday. The teams both clinched first place last weekend at the Universal Cheerleaders Association National High School Cheerleading Championship, the be-all end-all of cheerleading competitions.

North Laurel Middle School coach Christy Jones was thrilled.

''It's all the buzz down here,'' she said of the North Laurel wins. ''They loved the girls, they loved the routine.''

North Laurel High School coach Kim Wood was likewise pleased.

''We're celebrating like we've never celebrated before,'' she said.

Wood's team has had a heart-stopping couple of days. The team arrived in Orlando, Fla., a few days before the weekend competition to have time to practice their highly technical routine.

But on the first day, tragedy struck.

''We had one of our strongest bases get injured,'' Wood said. ''She blew her knee out.''

With Lindsey Lewis now forced to the sidelines, it was up to Laura Robinson—who had never even competed before—to step in.

''She was so nervous,'' Wood said.

To incorporate Robinson into the performance, the girls had to adjust their formations and rework the routine, practicing six hours a day to get things right.

''Each girl had to work even harder,'' Wood said.

By the end of the second round of competition, the girls were in seventh place; one of the girls had fallen, which cost the team points. Nevertheless, they advanced to finals. This time, their 2½-minute routine was flawless.

''It was perfect,'' Wood said. ''They were awesome.''

When the winners were being announced, the judges asked the girls to maintain their composure out of respect for the other teams. But Wood said when the runner-up was named—and it wasn't North Laurel—her girls were ecstatic.

''They were bawling and crying and jumping for joy,'' Wood said.

Over in the middle-school competition, the girls were up against the fearsome Mount Pisgah and Houston girls, cheerleaders from two middle schools who finish first and second year after year.

This year, Jones said she was ready for the Tennessee teams, with North Laurel's choreographer crafting a routine that was at the highest level of difficulty. The performance incorporates 13 full-ups, a move in which the girls complete a 360-degree turn before they hit the top of their stunt.

''We do them to one leg, which is even more difficult,'' Jones said.

The girls pulled off the stunts, even though they were also plagued by injuries.

Dani Flannery, who tore the ligaments in her ankle last year, reinjured her leg while in Florida.

She chose to compete anyway.

''She battled back,'' Jones said. ''And she did it with a smile on her face.'

In the end, the NLMS girls pulled off their routine and, by 12 points, were named the champions.

Jones said the win was sweet.

''It's been very difficult to gain respect,'' she said. ''It's kind of the (Tennessee team) club, but we broke into it this year. And they didn't like it.''

Jones said she and her girls are thankful for the support they received throughout the year.

''We are just so appreciative of our principal (David Hensley),'' she said. ''He is so supportive of our program. And our parents, listen, our parents raised the money so every child could come to Florida for free. And the community. Every time they buy a T-shirt or a box of donuts, it lets these girls achieve their dream. I'm so thankful.''

NORTH LAUREL MIDDLE SCHOOL CHEERLEADERS

Katie Mays, Caitlyn Adams, Sammantha Tolliver, Maddie Wood, Hannah Robinson, Ashley McCowan, Whitney McCowan, Ryvers Loomis, Meagan Stewart, Hannah McWhorter, McKayla Vaughn, Taylor Hubbard, Dani Flannery, Kristen King, Whitney Reams, Miranda Browning, Savannah Goozeman, Sydney Herrell, Farris Strong, Sherri Gray, Lane Mitchell, Breanna Binder, Morgan Bill, Sammantha Nalley, Kelsey Guidi, Amy Corum, Gabrielle Skript, Addison Woods, Taylor Eversole, Hayley Whitman, Tara McClure, Taylor Hamilton. Coaches: Jamie Winkfein, Sidney Hubbard, Christy Jones.

NORTH LAUREL HIGH SCHOOL CHEERLEADERS

Alex Blair, Bailie Camp, Taylor Forbes, Brittney Hodges, Ashley Hollin, Destiny Inman, Ally James, Kayla Johnson, Mercedes Lester, Whitney Lawson, Lindsey Lewis, Kelsey Maggard, Mackenzie Martin, Brittany Moore, Ashley Partin, Sarah Pennington, Laura Robinson, Jenny Tillery, Gabrielle Woods. Coaches: Kim Wood, Toni Blake Greer.

SENATOR PATRICK LEAHY'S 13,000TH VOTE

Mr. DURBIN. Mr. President, I rise to honor Senator PATRICK LEAHY on the occasion of his 13,000th vote.

I have had the privilege of serving on the Senate Judiciary Committee under Senator LEAHY's leadership for more than 10 years. The Judiciary Committee is one of the original standing committees of the U.S. Senate and its role is unique. It is the Judiciary Committee's special charge to ensure that we remain faithful to our Founders' vision of America as a nation of laws.

As chairman of the Judiciary Committee, PATRICK LEAHY takes this responsibility very seriously and he has continually demonstrated his fidelity to the rule of law. Chairman LEAHY has repeatedly risen in defense of our fundamental constitutional rights, even when it is not politically popular.

He particularly distinguished himself in the aftermath of the 9/11 terrorist

attacks. At a time when some were calling for us to sacrifice our rights in the fight against terrorism, PAT LEAHY said that we could be both safe and free.

He worked to include important civil liberties protections in the PATRIOT Act. He led the opposition to controversial Bush administration policies relating to torture, indefinite detention, and the warrantless surveillance of innocent American citizens. He was one of the first Members of Congress to speak out against the Guantánamo Bay detention center. Chairman LEAHY led the fight against the Military Commissions Act. He was particularly eloquent and persistent in defending the right to habeas corpus and he was vindicated when the Supreme Court held that the habeas-stripping provision of the Military Commissions Act is unconstitutional.

Chairman LEAHY has also been a giant in the Senate when it comes to judicial nominations. He has fought to preserve the integrity and independence of our Federal judiciary throughout his career and long tenure on the Senate Judiciary Committee.

Despite the highly charged atmosphere that has beset the judicial nominations process in recent years, Chairman LEAHY handled judicial nominations fairly and expeditiously during his chairmanship of the Senate Judiciary Committee under President George W. Bush. In the approximately 3 years in which he chaired the Senate Judiciary Committee under President Bush, 168 of the President's judicial nominees were confirmed. By comparison, during the 4-year period under President Bush when Republicans had a majority in the Senate and chaired the Senate Judiciary Committee, only 158 judicial nominees were confirmed.

Chairman LEAHY also led the fight to enhance the security of Federal judges and courthouses in the wake of several tragic incidents of violence our Nation witnessed in recent years. This record is a tribute to Chairman LEAHY's deep respect for the Federal bench and his commitment to bipartisanship in the advice and consent process.

Senator LEAHY has fought for human rights at home and abroad. As the lead sponsor of the Innocence Protection Act, he has worked to ensure that innocent people are not subject to the death penalty. He has been the foremost champion in Congress in the campaign against antipersonnel landmines, authoring the first legislation by any government to ban the export of landmines.

I want to pay tribute particularly to Chairman LEAHY for creating the Human Rights and the Law subcommittee in January 2007 and for giving me the opportunity to chair this subcommittee during the 110th Congress. I was proud to work with Senator LEAHY in the 110th Congress to enact the Genocide Accountability Act, which makes it a crime to commit genocide anywhere in the world; the Child Soldiers Accountability Act, which makes it a crime and violation of immigration law to recruit or use child soldiers anywhere in the world; and the Trafficking in Persons Accountability Act, which makes it a crime to engage in human trafficking anywhere in the world.

Mr. President, America is fortunate to have Senator PATRICK LEAHY's leadership at this challenging moment in our history. I look forward to working with him as we strive to restore the rule of law at home and to reclaim America's role as a champion for human rights around the world.

ADOPTION INCENTIVES PROGRAM

Mr. GRASSLEY. Mr. President, last year, working together, Republicans and Democrats produced one of the most far-reaching improvements to our Nation's child welfare system in over a decade. The Fostering Connections to Success and Increasing Adoptions Act of 2008 included a number of policies designed to increase the number of adoptions of special needs children in foster care.

Unfortunately, the Omnibus appropriations bill that the Senate is considering this week includes a provision that overrides the Adoption Incentives improvements included in the Fostering Connections to Success and Increasing Adoptions Act of 2008.

I have been told that it was not the intention of the drafters of the Omnibus appropriations bill to override the improvements to the Adoption Incentives Program and the Democratic leadership intends to correct this problem in the future.

The right thing would be to correct this problem in the underlying bill and I filed an amendment that would have accomplished this. Unfortunately, I was told by the Democratic leadership that they would not allow the bill to be changed at all.

I am not happy that I was not permitted to fix this problem in the omnibus bill. This unfortunate outcome, where real progress in increasing the number of adoptions is potentially jeopardized, highlights the perils of rushing legislation through in a partisan manner and not consulting with the committees of jurisdiction.

Mr. BAUCUS. I thank Senator GRASSLEY. We worked together on the Fostering Connections to Success and Increasing Adoptions Act of 2008 in what was a model of bipartisan and bicameral legislating. I do not want to see any provisions of that work jeopardized.

While I am certain that our colleagues on the Appropriations Committee in no way mean to jeopardize the adoption incentive provisions of the Fostering Connections and Increasing Adoptions Act, I also feel that communication with the Finance Committee would have led to an easy remedy. My staff, working with the Congressional Research Service, caught the error as soon as the language was introduced and made available.

We need to work together toward a solution. I am prepared to introduce legislation to correct the error and preserve the work of the Finance Committee, Ways and Means Committee, and child welfare community.

Mr. GRASSLEY. I do want the members of the adoption community to be assured that I will do everything in my power to make sure this correction is made and that adoption incentive funds are made available. I will be happy to introduce legislation with my partner on the Senate Finance Committee, the chairman of that committee, Senator BAUCUS. We can base the legislation on my amendment to reinstate the adoption incentives improvements.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I am sure you are fully aware of the impact high gasoline prices is having on Idahoans. A large portion of the population are on fixed incomes that do not rise with inflation or energy costs. Another large portion of the population barely earned enough to feed their families when gas was $1.25 a gallon. Many of those same Americans are still earning the same or slightly better wages, though inflation and higher energy costs have effectively caused a net reduction in their incomes.

Personally, it is hard to find work, I have turned in dozens of applications without even a single interview. So, I decided to get my degree online, since it was out of the question to commute to a campus because of fuel costs. My best friend commuted for his entire two years of community college, roughly 60 miles round trip every day. However, it is prohibitively expensive to do so now. I am also self-employed, doing whatever work I can find, though it never amounts to much more than paying what expenses I do have. Lately I have been selling firewood to help cover the increases in gas prices, since I am a small-scale miner/gold prospector and

wish to explore some gold-producing regions in this great state this year.

I recall hearing that the government removed gasoline from the Consumer Price Index in the 80s; if this is true, it was a grave mistake. These gasoline and oil prices will cause inflation almost as fast as the Federal Reserve having a license to print money as fast as they can.

As an American, and Idahoan, I want to state that we need to lift the bans on offshore oil drilling. Norway, I believe, has always drilled offshore, and they export quite a bit of oil, as well as keeping their own energy costs down compared to other areas of the world. I understand that we are not drilling much offshore; however, I have heard that Cuba and other Caribbean countries have been, which means if we do not pump the oil ourselves, someone else will.

Second, hydroelectric is the safest, cheapest, and most superior form of electricity any country can harness and possess. Instead of demolishing dams, we need to build more if possible. Licenses need to be granted to all existing dams if there is any possible way for them to expand their generating capacity. Environmentalists cry we need more solar power. Solar panels are inefficient given that it takes a huge surface area to generate a small amount of energy. I suppose if they could be installed in places that are rarely used, and out of sight, so much the better, so Solar panels should be installed on the roofs of city buildings, would not take up valuable land that is so desperately needed for farming, and other uses.

As far as gasoline and alternative fuels, I would petition Congress to reopen the investigation into the Ocean Thermal Energy Conversion, which was experimented with during the 70s, but later abandoned after the oil crisis. It would use the naturally-heated water, pumped through heat exchangers, causing refrigerants to be evaporated in a closed system, driving turbines, creating electricity which could then be used to synthesize the ammonia fuel, which ammonia is not combustible in normal atmospheric pressure, but when introduced into a high pressure environment, such as a combustion chamber, it will combust. In the early part of this decade it was estimated that the fuel could be produced and distributed with probably no higher than a 50-cent per gallon cost. Just a small fleet of ships around the equator would be able to supply the entire world's energy. Combustion of the ammonia would produce only water vapor. I studied this in high school thanks to being in the U.S. Academic Decathlon, and it grabbed my interest so I did what research I could on the matter.

Another main objective should be to get the oil fields in Iraq back in production ASAP. I have read production reports from before and after the Iraq invasion. I forget how much Iraq was producing prior to the invasion, but afterwards, there has been negligible amounts of oil being produced there.

I would also propose that tax incentives should be given to wealthy landowners in regions that have historically been productive for wildcatting. The incentives being to get the landowners who can afford to, to explore their properties for oil.

There is also another solution which I feel the auto industry purposely avoids telling people. It is a fact, that I have seen, and rode in, never could find one for sale, SUVs, small pick-ups and the like, with 4-cylinder diesel engines that provided plenty of power, with a fuel economy of anywhere from 45 to 60 miles per gallon. Rudolph Diesel, who invented the Diesel engine had stated that his life's work would be complete once it was used in automobiles. I firmly believe the Germans have been at the forefront of technology, efficiency, and precision, and that auto makers should produce more vehicles with these 4-cylinder diesels.

I know, the environmentalists have for the most part banned diesel in many places. However, what makes it cleaner and better for the environment to burn 2.5 to 3 gallons of gas than to burn 1 gallon of diesel?

I do believe it is wrong to say that America is addicted to oil. We aren't addicted to oil; there is no alternative, and nothing that we can put in our tanks has the same energy potential gallon for gallon as gasoline or diesel. However, I recall vaguely a quote I read that was said by Nikola Tesla, basically saying it was barbaric for an nation to use up its crude oil reserves. But I say it is equally barbaric to use food crops to produce alternative fuels, AKA ethanol. Why cannot we turn noxious weeds such as knapp weed and bull thistles into ethanol? Why does it have to be corn?! People are starving, and here we are gassing up with food that should be used to feed people. People cannot eat oil or gasoline. It is my understanding that the U.S. government pays subsidies to farmers so they do not plant hundreds of millions of acres of land to keep prices up on certain crops. If corn must be used, it should be from the land that the government is paying them not to plant, since the other corn crops are sufficient for food needs.

It is also my understanding that the world's largest deposit of oil shale exists in the United States. It amounts to almost double the proven recoverable crude oil reserves in the world. Why are not we mining and processing this oil shale? Further, I do not see how the oil companies are making record profits.

The one thing it has been politically incorrect to talk about is inflation. If you adjust the oil companies' incomes for inflation, everyone will find that in real wealth, their earnings are breaking no records. When gas was 25 cents a gallon, it was a silver quarter that was being paid. The amount of silver in a silver quarter is worth now approximately $3 to $4. So in terms of REAL wealth, constitutional money as per Article One, Section Ten, the price has gone from, what, 25 cents a gallon to 30 cents maybe? It is not that prices are going up; it is that the Fed is printing too much money driving the value of the dollar down faster than wages can go up, and this usury needs to stop.

They used to claim that there was not enough silver to maintain a silver standard and supply enough money for everyone. Hmmmm. . . Guess what that causes? Deflation! The money would increase in purchasing power, and the same amount of silver would continue to be sufficient for the needs of the economy.

Sometimes I feel like I am the only American who understands this problem.

I would like to point out: Heads should have rolled after we abandoned the gold and silver standards. I am sure you know what debasing currency is. This is what helped bring Rome to an end. They figured out that most people would accept a coin for face value regardless of content. So, instead of say, 90% gold, the Romans started to debase their coinage, so they could make more money with less gold. The coins dropped in purity. More and more copper was added until their gold coins contained almost no gold. This is what happened in this country in the 60s when we abandoned silver. Our Founding Fathers understood the problem, so I would like to point out the one capital crime that no one has been sentenced for.

According to the Coin Act of 1792, those who debased the currency, ''or otherwise with a fraudulent intent'' were to suffer the death penalty:

''Penalty of Death for de-basing the coins. Section 19. And be it further enacted, That if any of the gold or silver coins which shall be struck or coined at the said mint shall be debased or made worse as to the proportion of the fine gold or fine silver therein contained, or shall be of less weight or value than the same out to be pursuant to the directions of this act, through the default or with the connivance of any of the officers or persons who shall be employed at the said mint, for the purpose of profit or gain, or otherwise with a fraudulent intent, and if any of the said officers or persons shall embezzle any of the metals which shall at any time be committed to their charge for the purpose of being coined, or any of the coins which shall be struck or coined at the said mint, every such officer or person who shall commit any or either of the said offenses, shall be deemed guilty of felony, and shall suffer death.''

America is not being held hostage by the gas pumps, or the oil companies. Probably the greatest mistake any civilization could make was breaking up Standard Oil. As soon as Standard Oil was broken up, fuel prices went up quite a bit history records. America is being held hostage by the monetizers of debt, printing instead of legal tender, promissory notes which take a perfectly valuable commodity like paper and ink, and make them truely worthless, as stated by Ludwig Von Mises when he was talking about fiat currency.

Economist John Maynard Keynes, who was chief architect of the fiat currency system, had stated ''The best way to destroy the capitalist system is to debauch the currency. By a continuing process of inflation, governments can confiscate, secretly and unobserved, an important part of the wealth of their citizens.'' And indeed that is what is happening.

Patrick Henry had stated ''This great nation was founded not by religionists, but by Christians; not on religions, but on the Gospel of Jesus Christ!''. I agree with this statement. However, our government has gone from the wise ways of a Republic, with the Biblical honest weights and measures, to a corrupted system that is now based almost entirely on the system of usury.

There is no shortage of oil, and people are willing to pay the prices they are paying for it now. They have no choice, and those prices being paid now, are the result of a paper currency that is constantly being inflated. A barrel of Oil is always worth a barrel of Oil, and an ounce of silver is always worth an ounce of silver. A dollar is not always worth a dollar.

So, while I still have the 1st Amendment rights, I am going to send this letter, and pray that it does not fall on deaf ears.

ADAM.

In response to your email requesting some stories about the rising oil costs, I would like to contribute the following. This will not be a simple paragraph or two and, for that, I apologize.

I grew up in Helena, Montana, and crawled around in mines and mills as a kid and young adult. I have seen firsthand, the long-term effects of mine waste and tailings piles where nothing would grow on the waste for 100 years, the small streams and creeks ran orange in Butte and the banks were brown for up to 10 feet on either side. Now, I also understand back then, this was not seen as damaging and there were plenty of open spaces and clear skies for the infant country of the USA and, without these mines and mills, the U.S. would not be what it is today.

I worked for almost 27 years in the oil exploration industry and almost 16 years of that was working and living in Brasil so I have firsthand exposure to the shortcomings and failures of alcohol fuels and the damage it has done to the economy of Brasil.

Further, I have seen what the U.S. has done to destroy the drilling industry in the states as well as driving out any U.S. Coast Guard licensed personnel, U.S. flag vessels and shipyard work done in the U.S.

Now let us consider alcohol fuels and blended gasoline:

As a developing country, Brasil needs oil, they do not have a large export economy and until recently, did not have a large internal oil supply. To offset the cost of importing oil, they mandated the use of alcohol as a fuel for their automobiles. Since labor is cheap and technology was not, Brasil had a huge labor intensive industry of raising sugar cane for the purpose of making fuel. In fact this was nothing more that rum!

Sugar cane derived fuel is still recognized as the ''hottest'' fuel as compared to corn.

Brasil mandated that alcohol fuel be the same price as gasoline and forced Petrobras to manufacture and distribute alcohol to do so.

Even at $50/ month average worker wages, sugar cane growing almost unattended, IE no need for irrigation or fertilizers, the cost per liter of alcohol was 4 to 5 times that of the cost the same liter of gasoline! This resulted in an enormous tax base to Brasilian citizens, up to 60% and a horrid inflation spiral you cannot imagine, inflations of 100% per month!

In my opinion, alcohol is not only a stupid idea; it accelerates the consumption of oil and the earth's resources and causes MORE pollution. Here is why:

(1) Alcohol loves water and will absorb water while in storage and in use. This causes any iron or steel parts in the engine to wear out faster. This means more parts and or more engines are needed sooner. These parts can only be derived from metal which means more mining, smelting and more heavy metal pollution.

(2) Alcohol does not give as much power per unit of liquid as gasoline, no matter what! Anyone can do this and it does not need a scientific degree for real average Joe results. Drive in South Dakota where it is mandated to have 10% alcohol/ 90% gasoline blended fuel. The interstate is flat so you can set your cruise control. I did this in my Mazda pickup and have seen similar results by being forced to use alcohol fuels in Washington in other vehicles. By driving say 320 miles on the interstate with gasoline only, you can achieve say 20 miles per gallon which would use 16 gallons of gasoline.

Now, blended fuel decreases the fuel efficiency of any internal combustion and lowers its economy. This same vehicle with the blended fuel gets anywhere between 20 to 25% less MPG. In our same example, this vehicle would get 15 to 16 MPG, which means the same 320 miles would take 21 to 20 gallons of blend. Now, this blended fuel is 90% gasoline in 21 gallons of blend there is $21 \times 0.9 = 18.9$ gallons of gasoline and 20 gallons of blend is $20 \times 0.9 = 18$ gallons of gasoline.

So, our blended fuel consumes at least 20% more gasoline!!!!! In this journey that means an average of 3 gallons more of gasoline for the trip.

These are real results I did myself!

Even autos designed for alcohol blends get less economy and consumes more fuel! You can check in Phoenix, Arizona, as they mandate blended fuels in the summer and the cars get poorer economy.

So, what does alcohol fuels do?

(1) Consumes more oil

(2) Consumes more of the earth's metals by wearing out engines quicker

(3) Consumes more of the earth's energy. You have to plant, harvest, ferment, distill and purify corn to generate alcohol. It costs about 6 times more per gallon to make than gasoline and wastes water, electricity and fuel to make. Since the government subsidizes this, we the tax payers loose big time and the environment suffers at an even accelerated rate.

(4) It takes food out of circulation and raises prices.

(5) Who wins? Big oil for more demand, the automobile industry, farmers and the government in the form of more taxes.

(6) Who loses? The American citizen.

Now, what have I seen? Well, much of the U.S. does not have public transport and we have to drive for food, work, shopping and anything else. I have seen my gasoline bills almost double in the past 6 months and I am driving much less.

Much of the U.S. does not have natural gas and we use propane. Propane has jumped 50% in price the past 6 months that means heating bills have jumped 50%. Even thought we are mainly hydroelectric for electricity, my power bill has increased an average of 25% due to pressure from fossil fuel increases.

I am retired and on a fixed income and cannot afford to pay my bills any longer due to the significant increases!

And please do not get me started on the fallacy of fluorescent lighting and electric autos. Both are dangerous and will cause tremendous heavy metal pollution as well as a larger demand for mining and thus more toxic waste.

Not to be a cynic but I know this will fall on deaf ears as it is not politically expedient to take the correct position instead of the one Washington currently has taken.

FRANK, *Spirit Lake*.

We recently took a three-night trip to Yellowstone Park, driving from Boise. Our VW Passatt station wagon, a roomy and very comfortable car, uses about half the fuel of a pickup truck (29 to 34 mpg highway). For this trip for four adults, the cost of lodging and food (meals eaten in restaurants) dwarfed the cost of gasoline.

The higher price of fuel will spur both innovation (www.aptera.com) and conservation. As Boise is close to being under EPA ''supervision'' for air quality non-attainment (ozone), the higher price of gas can only help as demand slackens.

Let us face it, most of us are not wise users of energy, and with a little extra effort we all could reduce our consumption by 10% to 25%. I see many more pedestrians and bicycles on the streets, most of us need more exercise. Our consumptive habits and the growth of said consumption is not sustainable—innovation and conservation will have to happen to solve our energy problems.

In reading your email regarding this problem, I have to ask you who is responsible for lack of public transportation in this country?

DAVID, *Boise*.

ADDITIONAL STATEMENTS

HONORING EIGHT KENTUCKY STATE POLICE

• Mr. BUNNING. Mr. President, today I invite my colleagues to join me in congratulating eight members of the Kentucky State Police. These brave individuals went above and beyond to help keep the Commonwealth safe. The Excellence in Highway Safety Awards are given to troopers who have the highest numbers in driving under the influence, occupant protection, speed, and commercial vehicle citations written in 2008.

Trooper Chris Steward from the Dry Ridge Post received the award for the highest number of speed citations. Trooper Steward was praised by the Dry Ridge Post Commander for his dedication to saving lives on Kentucky's roads.

Sergeant Steve Walker from the London Post received the award for the highest number of DUI arrests in 2008. DUI related fatalities numbered 175 in Kentucky in 2008 and Sergeant Walker's extra effort to remove impaired drivers from the road has made Kentucky roadways a safer place to travel.

Trooper Walt Meachum from the Harlan Post received the award by hosting 484 community education events relative to highway safety issues. Trooper Meachum's vigorous commitment to educating younger people about unsafe driving is something every Kentucky citizen is grateful for.

Sergeant Derris Hedger from the Campbellsburg Post received the award for the highest number of seat belt citations in 2008. This area has seen a 50-percent reduction in highway fatalities compared to 2007, and Sergeant Hedger's efforts are playing a direct role in those reductions.

Officer Anthony Bersaglia from the Pikeville Commercial Vehicle Enforcement division received the award for the highest number of Commercial Motor Vehicle citations in 2008. Officer Bersaglia's work ethic and dedication are unmatched.

Officer Travis Rogers from the London Commercial Vehicle Enforcement Region received the award for the highest number of Commercial Motor Vehicle safety inspections. Officer Rogers continually strives to make Kentucky's roads a safer place and he is a credit to the division.

Officer Glenn Perry of the Louisville Commercial Vehicle Enforcement Region has received this award for the highest percentage of Commercial Motor Vehicle ''Out of Service'' inspections. The work Officer Perry performs on a daily basis and his professionalism on the roads is unmatched.

Inspector Marty Young from the Georgetown Commercial Vehicle Region received the award for the number of ''Out of Service'' inspections by a civilian employee. Investigator Young's success is evident in the Georgetown Region and his eye for detail has made a significant impact on highway safety.

I am humbled and grateful of the men and women who serve this agency every day by patrolling our roadways and keeping the Commonwealth safe. I am also confident that the coworkers of these eight individuals are proud to work along side of them.

Mr. President, I would like to thank these individuals for their contributions to the State of Kentucky and I wish them well as they continue to protect the citizens of the Commonwealth.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to

the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:26 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. 131. An act to establish the Ronald Reagan Centennial Commission.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–922. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the report of two violations of the Antideficiency Act that occurred within the Appalachian Regional Commission; to the Committee on Appropriations.

EC–923. A communication from the Director, Pentagon Renovation and Construction Program Office, Department of Defense, transmitting, pursuant to law, the Office's Annual Report for the year ending March 1, 2009; to the Committee on Armed Services.

EC–924. A communication from the Vice Chair and First Vice President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC–925. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Space Vehicle and Test Flight Activities from Vandenberg Air Force Base (VAFB), California'' (RIN0648–AX08) received in the Office of the President of the Senate on March 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–926. A communication from the Principal Deputy Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Implementation Report: Energy Conservation Standards Activities''; to the Committee on Energy and Natural Resources.

EC–927. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Extension of Import Restrictions Imposed on Archaeological Material from Honduras'' (RIN1505–AC11) received in the Office of the President of the Senate on March 5, 2009; to the Committee on Finance.

EC–928. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to overseas surplus property; to the Committee on Foreign Relations.

EC–929. A communication from the Acting Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health Benefits Program Acquisition Regulation: Miscellaneous Clarifications and Corrections'' (RIN3206–AL66) received in the Office of the President of the Senate on March 5, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–930. A communication from the Acting Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Nonforeign Area Cost-of-Living Allowance Rates; 2007 Interim Adjustments: Puerto Rico'' (RIN3206–AL65) received in the Office of the President of the Senate on March 5, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–931. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–19, ''Disclosure to the United States District Court Temporary Amendment Act of 2009'' received in the Office of the President of the Senate on March 5, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–932. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–20, ''Metropolitan Police Department Subpoena Limitation Temporary Amendment Act of 2009'' received in the Office of the President of the Senate on March 5, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–933. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–21, ''Library Kiosk Services Temporary Act of 2009'' received in the Office of the President of the Senate on March 5, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–934. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–22, ''Vending Regulation Temporary Act of 2009'' received in the Office of the President of the Senate on March 5, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–935. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of a vacancy in the position of General Counsel, received in the Office of the President of the Senate on March 5, 2009; to the Select Committee on Intelligence.

EC–936. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of change in previously submitted reported information in the position of Associate Director of National Intelligence and Chief Information Officer, received in the Office of the President of the Senate on March 5, 2009; to the Select Committee on Intelligence.

EC–937. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of discontinuation of service in acting role in the position of Associate Director of National Intelligence and Chief Information Officer, received in the Office of the President of the Senate on March 5, 2009; to the Select Committee on Intelligence.

EC–938. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of change in previously submitted reported information in the position of Principal Deputy Director of National Intelligence, received in the Office of the President of the Senate on March 5, 2009; to the Select Committee on Intelligence.

EC–939. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of discontinuation of service in acting role in the position of Principal Deputy Director of National Intelligence, received in the Office of the President of the Senate on March 5, 2009; to the Select Committee on Intelligence.

EC–940. A communication from the Director, Administrative Office of the U.S. Courts, transmitting, pursuant to law, an annual report relative to crime victims' rights; to the Committee on the Judiciary.

EC–941. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to data-mining activities; to the Committee on the Judiciary.

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. UDALL of Colorado (for himself and Mr. BENNET):

S. 555. A bill to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 556. A bill to amend chapter 44 of title 18, United States Code, to modernize the process by which interstate firearms transactions are conducted by Federal firearms licensees; to the Committee on the Judiciary.

By Mr. MARTINEZ (for himself and Mr. KOHL):

S. 557. A bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Ms. MURKOWSKI, Mr. BURR, Ms. LANDRIEU, Mr. NELSON of Florida, and Mr. VOINOVICH):

S. 558. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to nutrition labeling of food offered for sale in food service establishments; to the Committee on Health, Education, Labor, and Pensions .

By Mr. WYDEN (for himself, Mr. GRASSLEY, Mr. HARKIN, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. NELSON of Nebraska, and Mr. ROBERTS):

S. 559. A bill to provide benefits under the Post-Deployment/Mobilization Respite Absence program for certain periods before the implementation of the program; to the Committee on Armed Services.

By Mr. REID (for Mr. KENNEDY (for himself, Mr. HARKIN, Mr. DODD, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Mr. MERKLEY, Mr. BYRD, Mr. INOUYE, Mr. LEAHY, Mr. LEVIN, Mr. KERRY, Mr. ROCKEFELLER, Mr. REID, Mr. LIEBERMAN, Mr. AKAKA, Mrs. BOXER,

Mr. FEINGOLD, Mr. WYDEN, Mr. DURBIN, Mr. JOHNSON, Mr. SCHUMER, Mr. NELSON of Florida, Mr. CARPER, Ms. STABENOW, Ms. CANTWELL, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL of New Mexico, Mrs. SHAHEEN, Mr. BEGICH, Mr. BURRIS, Mr. KAUFMAN, and Mrs. GILLIBRAND)):

S. 560. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during the organizing efforts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Ms. MURKOWSKI, Mrs. BOXER, Mr. WYDEN, Mr. UDALL of New Mexico, Ms. CANTWELL, Mr. TESTER, Mr. JOHNSON, Mrs. MURRAY, Mr. UDALL of Colorado, and Mr. HATCH):

S. 561. A bill to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON of Florida (for himself, Ms. SNOWE, and Ms. KLOBUCHAR):

S. 562. A bill to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 563. A bill to direct the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself, Mr. GRASSLEY, Mr. LIEBERMAN, Mr. KENNEDY, Mr. CARDIN, and Mr. WYDEN):

S. 564. A bill to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. COCHRAN, Mr. LEVIN, and Mr. DORGAN):

S. 565. A bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. SCHUMER, and Mr. KENNEDY):

S. 566. A bill to create a Financial Product Safety Commission, to provide consumers with stronger protections and better information in connection with consumer financial products, and to give providers of consumer financial products more regulatory certainty; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. KERRY, Mr. DODD, and Mr. LUGAR):

S. Res. 72. A resolution expressing the sense of the Senate regarding drug trafficking in Mexico; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself and Mr. BENNETT):

S. Res. 73. A resolution authorizing expenditures by committees of the Senate for the periods March 1, 2009, through September 30, 2009, and October 1, 2009, through September 30, 2010, and October 1, 2010, through February 28, 2011; considered and agreed to.

ADDITIONAL COSPONSORS

S. 61

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 61, a bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes.

S. 261

At the request of Mr. GRAHAM, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 261, a bill to amend the Internal Revenue Code of 1986 to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel.

S. 277

At the request of Mr. UDALL of Colorado, his name was added as a cosponsor of S. 277, a bill to amend the National and Community Service Act of 1990 to expand and improve opportunities for service, and for other purposes.

S. 317

At the request of Mr. FEINGOLD, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 317, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 428

At the request of Mr. DORGAN, the names of the Senator from California (Mrs. BOXER) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 428, a bill to allow travel between the United States and Cuba.

S. 475

At the request of Mr. BURR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 475, a bill to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 484

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 484, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 542

At the request of Mrs. LINCOLN, her name was added as a cosponsor of S. 542, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

At the request of Mr. REID, the names of the Senator from Ohio (Mr. BROWN), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Colorado (Mr. BENNET), the Senator from Montana (Mr. TESTER), the Senator from New York (Mrs. GILLIBRAND), the Senator from North Carolina (Mrs. HAGAN), the Senator from Michigan (Ms. STABENOW), the Senator from Alaska (Mr. BEGICH), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Michigan (Mr. LEVIN), the Senator from Colorado (Mr. UDALL), the Senator from Delaware (Mr. CARPER), the Senator from Missouri (Mrs. MCCASKILL), the Senator from New Mexico (Mr. UDALL), the Senator from Illinois (Mr. BURRIS), the Senator from Rhode Island (Mr. REED), the Senator from Nebraska (Mr. NELSON), the Senator from Arkansas (Mr. PRYOR), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 542, supra.

S. 546

At the request of Mr. REID, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Massachusetts (Mr. KERRY), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Ohio (Mr. BROWN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from South Dakota (Mr. JOHNSON), the Senator from Oregon (Mr. WYDEN) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service of Combat-Related Special Compensation.

S. RES. 60

At the request of Mrs. SHAHEEN, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. Res. 60, a resolution commemorating the 10-year anniversary of the accession of the Czech Republic, the Republic of Hungary, and the Republic of Poland as members of the North Atlantic Treaty Organization.

S. RES. 64

At the request of Mrs. BOXER, the name of the Senator from Vermont

(Mr. SANDERS) was added as a cosponsor of S. Res. 64, a resolution recognizing the need for the Environmental Protection Agency to end decades of delay and utilize existing authority under the Resource Conservation and Recovery Act to comprehensively regulate coal combustion waste and the need for the Tennessee Valley Authority to be a national leader in technological innovation, low-cost power, and environmental stewardship.

S. RES. 70

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. Res. 70, a resolution congratulating the people of the Republic of Lithuania on the 1000th anniversary of Lithuania and celebrating the rich history of Lithuania.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. UDALL, of Colorado (for himself and Mr. BENNET):

S. 555. A bill to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. UDALL. Mr. President, today I am introducing the Sugar Loaf Fire Station Land Exchange Act of 2009.

This bill is the same as the version I introduced in the House of Representatives in the last Congress, H.R. 3181. It will facilitate a fair exchange of lands on the Arapaho-Roosevelt National Forest near Boulder, CO., between the Forest Service and the Sugar Loaf Fire District. The Fire District is seeking this exchange so that they can maintain and upgrade their fire stations serving the Sugar Loaf community and other nearby communities and properties—areas that are in the wildland/urban interface and thus at risk of wildfires. In fact, these fire stations serve the area that was burned in the Black Tiger Fire in 1989. That fire was the motivation for the Sugar Loaf community to invest more strongly in fire protection. The Fire District has grown a lot over the years, and will be celebrating its 40th anniversary this August.

The bill relates to two fire stations. The Fire District acquired station 1 through an original mining claim under the 1872 mining laws. In 1967, a public meeting was held on this property to establish a fire district and modify the old school building on the site into a firehouse to hold a fire truck and other firefighting equipment. On May 14, 1969, the U.S. Forest Service approved a special use permit, which allowed the fire department to use both the firehouse and approximately 5 acres of the property under it. The special use permit was reissued on August 11, 1994, with a life of 10 years.

In 1970, the fire department applied for a special use permit to operate and maintain a second firehouse—station 2—on Sugar Loaf Road. The original permit was approved of in 1970, and had an expiration date of December 31, 1991. The permit boundary included 2 acres.

The special use permit issued in 1994 combined the two permits for stations 1 and 2 into one. The new permit for station 2 reduced the permit area to one acre, because the area of impact and existing improvements did not exceed one acre.

The Fire District entered into discussions with the Forest Service about a land swap. In August 1997, the Fire District filed an application to acquire the property under stations 1 and 2 pursuant to the Small Tracts Act, STA. The STA allows for transfers of small mineral fractions by the sale of property for market value, or by the exchange of properties of nearly equal value. The application proposed trading a mining claim surrounded by National Forest, for approximately 3 acres under station 1 and 1.5 acres under station 2.

The Fire District worked in good faith to comply with the STA. In November 2002, officials from the Fire District met with officials from the Forest Service. Upon review of the STA application, the Forest Service concluded that the parcel under station 2 did not qualify for a land exchange and that the Fire District would have to pursue a new special use permit for the property under station 2. As a result, the Fire District is interested in securing ownership of the land under these stations through this exchange legislation.

The Fire District has occupied and operated these fire stations on these properties for over 30 years. If they can secure ownership, the lands will continue to be used as sites for fire stations. The Fire District has made a strong, persistent, good faith effort to acquire the land under the stations through administrative means and has demonstrated its sincere commitment to this project by expending its monetary resources and the time of its staff to satisfy the requirements set forth by the Forest Service.

However, those efforts have not succeeded and it has become evident that legislation is required to resolve the situation.

The Fire District is willing to trade the property it owns for the property under the stations. However, the Fire District is firm in its position that it wants land under both stations, and that the amount of land must be adequate to satisfy both its current and anticipated needs.

Under the bill, the land exchange will proceed if the Fire District offers to convey acceptable title to a specified parcel of land amounting to about 5.17 acres in an unincorporated part of Boulder County within National Forest boundaries between the communities of Boulder and Nederland. In return, the land—about 5.08 acres—where the two fire stations are located will be transferred to the Fire District.

The lands transferred to the Federal government will become part of the Arapaho-Roosevelt National Forest and managed accordingly.

The bill provides that the Forest Service shall determine the values of all lands involved through appraisals in accordance with Federal standards. If the lands conveyed by the Fire District are not equal in value to the lands where the fire stations are located, the Fire District will make a cash payment to make up the difference. If the lands being conveyed to the Federal government are worth more than the lands where the fire stations are located, the Forest Service can equalize values by reducing the lands it receives or by paying to make up the difference or by a combination of both methods. The bill requires the Fire District to pay for the appraisals and any necessary land surveys.

The bill permits the Fire District to modify the fire stations without waiting for completion of the exchange if the Fire District holds the Federal government harmless for any liability arising from the construction work and indemnifies the Federal Government against any costs related to the construction or other activities on the lands before they are conveyed to the Fire District.

This is a relatively minor bill but one that is important to the Fire District and the people it serves. I think it deserves enactment without unnecessary delay.

By Mr. REID (for Mr. KENNEDY (for himself, Mr. HARKIN, Mr. DODD, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Mr. MERKLEY, Mr. BYRD, Mr. INOUYE, Mr. LEAHY, Mr. LEVIN, Mr. KERRY, Mr. ROCKEFELLER, Mr. REID, Mr. LIEBERMAN, Mr. AKAKA, Mrs. BOXER, Mr. FEINGOLD, Mr. WYDEN, Mr. DURBIN, Mr. JOHNSON, Mr. SCHUMER, Mr. NELSON of Florida, Mr. CARPER, Ms. STABENOW, Ms. CANTWELL, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL of New Mexico, Mrs. SHAHEEN, Mr. BEGICH, Mr. BURRIS, Mr. KAUFMAN, and Mrs. GILLIBRAND)):

S. 560. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during the organizing efforts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. We are facing a profound economic crisis, the likes of which we have not seen since the Great Depression. Countless working families who were already living on the edge of financial disaster have been hit hard, and they have nothing to fall back on. Their faith in the American dream has been replaced by fear for their families and their future.

We have already taken some much-needed actions to put our country back on track, but more needs to be done. In these perilous times, working families need security. They need new skills and new opportunities. And they need a voice in the decisions that will affect their families and their futures.

Now more than ever, workers need someone on their side, fighting for them. Now more than ever, they need unions. Unions were fundamental in building America's middle class, and they have a vital role to play today in restoring the American dream for working families.

First and foremost, unions enable workers to obtain their fair share of the benefits that their hard work creates. Union wages are 30 percent higher than nonunion wages. Eighty percent of union workers have health insurance, compared to only 49 percent of their nonunion counterparts. Union members are four times more likely to have a guaranteed pension.

Equally important in this crisis, unions provide greater security and greater promise of fair treatment. At a time when workers who lose their jobs can remain unemployed for a year or more, those who are represented by a union have better job security and the assurance of knowing they will have a voice at the table when difficult decisions are made.

It is little wonder that so many Americans want a union on their side. In a recent survey, more than half of all nonunion workers—nearly 60 million men and women—say they would join a union if they could.

The problem is that most workers who want a union can't get one. Those who attempt to exercise this fundamental right often find that the current system is rigged against them.

Unscrupulous employers routinely break the law to keep unions out. They fire union supporters. They intimidate workers, harass them, and discriminate against them. They close down whole departments—or even entire plants—to avoid a union. A recent study by the Center for Economic and Policy Research found that union supporters are fired in more than one quarter of all union organizing campaigns.

Even when workers prevail in a union election, employers can steal the victory by refusing to bargain fairly for the first union contract. They drag their feet, delay bargaining, and use a variety of other tactics to prevent an agreement. One study found that in more than a third of hard-won union elections, workers are denied a contract because of employers' delaying tactics.

Many of these abuses by employers are illegal, but employers have no incentive to change their behavior. The penalties for violating workers' rights are so weak that they simply become a minor cost of doing business.

Obviously, not all employers see unions as the enemy. Many successful companies have allowed their workers to organize without threats or dirty tricks. They have formed strong partnerships with their employees, and they have prospered. But these individual good examples are not enough to solve the problem. We need to deal with the bad actors. We need to stop the lawbreaking that has become alarmingly common and provide stronger protections for workers' rights.

That is why we need the Employee Free Choice Act. This important legislation will give American workers the real freedom to choose a union without fear of threats or intimidation.

First, the bill gives workers two possible ways to choose whether they want a union. They can rely on an election, or—if they fear intimidation from their employer during the election process—they can use a process called majority sign-up, which enables workers to choose whether they want a union by deciding whether to sign their name on a card calling for a union.

Majority sign-up has always been a valid way to form a union. Since 2003, more than half a million private sector workers have formed a union through this efficient and democratic process.

The problem is that under current law, workers may use the majority sign-up process only if their employer agrees. That is not fair. Workers—not their bosses—should get to choose how they make the important decision about whether they want union representation. The Employee Free Choice Act puts this choice in workers' hands.

Second, the bill ensures that workers who choose a union will have a fair process for getting a first contract. It provides that if the union and the employer don't reach a contract within 90 days, either side can seek mediation from the Federal Mediation and Conciliation Service. The agency has provided collective bargaining mediation services—including mediation of first contract negotiations—for more than 50 years, and it has an 86 percent success rate.

In the rare instance when the mediation process fails, the bill provides for binding arbitration, which will be handled by a panel of highly qualified arbitrators who have long experience in developing contract provisions that are fair to both sides. This type of arbitration is a tried-and-true method of resolving contract disputes that is already used in the rail and airline industries, and for public sector workers in at least 25 States.

Finally, the Employee Free Choice Act improves remedies for workers who face discrimination or retaliation when they seek to organize or obtain a first contract. Under the bill, employers will no longer be able to violate the law with impunity and write off the insignificant penalties as a minor cost of doing business. The act takes away these perverse incentives for employers to break the law by increasing the remedies for workers, and by imposing new penalties on employers who act illegally during organizing campaigns or first-contract bargaining. These important changes will put real teeth in the law, and give employers a financial reason to respect workers' rights.

With these basic reforms, the Employee Free Choice Act will fix the current broken system and level the economic playing field for millions of American workers. It will help them obtain real, tangible benefits that will make a difference in their lives and in the lives of their families.

By restoring fairness to the American workplace, and strengthening the voice of American workers, we can rebuild the land of opportunity—a land with good jobs, fair wages, and fair benefits that can support a family. We can revitalize the American middle class and restore the American dream. I urge all of my colleagues to support this important legislation and help put working families back on the path to prosperity.

By Mr. NELSON, of Florida (for himself, Ms. SNOWE, and Ms. KLOBUCHAR):

S. 562. A bill to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, prepaid telephone calling cards are used by many Americans to stay in touch with loved ones around the country and throughout the world. Unfortunately, some providers and distributors of these cards are scamming consumers—by imposing undisclosed junk fees, charging exorbitant rates, and selling cards that expire shortly after consumers start using them.

Over the past couple of years, a number of State Attorneys General and the Federal Trade Commission have opened investigations and found that a number of providers and distributors are engaging in unfair and deceptive business practices. These practices include charging customers for calls where they receive busy signals, imposing weekly ''maintenance fees'' that may take away up to 20 percent of the card's overall value, and billing for calls in 3-minute increments.

As a result of these investigations, some companies have been fined or have entered into consent decrees forbidding them from engaging in some deceptive practices. In addition, some states—including Florida—have imposed certain regulatory requirements on prepaid calling card providers and distributors. To date, however, neither the Federal Communications Commission nor the Federal Trade Commission has taken any action to impose upfront nationwide consumer protection requirements on this industry. This lack of federal standards allows many of these unscrupulous operators to move from state to state, and create new ''shell companies'' to escape consumer protection regulations. This is

wrong, and I think we need to fix this situation.

That's why I rise today to introduce the Prepaid Calling Card Consumer Protection Act of 2009.

The Prepaid Calling Card Consumer Protection Act of 2009 requires the Federal Trade Commission to draft comprehensive rules requiring all prepaid telephone calling card providers and distributors to disclose the rates and fees associated with their calling cards up-front, at the point of sale. It also requires providers who market their cards in languages other than English to disclose rates and fees in that language as well. Furthermore, the legislation requires providers to honor the cards for at least a year after the time the card is first used.

To enforce these disclosure requirements, the bill gives the Federal Trade Commission, State Attorneys General, and state consumer protection advocates the ability to sue the fraudsters who violate these requirements in federal court. In addition, the law preserves additional state consumer protection requirements—such as state utility commission certification or bonding requirements.

I invite my colleagues to join with Senators SNOWE, KLOBUCHAR and myself in supporting the Prepaid Calling Card Consumer Protection Act of 2009. We should waste no time in ensuring that military servicemembers, seniors, immigrants and other Americans using these prepaid telephone calling cards are protected from bad actors in the marketplace.

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. 562

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 ''Prepaid Calling Card Consumer Protection Act of 2009''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) FEES.—

(A) IN GENERAL.—The term ''fees'' means all charges, fees, taxes, or surcharges, including connection, hang-up, service, payphone, and maintenance charges, which may be—

(i) required by State or Federal statute or by regulation or order of the Commission or a State; or

(ii) permitted to be assessed by a State or Federal statute or by regulation or order of the Commission or a State.

(B) EXCLUSION.—The term ''fees'' does not include the applicable per unit or per-minute rate for the particular destination called by a consumer.

(3) INTERNATIONAL PREFERRED DESTINATION.—The term ''international preferred destination'' means a specific international destination named on a prepaid telephone calling card or on the packaging material accompanying a prepaid telephone calling card.

(4) PREPAID TELEPHONE CALLING CARD.—

(A) IN GENERAL.—The terms ''prepaid telephone calling card'' and ''card'' mean—

(i) a card or similar device that allows users to pay in advance for a specified amount of calling, without regard to additional features, functions, or capabilities available in conjunction with a prepaid telephone calling service; or

(ii) any right of use purchased in advance for a sum certain linked to an access number and authorization code that—

(I) enables a consumer to use a prepaid telephone calling service; and

(II) is embodied on a card or other physical object, or purchased by an electronic or telephonic means through which the purchaser obtains access numbers and authorization codes that are not physically located on a card, its packaging, an Internet website, or other promotional materials.

(B) EXCLUSION.—The terms ''prepaid telephone calling card'' and ''card'' do not include cards or other rights of use that provide access to—

(i) service provided for free, or at no additional charge as a promotional item accompanying a product or service purchased by a consumer; or

(ii) a wireless telecommunications service account with a wireless service provider that the purchaser has a preexisting relationship with or establishes a carrier customer relationship with via the purchase of a prepaid wireless telecommunications service handset package.

(5) PREPAID TELEPHONE CALLING CARD DISTRIBUTOR.—

(A) IN GENERAL.—The term ''prepaid telephone calling card distributor'' means any person that—

(i) purchases prepaid telephone calling cards or services from a prepaid telephone calling service provider; and

(ii) sells, resells, issues, or distributes prepaid telephone calling cards to 1 or more distributors of such cards or to 1 or more retail sellers of such cards.

(B) EXCLUSION.—The term ''prepaid telephone calling card distributor'' does not include any retail merchant or seller of prepaid telephone calling cards exclusively engaged in point-of-sale transactions with end-user customers.

(6) PREPAID TELEPHONE CALLING SERVICE.—

(A) IN GENERAL.—The terms ''prepaid telephone calling service'' and ''service'' mean any real time voice communications service, regardless of the technology or network utilized, paid for in advance by a consumer, that allows a consumer to originate voice telephone calls through a local, long distance, or toll-free access number and authorization code, whether manually or electronically dialed.

(B) EXCLUSION.—The terms ''prepaid telephone calling service'' and ''service'' do not include any service that provides access to a wireless telecommunications service account if the purchaser has a preexisting relationship with the wireless service provider or establishes a carrier-customer relationship via the purchase of a prepaid wireless telecommunications service handset package.

(7) PREPAID TELEPHONE CALLING SERVICE PROVIDER.—The term ''prepaid telephone calling service provider'' means any person providing prepaid telephone calling service to the public using its own, or a resold, network offering real time voice communications service regardless of the technology utilized.

(8) WIRELESS TELECOMMUNICATIONS SERVICE.—The term ''wireless telecommunications service'' has the meaning given the term ''commercial mobile service'' in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)).

SEC. 3. REQUIRED DISCLOSURES OF PREPAID TELEPHONE CALLING CARDS OR SERVICES.

(a) REQUIRED DISCLOSURE; RULEMAKING.—Not later than 180 days after the date of enactment of this Act, the Commission shall prescribe regulations that require every prepaid telephone calling service provider or prepaid telephone calling card distributor to disclose the following information relating to the material terms and conditions of the prepaid telephone calling card or service:

(1) INFORMATION RELATING TO DOMESTIC INTERSTATE CALLS.—

(A) The number of calling units or minutes of domestic interstate calls provided by such card or service at the time of purchase; or

(B) the dollar value of such card or service and the domestic interstate rate per-minute provided by such card or service at the time of purchase.

(2) INFORMATION RELATING TO INTERNATIONAL PREFERRED DESTINATIONS.—The applicable calling unit or per-minute rates for each international preferred destinations served by such card or service.

(3) INFORMATION RELATING TO INDIVIDUAL INTERNATIONAL DESTINATIONS.—

(A) The applicable calling unit or per-minute rates for each individual international destinations served by such card or service.

(B) That the applicable calling unit or per-minute rates for each individual international destination may be obtained through the prepaid telephone calling card provider's toll-free customer service number and Internet website.

(C) Whether those rates fluctuate.

(4) OTHER MATERIAL TERMS AND CONDITIONS.—Other material terms and conditions pertaining to the use of such card or service, including—

(A) the amount and frequency of all fees;

(B) a description of applicable policies relating to refund, recharge, decrement, or expiration; and

(C) limitations, if any, on the use or period of time for which the displayed, promoted, or advertised minutes or rates will be available to the customer.

(5) SERVICE PROVIDER INFORMATION.—Information relating to the service provider, including—

(A) the name of the service provider;

(B) the address of such service provider, which shall be made available on the provider's website (if any), together with the uniform resource locator address thereof; and

(C) a toll-free telephone number that may be used to contact the customer service department of such service provider, together with the hours of service of the customer service department.

(b) CLEAR AND CONSPICUOUS DISCLOSURE OF REQUIRED INFORMATION AND LANGUAGE REQUIREMENTS.—In prescribing regulations under subsection (a), the Commission shall require, at a minimum, that—

(1) the required disclosures (other than the disclosure required by subsection (a)(3)(A)) for prepaid telephone calling cards are printed in plain English in a clear and conspicuous location on the card, or on the packaging of the card, so as to be plainly visible to a consumer at the point of sale;

(2) the required disclosures (other than the disclosure required by subsection (a)(3)(B)) for prepaid telephone calling service that consumers access and purchase via the Internet are displayed in plain English in a clear and conspicuous location on the Internet site from which the consumer purchases such service, and include conspicuous instructions and directions to any link to such disclosures;

(3) the required disclosures (other than the disclosure required by subsection (a)(3)(A)) for advertising and other promotional materials are printed on any advertising for the prepaid telephone calling card or service used at the point of sale, including on any signs for display by retail merchants, displayed on any Internet site used to promote material, and on any other promotional material used at the point of sale that is prepared by, or at the direction of, any person that is subject to the requirements of this Act; and

(4) if a language other than English is predominantly used on a prepaid telephone calling card or its packaging, or in the point-of-sale advertising, Internet advertising, or promotional material of a prepaid telephone calling card or prepaid telephone calling service, then the required disclosures are provided in that language on such card, packaging, advertisement, or promotional material in the same manner as if they were provided in English.

(5) if a language other than English is predominantly used on a prepaid telephone calling card or its packaging, or in the point-of-sale advertising, or promotional materials of a prepaid telephone calling card or prepaid telephone calling service, then the customer service department reached via a toll-free number must provide basic customer support (per-minute rate or equivalent calling units for each destination, fees, and terms of service) in that language.

(c) IMPLEMENTING REGULATIONS.—The Commission may, in accordance with section 553 of title 5, United States Code, prescribe such other disclosure regulations as the Commission determines are necessary to implement this section.

SEC. 4. UNLAWFUL CONDUCT RELATED TO PREPAID TELEPHONE CALLING CARDS.

(a) PREPAID TELEPHONE CALLING SERVICE PROVIDER.—It shall be unlawful for any prepaid telephone calling service provider to do any of the following:

(1) UNDISCLOSED FEES AND CHARGES.—To assess or deduct from the balance of a prepaid telephone calling card any fee or other amount for use of the prepaid telephone calling service, except—

(A) the per-minute rate or value for each particular destination called by the consumer; and

(B) fees that are disclosed in accordance with the regulations prescribed under section 3.

(2) MINUTES AND RATES AS PROMOTED AND ADVERTISED.—With respect to a prepaid telephone calling card for a service of the prepaid telephone calling service provider, to provide fewer minutes than the number of minutes promoted or advertised, or to charge a higher per-minute rate to a specific domestic destination or international preferred destination than the per-minute rate to that specific destination promoted or advertised, on—

(A) the prepaid telephone calling card;

(B) any point-of-sale material relating to the card that is prepared by or at the direction of the prepaid telephone calling card service provider; or

(C) other advertising related to the card or service.

(3) MINUTES ANNOUNCED, PROMOTED, AND ADVERTISED THROUGH VOICE PROMPTS.—To provide fewer minutes than the number of minutes announced, promoted, or advertised through any voice prompt given by the prepaid telephone calling service provider to a consumer at the time the consumer places a call to a dialed domestic destination or international preferred destination with a prepaid telephone calling card or service.

(4) EXPIRATION.—To provide, sell, resell, issue, or distribute a prepaid telephone calling card that expires—

(A) before the date that is 1 year after the date on which such card is first used; or

(B) in the case of a prepaid telephone calling card or service that permits a consumer to purchase additional usage minutes or add additional value to the card, before the date that is 1 year after the date on which the consumer last purchased additional usage minutes or added additional value to the card.

(5) CHARGES FOR UNCONNECTED CALLS.—To assess any fee or charge for any unconnected telephone call. For purposes of this paragraph, a telephone call shall not be considered connected if the person placing the call receives a busy signal or if the call is unanswered.

(6) MAXIMUM BILLING INCREMENTS.—To assess or deduct a per-minute rate (or equivalent calling unit) in an increment greater than 1 minute of calling time for calls that are less than 1 full minute. It shall not be a violation of this section for a prepaid telephone calling service provider to deduct different destination-specific rates (or equivalent calling units) for each full minute of calling time in accordance with properly disclosed rates or other terms and conditions.

(b) PREPAID TELEPHONE CALLING CARD DISTRIBUTOR.—It shall be unlawful for any prepaid telephone calling card distributor to do any of the following:

(1) UNDISCLOSED FEES AND CHARGES.—To assess or deduct from the balance of a prepaid telephone calling card any fee or other amount for use of the prepaid telephone calling service, except—

(A) the per-minute rate or value for each particular destination called by the consumer; and

(B) fees that are disclosed as required by regulations prescribed under section 3.

(2) MINUTES AS PROMOTED AND ADVERTISED.—To sell, resell, issue, or distribute any prepaid telephone calling card that the distributor knows provides fewer minutes than the number of minutes promoted or advertised, or a higher per-minute rate to a specific destination than the per-minute rate to that specific destination promoted or advertised, on—

(A) the prepaid telephone calling card that is prepared by or at the direction of the prepaid telephone calling card service distributor;

(B) any point of sale material relating to the card that is prepared by or at the direction of the prepaid telephone calling card service distributor; or

(C) other advertising relating to the card or service.

(3) MINUTES ANNOUNCED, PROMOTED, OR ADVERTISED THROUGH VOICE PROMPTS.—To sell, resell, issue, or distribute a prepaid telephone calling card that such distributor knows provides fewer minutes than the number of minutes announced, promoted, or advertised through any voice prompt given to a consumer at the time the consumer places a call to a dialed destination with the prepaid telephone calling card or service.

(4) EXPIRATION.—To provide, sell, resell, issue, or distribute a prepaid telephone calling card that expires—

(A) before the date that is 1 year after the date on which such card is first used; or

(B) in the case of a prepaid telephone calling card that permits a consumer to purchase additional usage minutes or add additional value to the card or service, before the date that is 1 year after the date on which the consumer last purchased additional usage minutes or added additional value to the card or service.

(c) LIABILITY.—A prepaid telephone calling service provider or a prepaid telephone calling card distributor may not avoid liability under this section by stating that the displayed, announced, promoted, or advertised minutes, or the per-minute rate to a specific destination, are subject to fees or charges. A prepaid calling service provider or prepaid calling distributor shall not be liable for the disclosure of lawful fees, charges, or limitations made pursuant to regulations prescribed by the Commission under section 3, including lawful conditions of use.

(d) IMPLEMENTING REGULATIONS.—The Commission may, in accordance with section 553 of title 5, United States Code, prescribe such regulations as the Commission determines are necessary to implement this section.

SEC. 5. ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.

(a) UNFAIR AND DECEPTIVE ACT OR PRACTICE.—Notwithstanding any other provision of law, a violation of a regulation prescribed under section 3 or the commission of an unlawful act proscribed under section 4 shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) AUTHORITY OF THE COMMISSION.—The Commission shall enforce this Act in the same manner and by the same means as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act. Notwithstanding section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2), communications common carriers shall be subject to the jurisdiction of the Commission exclusively for the purposes of this Act, and section 5(a)(2) shall not be otherwise affected.

(c) FEDERAL COMMUNICATIONS COMMISSION AUTHORITY.—

(1) To the extent that the Federal Trade Commission has authority under this Act with respect to prepaid calling cards, prepaid calling card providers and prepaid calling card distributors, the Federal Communications Commission shall not exercise any authority that it may otherwise have with respect to such cards, providers and distributors;

(2) Except as provided in paragraph (1), nothing in this Act affects the authority of the Federal Communications Commission with respect to such prepaid calling card providers and distributors.

SEC. 6. STATE ENFORCEMENT.

(a) IN GENERAL.—

(1) CIVIL ACTIONS.—In any case in which the attorney general of a State, a State utility commission, or other authorized State consumer protection agency has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person in a practice that is prohibited under this Act, the State, as parens patriae, may bring a civil action on behalf of the residents of that State in a district court of the United States of appropriate jurisdiction—

(A) to enjoin that practice;

(B) to enforce compliance with this Act;

(C) to obtain damage, restitution, or other compensation on behalf of residents of the State; or

(D) to obtain such other relief as the court may consider to be appropriate.

(2) NOTICE TO FEDERAL TRADE COMMISSION.—

(A) IN GENERAL.—Before filing an action under paragraph (1), the attorney general of a State, a State utility commission, or an authorized State consumer protection agency shall provide to the Commission—

(i) written notice of the action; and

(ii) a copy of the complaint for the action.

(B) EXEMPTION.—

(i) IN GENERAL.—Subparagraph (A) shall not apply to the filing of an action under paragraph (1) if the attorney general of a State, a State utility commission, or an authorized State consumer protection agency filing such action determines that it is not feasible to provide the notice described in subparagraph (A) before the filing of the action.

(ii) NOTIFICATION.—In an action described in clause (i), the attorney general of a State, a State utility commission, or an authorized State consumer protection agency shall provide notice and a copy of the complaint to the Commission at the time the action is filed.

(b) INTERVENTION BY FEDERAL TRADE COMMISSION.—

(1) IN GENERAL.—Upon receiving notice under subsection (a)(2), the Commission may intervene in the action that is the subject of such notice.

(2) EFFECT OF INTERVENTION.—If the Commission intervenes in an action under subsection (a), the Commission may—

(A) be heard with respect to any matter that arises in that action; and

(B) file a petition for appeal.

(c) CONSTRUCTION.—Nothing in this Act may be construed to prevent an attorney general of a State, a State utility commission, or an authorized State consumer protection agency from exercising the powers conferred on the attorney general, a State utility commission, or an authorized State consumer protection agency by the laws of that State—

(1) to conduct investigations;

(2) to administer oaths or affirmations;

(3) to compel the attendance of witnesses or the production of documentary and other evidence;

(4) to enforce any State consumer protection laws of general applicability; or

(5) to establish or utilize existing administrative procedures to enforce the provisions of the law of such State.

(d) VENUE; SERVICE OF PROCESS.—

(1) VENUE.—Any action brought under subsection (a) shall be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

(2) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

(A) is an inhabitant; or

(B) may be found.

SEC. 7. APPLICATION.

The regulations prescribed under section 3 and the provisions of sections 3 and 4 shall apply to any prepaid telephone calling card issued or placed into the stream of commerce, and to any advertisement, promotion, point-of-sale material or voice prompt regarding a prepaid telephone calling service that is created or disseminated more than 120 days after the date on which the regulations prescribed under section 3 are published in the Federal Register.

SEC. 8. EFFECT ON STATE LAW.

(a) PREEMPTION.—

(1) IN GENERAL.—Except as otherwise provided in this section, this Act preempts the laws of any State or political subdivision thereof to the extent that such laws are inconsistent with this Act, or the rules, regulations, or orders issued by the Commission under this Act.

(2) EXCEPTIONS.—This Act shall not preempt any provision of State law or enforcement action that provides additional enforcement protection to consumers of prepaid telephone calling cards if such provision of law or enforcement action—

(A) imposes higher fines or more punitive civil or criminal remedies, including injunctive relief, for any violation of this Act, or the rules, regulations, or orders issued by the Commission under this Act; or

(B)(i) relates to terms, conditions, or issues that are not addressed by this Act, or by the rules, regulations, or orders issued by the Commission under this Act; and

(ii) is not determined by the Commission to be inconsistent with the public interest.

(b) PETITIONS CONCERNING PREEMPTION.—

(1) PETITIONS BY PROVIDERS.—

(A) AUTHORITY TO PETITION.—A prepaid telephone calling card provider or a prepaid telephone calling card distributor may submit a petition to the Commission to challenge a State law or regulation—

(i) as inconsistent with this Act or the rules, regulations, or orders issued by the Commission under this Act; or

(ii) as inconsistent with the public interest, if the measure relates to terms, conditions, or issues that are not addressed by this Act, or the rules, regulations, or orders issued by the Commission under this Act.

(B) DEADLINE FOR COMMISSION ACTION.—Within 90 days after receiving a petition under subparagraph (A), the Commission shall issue a final determination on the issues presented in the petition. The Commission may issue an order staying the effectiveness of any State law or regulation that is the subject of the petition during, but for no longer than, such 90-day period.

(2) PROCEEDINGS ON UNADDRESSED ISSUES.—If, on the basis of any petition under paragraph (1), the Commission determines that a term, condition, or issue is not addressed by sections 3 or 4 of this Act, or the rules issued by the Commission under this section 3 of this Act, the Commission shall, within 180 days after the date of such determination, conduct an inquiry or other proceeding to determine whether the Commission should, in the public interest, promulgate a rule, pursuant to section 3(c), to address such term, condition, or issue.

SEC. 9. GAO STUDY.

Beginning 1 year after the date on which final regulations are promulgated pursuant to section 3(a), the Comptroller General shall conduct a study of the effectiveness of this Act and the disclosures required under this Act and shall submit a report of such study to the House Committee on Energy and Commerce and the Senate Committee on Commerce, Science, and Transportation no later than 2 years after the date of enactment of this Act.

By Mr. FEINGOLD (for himself, Mr. GRASSLEY, Mr. LIEBERMAN, Mr. KENNEDY, Mr. CARDIN, and Mr. WYDEN):

S. 564. A bill to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; to the Committee on the Judiciary.

Mr. FEINGOLD. Mr. President, today I introduce the Wartime Treatment Study Act. This bill would create two factfinding commissions: one commission to review the treatment by our Government during World War II of American citizens or residents of German or Italian descent and persons of European descent living in Latin American countries, and another commission to review the U.S. Government's treatment of Jewish refugees fleeing Nazi persecution during World War II. This bill is long overdue.

I am very pleased that my colleagues Senators GRASSLEY, KENNEDY, LIEBERMAN, INOUYE, CARDIN and WYDEN have joined me as cosponsors of this important bill. I thank them for their support. And I thank Congressman WEXLER, who has been the unflagging champion of this legislation and will be introducing an identical bill in the House of Representatives.

The victory of America and its allies in the Second World War was a triumph for freedom, justice, and human rights. The courage displayed by so many Americans, of all ethnic origins, should be a source of great pride for all Americans.

But, at the same time that so many brave Americans fought for freedom in Europe and the Pacific, the U.S. Government was curtailing the freedom of people here at home. While it is, of course, the right of every nation to protect itself during wartime, the U.S. Government must respect the basic freedoms for which so many Americans have given their lives. War tests our principles and our values. And as our Nation's recent experience has shown, it is during times of war and conflict, when our fears are high and our principles are tested most, that we must be even more vigilant to guard against violations of the basic freedoms guaranteed by the Constitution.

Many Americans are aware that during World War II, under the authority of Executive Order 9066, our Government forced more than 100,000 ethnic Japanese from their homes and ultimately into internment camps. Japanese Americans were forced to leave their homes, their livelihoods, and their communities and were held behind barbed wire and military guard by their own government. Through the work of the Commission on Wartime Relocation and Internment of Civilians, created by Congress in 1980, this shameful event finally received the official acknowledgement and condemnation it deserved.

While I commend our Government for finally recognizing and apologizing for the mistreatment of Japanese Americans during World War II, I believe that it is time that the Government also acknowledge the mistreatment experienced by American citizens or residents of German or Italian descent and persons of European descent living in Latin American countries, as well as Jewish refugees.

The Wartime Treatment Study Act would create two independent, factfinding commissions to review this unfortunate history, so that Americans can understand why it happened and work to ensure that it never happens again. One commission will review the treatment by the U.S. Government of German Americans, Italian Americans, and other European Americans, as well as European Latin Americans, during World War II.

I believe that most Americans are unaware that the U.S. Government designated more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families as ''enemy aliens.'' The U.S. Government unfairly subjected many to arrest, detainment, and relocation. Indeed, as was the case with Japanese Americans, approximately 11,000 ethnic Germans, 3,200 ethnic Italians, and scores of Bulgarians, Hungarians, Romanians or other European Americans living in America were taken from their homes and placed in internment camps during World War II. Even less well known is the U.S. policy coordinated with many Latin American countries that resulted in thousands of European Americans, including German and Austrian Jews, being arrested, shipped to the United States by U.S. military transport, and interned. Many European Americans and European Latin Americans were later repatriated or deported to European Axis nations during World War II, and some were exchanged for Americans and Latin Americans held in those nations. We must learn from this history and explore why we failed to protect the basic freedoms of our fellow Americans and those brought here from Latin America.

A second commission created by this bill will review the treatment by the U.S. Government of Jewish refugees who were fleeing Nazi persecution and genocide. We must review the facts here as well and determine how restrictive immigration policies failed to provide adequate safe harbor to Jewish refugees fleeing the persecution of Nazi Germany. It is a horrible truth that the United States turned away thousands of refugees, delivering many refugees to their deaths at the hands of the Nazi regime.

As I mentioned earlier, there has been a measure of justice for Japanese Americans who were denied their liberty and property. It is now time for the U.S. Government to complete the accounting of this period in our Nation's history. It is now time to create independent, fact finding commissions to conduct a full and thorough review of the treatment of all European Americans, European Latin Americans, and Jewish refugees during World War II.

Up to this point, there has been no justice for the thousands of German Americans, Italian Americans, and other European Americans who were branded ''enemy aliens'' and then taken from their homes, subjected to curfews, limited in their travel, deprived of their personal property, and, in the worst cases, placed in internment camps.

There has been no justice for Latin Americans of European descent who were taken from their homes, shipped to the United States, and interned here.

There has been no justice for the European Americans and European Latin Americans who were repatriated or deported to hostile, war-torn European Axis powers, often in exchange for Americans being held in those countries.

Finally, there has been no justice for the thousands of Jews, like those aboard the German vessel the *St. Louis*, who sought refuge from hostile Nazi treatment but were callously turned away at America's shores.

The injustices to European Americans, European Latin Americans, and Jewish refugees occurred more than 60 years ago. Americans must learn from these tragedies now, while the people who survived these injustices are still with us, and are still here to teach us. We cannot put this off any longer. Their numbers are rapidly dwindling. I spoke on the Senate floor in the last Congress about one such former internee, Max Ebel, who died still waiting for his country to acknowledge his internment and those of many other European Americans. If we wait any longer, even more people who were affected will no longer be here to know that Congress has at last recognized their sacrifice and resolved to learn from the mistakes of the past.

We should never allow this part of our Nation's history to repeat itself. And, while we should be proud of our Nation's triumph in World War II, we should not let that justifiable pride blind us to the treatment of some Americans by their own government.

I was very pleased that the Senate approved this bill by an overwhelming bipartisan majority as an amendment to the immigration bill in 2007. I urge my colleagues to join me in supporting the Wartime Treatment Study Act again this Congress, and to allow this bill to become law as soon as possible. I have been seeking to enact this legislation for eight years. It is long past time for a full accounting of this tragic chapter in our Nation's history.

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. 564

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 ''Wartime Treatment Study Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) During World War II, the United States Government deemed as ''enemy aliens'' more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families, requiring them to carry Certificates of Identification and limiting their travel and personal property rights. At that time, these groups were the two largest foreign-born groups in the United States.

(2) During World War II, the United States Government arrested, interned, or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to European Axis nations, many to be exchanged for Americans held in those nations.

(3) Pursuant to a policy coordinated by the United States with Latin American nations, thousands of European Latin Americans, including German and Austrian Jews, were arrested, relocated to the United States, and interned. Many were later repatriated or deported to European Axis nations during World War II and exchanged for Americans and Latin Americans held in those nations.

(4) Millions of European Americans served in the armed forces and thousands sacrificed their lives in defense of the United States.

(5) The wartime policies of the United States Government were devastating to the German American and Italian American communities, individuals, and their families. The detrimental effects are still being experienced.

(6) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution or genocide and sought safety in the United States. During the 1930's and 1940's, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(7) The United States Government should conduct an independent review to fully assess and acknowledge these actions. Congress has previously reviewed the United States Government's wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(8) Time is of the essence for the establishment of commissions, because of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government's policies. Many who suffered have already passed away and will never know of this effort.

SEC. 3. DEFINITIONS.

In this Act:

(1) DURING WORLD WAR II.—The term ''during World War II'' refers to the period between September 1, 1939, through December 31, 1948.

(2) EUROPEAN AMERICANS.—

(A) IN GENERAL.—The term ''European Americans'' refers to United States citizens and resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) GERMAN AMERICANS.—The term ''German Americans'' refers to United States citizens and resident aliens of German ancestry.

(C) ITALIAN AMERICANS.—The term ''Italian Americans'' refers to United States citizens and resident aliens of Italian ancestry.

(3) EUROPEAN LATIN AMERICANS.—The term ''European Latin Americans'' refers to persons of European ancestry, including German or Italian ancestry, residing in a Latin American nation during World War II.

(4) LATIN AMERICAN NATION.—The term ''Latin American nation'' refers to any nation in Central America, South America, or the Caribbean.

TITLE I—COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS

SEC. 101. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of European Americans (referred to in this title as the ''European American Commission'').

(b) MEMBERSHIP.—The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the European American Commission. A vacancy in the European American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The European American Commission shall include 2 members representing the interests of Italian Americans and two members representing the interests of German Americans.

(e) MEETINGS.—The President shall call the first meeting of the European American Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The European American Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the European American Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the European American Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 102. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—It shall be the duty of the European American Commission to review the United States Government's wartime treatment of European Americans and European Latin Americans as provided in subsection (b).

(b) SCOPE OF REVIEW.—The European American Commission's review shall include the following:

(1) A comprehensive review of the facts and circumstances surrounding United States Government action during World War II with respect to European Americans and European Latin Americans pursuant to United States laws and directives, including the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to these and other pertinent laws, proclamations, or executive orders, including registration requirements, travel and property restrictions, establishment of restricted areas, raids, arrests, internment, exclusion, policies relating to the families and property that excludees and internees were forced to abandon, internee employment by American companies (including a list of such companies and the terms and type of employment), exchange, repatriation, and deportation, and the immediate and long-term effect of such actions, particularly internment, on the lives of those affected. This review shall also include a list of—

(A) all temporary detention and long-term internment facilities in the United States and Latin American nations that were used to detain or intern European Americans and European Latin Americans during World War II (in this paragraph referred to as ''World War II detention facilities'');

(B) the names of European Americans and European Latin Americans who died while in World War II detention facilities and where they were buried;

(C) the names of children of European Americans and European Latin Americans who were born in World War II detention facilities and where they were born; and

(D) the nations from which European Latin Americans were brought to the United States, the ships that transported them to the United States and their departure and disembarkation ports, the locations where European Americans and European Latin Americans were exchanged for persons held in European Axis nations, and the ships that transported them to Europe and their departure and disembarkation ports.

(2) An assessment of the underlying rationale of the decision of the United States Government to develop the programs and policies described in paragraph (1), the information the United States Government received or acquired suggesting these programs and policies were necessary, the perceived benefit of enacting such programs and policies, and the immediate and long-term impact of such programs and policies on European Americans and European Latin Americans and their communities.

(3) A brief review of the participation by European Americans in the United States Armed Forces, including the participation of European Americans whose families were excluded, interned, repatriated, or exchanged.

(4) A recommendation of appropriate remedies, including public education programs and the creation of a comprehensive online database by the National Archives and Records Administration of documents related to the United States Government's wartime treatment of European Americans and European Latin Americans during World War II.

(c) FIELD HEARINGS.—The European American Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The European American Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 101(e).

SEC. 103. POWERS OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—The European American Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The European American Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The European American Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the European American Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the European American Commission and furnish all information requested by the European American Commission to the extent permitted by law, including information collected under the Commission on Wartime and Internment of Civilians Act (Public Law 96–317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106–451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), the European American Commission shall be deemed to be a committee of jurisdiction.

SEC. 104. ADMINISTRATIVE PROVISIONS.

The European American Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated $600,000 to carry out this title.

SEC. 106. SUNSET.

The European American Commission shall terminate 60 days after it submits its report to Congress.

TITLE II—COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES

SEC. 201. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this title as the ''Jewish Refugee Commission'').

(b) MEMBERSHIP.—The Jewish Refugee Commission shall be composed of 7 members,

who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the Jewish Refugee Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The Jewish Refugee Commission shall include two members representing the interests of Jewish refugees.

(e) MEETINGS.—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The Jewish Refugee Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the Jewish Refugee Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 202. DUTIES OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—It shall be the duty of the Jewish Refugee Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States as provided in subsection (b).

(b) SCOPE OF REVIEW.—The Jewish Refugee Commission's review shall cover the period between January 1, 1933, through December 31, 1945, and shall include, to the greatest extent practicable, the following:

(1) A review of the United States Government's decision to deny Jewish and other refugees fleeing persecution or genocide entry to the United States, including a review of the underlying rationale of the United States Government's decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee law and policy relating to those fleeing persecution or genocide, including recommendations for making it easier in the future for victims of persecution or genocide to obtain refuge in the United States.

(c) FIELD HEARINGS.—The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 201(e).

SEC. 203. POWERS OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The Jewish Refugee Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law. For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

SEC. 204. ADMINISTRATIVE PROVISIONS.

The Jewish Refugee Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated $600,000 to carry out this title.

SEC. 206. SUNSET.

The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

TITLE III—FUNDING SOURCE

SEC. 301. FUNDING SOURCE.

Of the funds made available for the Department of Justice by the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329), $1,200,000 is hereby rescinded.

By Mr. DURBIN (for himself, Mr. COCHRAN, Mr. LEVIN, and Mr. DORGAN):

S. 565. A bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes; to the Committee on Finance.

Mr. DURBIN. March 12 is recognized as World Kidney Day, a day to raise awareness of the major health and societal costs of kidney disease. Today, 26 million American adults have chronic kidney disease, and 500,000 have irreversible kidney failure, or end-stage renal disease ESRD. These patients require dialysis or a kidney transplant to survive.

Fortunately, medical advancements have transformed organ transplantation from an experimental procedure into the accepted and often best treatment for organ failure. Transplantation has prolonged and improved the lives of thousands of Americans. Over 16,000 Americans received a kidney transplant in 2007, and 150,000 today are living with functioning kidney transplants.

Many of these kidney transplants were paid for by the Medicare system, which provides health care to aged and disabled Americans, as well as those living with ESRD. For these ESRD patients, Medicare also covers dialysis for patients who have not received a donor kidney and immunosuppressive drugs for kidney transplant recipients. Organ transplant recipients must take immunosuppressive drugs every day for the life of their transplant to reduce the risk of organ rejection.

In 2000, Congress wisely eliminated the 36-month time limitation for aged and disabled beneficiaries who had Medicare status at the time of transplant. So today, for an older or disabled person on Medicare, immunosuppressive drugs are covered by Medicare for the life of the transplant.

However, we still have an unfair and unrealistic gap in coverage for people with ESRD who are neither disabled nor elderly. For those transplant recipients, coverage for immunosuppressive drugs ends 36 months after transplantation. This is economically inefficient and morally wrong. Without regular access to immunosuppressive drugs to prevent rejection, many patients find themselves back in a risky and frightening place—in need of a new kidney.

Since Medicare covers the cost of the transplant for end stage renal disease, it makes sense for Medicare to preserve

this investment by covering antirejection drugs. It would be far less expensive for Medicare to cover immunosuppressive drugs at a cost of $10,000 to $20,000 a year than to pay for dialysis—$71,000 a year—or another transplant, $106,000, if a patient's kidney fails and he is once again eligible for Medicare coverage.

I am pleased to introduce today, along with my colleague from Mississippi, Senator THAD COCHRAN, the Comprehensive Immunosuppressive Drug Coverage for Transplant Patients Act. This legislation would allow kidney transplant recipients to continue Medicare coverage for the purpose of immunosuppressive drugs only. All other Medicare coverage would end 36 months after the transplant.

It is time to take this step to provide continuous coverage for immunosuppressive drugs through Medicare. This is a logical and moral move that will reduce the need for dialysis and kidney retransplants and provide reliable, sustained access to critically important, lifesaving medications for thousands of Americans. In the long run, we will save both money and lives.

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. 565

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 ''Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2009''.

SEC. 2. PROVISION OF APPROPRIATE COVERAGE OF IMMUNOSUPPRESSIVE DRUGS UNDER THE MEDICARE PROGRAM FOR KIDNEY TRANSPLANT RECIPIENTS.

(a) CONTINUED ENTITLEMENT TO IMMUNOSUPPRESSIVE DRUGS.—

(1) KIDNEY TRANSPLANT RECIPIENTS.—Section 226A(b)(2) of the Social Security Act (42 U.S.C. 426–1(b)(2)) is amended by inserting ''(except for coverage of immunosuppressive drugs under section 1861(s)(2)(J))'' after ''shall end''.

(2) APPLICATION.—Section 1836 of the Social Security Act (42 U.S.C. 1395o) is amended—

(A) by striking ''Every individual who'' and inserting ''(a) IN GENERAL.—Every individual who''; and

(B) by adding at the end the following new subsection:

''(b) SPECIAL RULES APPLICABLE TO INDIVIDUALS ELIGIBLE ONLY FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

''(1) IN GENERAL.—In the case of an individual whose eligibility for benefits under this title has ended except for the coverage of immunosuppressive drugs by reason of section 226A(b)(2), the following rules shall apply:

''(A) The individual shall be deemed to be enrolled under this part for purposes of receiving coverage of such drugs.

''(B) The individual shall be responsible for the full amount of the premium under section 1839 in order to receive such coverage.

''(C) The provision of such drugs shall be subject to the application of—

''(i) the deductible under section 1833(b); and

''(ii) the coinsurance amount applicable for such drugs (as determined under this part).

''(D) If the individual is an inpatient of a hospital or other entity, the individual is entitled to receive coverage of such drugs under this part.

''(2) ESTABLISHMENT OF PROCEDURES IN ORDER TO IMPLEMENT COVERAGE.—The Secretary shall establish procedures for—

''(A) identifying beneficiaries that are entitled to coverage of immunosuppressive drugs by reason of section 226A(b)(2); and

''(B) distinguishing such beneficiaries from beneficiaries that are enrolled under this part for the complete package of benefits under this part.''.

(3) TECHNICAL AMENDMENT.—Subsection (c) of section 226A of the Social Security Act (42 U.S.C. 426–1), as added by section 201(a)(3)(D)(ii) of the Social Security Independence and Program Improvements Act of 1994 (Public Law 103–296; 108 Stat. 1497), is redesignated as subsection (d).

(b) EXTENSION OF SECONDARY PAYER REQUIREMENTS FOR ESRD BENEFICIARIES.—Section 1862(b)(1)(C) of the Social Security Act (42 U.S.C. 1395y(b)(1)(C)) is amended by adding at the end the following new sentence: ''With regard to immunosuppressive drugs furnished on or after the date of enactment of the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2009, this subparagraph shall be applied without regard to any time limitation.''.

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

SEC. 3. PLANS REQUIRED TO MAINTAIN COVERAGE OF IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT RECIPIENTS.

(a) APPLICATION TO CERTAIN HEALTH INSURANCE COVERAGE.—

(1) IN GENERAL.—Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–4 et seq.) is amended by adding at the end the following:

''SEC. 2708. COVERAGE OF IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT RECIPIENTS.

''A group health plan (and a health insurance issuer offering health insurance coverage in connection with a group health plan) shall provide coverage of immunosuppressive drugs in connection with a kidney transplant that is at least as comprehensive as the coverage provided by such plan or issuer on the day before the date of enactment of the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2009, and such requirement shall be deemed to be incorporated into this section.''.

(2) CONFORMING AMENDMENT.—Section 2721(b)(2)(A) of the Public Health Service Act (42 U.S.C. 300gg–21(b)(2)(A)) is amended by inserting ''(other than section 2708)'' after ''requirements of such subparts''.

(b) APPLICATION TO GROUP HEALTH PLANS AND GROUP HEALTH INSURANCE COVERAGE UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following new section:

''SEC. 715. COVERAGE OF IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT RECIPIENTS.

''A group health plan (and a health insurance issuer offering health insurance coverage in connection with a group health plan) shall provide coverage of immunosuppressive drugs in connection with a kidney transplant that is at least as comprehensive as the coverage provided by such plan or issuer on the day before the date of enactment of the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2009, and such requirement shall be deemed to be incorporated into this section.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 732(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191a(a)) is amended by striking ''section 711'' and inserting ''sections 711 and 715''.

(B) The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 714 the following new item:

''Sec. 715. Coverage of immunosuppressive drugs.''.

(c) APPLICATION TO GROUP HEALTH PLANS UNDER THE INTERNAL REVENUE CODE OF 1986.—Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended—

(1) in the table of sections, by inserting after the item relating to section 9813 the following new item:

''Sec. 9814. Coverage of immunosuppressive drugs for kidney transplant recipients.'';

and

(2) by inserting after section 9813 the following:

''SEC. 9814. COVERAGE OF IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT RECIPIENTS.

''A group health plan shall provide coverage of immunosuppressive drugs in connection with a kidney transplant that is at least as comprehensive as the coverage provided by such plan on the day before the date of enactment of the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2009, and such requirement shall be deemed to be incorporated into this section.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning on or after January 1, 2010.

By Mr. DURBIN (for himself, Mr. SCHUMER, and Mr. KENNEDY):

S. 566. A bill to create a Financial Product Safety Commission, to provide consumers with stronger protections and better information in connection with consumer financial products, and to give providers of consumer financial products more regulatory certainty; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. When consumers purchase tangible consumer products such as toasters or televisions, they can be reasonably confident that the products are safe for their families to use. In America we don't say ''buyer beware'' when it comes to lead paint in toys or risky drugs. But when Americans purchase financial products such as mortgages or credit cards, they often have little idea whether those products—and the mountain of fine print that come with them—are good for their families. Why?

The answer is that consumer products are subject to oversight, while financial products are not. Professor Elizabeth Warren, Chairperson of the Congressional Oversight Panel for the $700 billion Troubled Assets Relief Program, was right when she said ''we need more oversight.'' That was more than a year ago.

Today there are no fewer than 10 Federal regulators with responsibility for consumer protections from predatory or deceptive financial products, but none have oversight as its primary objective.

The legislation that I am introducing today with Senators SCHUMER and KENNEDY would create a Financial Product Safety Commission that would focus exclusively on the interests of consumers. I am pleased that Congressmen BILL DELAHUNT and BRAD MILLER will be introducing the House companion.

The objectives of the Financial Product Safety Commission would be to reduce consumer risk in using financial products, coordinate enforcement with other Federal and State regulators, and report to the public regarding the state of consumer financial product safety.

The Financial Product Safety Commission would fulfill that mission by preventing predatory and deceptive financial practices, educating consumers on the responsible use of financial products and services, establishing a regulatory floor beneath which consumer financial product safety could not fall, and recommending the steps that should be taken to improve the value of financial products for consumers.

The bill is supported by over 55 national and State organizations, including Consumer Federation of America, Center for Responsible Lending Leadership Conference on Civil Rights, NAACP, La Raza, AFL-CIO, SEIU, National Consumer Law Center, Consumers Union, Public Citizen, and U.S. PIRG. I include a statement of support for the RECORD.

As Congress embarks on financial regulatory reform, our improved regulatory system must focus not just on the safety and soundness of the providers of financial products but also on the safety of the consumers of financial products. The Financial Product Safety Commission will do just that.

Mr. President, I ask unanimous consent that the text of the bill and supporting material be printed in the RECORD.

There being no objection, the material was ordered to be placed in the RECORD, as follows:

S. 566

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 ''Financial Product Safety Commission Act of 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Establishment of Commission.
Sec. 5. Objectives and responsibilities.
Sec. 6. Coordination of enforcement.
Sec. 7. Authorities.
Sec. 8. Collaboration with Federal and State entities.
Sec. 9. Prohibited acts.
Sec. 10. Enforcement.
Sec. 11. Reports.
Sec. 12. Authorization of appropriations.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Nation's multiagency financial services regulatory structure has created a dispersion of regulatory responsibility, which in turn has led to an inadequate focus on protecting consumers from inappropriate consumer financial products and practices;

(2) the absence of appropriate oversight has allowed excessively costly or predatory consumer financial products and practices to flourish; and

(3) the creation of a regulator whose sole focus is the safety of consumer financial products would help address this lack of consumer protection.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the terms ''Commission'', ''Chairperson'', and ''Commissioner'' mean the Financial Product Safety Commission established under this Act and the Chairperson and any Commissioner thereof, respectively;

(2) the term ''consumer financial product'' includes—

(A) any extension of credit, deposit account, payment mechanism, or other product or service within the scope of—

(i) the Truth in Savings Act (12 U.S.C. 4301 et seq.);

(ii) the Consumer Credit Protection Act (15 U.S.C. 1601 et seq.); or

(iii) article 3 (relating to negotiable instruments) or article 4 (relating to bank deposits) of the Uniform Commercial Code, as in effect in any State;

(B) any other extension of credit, deposit account, or payment mechanism; and

(C) any ancillary product, practice, or transaction;

(3) the term ''appropriate committees of Congress'' means the Committee on Banking, Housing, and Urban Affairs and the Subcommittee on Financial Services and General Government of the Committee on Appropriations of the Senate, and the Committee on Financial Services and the Subcommittee on Financial Services and General Government of the Committee on Appropriations of the House of Representatives, and any successor committees, as may be constituted;

(4) the term ''consumer'' means any natural person and any small business concern, as defined in section 3 of the Small Business Act (15 U.S.C. 632); and

(5) the term ''credit'' has the same meaning as in section 103 of the Truth in Lending Act (15 U.S.C. 1602).

SEC. 4. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT; CHAIRPERSON.—

(1) ESTABLISHMENT.—There is established the ''Financial Product Safety Commission'' which shall be an independent establishment, as defined in section 104(1) of title 5, United States Code.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Commission shall be comprised of 5 commissioners, appointed by the President, by and with the advice and consent of the Senate.

(B) CONSIDERATIONS.—In making appointments to the Commission, the President shall consider individuals who, by reason of their background and expertise in areas related to consumer financial product safety, are qualified to serve as members of the Commission.

(3) CHAIRPERSON.—The Chairperson of the Commission shall be appointed by the President, by and with the advice and consent of the Senate, from among the members of the Commission.

(4) REMOVAL.—Any Commissioner may be removed by the President for neglect of duty or malfeasance in office, but for no other cause.

(b) TERM; VACANCIES.—

(1) IN GENERAL.—Except as provided in paragraph (2)—

(A) the Commissioners first appointed under this section shall be appointed for terms ending 3, 4, 5, 6, and 7 years, respectively, after the date of enactment of this Act, the term of each to be designated by the President at the time of nomination; and

(B) each of their successors shall be appointed for a term of 5 years from the date of the expiration of the term for which the predecessor was appointed.

(2) LIMITATIONS.—Any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor thereof was appointed shall be appointed only for the remainder of such term. A Commissioner may continue to serve after the expiration of such term until a successor has taken office, except that such Commissioner may not continue to serve more than 1 year after the date on which the term of that Commissioner would otherwise expire under this subsection.

(c) RESTRICTIONS ON OUTSIDE ACTIVITIES.—

(1) POLITICAL AFFILIATION.—Not more than 3 Commissioners may be affiliated with the same political party.

(2) CONFLICTS OF INTEREST.—No individual may serve as a Commissioner if that individual—

(A) is in the employ of, holding any official relation to, or married to any person engaged in selling or devising consumer financial products;

(B) owns stock or bonds of substantial value in a person so engaged;

(C) is in any other manner pecuniarily interested in a person so engaged; or

(D) engages in any other business, vocation, or employment.

(d) VACANCIES; QUORUM; SEAL; VICE CHAIRPERSON.—

(1) VACANCIES.—No vacancy on the Commission shall impair the right of the remaining Commissioners to exercise all the powers of the Commission.

(2) QUORUM.—Three members of the Commission shall constitute a quorum for the transaction of business, except that—

(A) if there are only 3 members serving on the Commission because of vacancies on the Commission, 2 members of the Commission shall constitute a quorum for the transaction of business; and

(B) if there are only 2 members serving on the Commission because of vacancies on the Commission, 2 members shall constitute a quorum for the 6-month period (or the 1-year period, if the 2 members are not affiliated with the same political party) beginning on the date of the vacancy which caused the number of Commissioners to decline to 2.

(3) SEAL.—The Commission shall have an official seal, of which judicial notice shall be taken.

(4) VICE CHAIRPERSON.—The Commission shall annually elect a Vice Chairperson to act in the absence or disability of the Chairperson or in case of a vacancy in the office of the Chairperson.

(e) OFFICES.—The Commission shall maintain a principal office and such field offices as it determines necessary, and may meet and exercise any of its powers at any other place.

(f) FUNCTIONS OF CHAIRPERSON; REQUEST FOR APPROPRIATIONS.—

(1) DUTIES.—The Chairperson shall be the principal executive officer of the Commission, and shall exercise all of the executive and administrative functions of the Commission, including functions of the Commission with respect to—

(A) the appointment and supervision of personnel employed by the Commission (and the Commission shall fix their compensation at a level comparable to that for employees of the Securities and Exchange Commission);

(B) the distribution of business among personnel appointed and supervised by the Chairperson and among administrative units of the Commission; and

(C) the use and expenditure of funds.

(2) GOVERNANCE.—In carrying out any of the functions of the Chairperson under this subsection, the Chairperson shall be governed by general policies of the Commission and by such regulatory decisions, findings, and determinations as the Commission may, by law, be authorized to make.

(3) REQUESTS FOR APPROPRIATIONS.—Requests or estimates for regular, supplemental, or deficiency appropriations on behalf of the Commission may not be submitted by the Chairperson without the prior approval of a majority vote of the Commission.

(g) AGENDA AND PRIORITIES; ESTABLISHMENT AND COMMENTS.—Not later than 30 days before the beginning of each fiscal year, the Commission shall establish an agenda for Commission action under its jurisdiction and, to the extent feasible, shall establish priorities for such actions. Before establishing such agenda and priorities, the Commission shall conduct a public hearing on the agenda and priorities, and shall provide reasonable opportunity for the submission of comments.

SEC. 5. OBJECTIVES AND RESPONSIBILITIES.

(a) OBJECTIVES.—The objectives of the Commission are—

(1) to minimize unreasonable consumer risk associated with buying and using consumer financial products;

(2) to prevent and eliminate practices that lead consumers to incur unreasonable, inappropriate, or excessive debt, or make it difficult for consumers to repay existing debt, including practices or product features that are abusive, fraudulent, unfair, deceptive, predatory, anticompetitive, or otherwise inconsistent with consumer protection;

(3) to promote practices that assist and encourage consumers to use credit and consumer financial products responsibly, avoid excessive debt, and avoid unnecessary or excessive charges derived from or associated with consumer financial products;

(4) to ensure that providers of consumer financial products provide credit based on the ability of the consumer to repay the debt incurred;

(5) to ensure that consumer credit history is maintained, reported, and used fairly and accurately;

(6) to maintain strong privacy protections for consumer transactions, credit history, and other personal information associated with the use of consumer financial products;

(7) to collect, investigate, resolve, and inform the public about consumer complaints regarding consumer financial products;

(8) to ensure a fair resolution of consumer disputes regarding consumer financial products; and

(9) to take such other steps as are reasonable to protect users of consumer financial products.

(b) RESPONSIBILITIES.—The Commission shall—

(1) promulgate consumer financial product safety rules that—

(A) ban abusive, fraudulent, unfair, deceptive, predatory, anticompetitive, or otherwise anticonsumer practices, products, or product features;

(B) place reasonable restrictions on consumer financial products, practices, or product features to reduce the likelihood that they may be provided in a manner that is inconsistent with the objectives specified in subsection (a); and

(C) establish requirements for such clear and adequate warnings or other information, and the form and manner of delivery of such warnings or other information, as may be appropriate to advance the objectives specified in subsection (a);

(2) establish and maintain a best practices guide for all providers of consumer financial products;

(3) conduct such continuing studies and investigations of consumer financial products industry practices as it determines necessary;

(4) award grants or enter into contracts for the conduct of such studies and investigations with any person (including a governmental entity), as necessary to advance the objectives specified in subsection (a);

(5) following publication of a rule, assist public and private organizations or groups of consumer financial product providers, administratively and technically, in the development of safety standards or guidelines that would assist such providers in complying with such rule;

(6) comment on selected rulemakings of agencies designated in section 6(d) affecting consumer financial products; and

(7) establish and operate a consumer financial product customer hotline which consumers can call to register complaints and receive information on how to combat anticonsumer products or practices.

SEC. 6. COORDINATION OF ENFORCEMENT.

(a) IN GENERAL.—Notwithstanding any concurrent or similar authority of any other agency, the Commission shall enforce the requirements of this Act.

(b) RULE OF CONSTRUCTION.—The authority granted to the Commission to make and enforce rules under this Act shall not be construed to impair the authority of any other Federal department or agency to make and enforce rules under any other provision of law, provided that any portion of any rule promulgated by any other such department or agency that conflicts with a rule promulgated by the Commission and that is less protective of consumers than the rule promulgated by the Commission shall be superseded by the rule promulgated by the Commission, to the extent of the conflict. Any portion of any rule promulgated by any other such department or agency that is not superseded by a rule promulgated by the Commission shall remain in force without regard to this Act.

(c) AGENCY AUTHORITY.—Any department or agency designated in subsection (d) may exercise, for the purpose of enforcing compliance with any requirement imposed under this Act, any authority conferred on such department or agency by any other Act.

(d) DESIGNATED DEPARTMENTS AND AGENCIES.—The departments and agencies designated in this subsection are—

(1) the Board of Governors of the Federal Reserve System;

(2) the Federal Deposit Insurance Corporation;

(3) the Office of the Comptroller of the Currency;

(4) the Office of Thrift Supervision;

(5) the National Credit Union Administration;

(6) the Federal Housing Finance Authority;

(7) the Federal Housing Administration;

(8) the Department of Housing and Urban Development;

(9) the Federal Home Loan Bank Board;

(10) the Federal Trade Commission; and

(11) any successor to the agencies, referred to in paragraphs (1) through (10), as may be constituted.

(e) COORDINATION OF RULEMAKING.—Any department or agency designated in subsection (d) that engages in a rulemaking affecting consumer financial products shall consult with the Commission in the promulgation of such rules.

SEC. 7. AUTHORITIES.

(a) AUTHORITY TO CONDUCT HEARINGS OR OTHER INQUIRIES.—

(1) IN GENERAL.—The Commission may, by one or more of its members, or by such agents or agency as it may designate, conduct any hearing or other inquiry necessary or appropriate to its functions anywhere in the United States.

(2) MEMBER PARTICIPATION.—A Commissioner who participates in a hearing, or other inquiry described in paragraph (1), shall not be disqualified solely by reason of such participation from subsequently participating in a decision of the Commission in the same matter.

(3) NOTICE REQUIRED.—The Commission shall publish notice of any proposed hearing in the Federal Register, and shall afford a reasonable opportunity for interested persons to present relevant testimony and data.

(b) COMMISSION POWERS; ORDERS.—The Commission shall have the power—

(1) to require, by special or general orders, any person to submit in writing such reports and answers to questions as the Commission may prescribe to carry out a specific regulatory or enforcement function of the Commission, and such submission shall be made within such reasonable period and under oath or otherwise as the Commission may determine, and such order shall contain a complete statement of the reasons that the Commission requires the report or answers specified in the order to carry out a specific regulatory or enforcement function of the Commission;

(2) to administer oaths;

(3) to require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties;

(4) in any proceeding or investigation to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths and, in such instances, to compel testimony and the production of evidence in the same manner as authorized under paragraph (3);

(5) to pay witnesses the same fees and mileage costs as are paid in like circumstances in the courts of the United States;

(6) to accept voluntary and uncompensated services relevant to the performance of the duties of the Commission, notwithstanding the provisions of section 1342 of title 31, United States Code, and to accept voluntary and uncompensated services (but not gifts) relevant to the performance of the duties of the Commission provided that any such services shall not be from parties that have or are likely to have business before the Commission;

(7) to—

(A) issue an order requiring compliance with applicable legal requirements;

(B) issue a civil penalty order in accordance with section 10(b);

(C) initiate, prosecute, defend, intervene in, or appeal (other than to the Supreme Court of the United States), through its own legal representative and in the name of the Commission, any civil action, if the Commission makes a written request to the Attorney General of the United States for representation in such civil action and the Attorney General does not, within the 45-day period beginning on the date on which such request was made, notify the Commission in

writing that the Attorney General will represent the Commission in such civil action; and

(D) whenever the Commission obtains evidence that any person has engaged in conduct that may constitute a violation of Federal criminal law, including a violation of section 9, transmit such evidence to the Attorney General of the United States; and

(8) to delegate any of its functions or powers, other than the power to issue subpoenas under paragraph (3), to any officer or employee of the Commission.

(c) NONCOMPLIANCE WITH SUBPOENA OR COMMISSION ORDER.—If a person refuses to obey a subpoena or order of the Commission issued under subsection (b), the Commission (subject to subsection (b)(7)) or the Attorney General of the United States may bring an action in the United States district court for the district and division in which the inquiry is carried out or any other appropriate United States district court seeking an order requiring compliance with the subpoena or order.

(d) DISCLOSURE OF INFORMATION.—No person shall be subject to civil liability to any person (other than the Commission or the United States) for disclosing information to the Commission.

(e) CUSTOMER AND REVENUE DATA.—The Commission may, by rule, require any provider of consumer financial products to provide to the Commission such customer and revenue data as may be required to carry out this Act.

(f) PURCHASE OF CONSUMER FINANCIAL PRODUCTS BY COMMISSION.—For purposes of carrying out this Act, the Commission may purchase any consumer financial product and it may require any provider of consumer financial products to sell the product to the Commission at cost.

(g) CONTRACT AUTHORITY.—The Commission is authorized to enter into contracts with governmental entities, private organizations, or individuals for the conduct of activities authorized by this Act.

(h) BUDGET ESTIMATES AND REQUESTS; LEGISLATIVE RECOMMENDATIONS; TESTIMONY; COMMENTS ON LEGISLATION.—

(1) BUDGET COPIES TO CONGRESS.—Whenever the Commission submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit a copy of that estimate or request to the appropriate committees of Congress.

(2) LEGISLATIVE RECOMMENDATION.—Whenever the Commission submits any legislative recommendations, testimony, or comments on legislation to the President or the Office of Management and Budget, it shall concurrently transmit a copy thereof to the appropriate committees of Congress. No officer or agency of the United States shall have any authority to require the Commission to submit its legislative recommendations, testimony, or comments on legislation, to any officer or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the appropriate committees of Congress.

SEC. 8. COLLABORATION WITH FEDERAL AND STATE ENTITIES.

(a) PREEMPTION.—Nothing in this Act or any rule promulgated under this Act may be construed to annul, alter, affect, or exempt any person from complying with the laws of any State, except to the extent that those laws are inconsistent with a consumer financial product safety rule promulgated by the Commission, and then only to the extent of the inconsistency. For purposes of this section, a State law is not inconsistent with this Act or a consumer financial product safety rule, or the purposes of the Act or rule, if the protection afforded by such State law to any consumer is greater than the protection provided by the consumer financial product safety rule or this Act. Nothing in this Act or any rule promulgated under this Act precludes any remedy under State law to or on behalf of a consumer.

(b) PROGRAMS TO PROMOTE FEDERAL-STATE COOPERATION.—

(1) IN GENERAL.—The Commission shall establish a program to promote cooperation between the Federal Government and State governments for purposes of carrying out this Act.

(2) AUTHORITIES.—In implementing the program under paragraph (1), the Commission may—

(A) accept from any State or local authority engaged in activities relating to consumer protection assistance in such functions as data collection, investigation, and educational programs, as well as other assistance in the administration and enforcement of this Act which such States or local governments may be able and willing to provide and, if so agreed, may pay in advance or otherwise for the reasonable cost of such assistance; and

(B) commission any qualified officer or employee of any State or local government agency as an officer of the Commission for the purpose of conducting investigations.

(c) COOPERATION OF FEDERAL DEPARTMENTS AND AGENCIES.—The Commission may obtain from any Federal department or agency such statistics, data, program reports, and other materials as it may determine necessary to carry out its functions under this Act. Each such department or agency shall cooperate with the Commission and, to the extent permitted by law, furnish such materials to the Commission. The Commission and the heads of other departments and agencies engaged in administering programs relating to consumer financial product safety shall, to the maximum extent practicable, cooperate and consult in order to ensure fully coordinated efforts.

SEC. 9. PROHIBITED ACTS.

It shall be unlawful for any person—

(1) to advertise, offer, or attempt to enforce any agreement, term, change in term, fee, or charge in connection with any consumer financial product, or engage in any practice, that is not in conformity with this Act or an applicable consumer financial product safety rule under this Act; or

(2) to fail or refuse to permit access to or copying of records, or fail or refuse to establish or maintain records, or fail or refuse to make reports or provide information to the Commission, as required under this Act or any rule under this Act.

SEC. 10. ENFORCEMENT.

(a) CRIMINAL PENALTIES.—

(1) KNOWING AND WILLFUL VIOLATIONS.—Any person who knowingly and willfully violates section 9 shall be fined not more than $500,000, imprisoned not more than 1 year, or both for each such violation.

(2) EXECUTIVES AND AGENTS.—Any individual director, officer, or agent of a business entity who knowingly and willfully authorizes, orders, or performs any of the acts or practices constituting in whole or in part a violation of section 9 shall be subject to penalties under this section, without regard to any penalties to which that person may be otherwise subject.

(b) CIVIL PENALTIES.—

(1) IN GENERAL.—Any person who violates section 9 shall be subject to a civil penalty in an amount established under paragraph (2). A violation of section 9 shall constitute a separate civil offense with respect to each consumer financial product transaction involved.

(2) PUBLICATION OF SCHEDULE OF PENALTIES.—Not later than December 1, 2009, and December 1 of each fifth year thereafter, the Commission shall prescribe and publish in the Federal Register a schedule of the maximum authorized civil penalty that shall apply for any violation of section 9 that occurs on or after January 1 of the year immediately following the date of such publication.

(3) RELEVANT FACTORS IN DETERMINING AMOUNT OF PENALTY.—In determining the amount of any civil penalty in an action for a violation of section 9, the Commission—

(A) shall consider—

(i) the nature of the consumer financial product;

(ii) the severity of the unreasonable risk to the consumer;

(iii) the number of products or services sold or distributed;

(iv) the occurrence or absence of consumer injury; and

(v) the appropriateness of such penalty in relation to the size of the business of the person charged; and

(B) shall ensure that penalties in each case are sufficient to induce compliance by all regulated entities.

(4) COMPROMISE OF PENALTY; DEDUCTIONS FROM PENALTY.—

(A) IN GENERAL.—Any civil penalty under this section may be compromised by the Commission.

(B) CONSIDERATIONS.—In determining the amount of such penalty or whether it should be remitted or mitigated and in what amount, the Commission—

(i) shall consider—

(I) the nature of the consumer financial product;

(II) the severity of the unreasonable risk to the consumer;

(III) the number of offending products or services sold;

(IV) the occurrence or absence of consumer injury; and

(V) the appropriateness of such penalty to the size of the business of the person charged; and

(ii) shall ensure that compromise penalties remain sufficient to induce compliance by all regulated entities.

(C) AMOUNT.—The amount of a penalty compromised under this paragraph, when finally determined, or the amount agreed on compromise, may be deducted from any sums owing by the United States to the person charged.

(c) COLLECTION AND USE OF PENALTIES.—

(1) ESTABLISHMENT OF FUND.—There is established within the Treasury of the United States a fund, into which shall be deposited all criminal and civil penalties collected under this section.

(2) USE OF FUND.—The fund established under this subsection shall be used to defray the costs of the operations of the Commission or, where appropriate, provide restitution to harmed consumers.

(d) PRIVATE ENFORCEMENT.—

(1) IN GENERAL.—A person may bring a civil action for a violation of section 9 for equitable relief and other charges and costs in an amount equal to the sum of—

(A) any actual damages sustained by such person as a result of such violation, if actual damages resulted;

(B) twice the amount of any finance charge in connection with the transaction, except that such liability shall not be less than $1,000, such minimum to be adjusted on an annual basis by the Commission based upon the consumer price index; and

(C) reasonable attorney fees and costs.

(e) JURISDICTION.—

(1) IN GENERAL.—Any action under this Act may be brought in any appropriate United

States district court, or in any other court of competent jurisdiction, not later than 2 years after the date of the discovery of the violation.

(2) RULES OF CONSTRUCTION.—This section does not bar a person from asserting a violation of this Act in an action to collect a debt, or if foreclosure has been initiated, as a matter of defense by recoupment or set-off. An action under this Act shall not be the basis for removal of an action to a United States district court. Neither this section nor any other section of this Act preempts or otherwise displaces claims and remedies available under State law, except as otherwise specifically provided in this Act.

(f) STATE ACTIONS FOR VIOLATIONS.—

(1) AUTHORITY OF STATES.—In addition to such other remedies as are provided under State law, if the chief law enforcement officer of a State, or an official or agency designated by a State, has reason to believe that any person has violated or is violating section 9, the State—

(A) may bring an action to enjoin such violation in any appropriate United States district court or in any other court of competent jurisdiction;

(B) may bring an action on behalf of the residents of the State to recover—

(i) damages for which the person is liable to such residents under subsection (d) as a result of the violation; and

(ii) civil penalties, as established under subsection (b); and

(C) in the case of any successful action under subparagraph (A) or (B), shall be awarded the costs of the action and reasonable attorney fees, as determined by the court.

(2) RIGHTS OF FEDERAL REGULATORS.—

(A) NOTICE OF STATE ACTION.—A State shall serve prior written notice of any action under paragraph (1) upon the Commission and provide the Commission with a copy of its complaint, except in any case in which such prior notice is not feasible, in which case the State shall serve such notice immediately upon instituting such action.

(B) COMMISSION AUTHORIZATION.—Upon notice of an action under subparagraph (A), the Commission shall have the right—

(i) to intervene in the action;

(ii) upon so intervening, to be heard on all matters arising therein;

(iii) to remove the action to the appropriate United States district court; and

(iv) to file petitions for appeal.

(3) INVESTIGATORY POWERS.—For purposes of bringing any action under this subsection, nothing in this subsection or in any other provision of Federal law shall prevent the chief law enforcement officer of a State, or an official or agency designated by a State, from exercising the powers conferred on the chief law enforcement officer or such official by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

(4) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION PENDING.—If the Commission has instituted a civil action or an administrative action for a violation of section 9, a State may not, during the pendency of such action, bring an action under this section against any defendant named in the complaint of the Commission for any violation of section 9 that is alleged in that complaint.

SEC. 11. REPORTS.

(a) REPORTS TO THE PUBLIC.—The Commission shall determine what reports should be produced and distributed to the public on a recurring and ad hoc basis, and shall prepare and publish such reports on a website that provides free access to the general public.

(b) REPORT TO THE PRESIDENT AND CONGRESS.—

(1) IN GENERAL.—The Commission shall prepare and submit to the President and the appropriate committees of Congress, at the beginning of each regular session of Congress, a comprehensive report on the administration of this Act for the preceding fiscal year.

(2) REPORT CONTENT.—The reports required by this subsection shall include—

(A) a thorough appraisal, including statistical analyses, estimates, and long-term projections, of the incidence and effects of practices associated with the provision of consumer financial products that are inconsistent with the objectives specified in section 5(a), with a breakdown, insofar as practicable, among the various sources of injury, as the Commission finds appropriate;

(B) a list of consumer financial product safety rules prescribed or in effect during such year;

(C) an evaluation of the degree of observance of consumer financial product safety rules, including a list of enforcement actions, court decisions, and compromises of civil penalties, by location and company name;

(D) a summary of outstanding problems confronting the administration of this Act in order of priority;

(E) an analysis and evaluation of public and private consumer financial product safety research activities;

(F) a list, with a brief statement of the issues, of completed or pending judicial actions under this Act;

(G) the extent to which technical information was disseminated to the research and consumer communities and consumer information was made available to the public;

(H) the extent of cooperation between Commission officials, representatives of the consumer financial products industry, and other interested parties in the implementation of this Act, including a log or summary of meetings held between Commission officials and representatives of industry and other interested parties;

(I) an appraisal of significant actions of State and local governments relating to the responsibilities of the Commission;

(J) such recommendations for additional legislation as the Commission deems necessary to carry out the purposes of this Act; and

(K) the extent of cooperation with, and the joint efforts undertaken by, the Commission in conjunction with other regulators with whom the Commission shares responsibilities for consumer financial product safety.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission for purposes of carrying out this Act such sums as may be necessary.

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56 DIVERSE NATIONAL, STATE ORGANIZATIONS SUPPORT FINANCIAL PRODUCT SAFETY COMMISSION

Hon. RICHARD J. DURBIN
Majority Whip, U.S. Senate
Washington, DC.
Hon. WILLIAM DELAHUNT
House of Representatives
Washington, DC.
Hon. CHARLES SCHUMER
U.S. Senate
Washington, DC.
Hon. BRAD MILLER
House of Representatives
Washington, DC.

DEAR SENATORS DURBIN AND SCHUMER AND REPRESENTATIVES DELAHUNT AND MILLER: The undersigned organizations strongly support your legislation to create a federal Financial Product Safety Commission (FPSC) that would ensure the fairness, safety and sustainability of credit and payment products. It is now widely accepted that the current international economic crisis was triggered by the failure of federal regulators to stop abusive lending, particularly in the housing sector. By creating a separate agency focused exclusively on credit safety, your legislation will not only better protect consumers, but the entire economy.

Under this legislation, the FPSC would be empowered to ensure that credit and payment products do not have predatory or deceptive features that can harm consumers or lock them into unaffordable loans, such as pre-payment penalties, unjustified fees, or hair-trigger interest rate increases. The agency would also conduct ongoing research and investigation into credit industry products and services. In addition, it would provide consumers with high-quality information about how to avoid abusive lending or credit problems. This approach offers two crucial improvements over the current splintered, ineffectual regulatory system:

A FPSC would put consumer protection first. Federal regulatory agencies have often treated consumer protection as less important than or even in conflict with their mission to ensure the safety and soundness of financial institutions. In addition, the independence of regulators like the Office of the Comptroller of the Currency and Office of Thrift Supervision has been threatened because they are directly and almost entirely funded by the institutions they oversee. As a result, federal agencies dithered for years in implementing regulations to stop unfair and deceptive mortgage and credit card lending practices, finally producing only after the current foreclosure and consumer debt crisis took hold. Regulators have left other types of dangerous products completely untouched, such as high-cost ''overdraft'' loans that are triggered without consumer permission. The FPSC would be required to make consumer protection its top priority, which will also better ensure the soundness of financial institutions.

A FPSC would stop regulatory agencies from competing among themselves to lower standards. Right now, financial institutions freely switch charters between federal and state regulation, and between various federal charters, in order to reduce the level of oversight and the costs associated with it. Under a FPSC, regulated institutions could not choose the agency that regulates them. The FPSC would be empowered to establish federal minimum standards for all credit products and the institutions that offer them, so that competition between state and federal regulators would only exist to improve the quality of consumer protection.

Unless the structure of financial services regulation is realigned to change not just the focus of regulation but its underlying philosophy, it is unlikely that consumers will be adequately protected from unfair or dangerous credit products in the future. The ultimate result of this crucial legislation would be an agency designed to protect consumers from the corrosive effects of unsafe credit, which has a regulatory perspective that is truly independent of the institutions it regulates. Just as importantly, this agency would not be under constant pressure to keep protection standards low. You have created a template for regulatory modernization that will protect consumers, financial institutions and the economy for years to come.

We applaud your leadership on this issue and look forward to working with you to enact this proposal.

Sincerely,

Gregory L. Jefferson, Sr., Legislative Representative, American Federation of Labor

and Congress of Industrial Organizations (AFL–CIO).

Jim Campen, Executive Director, Americans for Fairness in Lending.

Linda Sherry, Director, National Priorities, Consumer Action.

Mike Calhoun, President, Center for Responsible Lending.

Travis Plunkett, Legislative Director, Consumer Federation of America.

Rosemary Shahan, President, Consumers for Auto Reliability and Safety.

Pamela Banks, Policy Counsel, Consumers Union.

Tamara Draut, Vice President of Policy & Programs, Demos.

Alan Reuther, Legislative Director, International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW).

Wade Henderson, President & CEO, Leadership Conference on Civil Rights.

Hilary O. Shelton, Vice President for Advocacy/Director, NAACP Washington Bureau.

Ricardo C. Byrd, Executive Director, National Association of Neighborhoods.

John Taylor, President and CEO, National Community Reinvestment Coalition.

Lauren Saunders, Managing Attorney, National Consumer Law Center.

Sally Greenberg, Executive Director, National Consumers League.

Janis Bowdler, Associate Director, Wealth-Building Policy Project, National Council of La Raza.

Shanna L. Smith, President and CEO, National Fair Housing Alliance.

David Arkush, Director, Public Citizen's Congress Watch.

Alison Reardon, Director of Legislation, Service Employees International Union.

Ed Mierzwinski, Consumer Programs Director, U.S. PIRG.

STATE ORGANIZATIONS

Kimble Forrister, Statewide Coordinator, Alabama Arise

Leslie Kyman Cooper, Executive Director, Phyllis Rowe, President Emeritus, Arizona Consumers Council

Diane E. Brown, Executive Director, Arizona PIRG

Albert Sterman, Secretary/Treasurer, Democratic Processes Center, Arizona

H. C. ''Hank'' Klein, Founder, Arkansans Against Abusive Payday Lending

Alan Fisher, Executive Director, California Reinvestment Coalition

Jim Bliesner, Director, San Diego City/County Reinvestment Task Force, California

Lynn Drysdale, Managing Attorney, Consumer Law Unit, Jacksonville Area Legal Aid, Inc., Florida

Bill Newton, Executive Director, Florida Consumer Action Network

Brad Ashwell, Consumer & Public Health Advocate, Florida Public Interest Research Group

Dan McCurry, Coordinator, Chicago Consumer Coalition, Illinois

Lynda DeLaforgue and William McNary, Co-Executive Directors, Citizen Action/Illinois

Brian C. White, Executive Director, Lakeside Community Development Corporation, Illinois

Rose Mary Meyer, Director, Project IRENE, Illinois

Larry M. McGuire, Field Missionary Coordinator, Community of Christ and Inter-Religious Council of Linn County, Iowa

Jason Selmon, Executive Director, Sunflower Community Action, Kansas

Richard Seckel, Director, Kentucky Equal Justice Center

Charles Shafer, President, Maryland Consumer Rights Coalition

Debra Gardner, Legal Director, Public Justice Center, Maryland

Paul Schlaver, Chair, Massachusetts Consumers' Coalition

Paheadra B. Robinson, Staff Attorney, Mississippi Center for Justice

Mike Cherry, President/CEO, Consumer Credit Counseling of Springfield, Missouri, Inc.

Dan L. Wulz, Deputy Executive Director, Legal Aid Center of Southern Nevada, Inc.

Peter Skillern, Executive Director, Community Reinvestment Association of North Carolina

Al Ripley, Counsel for Consumer and Housing Affairs, NC Justice Center

Jim McCarthy, President/CEO, Miami Valley Fair Housing Center, Inc., Ohio

Sue Berkowitz, Director, South Carolina Appleseed Legal Justice Center

Corky Neale, Director of Research, Memphis Responsible Lending Collaborative, Tennessee

Don E. Baylor, Jr., Senior Policy Analyst—Economic Opportunity, Center for Public Policy Priorities, Texas

Alex R. Gulotta, Executive Director, Legal Aid Justice Center, Virginia

Michael H. Lane and Ward R Scull, Co-Founders, Virginians Against Payday Loans

Irene E. Leech, President, Virginia Citizens Consumer Council

Janice ''Jay'' Johnson, Chairperson, Virginia Organizing Project

James W. (Jay) Speer, Executive Director, Virginia Poverty Law Center

Bruce D. Neas, Legislative Coordinator, Columbia Legal Services on behalf of clients, Washington

Catherine M. Doyle, Chief Staff Attorney, Legal Aid Society of Milwaukee, Inc., Milwaukee, Wisconsin

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 72—EXPRESSING THE SENSE OF THE SENATE REGARDING DRUG TRAFFICKING IN MEXICO

Mr. MENENDEZ (for himself, Mr. KERRY, Mr. DODD, and Mr. LUGAR) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 72

Whereas Mexico is 3 times the size of the State of Texas and has a population of approximately 110,000,000 people;

Whereas Mexico has the 12th largest economy in the world, with an annual gross domestic product of just under $1,000,000,000,000;

Whereas Mexico is the 8th largest exporter of crude oil in the world and provides approximately ⅓ of the oil imported by the United States;

Whereas Mexico is the 2nd largest buyer of exports from the United States;

Whereas Mexico has the largest Spanish-speaking population of any country in the world;

Whereas there is a tragically consistent demand for heroin, marijuana, methamphetamines, and cocaine from drug users in the United States;

Whereas the Government of Mexico is locked in an extremely violent struggle against drug trafficking organizations that produce and transport narcotics;

Whereas the drug trafficking organizations in Mexico are well organized, heavily armed, and wealthy criminal enterprises, with estimated criminal earnings of more than $25,000,000,000 every year;

Whereas it is estimated that Mexican drug trafficking organizations produce 8 metric tons of heroin and 10,000 metric tons of marijuana each year;

Whereas, in confrontations with the Government of Mexico and with each other, the drug trafficking organizations have adopted tactics intended to intimidate the public at large, corrupt law enforcement officials, and create a perception of increased violence among the people of Mexico;

Whereas, in 2008, approximately 6,200 people in Mexico died as the result of violence related to drug trafficking, more than twice as many as in 2007;

Whereas drug-related killings continued in Mexico during 2009, and on February 9, 2009, a total of 35 people were killed in drug-related violence in Mexico;

Whereas drug trafficking organizations in Mexico have brazenly targeted and executed many high-ranking public officials in Mexico;

Whereas more than 800 police officers and soldiers in Mexico have been killed in the line of duty since late 2006;

Whereas efforts by the Government of Mexico and the United States Government to combat drug trafficking organizations and power struggles between the drug trafficking organizations themselves have resulted in growing violence along the 2000-mile border between the United States and Mexico;

Whereas drug-related violence affects cities and towns on both sides of the border, as drug trafficking organizations from Mexico form partnerships with criminal organizations based in the United States;

Whereas law enforcement authorities in the United States have reported an increase in the number of killings, kidnappings, and home invasions linked to Mexican drug trafficking organizations in a number of cities in the United States, some of which are thousands of miles from the Mexican border;

Whereas a 2008 report by the Department of Justice indicated that Mexican drug trafficking organizations now operate in 195 cities in the United States;

Whereas the 2008 National Drug Threat Assessment by the Department of Justice identified drug organizations from Mexico as the greatest criminal threat to the United States;

Whereas the Government of Mexico is strengthening the institutions of a democratic state that adheres to the rule of law, supports a free press, and is committed to human rights;

Whereas the inauguration of President Felipe Calderón in December 2006 represented another step forward in the process of strengthening institutions in Mexico;

Whereas President Calderón has made defeating drug trafficking organizations a top priority of his administration, increasing the security budget of Mexico from $2,000,000,000 in 2006 to $4,000,000,000 in 2008 and deploying nearly 36,000 federal troops to carry out anti-drug operations;

Whereas the Government of Mexico has undertaken reforms that, together with significant changes to the code of criminal procedure and the penal code, could transform the justice system in Mexico to be more open and transparent, protect human rights, and devote resources to investigating and prosecuting crimes;

Whereas President Calderón has taken significant steps to crack down on corruption within the police forces and other government institutions of Mexico;

Whereas officers of the Government of Mexico have succeeded in seizing record quantities of narcotics from drug trafficking organizations;

Whereas law enforcement officials in Mexico are cooperating with law enforcement agencies in the United States at unprecedented levels, with Mexico extraditing 83

major drug traffickers to stand trial in the United States in 2007, and another 93 major drug traffickers in 2008;

Whereas the police and army units of Mexico are often outgunned by members of the drug trafficking organizations, who employ heavy machine guns, high-powered assault weapons such as the AK-47, 0.50 caliber sniper rifles, military hand grenades, rocket-propelled grenade launchers, and sophisticated technology like night vision goggles and communication interception devices;

Whereas a large majority of the weapons and ammunition used by the drug trafficking organizations come from sources in the United States, particularly gun dealers and gun shows in Texas, Arizona, and California;

Whereas approximately 90 percent of all firearms recovered at crime scenes in Mexico are illicitly trafficked across the border from the United States to Mexico;

Whereas the people of Mexico and the military and civilian officials of the Government of Mexico have demonstrated tremendous courage in confronting the drug trafficking organizations;

Whereas the United States Government, along with law enforcement agencies in the United States and Mexico, has escalated its efforts to disrupt the trafficking of narcotics, money, people, and arms across the border and to combat drug trafficking organizations;

Whereas the United States Government can and should do more to reduce the demand for illegal drugs in the United States and stop the illegal exportation of money and weapons;

Whereas the efforts by the United States Government to combat trafficking are outlined in the National Drug Control Strategy (2008), the Southwest Border Counternarcotics Strategy (2007), and the U.S. Strategy for Combating Criminal Gangs from Central America and Mexico (2007);

Whereas, on October 22, 2007, the United States Government and the Government of Mexico announced a multiyear security agreement called the ''Merida Initiative'', which is intended to combat drug trafficking and other criminal activity along the border of the United States and Mexico and in Central America; and

Whereas Congress has appropriated $465,000,000 for the Merida Initiative, allocating to the Government of Mexico a total of $400,000,000 in equipment, technical assistance, and training in fiscal year 2008, which is now in the process of being delivered: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Mexico is a key strategic partner of the United States;

(2) a secure, prosperous, and democratic Mexico is indispensable to the goal of the United States to have prosperity and peace throughout the Americas and the world;

(3) the people and the Government of Mexico have launched a sustained attack on drug trafficking organizations based in Mexico;

(4) the increasing violence and criminality of drug trafficking organizations threaten the well-being of the people of the United States and Mexico and pose security challenges to cities and towns in the United States;

(5) drug-related violence is a ''cross-border'' problem that requires close cooperation between the Government of Mexico and the United States Government;

(6) the United States Government and the Government of Mexico have a shared interest and responsibility in defeating drug trafficking organizations, and a comprehensive strategy, jointly conceived and executed, is required for significant progress to be made;

(7) the Senate applauds and fully supports efforts by President Felipe Calderón, the people of Mexico, and the Government of Mexico to confront the drug trafficking organizations, apprehend their members, and bring them to justice;

(8) the Department of State should—

(A) ensure prompt delivery of the equipment, technical assistance, and training for which Congress appropriated funds in fiscal year 2008 as part of the Merida Initiative;

(B) continue to support the Government of Mexico in its efforts to strengthen institutions and the rule of law, root out corruption, and protect human rights; and

(C) ensure full accountability for all assistance and equipment provided by the United States Government to the Government of Mexico; and

(9) the United States Government should employ its broad diplomatic and law enforcement resources, in partnership with the Government of Mexico and governments throughout the Americas, to defeat drug-related criminal enterprises.

SENATE RESOLUTION 73—AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE FOR THE PERIODS MARCH 1, 2009, THROUGH SEPTEMBER 30, 2009, AND OCTOBER 1, 2009, THROUGH SEPTEMBER 30, 2010, AND OCTOBER 1, 2010, THROUGH FEBRUARY 28, 2011

Mr. SCHUMER (for himself and Mr. BENNETT) submitted the following resolution; which was considered and agreed to:

S. RES. 73

Resolved,

SECTION 1. AGGREGATE AUTHORIZATION.

(a) IN GENERAL.—For purposes of carrying out the powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate there is authorized for the period March 1, 2009, through September 30, 2009, in the aggregate of $69,152,989, for the period October 1, 2009, through September 30, 2010, in the aggregate of $121,593,254, and for the period October 1, 2010, through February 28, 2011, in the aggregate of $51,787,223, in accordance with the provisions of this resolution, for standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committees for the period March 1, 2009, through September 30, 2009, for the period October 1, 2009, through September 30, 2010, and for the period October 1, 2010, through February 28, 2011, to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate.

SEC. 2. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $2,735,622, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $4,809,496, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $2,048,172, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 3. COMMITTEE ON ARMED SERVICES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,639,258, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $8,158,696, of which amount—

(1) not to exceed $80,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,475,330, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 4. COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,204,901, of which amount—

(1) not to exceed $11,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $700, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,393,024, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,200, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,148,531, of which amount—

(1) not to exceed $8,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $500, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 5. COMMITTEE ON THE BUDGET.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraph 1 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,384,507, of which amount—

(1) not to exceed $35,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $70,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,711,049, of which amount—

(1) not to exceed $60,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $120,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,284,779, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 6. COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,529,245, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,963,737, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,391,751, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 7. COMMITTEE ON ENERGY AND NATURAL RESOURCES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $3,833,400.

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $6,740,569.

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $2,870,923.

SEC. 8. COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $3,529,786, of which amount—

(1) not to exceed $4,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $6,204,665, of which amount—

(1) not to exceed $8,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $2,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $2,641,940, of which amount—

(1) not to exceed $3,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 9. COMMITTEE ON FINANCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $5,210,765, of which amount—

(1) not to exceed $17,500, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $5,833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $9,161,539, of which amount—

(1) not to exceed $30,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,901,707, of which amount—

(1) not to exceed $12,500, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $4,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 10. COMMITTEE ON FOREIGN RELATIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,291,761, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,546,310, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,214,017, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 11. COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $5,973,747, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $10,503,951, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $4,473,755, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 12. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules and S. Res. 445, agreed to October 9, 2004 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $6,742,824, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $11,856,527, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $5,049,927, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(e) INVESTIGATIONS.—

(1) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(E) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(iii) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

(ii) the implementation of effective energy conservation measures;

(iii) the pricing of energy in all forms;

(iv) coordination of energy programs with State and local government;

(v) control of exports of scarce fuels;

(vi) the management of tax, import, pricing, and other policies affecting energy supplies;

(vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(viii) the allocation of fuels in short supply by public and private entities;

(ix) the management of energy supplies owned or controlled by the Government;

(x) relations with other oil producing and consuming countries;

(xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(xii) research into the discovery and development of alternative energy supplies; and

(G) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(2) EXTENT OF INQUIRIES.—In carrying out the duties provided in paragraph (1), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

(3) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this subsection, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from March 1, 2009, through February 28, 2011, is authorized, in its, his, hers, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(4) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this subsection shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(5) SUBPOENA AUTHORITY.—All subpoenas and related legal processes of the committee and its subcommittee authorized under S. Res. 89, agreed to March 1, 2007 (110th Congress) are authorized to continue.

SEC. 13. COMMITTEE ON THE JUDICIARY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $6,528,294, of which amount—

(1) not to exceed $116,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $11,667, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $11,481,341, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $4,890,862, of which amount—

(1) not to exceed $83,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $8,333, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 14. COMMITTEE ON RULES AND ADMINISTRATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,797,669, of which amount—

(1) not to exceed $30,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $6,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $3,161,766, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,346,931, of which amount—

(1) not to exceed $21,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $4,200, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 15. COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,693,240, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $2,976,370, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,267,330, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 16. COMMITTEE ON VETERANS' AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,565,089, of which amount—

(1) not to exceed $59,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $12,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $2,752,088, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,172,184, of which amount—

(1) not to exceed $42,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $8,334, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 17. SPECIAL COMMITTEE ON AGING.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,892,515, of which amount—

(1) not to exceed $117,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $3,327,243, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $15,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,416,944, of which amount—

(1) not to exceed $85,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $5,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 18. SELECT COMMITTEE ON INTELLIGENCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976 (94th Congress), as amended by S. Res. 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under sections 3(a) and 17 of such S. Res. 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such S. Res. 400, the Select Committee on Intelligence is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $4,151,023, of which amount—

(1) not to exceed $37,917, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $7,298,438, of which amount—

(1) not to exceed $65,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $2,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $3,108,302, of which amount—

(1) not to exceed $27,083, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 19. COMMITTEE ON INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $1,449,343, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $2,546,445, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $1,083,838, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 20. SPECIAL RESERVE.

(a) ESTABLISHMENT.—Within the funds in the account ''Expenses of Inquiries and Investigations'' appropriated by the legislative branch appropriation Acts for fiscal years 2009, 2010, and 2011, there is authorized to be established a special reserve to be available to any committee funded by this resolution as provided in subsection (b) of which—

(1) an amount not to exceed $4,375,000, shall be available for the period March 1, 2009, through September 30, 2009; and

(2) an amount not to exceed $7,500,000, shall be available for the period October 1, 2009, through September 30, 2010; and

(3) an amount not to exceed $3,125,000, shall be available for the period October 1, 2010, through February 28, 2011.

(b) AVAILABILITY.—The special reserve authorized in subsection (a) shall be available to any committee—

(1) on the basis of special need to meet unpaid obligations incurred by that committee during the periods referred to in paragraphs (1), (2), and (3) of subsection (a); and

(2) at the request of a Chairman and Ranking Member of that committee subject to the approval of the Chairman and Ranking Member of the Committee on Rules and Administration.

NOTICES OF HEARINGS

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 Wednesday, March 18, 2009, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on nuclear energy development.

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 may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Amanda_kelly@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224–7571 or Amanda Kelly at (202) 224–6836.

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, March 17, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The Committee will conduct an oversight hearing on energy development on public lands and the outer Continental Shelf.

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 may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Gina_Weinstock@energy.senate.gov.

For further information, please contact Patty Beneke at (202) 224–5451 or Gina Weinstock at (202) 224–5684.

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, March 12, 2009 at 9:30 a.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing to

discuss tribal priorities in the fiscal year 2010 budget.

Those wishing additional information may contact the Indian Affairs Committee at 202–224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 10, 2009 at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. 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 Tuesday, March 10, 2009 at 10:30 a.m. to conduct a hearing entitled ''Enhancing Investor Protection and the Regulation of Securities Markets.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, March 10, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, March 10, 2009, at 10 a.m., in 215 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Rebuilding Economic Security: Empowering Workers to Restore the Middle Class'' on Tuesday, March 10, 2009. The hearing will commence at 10 a.m. in room 106 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''The Next Generation of National Service'' on Tuesday, March 10, 2009. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Patent Reform in the 111th Congress: Legislation and Recent Court Decisions'' on Tuesday, March 10, 2009, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Executive Nominations'' on Tuesday, March 10, 2009, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, March 10, 2009 at 9:30 am. The Committee will meet in room 418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 10, 2009 at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, as in executive session, I ask unanimous consent that the cloture motion with respect to the nomination of David Ogden be withdrawn, and that on Wednesday, March 11, at 11:30 a.m., the Senate proceed to executive session to consider Calendar No. 21, the nomination of David Ogden; that the time until 4:30 p.m. be equally divided and controlled between the leaders or their designees; that when the Senate resumes consideration of the nomination on Thursday, March 12, there be 2 hours remaining for debate, equally divided and controlled between the leaders or their designees; that upon the use of time on Thursday, the Senate then proceed to vote on confirmation of the nomination; that upon confirmation of the nomination, the motion to reconsider be laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and the Senate resume legislative session; and that any statements relating to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 15 and 16; that the nominations be confirmed, en bloc, and the motions to reconsider be laid upon the table, en bloc; that no further motions be in order; that upon confirmation, the President be immediately notified of the Senate's action; that the Senate resume legislative session; and that any statements relating to the nominations be printed in the RECORD; further, that the cloture motions with respect to these nominations be withdrawn, en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

EXECUTIVE OFFICE OF THE PRESIDENT

Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers.

Cecilia Elena Rouse, of California, to be Member of the Council of Economic Advisers.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican Leader, pursuant to the provisions of S. Res. 105, adopted April 13, 1989, as amended by S. Res. 149, adopted October 5, 1993, as amended by Public Law 105–275, adopted October 21, 1998, further amended by S. Res. 75, adopted March 25, 1999, amended by S. Res. 383, adopted October 27, 2000, and amended by S. Res. 355, adopted November 13, 2002, and further amended by S. Res. 480, adopted November 21, 2004, the appointment of the following Senator as a member of the Senate National Security Working Group for the 111th Congress: the Senator from South Carolina, Mr. GRAHAM.

ORDERS FOR WEDNESDAY, MARCH 11, 2009

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Wednesday, March 11; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later

in the day, and the Senate proceed to a period of morning business until 11:30 a.m. with Senators permitted to speak for up to 10 minutes each with the time controlled by the Republicans; further, that following morning business the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, under the previous order, the Senate will debate the Ogden nomination until 4:30 p.m. tomorrow and vote on confirmation of the nomination on Thursday.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:31 p.m., adjourned until Wednesday, March 11, 2009, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

DAVID S. COHEN, OF MARYLAND, TO BE ASSISTANT SECRETARY FOR TERRORIST FINANCING, DEPARTMENT OF THE TREASURY, VICE PATRICK M. O'BRIEN, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

SHERBURNE B. ABBOTT, OF TEXAS, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE DUNCAN T. MOORE, RESIGNED.

DEPARTMENT OF TRANSPORTATION

DANA G. GRESHAM, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE SIMON CHARLES GROS.

DEPARTMENT OF THE TREASURY

ALAN B. KRUEGER, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE PHILLIP L. SWAGEL, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

JOHN MORTON, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY, VICE JULIE L. MYERS, RESIGNED.

DEPARTMENT OF DEFENSE

JAMES N. MILLER, JR., OF VIRGINIA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY, VICE CHRISTOPHER RYAN HENRY.

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

GEORGE B. GOSTING

To be major

JOSEPH S. PARK

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

THOMAS M. CARDEN, JR.
TIMOTHY J. CLAYS
RODERICK R. LEONGUERRERO
ERIC W. OLSEN
CURTIS J. ROYER
WILLIAM H. STEVENSON
ANTHONY WOODS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MICHAEL F. ADAMES
DEAN B. BORSOS
JAMES R. CLAPSADDLE
ROBERT H. COTHRON III
PATRICK L. DAWSON
DONALD L. FAUST
EDWIN A. HURSTON
PHILIP E. JONES
BRIAN E. KING
DARRELL W. LANDREAUX
REX A. LANGSTON
STEVEN B. REESE
REBECCA C. SEESE
PAUL M. SKALA
THOMAS A. STEINBRUNNER
TRACY A. TENNEY
WILLIAM R. TYRA
KATHRYN D. VANDERLINDEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RICHARD D. BAKER
CATHERINE S. BARD
RICHARD J. BEAN
JAMES E. BOYD
MARKHAM J. BROWN
LESLIE R. BRYANT III
LOUISE M. BRYCE
JEFFREY S. CALDER
CHERYL L. CARTER
GEORGE W. CHRISTOPHER
THOMAS F. CLARKE
DAVID D. COPP
MARCEL V. DIONNE
ROLAND E. ENGEL
MICHAEL J. EPPINGER
EDWARD L. FIEG
JOHN M. GOOCH
PATRICIA L. GOODEMOTE
LEE H. HARVIS
CLAUDE A. HAWKINS
ANN L. HOYNIAKBECKER
TIMOTHY W. HUISKEN
MYLENE T. HUYNH
JEFFERY L. JOHNSON
JAMES G. KAHRS
PETER B. KOVATS
MARK KRAUTHEIM
ERIC A. NELSON
ERIK J. NELSON
MICHAEL J. PASTON
JOSEPH P. PELLETIER
THOMAS R. PIAZZA
HEATHER R. PICKETT
TRACY L. POPEY
JERRY W. PRATT
ANTHONY M. PROPST
JAMES R. RICK
STEPHEN P. ROBERTS
CHRISTOPHER G. SCHARENBROCK
JANET C. SHAW
SARADY TAN
DONALD E. TRUMMEL
SHAWN M. VARNEY
DALE A. VOLQUARTSEN
APRIL C. WALTON
DANIEL C. WEAVER
JAMES W. WHELAN
DANA J. WINDHORST
MICHAEL S. XYDAKIS
EVELINE F. YAO
GREGORY B. YORK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JEFFREY L. ANDRUS
KENNETH J. BOONE
DAVID J. BOWERS
GARY J. GERACCI
THOMAS F. KELLY
LARA I. LARSON
STEVEN C. MALLER
ROY C. MARLOW
MARK T. MEANS
COLIN A. MIHALIK
ENDER S. OZGUL
MARIA SANTOS
JESUS L. SOJO
LUKE UNDERHILL
ROSE M. WOJCIK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

FEDERICO C. AQUINO, JR.
KEITH L. CLARK
THOMAS P. EDMONSON
AMAR KOSARAJU
WILLIAM K. LIN
DOUGLAS M. LITTLEFIELD
PAUL A. LONGO
VICTOR B. MAGGIO
FERNANDO A. MARAVI
ALAN J. NAPOLES
DARON C. PRAETZEL
ENRIQUE E. ROSADO
JENNIE L. STODDART
STEPHANIE A. STOUDER
KIM L. WILKINSON
JUNKO YAMAMOTO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSELITA M. ABELEDA
DEMETRIO J. AGUILA III
TODD J. ALAN
TALIB Y. ALI
PATRICK F. ALLAN
JAY R. ALLEN
MICHAEL D. ALMALEH
KURT W. ANDREASON
JASON G. ARNOLD
MATTHEW J. AUNGST
KERI A. BAACKE
JOSE E. BARRERA
STEVEN M. BAUGHMAN
VIKHYAT S. BEBARTA
JOHN A. BENSON
JAMES E. BERMUDEZ
JOHN N. BERRY
ANTHONY I. BEUTLER
CHRISTOPHER T. BIRD
JUSTIN B. BOGE
KEVIN J. BOHNSACK
MICHAEL I. BOND
ERIC C. BURDGE
JEREMY W. CANNON
KYLE L. CARTER
MICHAEL T. CHARLTON
STEPHEN R. CHEN
JERRY M. CLINE
SAMUEL G. CLOUD
JAMES C. CONNAUGHTON
ROBERT W. CRAIGGRAY
MIKI M. CRANE
PAUL F. CRAWFORD, JR.
PETER G. CRAWLEY
ERIC P. CRITCHLEY
SCOTT M. CUMMIS
JEAN F. CYRIAQUE
MICHAEL R. DAVIS
ANTONIO J. DELGADO
BRIAN L. DELMONACO
ALAN J. DELOSSANTOS
JAMES A. DOMBROWSKI
KELLY L. DORENKOTT
CHRISTOPHER M. DRESS
MATTHEW D. DUNCAN
RORY C. DUNHAM
KENNETH S. EGERSTROM
MATTHEW D. FAUBION
DOUGLAS J. FEELEY
BRADLEY J. GOEKE
ROBERT GONZALEZ
JAMES A. GRAHAM
CHRISTOPHER M. GRUSSENDORF
ROBERT S. GUERZON
CHAD A. HAMILTON
CHRISTIAN T. HANLEY, JR.
RICHARD R. HARVEY
JASON T. HAYES
CHRYSTAL D. HENDERSON
BRUCE W. HESS
RACHEL A. HIGHT
ERIKA K. HILL
CHAD M. HIVNOR

MICHAEL G. HODGES
ERIC F. HOLT
BRANDON R. HORNE
DELLA L. HOWELL
CHRISTOPHER M. HUDSON
SEAN L. JERSEY
ROBERT A. JESINGER
KIMBERLY S. JOHNSON
KEVIN J. KAPS
TONY S. KIM
JEFFREY D. KUETER
MARK S. LASHELL
PAULETTE D. LASSITER
CHARLES A. LEATH III
MAXIMILIAN S. LEE
WILLIAM C. LEWIS
TREVOR D. LIM
JOHN C. LIN
JONATHAN D. LOPEZ
MANUEL A. LOPEZ
MICHAEL A. MADRID
DAVID S. MALLETTE
MELVIN J. MARQUE III
ROBERT A. MAXEY
DEAN L. MAYNARD
ROBERT C. MCDONOUGH III
STEPHEN E. MESSIER
KYLE J. MICHAELIS
ANTHONY L. MITCHELL
KRISTINA D. MONEY
JOHN V. MONTORELLO
THOMAS O. MOORE
REINALDO MORALES, JR.
MICHAEL S. MORRIS
ANGELA J. MORTLAND
EVAN B. MOSER
TERESA D. NESSELROAD
BRENDAN M. NOONE
SAMIA A. OCHIA
ADEDAYO ODUNSI
SAMUEL T. OLATUNBOSUN
SYLVIA L. PARRA
MICHAEL A. PECK
CLIFFORD M. PEREZ
MICHAEL C. PETRO
THEODORE W. POPE
JENNIFER L. RAVENSCROFT
STEPHEN S. REICH
JOSEPH R. RICHARDS
TIMOTHY A. RICHTER
GREGORY A. RIDDLE
MATTHEW K. RIEDESEL
KISMET T. ROBERTS
JAMES B. SAMPSON
ANDRE G. SARMIENTO
CECELIA E. SCHMALBACH
GREGORY A. SCHNERINGER
NEIL L. SCHWIMLEY
ZAIGA K. SEARS
ROBERT M. SHIDELER
RICHARD A. SORENSEN
RENEE V. SPITZER
DAVID L. STEINHISER II
MATTHEW R. TALARCZYK
PERLITA K. TAM
LINDA P. THOMAS
JEFFERSON R. THURLBY
THOMAS J. TOFFOLI
RAJESH TULI
GALE T. TUPER, JR.
KREANGKAI TYREE
MELISSA M. TYREE
CEASAR A. VALLE
CHRISTOPHER S. WALKER
GRAHAM W. WALLACE
STEVEN R. WARD
JOHN C. WESKE
MARIE J. WESTPHAL
STEVEN E. WHITMARSH
JAMES F. WIEDENHOEFER
CAROLYN A. WILD
JON P. WINKLER
JOHN R. WITHEROW
RAMON YAMBOARIAS
GABRIEL ZIMMERER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

THOMAS J. BAUER
GREGORY BELL
RHETT B. CASPER
JAMES K. CULLEN
JULIE C. DAMBLY
MICHAEL W. DUERS
RORY B. FREDERICK
SCOTT F. GRUWELL
MICHAEL L. HETSKO
PAULA K. HOANG
MATTHEW M. HUFFAKER
BETH L. JABLONOWSKI
THEODORE M. JACKSON
JOANNA B. JAMINSKA
NEAL B. JONES
JINYOUNG KIM
MISUKE KIM
MARCUS P. KROPF
BRENDAN M. LANE
WENDY D. LOBRE
AMBER M. MACIAS
BLAKE E. MOORE
VARUN K. NARULA
ALAN K. NEAL
PATRICK B. PARSONS
JAMES M. PIPER II
CHRISTOPHER L. PODLIN
ALLEN M. PRATT
THASANAI ROONGRUANGPHOL
STEVEN J. SCHMOLDT
ERIN M. SPEIER
BRADSHAW M. STOUT
MARK A. VANZANT
BRENT J. WALDMAN
STERLING J. WHIPPLE
AARON J. WHITE
ANDREW P. WIGHTMAN
JAESUK YOO
JAMES M. YOUNG
STACEY E. ZAIKOSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

AMANDA J. ADAMS
JOSE C. AGUIRRE
ANGELA M. ALBRECHT
ERIC M. ALCARAZ
DOUGLAS R. ALFAR
JENNIFER A. ALFAR
JACOB A. ALLGOOD
DARIN K. ALLRED
WILLIAM T. ALLRED
JOSHUA P. ALPERS
BRENDAN C. ANZALONE
DAVID A. APPEL
KAREN L. ARNOLD
BLAINE T. BAFUS
BRUCE R. BALL
ADAM G. BALLS
HEATHER M. BARBIER
AMY A. BARNES
BRENT B. BARNSTUBLE
TRAVIS C. BATTS
SARA J. BECKER
RHODORA J. BECKINGER
SHELLY F. BEHLEN
CLAYNE BENSON
ALEXANDER L. BINGCANG
SCOTT L. BLEAZARD
CHRISTA B. BLECHER
JEFFERY J. BLONSKY
KORY R. BODILY
MATTHEW R. BORGMEYER
HIMABINDU BORRA
RICHARD K. BOWES
JASON D. BOYD
TRACY K. BOZUNG
RUTH BRENNER
CASSANDRA M. BRESNAHAN
TIMOTHY M. BRESNAHAN
HEATHER M. BRIGHTHOFFMEYER
AARON S. BROCKBANK
TYSON C. BROWN
WILLIAM E. BROWN
CHRISTOPHER W. BUNT
JEFFREY S. BURBIDGE
STEVEN K. BURKHEAD
NEAL C. BUSK
LORI A. CALOIA
CHAD C. CARTER
DANIELLE J. CERMAK
ANDREW C. CHA
JONATHAN C. CHANG
WENDY CHAO
SPENCER C. CHECKETTS
MARCELLA L. CHERRY
JENNY CHOU
DONALD S. CHRISTMAN
JARED G. CLAY
GREGORY C. CLIMACO
BRIAN T. COCKE
CHARLES B. COFFMAN
JASON M. COGDILL
ADAM J. COLE
ANGELIQUE N. COLLAMER
MARIA A. CONLEY
CHAD E. CONNOR
WENDY I. CONWAY
CHANTAL COUSINEAUKRIEGER
CARLTON J. COVEY
CRISTALLE A. COX
KEVIN M. CRAWFORD
TERESA A. CRUTCHLEY
JULIA CUERVO
EDITH M. CULLEN
JOHN R. CUNNINGHAM
BRANDON J. CUTLER
DERRICK R. DARNSTEADT
BETHANY J. DERHODES
JOSEPHINE DEGUZMAN
DILLARD L. DEHART III
CHRISTIAN A. DEVAUX
STEFANI L. DIEDRICH
DOUGLAS M. DOWNEY
JAMES T. DUNLAP
JENNIFER E. DUNLAVY
MEGAN E. DURHAM
ANDREW B. EBERT
LANCE D. EDMONDS
BRIAN C. EPPRIGHT
MATTHEW R. ESKRIDGE
NATHAN R. EVANS
KRISTIN E. EVEARITT
SARAH A. FACKLER
ELEANOR C. FAHERTY
ROBERT J. FELIX
BRIAN M. FITZGERALD
JASON A. FOLTZ
JONATHAN R. FUNK
BRUCE J. GARDNER II
TOBY J. GENRICH
CHRISTOPHER B. GERLACH
GEORGE R. GIBSON III
KELLY GIDUSKO
THOMAS O. GIFFORD
SEAN C. GLASGOW
KRISTEN R. GLASS
BRIAN B. GLODT
CRAIG A. GOOLSBY
DANIEL W. GOWDER
IAN D. GREGORY
JOHN T. HARDY
BRANDE M. HARRIS
JAMES C. HARTLEY
JOSHUA A. HARTMAN
MATTHEW S. HAYES
BRIAN B. HEARN
KERMIT G. HELO III
SARAH J. HENNEMANN
ANTONIO J. HERNANDEZ
BERNARD A. HILDEBRAND, JR.
JESSICA D. HILDEBRAND
RYAN C. HILL
KIRK S. HINKLEY IV
MATTHEW C. HOLLANDER
ROBIN A. HOLZER
GREGORY H. HOUGH
BORISLAV HRISTOV
MARK W. HUBBELL
DAVID J. HUME
JOSEPH A. HUSEMAN II
STEVEN M. INDRA
BRENT IZU
MATTHEW A. JANIGA
BRADLEY W. JOHNSON
SCOTT R. JOHNSON
JOSHUA R. JOHNSTON
CHRISTOPHER E. JONAS
CATHIE T. JONES
EVAN M. JONES
GREGORY P. JONES
JOY K. JONES
NEIL D. JONES
KEVIN P. JUOZAPAVICIUS
PAUL D. KARTCHNER
MARTIN P. KASZUBOWSKI
KATHLEEN M. KATARIYA
CHRISTOPHER KEIRNS
PATRICK L. KELLER
BERNARD J. KELLEY
JASON A. KELLY
KARIN E. KEMP
STACEE M. KESSINGER
SAMUEL J. KJOME
ADAM C. KOERTNER
CHRISTOPHER M. KOLLY
JASON A. KOSKINEN
MICHAEL J. KRIER
KRAIG A. KRISTOF
KIMBERLYANN M. KROSS
JUAN C. LACAYO
MARY K. LAFFERTY
CHRISTOPHER K. LAWLER
EDGAR L. LECLAIRE
CHRISTOPHER J. LINBERG
BRETT E. LINCK
CHRISTOPHER J. LINCOSKI
NATHAN J. LINSTROM
JASON K. LOWRY
BRENDAN P. LUCEY
LAURIE L. MARBAS
MICHELLE MARINO
DOUGLAS M. MARTIN
SEAN P. MARTIN
LESLIE D. MATESICK
DEREK M. MATHESON
TARA C. MAURO
JOHN J. MAXEY
TIMOTHY J. MCDONALD
BRADLEY A. MCGREGOR
RYAN C. MCHUGH
NECIA M. MCREE
SAMUEL M. MEDARIS
JOHN N. MELANDER
DAVID C. MILLER
CHRISTINE A. MIRABAL
JAMES D. MITCHELL
OKENY D. MODI
BENJAMIN MONSON
KEITH A. MONTGOMERY
GLENVILLE G. MORTON
ANDREW E. MUCK
LEIGH A. MUELLER
MICHAEL W. MUNAGIAN
RANDY M. NAIDOO
STEFANIE M. NANCE
KELLY E. NATION
MOLLY J. NELSEN
SUZIE C. NELSON
CRAIG L. NERBY
ADAKU N. NJOKU
CATHERINE E. NOBLE
CADE M. NYLUND
DANIEL T. OCONNOR
DAVID M. OLDHAM
MICHELLE M. OLDS
DARON E. OLMSTED
MICHAEL P. OREJUDOS
LEE F. OZAETA
CASEY L. PARINI
STEPHEN M. PAULSON
EMILY N. PAVLIK
HEATHER R. PECK
PETER P. PELLEGRINO
JASON M. PFLUKE
REBECCA A. PIOTROWSKI
MARK I. POGEMILLER

BHARATH POLA
DAMIEN C. POWELL
JOHN W. POWELL
VIDHYA PRAKASH
KELLY A. PRICE
SHAY L. PRICE
CHAD A. PRIOR
FRANCISCO J. RAMIREZ
BENJAMIN L. RAWSON
JOEL A. REYES
ELIZABETH M. REYNOSO
ERIK J. RICHARDSON
MICHAEL J. RIGGALL
RICHARD J. ROBINS
DAVID M. ROSS II
VANCE M. ROTHMEYER
NAPOLEON P. ROUX III
AARON M. RUBIN
MICHAEL A. SACCOCCI
BRIAN S. SAKAMOTO
MEREDITH A. SARDA
MICHAEL R. SAVONA
MATTHEW R. SCHMITZ
FAYE B. SERKIN
JENNIFER A. SEXTON
RYAN C. SHEFFIELD
JEREMY M. SIKORA
KAREN SKY
CHRISTINE A. SMETANA
JESSICA K. SMYTH
DUSTIN M. SNELLING
CHARLES J. SNOW
MARCUS S. SNYDER
MALCOLM J. SOLLEY
ELIZABETH L. SOMSEL
SAMUEL A. SPEAR
JAMES T. STEEN
DANIEL A. STEIGELMAN
ALLEN I. STERING
GREGORY M. STROUP
TERESA L. STUMP
BRYAN D. SZALWINSKI
KENJI L. TAKANO
TRAVIS C. TAYLOR
SHANNA C. TENCLAY
KAROLYN M. TEUFEL
WILLIAM TOTH
DONALD J. TRAVER
PHUONG C. TRUONG
VIRGINIA A. UNDERWOOD
JENNIFER S. VANNESS
KENNETH W. VAWTER
MARK VISHNEPOLSKY
TIM N. VU
ALICIA T. WAITS
BRIAN M. WATERS
JASON M. WEBB
LISA M. WEEKS
JACOB M. WESSLER
ROBB J. WIEGAND
SAMANTHA L. WIEGAND
NED L. WILLIAMS
PETER M. WILLIAMS
SCOTT A. WILTZ
VANESSA W. WONG
CURTIS J. WOZNIAK
STEPHANIE M. WRIGHT
FI A. YI
SANDY K. YIP
ALBERT S. YU
PHILIP Y. ZHUO
DON L. ZUST, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

To be lieutenant commander

GREGORY G. GALYO
OLIVER C. MINIMO

CONFIRMATIONS

Executive nominations confirmed by the Senate, Tuesday, March 10, 2009:

EXECUTIVE OFFICE OF THE PRESIDENT

AUSTAN DEAN GOOLSBEE, OF ILLINOIS, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

CECILIA ELENA ROUSE, OF CALIFORNIA, TO BE MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

SENSE OF HOUSE REGARDING NATIONAL SCHOOL BREAKFAST PROGRAM

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, H. Res. 210 seeks to express the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance. I salute my colleague, Rep. MOORE from Wisconsin, in her efforts to promote the National School Breakfast Program, and to recognize the positive impact that it has on our students. I urge my colleagues to support this important resolution.

It has often been said that the children are our future. As Members of Congress and adults, we must do all that we can to provide their well-being, safety, and excellence in school.

A former U.S. Surgeon General once articulated, ''This is expensive stupidity . . . trying to educate children with half starved bodies.'' While educators, parents and policymakers generally agree that children need breakfast in order to learn, function and grow, the nation still has a ways to go to insure that all needy and at-risk children receive a daily school breakfast. While nearly 100,000 individual schools across the country offer a school lunch, more than 15,000 of them still do not make breakfast available to children who are in need. In some states, only 50–60% of the schools serving students lunch also provide them with a breakfast to start the day.

We must endorse programs aimed to enhance the educational welfare of our children. As President Obama recently stated in his first address to a joint session of Congress, ''These education policies will open the doors of opportunity for our children. But it is up to us to ensure they walk through them.''

Beginning over twenty years ago, and continuing today, scholarly research has established that the School Breakfast Program significantly improves the cognitive abilities and learning capacities of children. Matched controlled studies, for example, indicate that low-income children who receive school breakfasts do significantly better on a variety of indicators than low-income peers who go without breakfasts. Notably, the better outcomes associated with school breakfast include both educational preparedness (attendance, energy, alertness, memory) and educational outcome measures (math scores, grades, reading ability).

When a child misses even one meal, let alone experiences chronic food shortages, impairments occur whether they are lethargy and inattention, tiredness and distraction, or actual physical symptoms such as stomachaches and headaches. The research from the United States Department of Agriculture shows that feeding children breakfast in school helps to prevent these adverse outcomes. Children getting breakfast at school also are sick less often, have fewer problems associated with hunger, such as dizziness, stomachaches and ear aches, and do significantly better than their peers who do not get a school breakfast in terms of cooperation, discipline and interpersonal behaviors.

Mr. Speaker, our failure to fully utilize the School Breakfast Program has substantial costs, costs that greatly reduce the return on educational investment in communities and states across the nation. Moreover, longer-term costs also are borne by young children who arrive at school unable to fully participate in the educational process due to lack of adequate nutrition.

We, as Members of Congress, cannot allow for a matter such as child hunger, which we as Congress can help eradicate, to act as an impediment to the education of our children. President Obama articulated very fittingly, that ''in a global economy where the most valuable skill you can sell is your knowledge, a good education is no longer just a pathway to opportunity—it is a pre-requisite.''

Mr. Speaker, I urge my colleagues to support H. Res. 210, expressing the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance, because the School Breakfast Program represents a key way to protect these children and to get a better return on educational investments as well.

FEDERAL LAND ASSISTANCE, MANAGEMENT, AND ENHANCEMENT (FLAME) ACT

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. RAHALL. Madam Speaker, today I am introducing the Federal Land Assistance, Management and Enhancement Act, or the FLAME Act.

Last year, our country experienced the devastating effects of catastrophic, emergency wildland fires in California. For the past several years, we have witnessed tragic fire seasons that have put American lives and our treasured public lands in harm's way. Fire seasons are getting longer and more intense due to climate change, drought, and other factors.

As a result, federal fire suppression spending has increased substantially over the past 10 years and projections appear to indicate that this trend will continue into the foreseeable future.

The dramatic rise in these costs is eroding other non-fire programs and impacting the core mission of the Federal land management agencies. In the case of the Forest Service, for example, wildland fire suppression activities now account for approximately 48 percent of its budget. This creates a sad trend: our Forest Service is turning into the Fire Service.

Furthermore, both the Forest Service and the Department of the Interior have had to ''Rob Peter to Pay Paul'' by borrowing funds from other agency accounts to cover the escalating costs of wildland fire suppression. In 2007, for example, the Forest Service spent $741 million more than was budgeted for wildland fire suppression, and the Department of the Interior spent $249 million more than was budgeted for wildland fire suppression. And in the case of the Forest Service, the costs of catastrophic, emergency wildland fire suppression activities account for the vast majority of suppression expenditures, as two percent of fires account for 80 percent of costs.

Madam Speaker, it is clear that something needs to be done to resolve this problem. That is why today I am reintroducing the FLAME Act.

The FLAME Act establishes a federal FLAME fund for catastrophic, emergency wildland fire suppression activities. The Secretary of Agriculture and the Secretary of the Interior may declare catastrophic, emergency wildland fire suppression activities eligible for the FLAME fund by issuing a Suppression Emergency Declaration. The declaration will evaluate the size, severity, and threat of the individual wildland fire incident.

The FLAME Act continues our stewardship of all lands by making funds available for catastrophic, emergency wildland fire suppression activities on State and private land consistent with existing agreements. Funds will also be available for catastrophic, emergency wildland fire suppression on Indian lands.

The FLAME Act also requires that the Secretary of Agriculture and the Secretary of the Interior submit a long-overdue report to Congress containing a cohesive wildland fire management strategy. This report will improve efforts to prevent fires on our public lands, by addressing critical fire prevention issues such as indentifying a system for assessing the level of fire risk to communities, and indentifying a system to ensure that the highest priority fuels reduction projects are being funded first.

Last Congress, we worked to ensure House-passage of the FLAME Act. The bill drew support from the five former living Chiefs of the Forest Service, over 40 different organizations, 56 Members of Congress, and the Speaker of the House. However, the Senate did not act upon the measure. This Congress, I am pleased that Senate Energy and Natural Resources Committee Chairman JEFF BINGAMAN and Ranking Member LISA MURKOWSKI will be introducing the Senate companion measure to the FLAME Act. I look forward to working with our colleagues in the other body to ensure enactment of this important legislation in the 111th Congress.

Madam Speaker, I am pleased that President Obama has indicated that he is supportive of working together on this issue. I thank him for his leadership on this issue by addressing it in his Fiscal Year 2010 budget.

I also will be working with the esteemed Chairman of the Committee on the Budget, Chairman JOHN SPRATT, to include language in the Budget Resolution to support the FLAME Act.

Madam Speaker, catastrophic, emergency wildland fires can cause tragic loss of life and property. I am proud to be joined in introducing the FLAME Act today by my colleagues Rep. NORM DICKS, Rep. RAÚL GRIJALVA, Rep. MIKE SIMPSON, Rep. GREG WALDEN, and Senators JEFF BINGAMAN and LISA MURKOWSKI In the other body. I look forward to working together towards enactment this Congress to ensure that our country has the necessary tools to combat catastrophic, emergency wildland fires.

EARMARK DECLARATION

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. MACK. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding funding that my district received as part of the Omnibus Appropriations Act of 2009 (H.R. 1105).

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Cooperative State Research Education and Extension Service, SRG

Legal Name of Requesting Entity: University of Florida Institute of Food and Agricultural Sciences

Address of Requesting Entity: 700 Experiment Station Red, Lake Alford, Florida 33850

Description of Project: This project will continue vital citrus canker and greening research.

Amount: $1,217,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: United States Army Corps of Engineers, Construction

Legal Name of Requesting Entity: Lee County, FL

Address of Requesting Entity: P.O. Box 398, Fort Myers, FL 33902

Legal Name of Entity Receiving Funds: United States Army Corps of Engineers

Address of Entity Receiving Funds: 441 G Street, NW., Washington, DC 20314

Description of Request: The requested funding will be utilized for reimbursement for beach renourishment for the Gasparilla Segment in Lee County, Florida.

Amount: $191,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: United States Army Corps of Engineers, O&M

Legal Name of Requesting Entity: West Coast Inland Navigation District

Address of Requesting Entity: 200 East Miami Avenue, Venice, FL 34285

Legal Name of Entity Receiving Funds: United States Army Corps of Engineers

Address of Entity Receiving Funds: 441 G Street, NW., Washington, DC 20314

Description of Request: This funding will be utilized for maintenance dredging along the Gulf Intracoastal Waterway in Lee County, Sarasota County, and Manatee County, Florida.

Amount: $2,076,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: United States Army Corps of Engineers, O&M

Legal Name of Requesting Entity: Collier County, FL

Address of Requesting Entity: 3301 East Tamiami Trail, Naples, FL 34112

Legal Name of Entity Receiving Funds: United States Army Corps of Engineers

Address of Entity Receiving Funds: 441 G Street, NW., Washington, DC 20314

Description of Request: This funding will be utilized for dredging the Gordon River Pass in Collier County, Florida. The dredging is necessary because shoaling has diminished the water depth in the channel.

Amount: $597,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Department of Justice, OJP-Byrne Discretionary Grants

Legal Name of Requesting Entity: Florida Gulf Coast University

Address of Requesting Entity: 10501 FGCU Blvd., S., Fort Myers, Florida 33965

Description of Request: This funding will be utilized for the development of tools for training and processing crime scenes for use by law enforcement and public safety officials. This work will be done at the Florida Gulf Coast University in its Law Enforcement and Public Safety department.

Amount: $150,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Department of Justice, COPS Law Enforcement Technology

Legal Name of Requesting Entity: Collier County, Florida

Address of Requesting Entity: 3301 East Tamiami Trail, Naples, Florida 34112

Description of Request: The funding will be utilized for the acquisition of public safety technology equipment for the Collier County Emergency Services Center. The funding is important because it will help to better equip Collier County's emergency service providers to respond to events that could endanger the safety of the citizens of Collier County, Florida.

Amount: $350,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Environmental Protection Agency, STAG Water and Wastewater Infrastructure Project

Legal Name of Requesting Entity: Lee County, Florida

Address of Requesting Entity: P.O. Box 398, Ft. Myers, Florida 33902

Description of Request: The requested funding will be utilized for water and sewer system improvements in Lee County, Florida. The project will help to ensure that Lee County's water and sewer system is environmentally sound and provides the highest level of safety and service to the people of Lee County.

Amount: $275,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Department of Education, Higher Education

Legal Name of Requesting Entity: Florida Gulf Coast University

Address of Requesting Entity: 10501 FGCU Blvd, S., Fort Myers, Florida 33965

Description of Request: The requested funding will be utilized by the Florida Gulf Coast University in order to conduct a study of how coastal watersheds respond to changing freshwater flow.

Amount: $333,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Department of Transportation, Buses and Bus Facilities

Legal Name of Requesting Entity: Lee County Transit (LeeTran)

Address of Requesting Entity: 6035 Landing View Road, Fort Myers, Florida 33907

Description of Request: The requested funding will be utilized to purchase new buses and replace existing buses in LeeTran's fleet. Buses stand as an important mode of transportation for a large number of citizens in Lee County. As a result, this funding will help LeeTran to better accommodate the crucial need for reliable and environmentally clean mass transit in Lee County, Florida.

Amount: $475,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Department of Transportation, Transportation, Community, and System Preservation

Legal Name of Requesting Entity: Collier County, FL

Address of Requesting Entity: 3301 East Tamiami Trail, Naples, FL 34112

Legal Name of Entity Receiving Funds: Florida Department of Transportation

Address of Entity Receiving Funds: 605 Suwannee Street, Tallahassee, Florida 32399

Description of Request: The requested funding will be utilized to improve Interstate 75/Collier Boulevard/SR 84 in Collier County, Florida. The improvements are necessary to help this important stretch of road meet the requirements necessary to fulfill the regions commercial and transport needs.

Amount: $570,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Department of Transportation, Transportation, Community, and System Preservation

Legal Name of Requesting Entity: Charlotte County, FL

Address of Requesting Entity: 18500 Murdock Circle, Suite 536, Port Charlotte, FL 33948

Legal Name of Entity Receiving Funds: Florida Department of Transportation

Address of Entity Receiving Funds: 605 Suwannee Street, Tallahassee, Florida 32399

Description of Request: The requested funding will be utilized for design and expansion of the Burnt Store Road to a four-lane divided arterial with shoulders to enhance the overall safety of the road. Burnt Store Road is a very important transportation artery that doubles as an evacuation route.

Amount: $380,000

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 1105

Account: Economic Development Initiatives

Legal Name of Requesting Entity: The Trust for Thomas Edison & Henry Ford Winter Estates, Inc.

Address of Requesting Entity: 2350 McGregor Boulevard, Fort Myers, Florida 33901

Description of Request: The requested funding will be utilized for the restoration of the Edison and Ford Estates research laboratory.

Amount: $142,500

IN RECOGNITION OF SOCCER TEAM AT URSULINE ACADEMY OF DALLAS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SESSIONS. Madam Speaker, I rise today to proudly recognize the soccer team at Ursuline Academy of Dallas on winning the prestigious TAPPS 5A State Championship title for the 19th consecutive year.

At the Mata Stadium in San Antonio, Ursuline and Nolan Catholic High School of Fort Worth battled for the State Championship title for the eighth consecutive year. In this final game, Ursuline successfully defended its title with a score of 2 to 1. Both goals were scored in the first half by Sophie Campise. Led by Head Coach Jamie Cantrell, these young ladies committed themselves to a tradition of winning and dedicated countless hours practicing to hone their ability to perform as a team. This prestigious title of State Champion speaks loudly of their discipline and hard work.

Madam Speaker, I ask my colleagues to join me in expressing our heartiest congratulations to the members of the soccer team for their well deserved victory. I wish them all the best in their future endeavors.

PERSONAL EXPLANATION

HON. RON KLEIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. KLEIN of Florida. Madam Speaker, I rise today to submit how I would have voted on March 9, 2009, when I was tending to a family commitment, for which the timing was not flexible.

Had I voted, I would have voted "yes" on rollcall No. 110; "yes" on rollcall No. 111; "yes" on rollcall No. 111.

IN CELEBRATION OF EBBY HALLIDAY'S 98TH BIRTHDAY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SESSIONS. Madam Speaker, I rise today to honor a true Dallas icon and a legendary woman that has changed the real estate industry, Ebby Halliday Acers. She celebrates her ninety-eighth birthday on March 9th.

Ebby first arrived in Dallas in 1938 and soon after owned and ran her own boutique called Ebby's Hats. After being approached by a developer in 1945, Ebby went from selling hats to selling houses. Together with her beloved husband, Maurice Acers, Ebby Halliday Realtors was founded. The company's inventory began with fifty-two houses on the old Walnut Hill Golf Course in North Dallas, but has steadily grown year after year into one of the most successful and widely recognized real estate firms in the country. Aside from her entrepreneurial spirit, her success can be attributed to the great care and attention she gives to her employees and agents as well as her buyers. This personal touch includes nurturing talent as well as meeting with new employees, making them feel welcomed. Over the course of her career she has received numerous awards such as the Horatio Alger Award in 2005 and the Visionary Award from Foundation Fighting Blindness and the Linz Award in 2008.

Aside from her professional achievements, Ebby is also known for her philanthropic spirit. She has generously given of her time and effort in addition to monetary contributions. Many nonprofit organizations and causes such as St. Paul Medical Center, United Way of Metropolitan Dallas and the Communities Foundation of Texas have benefitted greatly from her love for and dedication to her community. There is no doubt that the great City of Dallas is a better place because of her.

Madam Speaker, I ask my colleagues to join me in expressing our heartiest congratulations to Ebby as she celebrates her ninety-eighth birthday. I wish Ebby many more years of health, happiness, and prosperity. May we all strive to have the same generosity and dedication that she exemplifies.

RECOGNIZING THE STATE NEWS FOR 100 YEARS OF EXCELLENCE IN JOURNALISM

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. ROGERS of Michigan. Madam Speaker, today I rise to pay tribute to the State News at Michigan State University as they celebrate their 100th anniversary.

The State News was founded in 1909 as the Holcad in order to defend the Michigan Agricultural College against a series of articles and critical remarks published in the Lansing Journal. In 1925, as the Michigan Agricultural College changed its name to Michigan State College, the Holcad became the Michigan State News. In 1971, the State News became a 501(c)3 organization, run independently of the university.

Each year, the State News employs hundreds of students, training them in the areas of reporting, photography, design, and advertising that are critical to a career in journalism. Throughout its 100 years, the State News has served as a way for students to connect to each other on campus, voice opinions, and act as a watchdog for the East Lansing community.

Madam Speaker, a commitment to journalism is the foundation for creating a more informed citizen body. I wish to extend my gratitude to The State News for its achievements, and I ask my colleagues to join me in recognizing its 100 years in serving the East Lansing community as a successful student-run newspaper.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately on Friday March 6, 2009, I was unable to cast my votes on Approving the Journal, the Motion to Recommit on H.J. Res. 38, and H.J. Res. 38 and wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 107, on Approving the Journal, I would have voted "aye".

Had I been present for rollcall No. 108, on the Motion to Recommit on H.J. Res. 38, the Continuing Resolution, extending it through the end of Fiscal Year 2009, I would have voted "aye".

Had I been present for rollcall No. 109, on passing H.J. Res. 38, the Continuing Resolution through March 11, 2009, I would have voted "nay". It is high time we buckled down and got our work done in a timely fashion and in an open and transparent process. This Omnibus Appropriations bill is long overdue, but at the same time we should not be throwing a bill on the House floor that has been cobbled together by a select few Democrats behind closed doors. The result is what we witnessed in the Senate where it could not pass by the time the current CR expired and the need arose to pass another short term CR through March 11, 2009. This process needs reform and it is my hope that the FY2010 Appropriations process will move under regular order and by the start of the new fiscal year on October 1, 2009.

IN RECOGNITION OF J.L. LONG MIDDLE SCHOOL CELEBRATING ITS 75TH ANNIVERSARY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SESSIONS. Madam Speaker, I rise today to honor J.L. Long Middle School in Dallas, Texas which will be celebrating its 75th anniversary on April 2, 2009.

Initially established as the second junior high school in Dallas, J.L. Long first opened its doors to 550 students in 1933. Over the course of its history, this school has educated thousands of bright young minds, providing them with a firm foundation for success. In 2006, its student body expanded to include sixth graders. The J.L. Long science team was named state champion in the 2005–2006 and 2006–2007 school years while the math team consistently placed in the top six in the state for the past several years. Aside from its many academic accomplishments, J.L. Long Middle School boasts an impressive history and record of parental involvement. The Works

Progress Administration (WPA) Depression Mural by Olin Travis is proudly displayed in their library and in 2004 the school was designated as a Dallas Historical Landmark. The PTA Board has been recognized for generously contributing over 8,500 volunteer service hours. J.L. Long Middle School's commitment to education and character building will help these individuals grow up to become mature, responsible citizens and our next generation of great leaders.

Madam Speaker, I ask my colleagues to join me in congratulating J.L. Long Middle on seventy five years of academic achievement. I wish them many more years of success.

HONORING THE ADRIAN COLLEGE ON THEIR SESQUICENTENNIAL CELEBRATION

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor today Adrian College on the occasion of their Sesquicentennial Celebration. Adrian College evolved from a theological institute founded by the Wesleyan Methodist denomination in 1845.

On March 28, 1859, Adrian College was chartered by the Michigan legislature as a degree-granting institution with Dr. Asa Mahan as its first President. For almost 100 years, the campus consisted of several brick buildings stretching along Madison Street. In the mid-1950s, the College, encouraged by the generosity of Ray W. Herrick, embarked in a building program that established the basis for the current campus. Today, when students walk in the area bounded on the east by Madison Street and edged by Downs Hall, North Hall, Cornelius House and Herrick Tower, they tread on the same ground that students hurried across in 1859.

In an era of many constant challenges that face our daily lives, the tireless efforts of educational institutions like this one, help to make our community, state and country an outstanding place to learn, live and work. It is with deep appreciation of the significance of this milestone that I commend Adrian College on the occasion of their Sesquicentennial Celebration.

HONORING THE DIVINE PERFORMING ARTS GROUP FOR THEIR EFFORTS TO BRING A MESSAGE OF HOPE AND COURAGE TO AUGUSTA, GEORGIA

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. BROUN of Georgia. Madam Speaker, As a medical doctor, I can tell you without any doubt that music and the arts have routinely proven to have a positive psychological affect on those with low spirits. All through history we have seen the use of music and dance lift hearts and minds. During the American Revolution and Civil War, music was a way of forgetting the horrors of war. During enslavement, African Americans sang spirituals to give each other hope. And during the Great Depression, there were always music and dance shows to lift the spirits of the ''Forgotten Man.''

Now, in the great city of Augusta, Georgia, the Divine Performing Arts will be displaying their ''amazing'', ''magnificent'', and ''spectacular'' abilities on stage. This group of world-class performers will be presenting the beauty of traditional Chinese art as their way of fighting ''against the negative impacts of the current economic situation and its consequences in the Augusta area.''

As many cities across the world have already witnessed, these performers bring a message of kindness, compassion, and courage, while rousing viewers to help the downtrodden in their community. Certainly, these themes are inspirational and benefit all of the communities that they have visited.

Madam Speaker, I encourage my colleagues to join me in both welcoming and applauding the Divine Performing Arts group to ''The Garden City''. They have shown past success in breaking down cultural barriers, and I hope my constituents in Augusta take the time to appreciate this special performance.

HONORING THE ADRIAN DOMINICAN SISTERS ON THEIR 125TH ANNIVERSARY

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor today the Adrian Dominican Sisters on the occasion of their 125th Anniversary. The Adrian Dominican Sisters are a Roman Catholic Congregation of more than 850 vowed religious women who trace their heritage to St. Dominic in the 13th century. Also serving with them are around 195 associates, non-vowed men and women who are committed to sharing in their mission and vision.

They minister in 31 states, the District of Columbia, the Commonwealth of Puerto Rico, and in the nations of Canada, the Dominican Republic, Italy and Swaziland.

The Adrian Dominican Sisters serve in a variety of ministries depending on the needs of the people to whom they are sent. They also sponsor numerous schools, hospitals, retreat centers and a variety of many other businesses and institutions.

The weekend of May 15th through the 17th of 2009 will mark the 125th Anniversary of the Adrian Dominican Sisters' establishment of their permanent presence in the city of Adrian, Michigan. It is with deep appreciation of the significance of this milestone that I commend the Adrian Dominican Sisters on the occasion of their 125th Anniversary.

NORTHWEST INDIANA BUSINESS AND INDUSTRY HALL OF FAME CLASS OF 2009

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. VISCLOSKY. Madam Speaker, it is with deep respect and admiration that I rise to commend five exceptional business leaders from Northwest Indiana who will be honored as the Northwest Indiana Business and Industry Hall of Fame's class of 2009. Created by The Times and BusINess magazine, induction into the Indiana Business and Industry Hall of Fame is determined by a panel of local civic and business leaders. While there were many deserving nominees, the individuals selected as the 2009 Indiana Business and Industry Hall of Fame inductees are: Calvin Bellamy, Don Burrell, Bruce Leetz, Cynthia Powers, and Burton Ruby. For their many contributions to the enhancement of Northwest Indiana, these honorees will be recognized at a ceremony taking place at the Radisson Hotel at Star Plaza in Merrillville, Indiana, on Thursday, March 12, 2009.

Cal Bellamy is the former president and chief executive officer of the former Bank Calumet, where he worked for an astonishing thirty-one years. Having served as Bank Calumet's CEO for twenty-four of those years, Cal made a lasting impression on the Northwest Indiana community through his immense dedication to many worthwhile causes. Now an attorney with Krieg DeVault LLC, where he specializes in financial planning, Cal has continued to champion the needs of his community. From working to improve schools to working to develop small businesses and affordable housing, Cal has led the charge toward bettering the quality of life in Northwest Indiana.

Don Burrell is the founder and President of Burrell Color Imaging in Crown Point, Indiana. Don, having gotten his start in the business world with a few hundred dollars he obtained from the sale of his car, truly understands what hard work and perseverance can attain. This is why a key aspect of his business strategy is to respect his employees and allow them to advance to their full potential. While his business has been very successful, it is Don's commitment to those most in need that is most commendable. Throughout the years, Don's staunch support for the Burrell Cancer Institute at Saint Anthony's Medical Center and the Saint Jude House women's and children's shelter has been truly remarkable.

Bruce Leetz joined North Coast Distributing in 1963 as a driver. By 1970, he was named president of the family owned business that has grown to become a multi-million-case distributor based out of Valparaiso, Indiana. Bruce's explanation for the success is the company culture, which is based on values that he has always lived by: passion, respect, integrity, commitment, and excelling, which he refers to as the PRICE of success. While other companies throughout Northwest Indiana have surely replicated this structure, it is the exemplary commitment to their community that set Bruce Leetz and North Coast Distributing apart. In 2008 alone, North Coast raised nearly $80,000 for Saint Jude Children's Research Hospital to help find a cure for childhood cancer.

Cynthia Powers is the owner of Century 21 Powers Realty, Inc. Well-respected and well-known for her success as a businesswoman in Northwest Indiana, she may be even more recognizable for her immeasurable contributions to her church and her community. As a cancer survivor, Cynthia truly understands the importance of faith, and her commitment to her church, First African Methodist Episcopal Church in Gary, can be seen in the more than twenty years she has led the youth choir. In the Northwest Indiana community, a more giving person could not be found. To name a few of her contributions, Cynthia has served as chairman and on the board of directors for the Lake Area United Way, and she has served on the board of directors for The Discovery Alliance, Tradewinds, and the Friends of Hospice of the Calumet Area.

Burton ''Bud'' Ruby, chairman of Jamar-Ruby, has spent over seventy years with the company founded by his father over ninety-three years ago. After learning the trade from the shop floor, Bud advanced in the ranks, eventually becoming president and chief executive officer in 1957. Today, at age 89, Bud remains chairman of the company, which now conducts business under the name Trans-Apparel Group. In addition to his success as a businessman, Bud knows a thing or two about serving his community; he is a World War II veteran. Locally, Bud has served the community through his service with several councils and foundations, including: the Duneland Health Council, where he serves as its chairman, and the Purdue University North Central Chancellor's Advisory Board and the Unity Foundation of LaPorte County, where he serves on each of their boards of directors. Additionally, he has been a member of Rotary International since 1939.

Madam Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding leaders on their induction into the Indiana Business and Industry Hall of Fame. These individuals are most deserving of being named the class of 2009, and for their leadership and commitment to the Northwest Indiana community, each of the recipients is worthy of our respect and admiration.

EARMARK DECLARATION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SMITH of New Jersey. Madam Speaker, I would like to submit the following earmark request:

1.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105

Account: Army Corps of Engineers—Operations and Maintenance

Legal Name of Requesting Entity: Army Corps of Engineers

Description of Request: The New Jersey Intracoastal Waterway navigation project provides a safe, reliable, and efficient navigation channel for the East Coast's largest and the 5th most valuable commercial fishing fleet in the U.S. and nine U.S. Coast Guard Stations, including the only U.S. Coast Guard enlistee training base in the U.S. Funding in the amount of $888,000 will be used to repair a critically damaged bulkhead in Point Pleasant, NJ by performing channel exams, maintenance dredging of the ferry area, Cape May Canal bank stabilization & maintenance, rehabilitation of the steel bulkhead, repairing Point Pleasant Canal Old Bridge Abutments, and maintenance dredging segment 2.

2.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105

Account: Army Corps of Engineers—Operations and Maintenance

Legal Name of Requesting Entity: Army Corps of Engineers

Description of Request: This Manasquan River, NJ project provides safe, reliable, and efficient navigation channel for the busiest inlet in NJ. Funding in the amount of $337,000 will be used to monitor the jetty, perform maintenance dredging of the entrance channel and repair retaining wall curb.

3.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105

Account: Army Corps of Engineers—Construction

Legal Name of Requesting Entity: Army Corps of Engineers

Description of Request: Funding in the amount of $957,000 will be used for the Sandy Hook to Barnegat Inlet, NJ project to continue the construction of the sand renourishment phase of Section II of this critical shore protection project, an area that extends from Belmar to Manasquan, NJ and incorporates the beaches of several coastal towns in Monmouth County, NJ. The New Jersey Department of Environmental Protection is the non-Federal sponsor of this project and will pay a third of the costs.

4.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105

Account: Army Corps of Engineers—Investigations—Feasibility Study

Legal Name of Requesting Entity: Army Corps of Engineers

Description of Request: Funding for the NJ Shoreline Alternative Long-Term Nourishment in the amount of $96,000 will be used to continue the Feasibility phase of this study. Work will continue to evaluate all of New Jersey's coastal projects, including the different reaches of beach replenishment projects, as a system to ensure maximum benefits are achieved from the Federal investment and reduce long-term periodic nourishment costs. This includes developing a regional sediment budget and an improved understanding of regional coastal processes, implementation of an efficient regional monitoring program, and development of a comprehensive beach, inlet, and borrow area management strategy. New Jersey Department of Environmental Protection is the non-Federal sponsor and will provide a 50/50 cost share.

5.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105

Account: Army Corps of Engineers—Investigations—Feasibility Study

Legal Name of Requesting Entity: Army Corps of Engineers

Description of Request: Funding in the amount of $277,000 will be used to continue the plan formulation effort for the Feasibility study to evaluate the alternative solutions to the region's problems regarding flooding along the Delaware River and tributaries will begin. The New Jersey Department of Environmental Protection is the non-Federal sponsor and will provide a 50/50 cost share.

6.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105 Account: Army Corps of Engineers—Construction—Continuing Authorities Program Section 1135

Legal Name of Requesting Entity: Army Corps of Engineers

Description of Request: Funding for the Assunpink Creek Basin, NJ will be used to implement the Project Partnership Agreement and initiate and complete the design. Funding can also be used to award the construction contract.

7.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105

Account: Army Corps of Engineers—Continuing Authorities Program—Section 205

Legal Name of Requesting Entity: Army Corps of Engineers

Description of Request: The Assunpink Creek study area is located between the flood control dam at Mercer County Park in West Windsor and the City of Trenton. Benefits from flood damage reduction projects include saving structures and contents from flood damage, the savings from alleviation of cleanup costs, and reduction of the costs of flood fighting and evacuation. The ACE will use the funding for flood plain reconnection, stream restoration, wetland creation, impervious cover removal, flood proofing and flood plain management to be the most likely alternative given the highly urbanized setting of the area.

8.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105

Account: Department of Energy EERE—Solar Energy

Legal Name of Requesting Entity: Isles, Inc.

Address of Requesting Agency: 10 Wood Street, Trenton, New Jersey 08618

Description of Request: The ''Solar and Green Retrofit'' project will house an environmental center and be a showcase for green buildings, with renovations incorporating cutting-edge, high performance environmental technology, including solar photovoltaic panels on the roof, expansive interior day lighting, and energy efficient heating and cooling systems.

Financial Plan:

Green Roof Installation $100,000

Solar Array Installation $100,000

Associated Design Fees $37,875

TOTAL $237,875

9.) Requesting Member: Rep. CHRIS SMITH

Bill Number: H.R. 1105

Account: Department of Energy EERE—Other

Legal Name of Requesting Entity: City of Trenton

Address of Requesting Agency: 319 East State Street, Trenton, New Jersey 08608

Description of Request: The city of Trenton's Green Renewable Energy Feasibility Study will use the funding in the amount of $475,000 to examine the utility of windpower and solar panel demonstration projects in Trenton, which have the potential to save the City significant fiscal resources while simultaneously realizing a positive outcome for the environment.

Financial Plan:

City Personnel $100,000

Energy Consultant $328,250

Indirect Costs $47,500

TOTAL $475,750

HONORING RICHARD M. SCHECK, MAYOR OF NORTH RIVERSIDE, ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LIPINSKI. Madam Speaker, I rise today to honor Mayor Richard M. Scheck of North Riverside, Illinois. Richard Scheck will be retiring in April after having given 20 years of dedicated public service as the mayor of North Riverside.

Richard Scheck was first elected to his post as mayor in 1989. He has garnered statewide recognition for his excellent record of financial management and achievement, effective communication with residents and businesses, and earnest work for the health and well-being of the North Riverside community. I have been honored to work with Mayor Scheck on numerous issues to help our constituents. Richard Scheck has been a true public servant, selflessly giving his time and energy to his community while also running a successful engineering company. Through his 20 years as mayor, he has made North Riverside an even better place to live.

Richard Scheck has also been very successful in his philanthropic work to raise money to fight breast cancer. Through the ''Betty Scheck Walk for Cancer,'' the ''Betty Scheck Shuffle,'' and other fundraisers, he has helped raise over $1.2 million for the American Cancer Society. And in 2007, Seguin Services—which helps children and adults with disabilities—awarded Richard Scheck the President's Award for ''his support as a community leader, a donor, an employer, a connector and as an inspiration to others.''

I ask my colleagues to join me today in recognizing the many achievements of Mayor Richard M. Scheck. It is my honor to acknowledge him for his outstanding leadership and commitment to public service in the Village of North Riverside and the Third Congressional District of Illinois.

HELP BORDER HEALTHCARE

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. FILNER. Madam Speaker, I rise today to introduce H.R. 1386, the Pay for All Your Undocumented Procedures (PAY UP!) Act of 2009. This bill will provide payments for emergency services provided to undocumented aliens.

The costs of uncompensated emergency care for undocumented immigrants are sky high and border area hospitals, physicians, and ambulance providers are choking on the costs that they have to eat. My bill, the Pay for All Your Undocumented Procedures (PAY UP!) Act of 2009, is the first step to solving this problem which is well known in border communities.

Undocumented aliens receive emergency services in a hospital and yet that hospital is not reimbursed for these services. My bill will ensure that the healthcare providers are reimbursed for the emergency services they provide.

My bill makes permanent a provision of the Medicare Modernization Act that provided payments to eligible providers for procedures for undocumented aliens. The bill authorizes $250 million a year to reimburse eligible providers for this care. Two-thirds of the funds are divided among the 50 states and the District of Columbia based on their relative percentages of undocumented aliens, the last third is divided among the 6 states with the largest number of undocumented aliens.

A PROCLAMATION HONORING THE 10TH ANNIVERSARY OF THE APPALACHIAN LEADERSHIP ACADEMY

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SPACE. Madam Speaker:

Whereas, the Appalachian Leadership Academy was formed in 1998 out of a partnership between the Institute for Local Government Administration and Rural Development at Ohio University's Voinovich Center for Leadership and Public Affairs and the Corporation for Ohio Appalachian Development; and

Whereas, the Academy is designed to help prepare middle management employees for leadership roles within their agencies and communities; and

Whereas, the Academy has graduated 170 leaders into Ohio Appalachian communities; and

Whereas, the goal of the Academy is to enhance the knowledge of the participants not only in leadership but about the Appalachian Region as a whole in order to better prepare them to use their skills in the Appalachian communities of Ohio; therefore, be it

Resolved that along with the friends, alumni of the Academy, and the residents of the 18th Congressional District, I commend the Appalachian Leadership Academy for their steadfast efforts to offer educational leadership opportunities, and congratulate them on their 10th anniversary.

PERSONAL EXPLANATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Ms. BERKLEY. Mr. Speaker, I was unable to vote on rollcall numbers 110 through 112. Had I been present, I would have voted ''aye'' on each.

IN HONOR OF TONY AND FERMIN CAMPOS; 2009 NISEI FARMERS LEAGUE AGRICULTURALISTS OF THE YEAR AWARD

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. COSTA. Madam Speaker, I rise today to pay special tribute to two brothers whose lives and pursuits have exemplified the spirit of raw determination, fortitude, entrepreneurship and virtues of citizenship demonstrated by so many of those immigrating to this great country of ours. On Thursday, March 12th 2009, Campos Brothers Farms will receive the Nisei Farmers League's 2009 Agriculturalist of the Year Award, an award given to an outstanding member of the Nisei Farmers League who has shown exceptional leadership skills, devotion, and who truly makes a valuable contribution to agriculture. Many things contribute to California's bountiful crops and the economic well-being of the state, but one significant underlying factor in California's agricultural success has been the presence of men such as Fermin and Tony Campos.

Fermin and Antonio Campos were born in Olondriz, Spain in the Province of Navarra, where they were two of nine children. Tony came to the United States in 1952 at the age of 17 as a sheepherder with Fermin arriving three years later. After five years of hard work they were proud to become U.S. Citizens beginning their American Dream. In 1957, the brothers formed their partnership known as Campos Brothers Farms. Over the years they have been active in many capacities and industries. Early they worked with sheep, later raising crops such as alfalfa, cotton, black-eye beans, raisins and grapes before beginning their endeavors with almonds. The brothers were also proud to be associated with the start of the Caruthers Raisin Packing Company where Tony served as President for five years. Both brothers were actively involved in the raisin industry serving on the Raisin Administrative Committee as well as the Raisin Bargaining Association.

In 1980, the Campos Brothers built their first almond huller. Along with their wives and children they watched the company blossom under their mutual hard labor becoming one of the most respected producers, processors, and sellers of quality almonds in the world today. Tony and Fermin have been active on the California Almond Board and its various committees. Both Tony and Fermin have been active supporters of their local FFA organization, Fresno State Agricultural Program and the California Agricultural Leadership Program. They are proud members of the Nisei Farmers League continually advocating for California Agricultural interests.

We recently lost Fermin. His passing has left a large hole in not only the family and the family business, but in agriculture in general. Agriculture indeed misses Fermin's contributions and passion. Tony continues to carry on the family tradition of pride, passion, excellence and advocacy. So I believe it very fitting today to rise before you my colleagues, to honor Fermin and Tony Campos, Nisei Farmers League's 2009 ''Agriculturalists of the Year.''

HONORING RICHARD M. SCHECK, MAYOR OF NORTH RIVERSIDE, ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LIPINSKI. Madam Speaker, I rise today to honor Mayor Richard M. Scheck of North

Riverside, Illinois. Richard Scheck will be retiring in April after having given 20 years of dedicated public service as the mayor of North Riverside.

Richard Scheck was first elected to his post as mayor in 1989. He has garnered statewide recognition for his excellent record of financial management and achievement, effective communication with residents and businesses, and earnest work for the health and wellbeing of the North Riverside community. I have been honored to work with Mayor Scheck on numerous issues to help our constituents. Richard Scheck has been a true public servant, selflessly giving his time and energy to his community while also running a successful engineering company. Through his 20 years as mayor, he has made North Riverside an even better place to live.

Richard Scheck has also been very successful in his philanthropic work to raise money to fight breast cancer. Through the ''Betty Scheck Walk for Cancer,'' the ''Betty Scheck Shuffle,'' and other fundraisers, he has helped raise over $1.2 million for the American Cancer Society. And in 2007, Seguin Services—which helps children and adults with disabilities—awarded Richard Scheck the President's Award for ''his support as a community leader, a donor, an employer, a connector and as an inspiration to others.''

I ask my colleagues to join me today in recognizing the many achievements of Mayor Richard M. Scheck. It is my honor to acknowledge him for his outstanding leadership and commitment to public service in the Village of North Riverside and the Third Congressional District of Illinois.

EARMARK DECLARATION

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LoBIONDO. Madam Speaker, as per the requirements of the Republican Conference Rules on earmarks, I secured the following earmark in H.R. 1105.

Requesting Member: Congressman FRANK LoBIONDO (NJ–02)

Bill Number: H.R. 1105

Account: Interior and Environment; Environmental Protection Agency, Environmental Programs and Management

Legal Name of Requesting Entity: National Rural Water Association

Address of Requesting Entity: 2915 South 13th St., Duncan, OK 73533

Description of Request: A joint request to provide an earmark of $11.5 million to support rural water grassroots environmental and compliance initiatives, specifically rural water technical assistance, source water protection and ground water protection in New Jersey and across the nation.

A PROCLAMATION CONGRATULATING THE CHILLICOTHE HIGH SCHOOL CHEERLEADING SQUAD ON THEIR EIGHTH STATE TITLE

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SPACE. Madam Speaker:

Whereas, the Chillicothe High School Cheerleading Squad has won the Ohio State Title in the Division II Mount Category; and

Whereas, having won in 2007 they have now reclaimed their state title; and

Whereas, the CHS Cheerleading squad has worked long, tireless hours to perfect their routines; therefore, be it

Resolved that with the parents, friends, students of CHS and alumni of the CHS Cheerleading Squad, along with the residents of the 18th Congressional District, I congratulate the squad on their eighth Ohio State Title, and commend them on their hard work, and winning spirit.

EARMARK DECLARATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. WITTMAN. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, Consolidated Appropriations for Fiscal Year 2009.

Project Name: Chesapeake Bay Oyster Recovery

Account/Amount: Army Corps of Engineers (ACOE): Construction, $2,000,000

Requested By: ACOE Norfolk District Capability/Virginia Institute of Marine Science

Project Description: Project will contribute to multi-agency and private efforts to restore oyster populations in the Chesapeake Bay. The project elements include; development of decision documents, construction and rehabilitation of oyster reefs to create sanctuaries and spat on shell production areas, development of capability to produce disease tolerant broodstock and spat oysters for seeding, planting of the disease tolerant spat and brood-stock oysters in locations which best foster oyster reproduction and health, and oversight of project monitoring by the Virginia Institute of Marine Science (VIMS). Construction of the first phase of reefs in the Lynnhaven river was completed in 2007. Reefs have added approximately 200 million oysters to the Great Wicomico system.

Financial Plan: FY09 funds would be used to initiate and complete construction and monitoring of approximately 30 cares of oyster reefs in the Lynnhaven and Great Wicomico rivers, and partnering with the Baltimore District, ACOE, for development of the bay-wide Oyster Restoration Master Plan Decision Document. The ACOE estimated on 2/5/09 that the estimated federal cost is $50,000,000 and the estimated non-federal cost is $66,700,000. The project received $19,213,000 through FY07 and $1,968,000 in FY08.

EARMARK DECLARATION

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. McHUGH. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 1105 FY 2009 Omnibus Appropriations Act:

Requesting Member: Congressman JOHN McHUGH

Bill Number: H.R. 1105

Account: Environmental Programs and Management

Legal Name of Requesting Entity: National Rural Water Association

Address of Requesting Entity: 2915 South 13th Street, Duncan OK 73533.

Description: Provide an earmark of $11,500,000 to help ensure that small communities operate safe, clean water supplies and comply with federal environmental mandates. I certify that I have no financial interest in this project

EARMARK DECLARATION

HON. MIKE ROGERS

MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. ROGERS of Michigan. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, FY2009 Omnibus Appropriations Act:

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: 484 Administration Building, East Lansing, MI, 48824

Description of Request: Provide funding of $346,000 for fire blight research at Michigan State University. Approximately, $148,000 is for the salaries of laboratory and field research personnel; and $36,000 is for materials and supplies. Michigan State University has obtained funding from the Michigan Apple Committee and industry sources and will continue to fund the fire blight research at MSU at a level of $52,500 in FY09.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: 484 Administration Building, East Lansing, MI, 48824

Description of Request: Provide funding of $104,000 for research of Armillaria Root Rot. Approximately, $84,000 is for the salaries of

laboratory researchers; $9,000 is for operating costs; $1000 is for travel to field sites; and $10,000 is for equipment necessary.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: 484 Administration Building, East Lansing, MI, 48824

Description of Request: Provide funding of $246,000 for research of Bovine Tuberculosis. Approximately, $174,252 is for Salaries and support for 2 graduate students; $72,978 is for Laboratory supplies; and $8,770 for research related travel. Michigan State University will provide $127,500 in-kind funding.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: 484 Administration Building, East Lansing, MI, 48824

Description of Request: Provide funding of $147,000 to improve fruit practices for sugar beets and dry beans. Approximately, $101,440 is for salaries and expenses and $40,560 is for lab maintenance and equipment. In addition to the federal funds provided by this grant, this research is supported by personnel, equipment, and facilities funded by the Michigan Agricultural Experiment Station and Michigan State University Extension.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: 484 Administration Building, East Lansing, MI, 48824

Description of Request: Provide funding of $266,000 to enhance the environmental sustainability of food and agricultural systems under research at Michigan State University. Approximately, $325,000 is for salaries of 11 researchers; $5,000 is for travel expenses; $10,000 is for farmer stipends; $15,000 is for materials and supplies; and $45,000 is for communication and outreach. Michigan State University expects to leverage at least $150,000 in state, local, and private funds to expand the impacts of the special grant.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: 484 Administration Building, East Lansing, MI, 48824

Description of Request: Provide funding of $4,545,000 for wood utilization. The requested funds will be used for salaries of key personnel and graduate students. Grant funds will also be used to purchase equipment, materials and supplies needed. Michigan State University provides in excess of $500,000 in support of this project annually through use of lab space, equipment, and personnel assigned to the project.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Natural Resources Conservation

Address of Requesting Entity: 2805 S. Industrial Hwy, Suite 100, Ann Arbor, MI 48104

Description of Request: Provide funding of $404,000 for reducing soil erosion and controlling sediment. Grant funds will be used for salaries, materials and supplies and for equipment purchases and travel costs.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: 109 Agriculture Hall, East Lansing, Michigan 48824

Description of Request: Provide $346,000 in funding for Phytophthora research at Michigan State University. Approximately 85 percent of the funding will go to researchers, technicians and students. Approximately 15 percent will be used for materials, supplies and administration. Michigan State University has received outside sources of funding for Phytophthora research as well. This funding is consistent with the authorized purpose of the Cooperative State Research, Education and Extension.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Agriculture/Cooperative State Research, Education, and Extension Services (USDA/CSREES) Special Grants Account

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: 302 Administration Building, East Lansing, MI, 48824–9190

Description of Request: Provide $384,000 for detailed investigation of the most promising technologies to determine the value proposition that is needed to interest commercial partners in the further development of bio based production of fuels, chemicals, and materials. Funds will cover salaries; materials and supplies; and equipment purchases and travel costs.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: COPS Law Enforcement Technology

Legal Name of Requesting Entity: City of Lansing

Address of Requesting Entity: 124 W. Michigan Avenue, 9th Floor, Lansing, MI 48933

Description of Request: Provide $500,000 to enable the procurement of crime-fighting technology critical to the safety of the community. Approximately 35% for a Fiber Optic Communications Network; 25% for an In-Car Video Camera System; 20% for a Public Video Surveillance System; 10% for a Patrol Vehicle Laptop Workstation Replacement; and 10% for a Detention Camera Replacement. This request is consistent with the intended and authorized purpose of the COPS Law Enforcement Technology account. At least $500,000 in local City of Lansing funds will be provided as matching funds. Lansing public safety capabilities lag current standards in law enforcement, and require upgrading in order to best secure the jurisdiction. Through support requested of the federal government, the City of Lansing would be able to realize significant integrated upgrades.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Energy's Solar and Renewable Energy Account

Legal Name of Requesting Entity: The Consortium for Plant Biotechnology Research

Address of Requesting Entity: P.O. Box 20634, St. Simons Island, GA 31522

Description of Request: Provide $475,750 for detailed investigation of the most promising technologies to determine the value proposition that is needed to interest commercial partners in the further development of bio based production of fuels, chemicals, and materials. Funds will cover salaries; materials and supplies; and equipment purchases and travel costs.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Department of Energy

Legal Name of Requesting Entity: Michigan State University

Address of Requesting Entity: P.O. Box 20634, St. Simons Island, GA 31522

Description of Request: Provide $3,806,000 for research and commercialization for clean energy, national energy security, and a cleaner environment. Approximately, 7.4% for peer reviewed competitions and 92.6% is for research projects. The Consortium for Plant Biotechnology Research has stated that they are able to match Federal funds, on average, 130% with non-federal funds. Industry also provides at least 50% cash matching, additional in-kind matching, and substantial investments in technology development.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: United States Army Corps of Engineers

Legal Name of Requesting Entity: The City of Lansing

Address of Requesting Entity: 124 W. Michigan Ave, Lansing, MI 48933

Description of Request: Provide $48,000 for Grand River Waterfront Restoration—next phase planning activities based on 2004 Corps Pre-Planning Reconnaissance Study for Grand River shoreline and habitat restoration, including potential modifications to Moores and North Lansing Dams.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: Energy Efficiency and Renewable Energy

Legal Name of Requesting Entity Cleary University

Address of Requesting Entity: 3750 Cleary Drive, Howell, Michigan 48843

Description of Request: $475,750 for the design and implementation of a Geothermal Energy System at the Livingston Campus Community Center, part of a broader renovation of the Livingston Campus Community Center. Approximately 15% of funding will be used on Design and Engineering of the Geo-thermal field, 40% will be used for Well Drilling and Piping and 45% will be used for circulation pumps, equipment and installation.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: Financial Services

Legal Name of Requesting Entity Cleary University

Address of Requesting Entity: 3750 Cleary Drive, Howell, Michigan 48843

Description of Request: To provide $100,000 for the development of a Micro Business Incubator at Cleary University in Howell, Michigan. Approximately $80,000 of the funding will go toward the acquisition of a suitable adjacent building, $11,000 of the funding will go toward renovations and $9,000 will go toward office equipment.

MAUREEN McCARRICK 2009 PRUDENTIAL SPIRIT OF COMMUNITY AWARD MARYLAND RECIPIENT

HON. ROSCOE G. BARTLETT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. BARTLETT. Madam Speaker, I would like to congratulate and honor a young student from my district who has achieved national recognition for exemplary volunteer service in her community. Maureen McCarrick of Myersville has been named one of the top honorees in Maryland by the 2009 Prudential Spirit of Community Awards program, an annual honor conferred on the most impressive student volunteers in each state and the District of Columbia.

Ms. McCarrick is being recognized for cofounding a children's theatre troupe that stages performances every summer to benefit disabled and disadvantaged people in her community. What started as a show for neighbors and friends in the backyard, the production of the Kids Theatre grew over time with performances now taking place at a town pavilion and on a high school stage. In addition to canned food, the troupe has raised thousands of dollars through ticket sales to buy benefits for struggling families and individuals.

I believe it is vital that we encourage and support the kind of selfless contribution that Maureen has made. People of all ages need to think more about how we, as individual citizens, can work together at the local level to ensure the health and vitality of our towns and neighborhoods.

I heartily applaud Ms. McCarrick for her initiative in seeking to make her community a better place to live, and for the positive impact she has had on the lives of others. Her actions show that young Americans can—and do—play important roles in our communities, and that America's community spirit continues to hold tremendous promise for the future.

Young volunteers like Maureen are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow.

EARMARK DECLARATION

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. ROGERS of Michigan. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, FY2009 Omnibus Appropriations Act:

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: STAG Water and Wastewater Infrastructure

Legal Name of Requesting Entity: City of Mason, Michigan

Address of Requesting Entity: 201 West Ash St. Mason, MI 48854

Description of Request: City of Mason Water Treatment Plant $500,000.00 The purpose of this project is to construct a water treatment plant for use by the City of Mason. The Water Treatment facility is necessary to comply with federal water safety regulations.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: Science and Technology

Legal Name of Requesting Entity: The Consortium for Plant Biotechnology

Address of Requesting Entity: PO Box 20634 St. Simons Island, GA 31522

Description of Request: $750,000 for research and commercialization of clean energy technologies. Approximately, 7.4% for peer reviewed competitions and 92.6% is for research projects. The Consortium for Plant Biotechnology Research has stated that they are able to match Federal funds, on average, 130% with non-federal funds. Industry also provides at least 50% cash matching, additional in-kind matching, and substantial investments in technology development.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: Fund to Improve Post-Secondary Education

Legal Name of Requesting Entity: Lansing Community College

Address of Requesting Entity: 210 W Shiawassee St, Lansing, MI 48933

Description of Request: To provide $190,000 to create a Military Medic Transition Program to allow military medics to transition first to civilian paramedic certification and then through a fast-track nursing program. Approximately $85,000 for curriculum development; $85,000 for personnel; and $20,000 for recruiting and marketing. This request is consistent with the intended and authorized purpose of the Fund to Improve Post-Secondary Education account. In a short period of time, this innovative program has the ability to provide fast-track training to job seekers and assistance to hospitals and first responders in filling their vacancies. The potential impact of this program has been recognized by the State of Michigan Department of Labor and Economic Growth, Primia Civitas Foundation, Sparrow Health Care Systems, Capitol Health Care Employment Council, and Delhi Township Fire Department; all whom have indicated their support for this initiative.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: Employment and Training Administration

Legal Name of Requesting Entity: Oakland Community College

Address of Requesting Entity: 2480 Opdyke Road, Bloomfield Hills, MI 48304-2266

Description of Request: To provide $285,000 for an educational consortium to support the economic transformation in Michigan from manufacturing to knowledge-based. Approximately $134,000 is for Salaries, Wages and Benefits; $34,000 for consulting services; $67,000 for Consortium Subcontracts; $23,000 for supplies and materials; $20,000 for technology and equipment; and $7,000 for communication and printing. The focus of the project in 2009 will be expanding the consortium from supporting Oakland County's ''Emerging Sectors'' initiative to supporting workforce and economic development initiatives throughout southeast Michigan. This request is consistent with the intended and authorized purpose of the Employment and Training Administration account. The project is a continuation and expansion of an FY2008 appropriation. The project is supported by the Education and Workforce Committee of the Oakland County Business Roundtable, Oakland County government, local and state economic development entities and the Workforce Development system. The Oakland County Michigan Works! Agency is underwriting the cost of a skills assessment inventory—a critical foundational piece for the Educational Consortium—at cost of $280,000.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: Fund for the Improvement of Postsecondary Education

Legal Name of Requesting Entity: Cleary University

Address of Requesting Entity: 3750 Cleary Drive, Howell, Michigan 48843

Description of Request: To provide an earmark of $238,000 for an Early College Dual Enrollment Program. Approximately 36% for computers, printers and servers; 18% for lab equipment; 18% for interior enhancements; 13% for classroom furniture and supplies; and 13% for virtual classroom enhancements. This request is consistent with the intended and authorized purpose of the Fund for the Improvement of Postsecondary Education account. Cleary University maintains and is working to expand an Early College partnership with local public schools to provide collegiate level instruction for high school students. These funds would directly benefit Kensington Wood High School, Livingston Education Service Agency, Brighton Area Schools, Hartland Area Schools, Howell Public Schools, and Pinckney Community Schools.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: IM

Legal Name of Requesting Entity: The Road Commission of Oakland County

Address of Requesting Entity: 31001 Lahser Road, Beverly Hills, Michigan 48025

Description of Request: Provide funding of $237,500 for the purchase of right of ways necessary to complete the widening of Baldwin Road from two lanes to a four lane boulevard between Brown Road and Waldon Road,

a distance of 2.0 miles as access to the I-75 interchange. This project P.E. is funded with previous congressional budget appropriations and High Priority Program funds from SAFETEA–LU.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: IM

Legal Name of Requesting Entity: The Michigan Department of Transportation

Address of Requesting Entity: Michigan Department of Transportation, 425 W. Ottawa St. Lansing, MI 48909

Description of Request: Provide funding of $570,000 for the purchase of right of ways necessary to complete the construction of an interchange and overpass at the interchange of Interstate 96 and Latson Road.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: 5309 Legal

Name of Requesting Entity: The Capital Area Transportation Authority

Address of Requesting Entity: 4615 Tranter Street, Lansing, MI 48910

Description of Request: Provide funding of $1,900,000 for the purchase of approximately 3 40 foot hybrid buses, 2 60 foot hybrid buses, 2 small buses, 2 rural service buses and 7 Mini-Hybrid fan systems.

Requesting Member: Congressman MIKE ROGERS (MI)

Bill Number: H.R. 1105

Account: 5309

Legal Name of Requesting Entity: The Capital Area Transportation Authority

Address of Requesting Entity: 4615 Tranter Street, Lansing, MI 48910

Description of Request: Provide funding of $712,500 for the renovation and expansion of the existing bus storage facility. The funding will be distributed such that 50% will pay for renovations and 50% for expansion construction that will extend the useful life of the facility.

HELPING FAMILIES SAVE THEIR HOMES ACT OF 2009

SPEECH OF

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability:

Mr. LUCAS. Mr. Chair, I rise today in strong opposition to this legislation.

Many of my colleagues today have made excellent points about the real effect of this legislation. This legislation will most certainly not help those who it is designed to help. It will drive up the cost of loans, limit the number of loans that can be made, raise interest rates, and increase opportunities for abuse in the bankruptcy system.

I want to focus the House today on another important problem that has not been discussed: how the bankruptcy laws and the accounting rules and treatments combine to do potentially substantial and lasting damage to the financial system.

Under existing accounting rules, any bankruptcy loss may be considered an indication of impairment. The term that is used by accountants is ''other than temporarily impaired'', or ''OTTI''. I want to make sure that the House understands the consequences of this problem in the real world. Even if a company took a small bankruptcy loss on one of the residential mortgage-backed securities (RMBS) that it owns, the amount of loss that would be recognized in that company's income statement is a full writedown to deeply depressed market values, not just the amount deemed to be a bankruptcy. Any loss of principal, current or future, requires this treatment no matter what term is used to describe the loss. If a judge can adjust principal, then a significant detrimental impact to the company will automatically follow.

The House must clearly understand that the losses which would be recognized by financial institutions in this situation are far greater than the amount of the bankruptcy losses. Any RMBS holder will have to record these losses in the same manner, and so the threat of bankruptcy ''cramdowns'' casts a huge shadow across the entire financial services industry. For example, if a company owns five million dollars ($5,000,000) in RMBS with a current market value of $2,500,000, and there is a bankruptcy loss per the judge of fifty thousand dollars ($50,000 economic loss) to the preferred RMBS tranche, the required financial statement loss under existing accounting rules would be two million five hundred thousand dollars ($2,500,000). In this example, accounting rules require booking the financial statement loss at fifty times the actual economic loss.

This is a stark, but true, statement of the horrific impact that existing accounting rules are likely to have on the financial services industry in the event this legislation becomes law. It would only take a few of these kinds of losses to destroy the current year operating positions of any company and greatly impact its overall capital position.

This means that the cramdown legislation the House considers today carries with it a virus that threatens to consume significant parts of the financial services industry, particularly any company that is a significant holder of RMBS. The Majority either does not understand, or has chosen not to deal with, this significant and looming problem. Likewise, there is a lack of understanding about the major role that accounting rules and treatments play in it. I earnestly hope that our colleagues in the other body will address this issue squarely, and understand that cramdown without accounting reform and strict limitations on the discretion of bankruptcy judges has the potential to create significant and unanticipated collateral damage to our financial system, as well as loss of credibility with financial services industry customers and widespread negative ratings from all rating agencies.

A TRIBUTE IN REMEMBRANCE OF ALBERT BRANDEL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. TOWNS. Madam Speaker, I rise today to in recognition of Albert Brandel. Albert F. Brandel of Melville, New York, was elected president of The International Association of Lions Clubs at the association's 91st International Convention, held in Bangkok, Thailand, June 23–27, 2008.

Mr. Brandel is a retired police detective. For many years he investigated child abuse and neglect, juvenile delinquency, domestic violence involving children and missing children.

Mr. Brandel was a member of the West Hempstead Lions Club since 1975 and an associate member of the Melville Lions Club, International President Brandel has held many offices in the association, including club president, district governor and international director. He has also served as a presenter and panelist at USA/Canada Lions Leadership Forums. He worked with the Long Island Lions Eye Bank as a transporter and has been the Lions Representative to UNICEF in New York for 10 years. Mr. Brandel also helped coordinate Lions relief effects at the World Trade Center following September 11, 2001.

In recognition of Albert Brandel's contributions, he has received numerous awards, including the 100% Club President Award, the 100% District Governor Award, 15 International President's Awards and the Ambassador of Good Will Award, the highest award the association grants to its members. He is also a Progression Melvin Jones Fellow.

In addition to his Lions activities, Mr. Brandel has served as a Little League volunteer and a Eucharistic minister. He is a former member of the board of directors of the United Nations Association of the USA.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Volunteerism Award winner is Tina Rear of Hillsborough. She is the founder of Care to Share Support Network.

Tina founded the organization after her son was diagnosed with autism. It now serves special-needs children and their families.

She also established a grant program to offset the financial hardships related to the therapy and medical care needed by children with disabilities.

Tina has worked with police to create an Emergency Data Sheet to help such children in case of an emergency.

I am pleased to congratulate Tina Rear for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

INTRODUCING THE LEGAL SERVICES BENEFIT ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. STARK. Madam Speaker, I am pleased to join my friend Mr. RYAN in reintroducing the Legal Services Benefit Act.

This bill reinstates the tax preference for companies to provide access to affordable preventive legal services for employees arid retirees. This preference existed for many years, until it was allowed to sunset in 1991.

Group legal service plans provide employees with low cost, basic legal services, including assistance with the purchase of a home, the preparation of a will, probate services and the resolution of domestic conflicts, such as child support collection. With rising evictions and mortgage foreclosures, families need more help in these areas than ever. When hard times hit and families face difficult challenges, legal plans can help keep employees in their homes and focused on their jobs.

The Legal Services Benefit Act will restore the historic pre-tax treatment of group legal services. This change to the tax code will again make legal service plans affordable for both employers and employees, and will provide access to legal services for millions of middle-income Americans who might otherwise let legal troubles get out of hand.

Last year, this bill became part of the Taxpayer Assistance and Simplification Act of 2008, and passed the House 238—179.

I ask my colleagues to again join me again in supporting this important bill that will help workers and businesses.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Volunteerism Award winner is Nicolette Ash of Bridgewater. She is a 17-year-old founder of MADE or Making A Difference Everywhere.

The organization provides volunteer opportunities to teens in the Bridgewater area and allows them to gain community-service hours required for school, scholarships and religious groups.

Projects have included cleaning trash along the Raritan River, raking leaves for senior citizens, preparing food bundles for needy families and many more.

I am pleased to congratulate Nicolette Ash for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

ADAM WALSH CHILD PROTECTION AND SAFETY REAUTHORIZATION ACT OF 2009

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SMITH of Texas. Madam Speaker, today I introduce the Adam Walsh Child Protection and Safety Reauthorization Act of 2009. This bill reauthorizes a number of programs set to expire at the end of 2009 that help to track and apprehend sex offenders.

In 2006, Congress passed the Adam Walsh Act to protect the public, particularly children, from sexual predators. Under the Act, sex offenders must register with state or local jurisdictions after incarceration or while on probation. The Act expanded the National Sex Offender Registry by integrating the information in state sex offender registry systems and ensuring that law enforcement agencies across the United States have access to this information. The Act further requires states to make registry information available to the public via government Internet websites. A number of new grant programs were also authorized to assist states in improving sex offender registration and related requirements of the Act. It is several of these grant programs and some related provisions that are expiring at the end of this year, though the registration requirements and related authorities are not.

Unfortunately, many of the programs authorized by the Adam Walsh Act, including the expiring programs reauthorized by this bill, have received insufficient or no direct funding from Congress.

There are currently more than 100,000 missing sex offenders who have failed to register as required under current law. These predators are working, attending school, and living in close proximity to our children unbeknownst to parents and law enforcement officials.

By reauthorizing these important Adam Walsh Act programs, Congress will demonstrate its commitment to empower federal, state and local law enforcement agencies to protect children and identify, locate and apprehend sex offenders.

These programs were specifically drafted to provide the Department of Justice and state and local law enforcement agencies the tools necessary to track and apprehend absconders from the Sex Offender Registry. These expiring programs reauthorized by this bill include:

1. The Sex Offender Management Assistance Program (SOMA)—this provision awards grants to states to assist with the implementation of the sex offender registry under the AWA.

2. Pilot Program for Monitoring Sexual Offenders—this provision empowers the Attorney General to make grants to state, local and tribal governments in order to outfit sex offenders with electronic monitoring devices. It authorizes appropriations of $5 million for fiscal years 2010–2014 and thereafter requests the Attorney General to report on the effectiveness of the program.

3. Grants to Combat Sexual Abuse of Children—this provision establishes a grant program for law enforcement agencies to combat sexual abuse of children with authorized appropriations of the necessary sums for fiscal years 2010–2014.

4. Jessica Lunsford Address Verification Grant Program—this provision creates the Jessica Lunsford Address Verification Grant Program to enable state, local and tribal grantees to verify the addresses of registered sex offenders with authorization of the necessary appropriations for fiscal years 2010–2014 and the requirement of an Attorney General's report on the effectiveness of the program.

5. Fugitive Safe Surrender—this provision instructs the Marshals Service to establish and coordinate a Fugitive Safe Surrender program in designated cities for the capture of fugitives from federal, state and local justice. It authorizes appropriations of $8 million for that purpose in fiscal years 2010–2014.

6. Sex Offender Apprehension Grants; Juvenile Sex Offender Treatment Grants—this provision creates a grant program available to both public and private entities that assist in treatment of juvenile sex offenders or that assist the states in their enforcement of sex offender registration requirements. Appropriations are authorized for fiscal years 2010–2014 in such amounts as are necessary in the case of the enforcement grants and in the amount of $10 million per year in the case of the juvenile sex offender grants.

Madam Speaker, Congress should move quickly to reauthorize these programs. Congress should also appropriate necessary funds for the full implementation of these programs. I urge my colleagues to support the Adam Walsh Child Protection and Safety Reauthorization Act of 2009.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. GRAVES. Madam Speaker, I would like to state for the record my position on the following votes I missed due to personal reasons.

On Monday March 9, 2009 I missed rollcall votes 110, 111, and 112. Had I been present, I would have voted "aye" on those rollcall votes.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17

women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Shirley Noble Volunteerism Award will be given to Doris Zampella, owner and executive vice president of E.A. Boniakowski Agency Inc. in Green Brook.

Doris also is a founding partner of two insurance agencies, Jaz Maz Enterprises LLC, and owns and operates three Rita's franchises in Central Jersey. She is a volunteer Emergency Medical Technician with the Martinsville Rescue Squad.

I am pleased to congratulate Doris Zampella for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

EARMARK DECLARATION

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. BUCHANAN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, the Omnibus Appropriations Act, 2009:

Requesting Member: Congressman VERN BUCHANAN

Bill Number: H.R. 1105

Account: NOAA—Operations, Research, and Facilities

Legal Name of Requesting Entity: Mote Marine Laboratory

Address of Requesting Entity: 1600 Ken Thompson Parkway, Sarasota, Fl. 34236

Description of Request: I secured $500,000 for Science Consortium for Ocean Replenishment (SCORE) at Mote Marine Laboratory.

SCORE is a multi-state initiative for the recovery of the nation's ocean fisheries. Its approach is to replenish diminishing marine fisheries stocks based on scientific protocols developed through a highly coordinated national effort focused on demonstration of successful stock enhancement. This fast-track strategy has the potential to be more cost-effective and timely than policy measures traditionally used to conserve and sustain ocean resources. The consortium includes institutions from Florida, New Hampshire, Washington and University of Southern Mississippi.

Requesting Member: Congressman VERN BUCHANAN

Bill Number: H.R. 1105

Account: Cooperative State Research Education and Extension Service—SRG Legal Name of Requesting Entity: Mote Marine Laboratory

Address of Requesting Entity: 1600 Ken Thompson Parkway, Sarasota, Fl. 34236

Description of Request: I secured $416,000 sustainable aquaculture food technology innovations.

Mote Marine Laboratory and the University of Texas Marine Science Institute are seeking funds for a five-year research program to develop innovative and sustainable technologies to farm marine fishes on land and to expand the supply of safe seafood for U.S. consumers. A critical need exists for inland re-circulating aquaculture technologies to reduce the large and growing global demand for seafood, to reduce fishing pressure on declining wild fish populations, and to improve our nation's food security and health. The growing demand for marine fishery resources is currently being met through imported seafood produced in coastal ponds or sea cages in other countries around the world.

EARMARK DECLARATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. BILIRAKIS. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding an earmark I received as part of H.R. 1105, the Omnibus Appropriations Act for Fiscal Year 2009.

Member requesting: Congressman GUS M. BILIRAKIS

Bill number: H.R. 1105

Account: OJP—Byrne Discretionary Grants

Name of requesting entity: Phoenix House

Address of requesting entity: 6604 Harney Road, Tampa, Florida 33610

Description: The $200,000 will be used to help develop an enhanced residential substance abuse treatment program for women in Hillsborough County, Florida. This funding is justified because Byrne discretionary grants are used to help states and local communities prevent drug abuse and crime, which is the purpose of this program.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Hometown Hero Award winner is Edith Lit of Manville.

For the past seven years, Edith has organized a ''Wish List'' campaign to make the holidays brighter for clients of Alternatives Inc. by encouraging her fellow Somerset County Library System employees to adopt a person or family.

For the past three years, she has included the Somerset Regional Animal Shelter in the libraries' ''Wish List'' drive.

Edith also participates in the ''point in time'' survey conducted by the county Department of Human Services to identify homeless individuals and families, and actively organizes coworkers and friends to help too.

I am pleased to congratulate Edith Lit for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately last night, March 9, 2009, I was unable to cast my votes on H. Res. 210, H. Res. 222, and H.R. 131.

Had I been present for Roll Call #110, on suspending the Rules and passing H. Res. 210, Expressing the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance, I would have voted ''Aye.''

Had I been present for Roll Call #111, on suspending the Rules and passing H. Res. 222, Congratulating the National Assessment Governing Board on its 20th Anniversary in measuring student academic achievement, I would have voted ''Aye.''

Had I been present for Roll Call #112, on suspending the Rules and passing H.R. 131, the Ronald Reagan Centennial Commission Act, I would have voted ''Aye.''

EARMARK DECLARATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 1105, the Consolidated Appropriations for Fiscal Year 2009.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 1105

Account: COPS-Meth

Requesting Entity: Southeast Missouri Drug Task Force

Address of Requesting Entity: P.O. Box 1763, Sikeston, Missouri 63801

Description of Request: Provide an earmark of $165,000 to supplement and support operations of the Southeast Missouri Drug Task Force (SEMO DTF). SEMO DTF is a multi-jurisdictional drug task force unit that serves a 10 county area of Southeast Missouri. The unit conducts both cover and overt investigations into the possession, manufacture, and distribution of controlled substances. The funds will be spent as follows: $28,000 for personnel, $68,000 for overtime compensation, $60,000 for equipment, $2,500 for telecommunication services, $5,000 for supplies, and $1,500 for personnel expenses.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I

would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Education Award winner is Karyn Malinowski of Manville. Karyn is the director of the Rutgers Equine Science Center at the New Jersey Agricultural Experiment Station in New Brunswick.

Karyn has been a faculty member at Rutgers University since 1978. She is believed to be the first female equine-extension specialist in the nation.

I am pleased to congratulate Karyn Malinowski for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

INTRODUCTION OF THE INCLUSIVE HOME DESIGN ACT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Ms. SCHAKOWSKY. Madam Speaker, I rise today to announce the introduction of the Inclusive Home Design Act. This critical legislation will make more new homes accessible, or inclusive, for people with disabilities. I want to thank my colleagues SAM FARR, MADELEINE BORDALLO, and JIM MCGOVERN for joining me today as original cosponsors of this legislation. I would also like to thank Eleanor Smith of Concrete Change and Beto Barrera and the staff of Access Living for their tireless efforts to move this legislation forward. This legislation is supported by the Paralyzed Veterans of America and many other national and local disabilities rights organizations.

Currently, only five percent of new single-family homes and townhouses built with federal assistance require any design features that make it possible for people with mobility impairments to live in or even visit the homes. The remaining 95 percent are built with unnecessary architectural barriers.

The Inclusive Home Design Act is based on the concept of integrating basic accessibility features into newly-built homes and builds on the movement of establishing ''visitability'' standards. Visitability is an affordable, sustainable, and inclusive design approach that will improve the availability of accessible housing for individuals with mobility impairments, including disabled veterans and seniors.

Specifically, the legislation would require all newly-built single-family homes and townhouses receiving federal funds to meet four accessibility standards:

First, there must be at least one accessible, or ''zero step,'' entrance into the home.

Second, the doorways on the main level of the home must be wide enough to accommodate a wheelchair.

Three, at least one bathroom on the main floor must be wheelchair accessible.

And finally, light switches and thermostats must be at a reachable height from a wheelchair.

Adopting these standards for a single family home is not prohibitively expensive. The average added cost for homes built with accessibility features is between $100 and $600. Retrofitting a home, on the other hand, can cost several thousand dollars.

Architects and builders would also have latitude in how they comply with the act. For example, the zero step entrance can be placed at the front, side, or back of the home. The accessible route can even go through an attached garage. In addition, the zero step entrance requirements can be waived if the terrain makes compliance impractical.

When homes are accessible, it benefits not only today's disability community but also all of us who have friends and family members with disabilities. Accessible homes also benefit many people who are not currently disabled but may experience a temporary injury or permanent disability during their lifetimes. In fact, 3 out of 10 people will face a disability before age 67.

In addition, by making more new homes accessible, we also make it possible for more seniors to age at home—an issue that is increasingly important as the population grows older. In 2000, there were 30.5 million people between 65–84 years old; that number will grow to 47 million by 2020. 58 percent of people over the age of 80 suffer from some kind of physical impairment. Often, the prohibitive cost of making existing homes accessible deprives seniors of their independence and pushes them into nursing homes. Allowing more people to age at home will both save taxpayers money and help improve the quality of life for our seniors.

Many towns and states have already incorporated visitability standards. This list includes Chicago, Naperville, Bolingbrook, and Urbana, Illinois; Atlanta, Georgia; Iowa City, Iowa; St. Petersburg, Florida; Pima County, Arizona; Vermont; Texas; Kansas; Minnesota; and others. The United Kingdom also passed a law in March 1998 mandating that every new home become accessible. A federal law in the United States will build on the momentum that has already been created.

Passage of the Inclusive Home Design Act would mean that all homes built with federal dollars would be accessible, and the number of homes available for people with disabilities would be greatly increased. I am looking forward to working with my colleagues to pass this legislation, the Inclusive Home Design Act, into law.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Education Award winner is Helen ''Chickie'' Haines of Hillsborough. Chickie has helped educate thousands of students in her 38 years with the Bound Brook School District.

She started as an elementary school teacher, and in 2004 became principal of the Lafayette and LaMonte elementary schools, earning the ''Who's Who Among America's Teachers'' award in 2002. Chickie has served on Hillsborough's Township Committee, Zoning Board, environmental commission and open space committee.

I am pleased to congratulate Helen Haines on her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

STOCK MARKET RECOVERY ACT, H.R. 1406

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. KIRK. Madam Speaker, the stock market's loss over the last six weeks suggests that the policies of this Congress are magnifying the depths of this recession, not aiding its recovery. Let's look at recent events:

1. Stocks are now traded in a bear market that declined 20 percent since the President's inauguration. This decline is faster than any other President since the First World War. The decline is steeper than Presidents Hoover or Roosevelt experienced. In fact, by this point in the Roosevelt administration, the market showed gains.

2. The market decline accelerated as the Congress and President promulgated their policies:

a. From the year's-end to the inauguration, the market fell 5 percent.

b. From inauguration to Secretary Geithner's speech, the market rose 2.5 percent in anticipation of good economic policies.

c. From Secretary Geithner's speech to the budget release, the market fell 12 percent.

d. From the budget release to March 6, the market fell another 11.2 percent.

As details of congressional legislation and the Administration's plans were published, the market accelerated its fall. A number of ''recession-proof'' industries lost value after the President released his budget. Oil prices rose nearly 4 percent, but the value of American energy companies fell by the following amounts up to 20 percent.

In other words, Americans are paying higher gas prices while the American companies that hire our people for this sector expect to see lower returns on capital. This is not a good trend and sends a strong market signal to serve the U.S. market (where prices are higher) from offshore facilities (where costs are lower).

Congress should consider more than just spending and borrowing from abroad. Key policies that would make stocks more attractive include:

Suspending the Mark-to-Market rule that makes banks look less valuable than they actually are.

Reinstating the Uptick rule so that short sellers do not have an advantage in driving down the value of stocks.

Today, I am introducing the ''Stock Market Recovery Act of 2009,'' mandating the SEC to implement these reforms. I am confident this will be a first step continuing the 4 percent rise we have seen today.

THRIFT SAVINGS FUND IMPROVEMENT ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. PAUL. Madam Speaker, I rise to introduce the Thrift Savings Fund Improvement Act. This legislation expands the investment options available to congressional and other federal employees by creating a precious metals investment fund in the Thrift Savings Plan (TSP). Adding a precious metals fund to the TSP will enhance the plan's ability to offer congressional employees a wide range of investment options that can provide financial security even during difficult economic conditions.

The Thrift Savings Plan is one of the most important benefits offered to congressional employees. A strong TSP can obviously play a key role in attracting and retaining talented individuals to serve in the legislative branch. Adding a precious metals option will strengthen the TSP. In the last year, the price of gold rose by 5.5 percent while the Dow Jones experienced one of its worst years ever, falling by 33.8 percent, while the NASDQ declined by 40.5 percent!

Recent gains aside, precious metals have a number of features that make them a sound part of a prudent investment strategy. In particular, inflation does not erode the value of precious metals is not eroded over time. Thus, precious metals can serve as a valuable ''inflation hedge.'' Precious metals also maintain, or even increase, their value during times of stock market instability, such as what the country is currently experiencing. Thus, investments in precious metals can help ensure that an investment portfolio maintains its value during times of economic instability.

Federal employees could greatly benefit from the protection against inflation and economic downturns provided by prudent investments in precious metals. I, therefore, once again urge my colleagues to cosponsor the Thrift Savings Fund Improvement Act.

INTERNATIONAL WOMEN'S DAY

HON. CAROL SHEA-PORTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Ms. SHEA-PORTER. Madam Speaker, I rise today in recognition of International Women's Day. Globally, women have made great advances in recent years. Currently, there is the largest number of women serving in Congress in the history of the United States, including 9 new female members of the House of Representatives and 3 new female Senators. Between 1945 and 1995, the number of woman parliamentarians internationally quadrupled. Women like Benazir Bhutto, the first woman prime minister of a Muslim country, are demonstrative of the truly universal role women are playing in leadership and the progress we have made.

While these numbers are encouraging, there is still a long journey to true global equality for women. Seventy percent of the 1.2 billion individuals living in poverty are women. Similarly, eighty percent of world's refugees are women. While women control $14 trillion in assets, they only own 1 percent of the world's land. Women are responsible for two-thirds of the world's work, but are paid only 10 percent of the world's income. In third-world countries, women continue to be oppressed, mutilated, and trafficked and they do not have the representation to stand up to these injustices.

As a woman, I wanted to take the opportunity to speak to the progress we have made and the progress we have yet to achieve. I look forward to working with my colleagues in Congress to ensure the continued progress for women internationally and at home.

EARMARK DECLARATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. GRAVES. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105;

Requesting Member: Congressman SAM GRAVES

Bill Number: H.R. 1105

Project expected to be included in the FY09 Omnibus Appropriations Act:

Description of Request: I am requesting funding for the Missouri Western State University, St. Joseph, MO project in fiscal year 2009. The entity to receive funding for this project is Missouri Western State University located at 4525 Downs Drive, St. Joseph, MO, 64507. The funding would be used for the acquisition of technology and equipment for Institute for Industrial and Applied Life Sciences. This funding is located in the Higher Education FIPSE account.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Education Award winner is Carole Payne of Boonton. Carole serves as the school nurse at Crim School. Carole helps develop health policies and procedures in the Bridgewater-Raritan School District. The New Jersey Department of Health asked her to come up with a manual on emergency care in the school setting for school nurses.

Carole is a certified EMT and active on the Boonton First Aid Squad. She also teaches at Beth Israel Medical Center in Newark and won the distinguished Johnson & Johnson School Nurse Fellowship.

I am pleased to congratulate Carole Payne for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

RECOGNIZING OUTSTANDING MILITARY FAMILIES OF OUR NATION

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mrs. McMORRIS RODGERS. Madam Speaker, I join with my colleagues today the opportunity to recognize the outstanding military families of our nation. In Eastern Washington, I could not be more proud of the military families as well as our community that stands behind them. There is probably no other group more schooled in the art of patience than our military families. They have to learn to be flexible and to endure because they are apart of a system that for all its structure is still quite unpredictable.

Last August, the 81st Brigade from Washington State deployed to Iraq. Although it is challenging for the men and women who serve, it is sometimes harder for those at home. More often than not, as soon as the service member deploys, the spouse is faced with an unforeseen obstacle like their brand new car needing to go back to the shop or the refrigerator deciding not to work. Children often times go back to school and find it hard to understand why mom or dad has to miss their baseball game or piano recital. The families of the 81st Brigade have much catching up to do when they return home this summer. They will have a Thanksgiving to celebrate, Christmas presents to open, birthday candles to blow out, Easter eggs to hunt and many, many kisses and hugs to share.

A military spouse once wrote that ''the cycle of deployments, missed holidays, lonely anniversaries, and long separations, isn't governed by any war or what's being debated on CNN. It is as much a part of our daily living as weekend business trips and conference calls are to the average business person. It is part of the job description.'' To all the military families in our nation, your character and bravery make you role models to us all and your service does not go unnoticed. Know that our nation is tremendously grateful for your commitment in standing beside your Soldier, Sailor, Airmen, or Marine so that he or she can fight to continue to protect our freedoms. Please accept my utmost and sincerest ''thank you'' for your honorable service.

SECRETARY CLINTON VISIT

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. WEXLER. Madam Speaker, as Co-Chair of the Congressional Caucus on U.S.-Turkish Relations and Turkish Americans, I was greatly encouraged by the recent visit of U.S. Secretary of State Hillary Clinton to our ally, Turkey. This historic visit sends a clear signal that the United States greatly values its strategic partnership with Turkey—which has benefited both of nations for over half a century.

During the visit, Secretary Clinton announced an upcoming trip to Turkey by President Barack Obama, and together with Turkish Minister of Foreign Affairs Ali Babacan released a Joint Statement.

Over the coming months, I am convinced that U.S.-Turkish relations will continue to deepen and flourish under the stewardship of President Obama, Secretary Clinton and the new Administration. It is clear that a strong and mutually respectful friendship is in the national interests of the United States and Turkey, and also serves to promote regional peace, security and prosperity. To that end, I encourage all of my colleagues to review the text of Secretary Clinton and Foreign Minister Babacan's joint statement, which I am including in the CONGRESSIONAL RECORD.

JOINT STATEMENT BY TURKEY AND THE UNITED STATES OF AMERICA ON THE OCCASION OF THE VISIT OF U.S. SECRETARY OF STATE HILLARY RODHAM CLINTON UPON THE INVITATION OF MINISTER OF FOREIGN AFFAIRS OF TURKEY ALI BABACAN, MARCH 7, 2009

Secretary of State Hillary Clinton and Foreign Minister Ali Babacan today reaffirmed the strong bonds of alliance, solidarity and strategic partnership between the Republic of Turkey and the United States, as well as the commitment of both countries to the principles of peace, democracy, freedom, and prosperity enshrined in the Shared Vision and Structured Dialogue document agreed to in July 2006.

Turkey and the United States reiterated their determination to continue close cooperation and consultation on all issues of common concern. They pledge to contribute to peace and stability in the Middle East and in this context, to support a permanent settlement of the Arab-Israeli conflict, including alleviating the humanitarian crisis in Gaza and resolving the Israeli-Palestinian conflict on the basis of a two-state solution; to enhance energy security and to expand the Southern corridor of natural gas and oil infrastructure to enable Caspian basin and Iraqi energy producers to reach European and world markets; to promote peace, stability, and prosperity in the south Caucasus, including through U.S. support for the efforts of Turkey and Armenia to normalize relations and joint support for the efforts of the Minsk Group to resolve the Nagorno Karabakh conflict; to continue to cooperate in the Balkans; to support strongly a comprehensive and mutually-acceptable settlement of the Cyprus question under the auspices of the UN and in this context ending the isolation of the Turkish Cypriots; and to enhance their cooperation in the fight against terrorism, particularly against their common enemies, the PKK and al-Qaeda. The United States will continue its intelligence support for Turkish operations against the PKK and is reviewing ways to be more supportive. As members of the G–20, Turkey and the United States pledge continued cooperation to deal with the global economic crisis and efforts to increase and diversify bilateral economic relations with particular emphasis on trade, investment, scientific and technological cooperation.

Secretary Clinton and Foreign Minister Babacan discussed Turkey's accession to the European Union as a member, a goal the United States continues to strongly support, as well as the Government of Turkey's continued emphasis on reform process. With their commitment to Transatlantic relations and as Allies in a strong NATO, they pledge continued cooperation in Afghanistan, including through continued Turkish contributions to Afghanistan. They reiterated their commitment to the sovereignty, unity and territorial integrity of Iraq as well as reiterated their support for a democratic, pluralistic, unified and federal Iraq. They also welcome Turkey's deepening relations with the Government of Iraq as evidenced by high level visits as well as trilateral meetings to discuss cooperation against the PKK. Turkey and the United States will strongly back the United Nations Security Council in its work to maintain global peace and security for the prevention and removal of threats to the international community and in this context will cooperate in dealing with issues including terrorism, drug trafficking, organized crime and the threat of the proliferation of weapons of mass destruction and their means of delivery in the region and beyond.

Finally, they reaffirmed their determination to diversify the broad based bilateral relations particularly between the Turkish and American people. In that context, the Secretary and Minister announced the establishment of ''Young Turkey/Young America: A New Relationship for a New Age.'' This initiative will enable emerging young leaders in Turkey and the United States to develop initiatives that will positively impact people's lives and invest in future ties between the leadership of our two countries.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed recorded votes on the House floor on Friday, March 6, 2009.

Had I been present, I would have voted "Nay" on Rollcall vote #107 (on approval of the journal), ''Aye'' on Rollcall vote #108 (Motion to Recommit with instructions to H.J. Res. 38), ''Nay'' on Rollcall vote #109 (on passage of H.J. Res. 38).

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Education Award winner is Elizabeth Stitley of Somerville. She currently serves as a supervisor of Allied Health Programs at Somerset County Technology Institute since 2003.

In this capacity, Elizabeth has spearheaded the growth of the program, which now offers two full-time, day practical nursing programs and an evening program. She was instrumental in adding a new skills laboratory with a task-training center that will soon be equipped with cameras.

Elizabeth has served as president of the Practical Nurse Educators Council and of the New Jersey League for Nursing, and received the league's 2004 President's Award. She also is a member of Sigma Theta Tau, the international nursing honor society.

I am pleased to congratulate Elizabeth Stitley for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

EARMARK DECLARATION

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mrs. CAPITO. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, the FY 2009 Omnibus Appropriations Bill.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: CJS: COPS Law Enforcement technology

Legal Name of Requesting Entity: Charles Town Police Department

Address of Requesting Entity: 114 West Liberty Street, Charles Town, West Virginia 25414

Description of Request: Provide an earmark of $124,000: The Charles Town Police Department is seeking funds to upgrade their technological capabilities to meet the needs of a growing community. This funding will be used to provide computers that can be used in the office and in police vehicles that will allow them to integrate into various databases that are available via the intranet and internet; provide a server with enough space to allow them to utilize various databases for information storage and retrieval; provide a case management system that will allow the police department to generate forms, conduct searches as well as integrate case and document management; and provide the police department the opportunity to store documents electronically versus a paper format.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: CJS: COPS Law Enforcement technology

Legal Name of Requesting Entity: Weston Police Department

Address of Requesting Entity: 102 West Second St., Weston, WV 26452

Description of Request: Provide an earmark of $100,000: Weston, a small rural community in West Virginia, is seeking funds to upgrade their communications capabilities to help them meet the needs of their community and the surrounding county. These funds will help establish a computer network in all police vehicles that is networked with the 911 center and the Weston Police Department and surrounding counties.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: CJS: COPS Law Enforcement technology

Legal Name of Requesting Entity: Morgan County Commission

Address of Requesting Entity: P.O. Box 28, Berkeley Springs, WV 25411

Description of Request: Provide an earmark of $576,000: The Morgan County Commission is requesting funding for two emergency and communication towers to be built in the western part of the county. Not only will this tower provide better Cellular and Internet service for our citizens in this rural area, but more importantly, it will increase emergency operations in these areas. The second tower will be located in Paw Paw, West Virginia and will provide great service for not only the residents of Morgan County, but also those that travel through the area.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: CJS: COPS Law Enforcement technology

Legal Name of Requesting Entity: Hampshire County Multi-Agency RMS Communications

Address of Requesting Entity: 66 North High Street, Room 2, Romney, WV 26757

Description of Request: Provide an earmark of $93,000: Hampshire County's Sheriff's office is seeking funds to implement a new, modern, Windows based, multi-jurisdictional Record Management System (RMS), which will link the sheriff's department, two city police departments, 911 Center, and the prosecuting attorney's office. This shared line of communication is critical to the county's ability to respond to emergencies and threats to the Greater Washington metropolitan area as the county is on the front line for eastern evacuation routes for the city.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Energy & Water: Corps of Engineers: Construction

Legal Name of Requesting Entity: Rep. SHELLEY MOORE CAPITO

Address of Requesting Entity: 2443 Rayburn HOB, Washington, D.C. 20515

Description of Request: Provide an earmark of $1,435,000: This money is to fund certified water and wastewater projects and is of great value to small communities with aging or inadequate water systems.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Energy & Water: Corps of Engineers: Construction

Legal Name of Requesting Entity: Wirt Co. Commission

Address of Requesting Entity: Court & Washington Street, Elizabeth, WV 26143

Description of Request: Provide an earmark of $287,000: The Wirt County Commission is hoping to effect permanent, long lasting repairs to the Wells Lock/Dam. The Department of Natural Resources has attempted temporary repairs by filling old lock chamber with large stones, but this is considered a temporary repair. If the water pool established by the dam is lost, it will cause considerable erosion of river banks alongside the Town of Elizabeth, including Sportsman Park, schools, and various roadways. Funds will be used for a more long term repair to this vital piece of infrastructure.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Interior: STAG

Legal Name of Requesting Entity: Central Hampshire PSD

Address of Requesting Entity: Rural Route 1, Box 84, Augusta, WV 26704

Description of Request: Provide an earmark of $500,000: The Central Hampshire PSD's existing wastewater treatment plant is at capacity and the PSD has imposed a moratorium on new sewer connections. While Hampshire County has land suitable for residential, commercial and industrial development adjacent to the City of Romney the moratorium on new connections precludes this development. The City of Romney is developing a new wastewater treatment plant that will meet federal and state standards. The City is developing the facility with sufficient capacity to serve immediately adjacent areas of the Central Hampshire PDS that currently rely on the existing overburdened Central Hampshire Treatment Plant. The PSD must construct an inter-connector line to access this treatment capacity. Accessing the Romney wastewater treatment plant will allow the PSD to lift the moratorium and serve new development.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Interior: STAG

Legal Name of Requesting Entity: Kanawha County Commission

Address of Requesting Entity: 407 Virginia Street East, Charleston, WV 25301

Description of Request: Provide an earmark of $184,000: The requested funding will allow the Kanawha County Commission to fully fund this project and continue providing water to residents of Kanawha County. Currently, Kanawha County is approximately 98% served by a viable water system. The construction of this water project will bring water to an additional 45 families that are in dire need of water. These residents have relied on wells that are no longer functioning, shallow wells, cisterns, springs and are hauling water to their residents. Many of these systems producing water does not meet the drinking water quality requirements of the WV Department of Health and Human Resources, due to mineral and biological contamination. One of the goals of Kanawha County's comprehensive plan is to provide potable water to its residents which will enhance their quality of life. If this project is not constructed the problem will continue to perpetuate the nearly intolerable conditions that currently exist.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Labor HHS: HRSA

Legal Name of Requesting Entity: Family Care Health Center

Address of Requesting Entity: 301–6 Great Teays Boulevard, Scott Depot, WV 25560

Description of Request: Provide an earmark of $347,000: Northern Putnam County is underserved for primary and preventive care, with only one doctor located in the area and a population close to 10,000 people. Family Care, a Section 330 Community Health Center (FQHC) has its main office in the Teays District of Putnam County and is interested in working with a community coalition from Northern Putnam County to establish a full-time health center in this growing community so that families can access healthcare closer to their homes and schools. Funding will be used to purchase an existing building in the town of Eleanor, renovate it to accommodate a 5,000 sq. ft. health clinic, and support the first two years of operation until the new site is financially stable.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Labor HHS: HRSA

Legal Name of Requesting Entity: St. Francis Hospital

Address of Requesting Entity: 333 Laidley St. P.O. Box 471, Charleston, WV 25322

Description of Request: Provide an earmark of $190,000: The Prime of Life health screening program at St. Francis offers monthly screenings at free or reduced rates. St. Francis currently offers a free blood sugar and blood pressure screening as well as a cholesterol check, prostate exam, thyroid stimulating hormone test, hemoglobin A1C test for patients with diabetes and a complete blood count for $10 per test. Federal funding would allow St. Francis to expand the screening capacity and to educate patients and the regional population on health prevention, encourage them to take personal responsibility for their health, and act as a preventative health resource.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Labor HHS: HRSA

Legal Name of Requesting Entity: E.A. Hawse Health Center Address of Requesting Entity: PO Box 97 17978 State Rt. 55 Baker, WV 26801

Description of Request: Provide an earmark of $190,000: E.A. Hawse Health Center (HHC) is seeking federal funding to provide oral health care for the underserved in the three county region of Berkeley, Morgan and Jefferson counties in West Virginia. The funding will allow HHC to lease, renovate, and equip a 3,000+ sq. ft. building located in Martinsburg for the practice site. Initial staffing will be 2

FTE Dentists, 1 FTE Dental Hygienist, 2.5 FTE Dental Assistants, 2 FTE clerical staff and 1 FTE Office Manager. It is estimated that the practice will provide 5,700 encounters for 2,500 users by the second year of the service expansion project period.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105 FY 2009 Omnibus Appropriations Act

Account: Labor HHS: HRSA

Legal Name of Requesting Entity: Marshall University Mid-Ohio Valley Center Address of Requesting Entity: One John Marshall Way Point Pleasant, WV 25550

Description of Request: Provide an earmark of $190,000: This funding will go towards building a medical simulation lab, a state of the art training facility that will provide the most current clinical situations. This lab will provide challenging medical situations that require critical thinking skills for all levels of medical professionals, in addition to the hands on interventions of medical care. This funding will allow the center to continually train all medical professionals for the rural setting. It is imperative to provide this training for these unique medical cases. Not only will the training assist in saving lives, but the care given at the first contact will aid in a faster diagnosis and treatment which could assist in the recovery process

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Labor HHS: HRSA

Legal Name of Requesting Entity: Thomas Memorial Hospital

Address of Requesting Entity: 4605 MacCorkle Avenue SW., South Charleston, WV 25309

Description of Request: Provide an earmark of $95,000: Thomas Memorial Hospital is seeking funding to assist in the completion of a clinical pavilion that will provide critically needed patient beds and surgical suites. The hospital serves an 8 county radius and needs the additional patient beds and surgical suites to address the demands of an aging patient population and an increased number of births at the facility.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: Labor HHS: HRSA

Legal Name of Requesting Entity: St. Joseph Hospital

Address of Requesting Entity: 1 Amalia Drive, Buckhannon, WV 26201

Description of Request: Provide an earmark of $95,000: St. Joseph's is seeking funds to establish twenty skilled nursing beds on hospital campus. The twenty skilled nursing beds are an integral component of the proposed senior retirement community in Upshur County that will provide independent living, assisted living, and skilled nursing living facilities.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: FHWA: IM

Legal Name of Requesting Entity: City of South Charleston

Address of Requesting Entity: P.O. Box 8597, So. Charleston, WV 25303

Description of Request: Provide an earmark of $237,500: The city is asking for funding to help with the cost involved in the repairs that need to be done. The entire decking on this bridge is failing and must be replaced as well as the sidewalks on the bridge. The federal funding if granted will be used entirely on the planning and replacement costs. A bridge report is available should it be required. This bridge is one of the main arteries in to the city. It also is the only available way for the students who attend South Charleston Middle School to cross over in order to get to the school. As it is now it is not as safe as it needs to be for all the traffic that passes over whether it is by foot or automobile. The funding for this project will help us accomplish our goal to replace the decking and sidewalks on the Central Avenue Overpass. We hope to meet a goal of new decking, sidewalks and to replace all the fencing and rails for all traffic. The benefit of this project is to ensure that we have a safe entry into our city in order to keep our economic growth at a steady rate. It also will allow a safe and direct way for our School students to get to and from school if their only way to school is to walk.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: HUD: EDI

Legal Name of Requesting Entity: Kanawha Co. Public Library

Address of Requesting Entity: 123 Capitol Street Charleston, WV 25301

Description of Request: Provide an earmark of $237,500: The funds appropriated for the project will go towards building new parking facilities a small business center, career center, and meeting room space.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: HUD: TCSP

Legal Name of Requesting Entity: Berkeley County Development Authority

Address of Requesting Entity: 110 West Burke Street, Martinsburg, WV, 25401

Description of Request: Provide an earmark of $332,500: Funding is needed to continue the construction of necessary infrastructure at Tabler Station Businesses Park. These funds would be directed toward projects including: Transportation and Roads, Water and Sewer Lines, Storm Water Management, Electrical Power, and Telecommunications. This project received an EDA grant of $1.2 million in 2007.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: HUD: EDI

Legal Name of Requesting Entity: Morgan County Commission

Address of Requesting Entity: P.O. Box 28, Berkeley Springs, WV 25411

Description of Request: Provide an earmark of $190,000: It is proposed to build a senior housing project on a vacant CSX site in downtown Berkeley Springs. The monies would be used for site acquisition and some site improvements. Despite growth in the area, there remains a long-term population of the area who need affordable housing and who are gradually being priced out of the market. This includes many persons aged 55 or over who have been residents of the Morgan County area for their entire lives, but now find a shifting of their housing needs as they age. Currently there are no senior housing facilities in Berkeley Springs. The construction of this project will be the first in the area and will meet a demonstrated need.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: T–HUD: HUD: EDI

Legal Name of Requesting Entity: Randolph County Development Authority/City of Elkins

Address of Requesting Entity: 10 11th Street, Elkins, WV 26241

Description of Request: Provide an earmark of $142,500: This project will help ensure both downtown revitalization and preservation of the City of Elkins' historic commercial core. Funding is needed because the City of Elkins and the RCDA have exhausted both of their resources investing in the skeleton of the Revitalization effort. The City has upgraded water, sewer, and storm sewer lines, while the RCDA has installed road beds, underground utilities, restored the historic depot, and attracted private developers into the downtown.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: HUD: EDI

Legal Name of Requesting Entity: Central Appalachia Empowerment Zone of WV

Address of Requesting Entity: 135 Main Street P.O. Box 176, Clay, WV 25043

Description of Request: Provide an earmark of $190,000: This funding will be used for mining reclamation. With the planning and design of the site the coal company will work with the engineer firm, WV Housing Development Fund and the Clay County Board of Education to make sure the reclaimed sites are left in the proper condition for construction, water and sewer, housing. By using reclaimed mine sites, Clay County will be able to have developable land for much needed housing and industrial sites. The benefits to the district will be affordable housing for the residents of the district and land to develop industry.

Requesting Member: SHELLEY MOORE CAPITO

Bill Number: H.R. 1105, FY 2009 Omnibus Appropriations Act

Account: HUD: TCSP

Legal Name of Requesting Entity: HOPE Community Development Corporation, Charleston, WV

Address of Requesting Entity: 407 Virginia Street East, 600 Kanawha Boulevard, West, Charleston, WV 25302

Description of Request: Provide an earmark of $712,500: The funding will allow HOPE CDC to establish a Home Ownership Zone on the West Side of Charleston to provide homeownership opportunities to low to moderate income families on The West Side to increase the number of homeowners on the West Side of Charleston. The establishment of an Entrepreneurial Economic and Workforce Development Center will Result in the creation of jobs and economic business opportunities for residents on the West Side of Charleston.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Distinguished Honoree is Raritan Borough Mayor Jo-Ann Liptak, who is being honored for her decades as a teacher, volunteer work at Somerset Medical Center in Somerville, and her service on the Somerset County Planning Board. She also created the borough's annual John Basilone Memorial parade. Jo-Ann is the third generation in her family to hold office in Raritan Borough, became the municipality's first female mayor in 2007. I am pleased to congratulate Raritan Borough Mayor Jo-Ann Liptak for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 1105, the "Omnibus Appropriations Act, 2009."

Requesting Member: Congressman JOHN DUNCAN

Bill Number: H.R. 1105

Account: Corps of Engineers—Section 206

Project Amount: $0—It is a named project.

Legal Name of Requesting Entity: Army Corps of Engineers—Nashville District, PO Box 1070, Nashville, TN 37202.

Description of Request: Maryville, TN is interested in the restoration of the area's hydrology, streambank stabilization, and construction of a sediment basin. Recommended features include sediment removal, bioengineering restorations, and wetland restoration and development.

INTRODUCTION OF "HEALTHCARE ENHANCEMENT FOR LOCAL PUBLIC SERVANTS ACT OF 2009"

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. CROWLEY. Madam Speaker, along with my New York colleague, JOHN MCHUGH, I am pleased to introduce the "Healthcare Enhancement for Local Public Servants Act of 2009" or HELPS II legislation to provide a pretax deduction of up to $3,000 to retired public servants for health or Long Term Care (LTC) insurance premiums.

This legislation builds off the successful language added to the Pension Protection Act (P.L. 109–280), which included a provision permitting retired public safety officers to take up to $3,000 in pre-tax income and use it for health care costs or long term care expenses.

Today, we expand this successful measure to all retired public employee.

This concept was born several years ago during the 108th Congress in the Portman-Cardin pension bill (H.R. 1776) which included language to provide the ability of all retirees to use pre-tax dollars to pay for health plan premiums. Unfortunately, this provision and H.R. 1776 did not become law, and so today we introduce this as a free standing bill.

This language will benefit our nation's hard working public sector retirees.

The average monthly pension benefit of a retired public servant is $1,725 and many do not have Social Security benefits. A significant portion of a retired public servants' monthly pension check is going towards health or Long Term Care insurance premiums. In many cases, the retired public servant is using the entire pension benefit to pay for health insurance premiums.

Additionally, HELPS II would streamline the administrative requirements of the program so that it will run more smoothly for those who already enjoy this tax benefit our nation's retired public safety officers.

Therefore, we are pleased to introduce this legislation and will work for its enactment to ensure that all of our nation's retired public safety officers and all of our nation's retired public servants have a streamlined ability to pay for health and long term care costs in their golden years.

INTRODUCTION OF THE HEALTHCARE ENHANCEMENT FOR LOCAL PUBLIC SERVANTS ACT OF 2009

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. MCHUGH. Madam Speaker, I rise today as a proud cosponsor of the Healthcare Enhancement for Local Public Servants Act of 2009, or HELPS II, Act. I appreciate the work my friend, Mr. CROWLEY, has done to develop this important legislation, which would make health care and Long Term Care (LTC) premiums more affordable for retired public servants.

Currently, active American workers who participate in a cafeteria plan option known as "premium conversion" may elect to reduce their taxable wages by having their share of health insurance premiums paid on a pretax basis. Such an arrangement reduces both income and employment taxes. Since October 2000, this option has been available to federal employees who participate in the Federal Employees Health Benefits Program (FEHBP). This option is also available to private sector and state or local government employees with their employers' permission.

Generally, premium conversion is not available to retirees. This is so because of an Internal Revenue Service (IRS) determination that distributions from qualified retirement plans are always subject to taxes, aside from several minor exceptions. Consequently, retirees are precluded from recasting pension payments as pretax income and thus denied this tax benefit.

The Pension Protection Act of 2006 (P.L. 109–280) allows certain retired public safety officers to pay up to $3,000 of qualified health insurance and/or Long Term Care (LTC) insurance premiums from their pensions on a pretax basis. This tax advantage, which makes health care more affordable, has become increasingly important as health insurance premiums have increased in recent years.

While I support making premium conversion available to all Americans, a good first step would be to make it available to retired state and local public employees through the enactment of the Healthcare Enhancement for Local Public Servants Act of 2009. Accordingly, I look forward to working with the Gentleman from New York to enact this measure.

ALLISON HARMON, DISTINGUISHED FINALIST, 2009 PRUDENTIAL SPIRIT OF COMMUNITY AWARDS

HON. ROSCOE G. BARTLETT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. BARTLETT. Madam Speaker, I would like to congratulate and honor a young student from my district who has achieved national recognition for exemplary volunteer service in her community. Allison Harmon of Hampstead has been named a distinguished finalist by the 2009 Prudential Spirit of Community Awards program, an annual honor conferred on the most impressive student volunteers in each state and the District of Columbia.

Ms. Harmon has been an active community volunteer, going back to the sixth grade. She has coordinated drives to collect school supplies, clothing, food and toys for the needy; tutored and mentored young students; volunteered at hospitals; and participated in many other service activities.

I believe it is vital that we encourage and support the kind of selfless contribution that Allison has made. People of all ages need to think more about how we, as individual citizens, can work together at the local level to ensure the health and vitality of our towns and neighborhoods.

I heartily applaud Ms. Harmon for her initiative in seeking to make her community a better place to live, and for the positive impact she has had on the lives of others. Her actions show that young Americans can—and do—play important roles in our communities, and that America's community spirit continues to hold tremendous promise for the future.

Young volunteers like Allison are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow.

WOMEN'S HISTORY MONTH

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. KENNEDY. Madam Speaker, every March, we celebrate women's history and we remember their struggle for justice and equality. It's an occasion on which we honor the brave women who fought to improve and redefine America.

My home state of Rhode Island has known its share of extraordinary women. From Anne Hutchinson, a religious and social activist who challenged male hegemony, to Isabelle Ahearn O'Neill, who became Rhode Island's first woman legislator, women have fought with courage and perseverance for the freedom and equality that are rightfully theirs.

In the last two years alone, we have witnessed the first female Speaker of the House of Representatives and the first major female candidate for the Presidency of the United States. In January, the first action taken by Congress and the President, was to make the Lily Ledbetter Fair Pay Act law. This legislation brings us one step closer to making sure that our female students someday enter our workforce at a wage equal to their male counterparts. At a time when we celebrate women's achievements, we must not, however, lose sight of the work that still lies ahead. In the effort to empower women, we must continue their fight for pay equity, eliminating health disparities, and strengthening domestic violence laws.

As we look towards the challenges we face, we must not forget those that got us to where we are today, and continue to encourage and seek progress.

HONORING HOSCHTON, GEORGIA FOR SETTING THE RECORD FOR ''THE MOST SCARECROWS IN ONE LOCATION''

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. BROUN of Georgia. Madam Speaker, I rise today to share with my colleagues a great accomplishment that occurred in my district in the town of Hoschton, Georgia.

Hoschton, Georgia is a classic American town in Jackson County that cherishes a model American history. In 1865, the Hosch brothers founded this town on entrepreneurship and the American dream when they built the town's first store. This small town grew on these American ideals and, among other things, built two banks, a cotton gin, a cotton oil mill, and a train depot. In May 2008, the town decided to strive for yet another milestone—to set the world record for ''the Most Scarecrows in One Location.''

Mayor Bill Copenhaver and life-long resident Robbie Bettis co-chaired the Hoschton Fall Festival Committee that conceived of this challenge. The goal was clear. They needed four thousand scarecrows within the city limits by September 1, 2008. But these great community leaders pulled Hoschton's citizens together and surpassed their goal by 1,441 scarecrows. In less than four months, more than five thousand scarecrows were placed within the city limits. That's more than forty per day.

The Hoschton Fall Festival was then held last year on September 26 and 27 and drew more than 25,000 people who traveled far and wide to view a new World Record. It must also be noted that the other outstanding members of the Hoschton Fall Festival Committee were: Chuck Cope, Chris Hoffman, Theresa Kenerly, Leah Nelson, Nancy Rhodes, John Schulte, Richard Shepherd, Kristen Smith, Lisa Stovall, Ray Vaughn, Tom Walden, and Mark Williams. Furthermore, this great feat received state, national, and international media attention.

I ask my colleagues to join me in honoring this great American town. Its accomplishments show all of America what can be done when a dedicated community works together to meet, and in this case surpass, a stated goal.

EARMARK DECLARATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. FRELINGHUYSEN. Madam Speaker, pursuant to the Republican Standards on earmarks, I am submitting the following information regarding an earmark I received as part of the FY2009 Omnibus.

Division I: Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2009

Account: Department of Transportation, Technical Corrections

Legal Name of Entity: County of Morris

Address of Requesting Entity: 30 Schuyler Place, Morristown, New Jersey 07940

Description of Request: $800,000 was authorized under section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109–59), to divert traffic from the steep grade at Schooley's Mountain Road and add roadway, construct a bridge over the Raritan River, and replace existing culverts. The technical correction will modify the current language of ''Construct Long Valley Bypass,'' with ''Planning, design, engineering, environmental analysis, acquisition of rights-of-way, and construction for the Long Valley Bypass.'' This is a technical correction to an existing authorization and has no budgetary impact.

INTRODUCTION OF H.R. 1400

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. McHUGH. Madam Speaker, on March 9, 2009, I introduced H.R. 1400, a bill designed to further combat and reduce underage smoking. Specifically, this measure would make cigarettes and certain other tobacco products nonmailable through the United States Postal Service.

This bill is necessary because the United States Postal Service is being used to facilitate the delivery of cigarettes that were purchased illegally on the Internet by underage minors. Unfortunately, those existing safeguards designed to prevent minors from purchasing cigarettes online have proven ineffective. For example, although 80 percent of cigarette vendor websites allege that transactions with minors will not be completed, there is little in place to enforce this policy. In fact, one study found that only seven percent of online vendors require driver's license information, while more than 50 percent simply require customers to verify their age by selecting an ''I am over 18 years old'' option. These and other safeguards clearly did not deter the 50,000 minors estimated, based on U.S. Centers for Disease Control and Prevention data, to have purchased cigarettes online in 2003. As Internet commerce expands, the number of persons (including minors) purchasing cigarettes online is expected to increase dramatically.

The problem H.R. 1400 is designed to address is illustrated by the disturbing results from Internet ''sting'' operations conducted by over 15 states in recent years. In New York State, 24 out of 26 websites sold cigarettes to minors as young as nine years old. Moreover, in 2005, a group of Upstate New York teenagers in my Congressional District conducted a similar experiment in collaboration with law enforcement. Half of their orders were successfully delivered, and, unfortunately, 90 percent were delivered via the United States Postal Service.

In addition to helping curb the usage of tobacco products among minors, H.R. 1400 would end tax evasions that hurt our States and local governments. These revenues are not insignificant. Rather, annual tax revenues estimated at $1.4 billion are being lost; in 2005, New York State alone lost $400 million.

Madam Speaker, Congress has the opportunity to combat underage tobacco use and tax evasion by enacting H.R. 1400. Accordingly, I ask my colleagues to work with me to enact this important measure.

COMMENDING THE OUTSTANDING WOMEN OF SOMERSET COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month, and I would like to congratulate a number of outstanding women who will be recognized at the Somerset County's Commission on the Status of Women awards in New Jersey's Seventh Congressional District.

The Commission presents awards annually in celebration of National Women's History Month in March. This year there are 17 women being honored, including entrepreneurs, educators and hometown heroes whose community service is considered extraordinary.

This year's Entrepreneur Award winner is Lisa Kent of Hillsborough. She is the founder and president of the Luminations Group, a strategy and innovation firm.

The company began as a nonprofit enterprise that helped Hillsborough retailers and businesses develop marketing plans and materials. Today, the company includes eight female principals with more than 100 years of

combined marketing and general-management experience, and serves large brands and entrepreneurial endeavors. Lisa's company takes on pro-bono projects through Luminations' ''Charity of Choice'' program.

She co-chairs the Hebrew Education Committee at Congregation Kehilat Shalom in Hillsborough and volunteers with the Central Jersey MS Society.

I am pleased to congratulate Lisa Kent for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

IN RECOGNITION OF GENE MARIE O'CONNELL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Ms. SPEIER. Madam Speaker, for more than a decade, Gene Marie O'Connell has faithfully served the city we share as CEO of San Francisco General Hospital, the city's primary safety-net hospital. Under her skilled and passionate leadership, San Francisco General achieved designation as a level one trauma center, the only one of its kind serving San Francisco and northern San Mateo County. Additionally, the hospital received the notable distinction of ''certified stroke center'' and has been deemed ''baby friendly'' by the World Health Organization—the only health care facility in the Bay Area with that designation.

Gene Marie's own accomplishments are nearly as impressive as those of the hospital she serves so well. In 2007 she was named chair of the National Association of Public Hospitals and Health Systems, an organization that represents more than 100 health systems nationwide. Ever cognizant of the needs of public hospitals and those they serve, Gene Marie made it a priority for the organization to improve the quality of patient care and to secure adequate Medicare and Medicaid funding.

Gene Marie has further devoted her time and talents to the medical field as a board member of the National Public Health & Hospital Institute, the branch that handles the national association's research initiatives. Her achievements attest to her steadfast devotion to providing exceptional medical care and treatment while seeking solutions to the field's most pressing issues.

As we both know, Madam Speaker, healthcare is an ever-changing arena. Despite this, Gene Marie's tireless dedication to the field and her genuine desire to positively impact the lives of those in need has remained constant. Such attributes attest to the magnitude of her influence on patients, co-workers, and members of the medical community who have benefited from her devoted care and faithful service.

Bolstering a personal philosophy that emphasizes the importance of compassion and support, Gene Marie has proved indispensible in all the positions she has held. Prior to her post as CEO of San Francisco General, she served as the hospital's chief operating officer, the senior associate administrator for clinical services, the director of emergency services, and the director of staff development, research, quality assurance, and discharge planning. The incredible breadth of her experience in the medical field also includes time spent as the director of patient care services at the Department of Public Health's Community Health Network.

Madam Speaker, the astounding accomplishments of Gene Marie O'Connell make us all proud. Through her leadership, San Francisco General has risen to the top of public hospitals and her initiatives guarantee that it will continue to be an innovative and compassionate member of our community. She has left an indelible mark on the hospital and all those it serves and her efforts ensure its persistent growth and prominence. Our community owes her a debt of gratitude and special thanks go to her supportive husband, Joel Hurwitz, and children, Tanya and Thorin, for sharing this very special woman with all of us.

SUPPORTING THE EMPLOYEE FREE CHOICE ACT OF 2009

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. STARK. Madam Speaker, I rise today in support of the Employee Free Choice Act of 2009, which my good friend GEORGE MILLER has reintroduced today.

Passage of the Employee Free Choice Act is long overdue. Middle-class Americans are the backbone of the economy, and yet they took a back seat to corporate giants over the past eight years. The previous Administration decided to protect big business at the expense of their employees, and corporate profits ballooned while real worker wages stagnated or even declined.

Right now, employers can use coercive tactics in the run-up to an employer-forced election even when a majority of workers want to form a union, they can stall indefinitely during contract negotiations, and they can engage in illegal labor practices and receive only a slap on the wrist. American workers deserve better.

The Employee Free Choice Act levels the playing field between employees and employers by allowing workers to decide whether to hold a NLRB election or instead show that a majority of workers support unionization. The Act prevents employers from stonewalling and makes it easier for employees to reach a collective bargaining agreement. Finally, the Employee Free Choice Act stiffens penalties against employers who violate the law.

The current economic recession makes passage of the Employee Free Choice Act even more important. Workers with higher wages will stimulate the economy, spur investment, and get America back on the road to prosperity. That's why I'm proud to be a co-sponsor of the Employee Free Choice Act of 2009, and why I urge all of my colleagues to support this vital piece of legislation. It's time to recognize and support American workers instead of leaving them behind.

IN SUPPORT OF SMALL, MINORITY-OWNED BANKS

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. CLEAVER. Madam Speaker, on behalf of Congressman AL GREEN and myself, I wish to submit copies of letters sent by the Greenling Institute of Berkeley, California, and by the National Bankers Association, which highlight the need for small banks, including minority owned banks that work with the inner city communities, to receive some of the federal Troubled Asset Relief Program (TARP) monies that are being distributed largely to the national financial institutions. While AIG, Citibank, JPMorganChase and others are receiving billions of dollars in aid, the opportunity to save a minority bank, OneUnited, with twelve million dollars is not only right and justified, it is essential. It is these small banks, typified by OneUnited that are vital to the communities we represent.

We commend the actions taken by Representative FRANK in urging the Department of the Treasury to notice and come to the aid of OneUnited. It is not a coincidence that so much attention has been devoted to what is a relatively small amount of money in the context of the hundreds of billions of dollars that have been distributed. OneUnited has been a profitable bank for every quarter for the last ten years, but had its capital wiped out when Fannie and Freddie preferred shares were deemed valueless due to the takeover of Fannie and Freddie by the Federal government. The preferred stock of Fannie and Freddie were always highly recommended investments and, in the case of OneUnited, a Community Development Finance Institution, these investments fit the mission of the bank. Before any TARP money was invested, OneUnited first received an investment of $17 million dollars of additional private capital. This bank, like others, is trying to cope in this new financial world. We see every reason that minority banks are worthy of federal assistance and should be treated with the same care that the larger, and I might add, more irresponsible and careless banks have been treated by the Federal Government.

Again, Madam Speaker, Congressman GREEN and I applaud the actions taken by our colleague, Chairman FRANK in support of OneUnited a small minority owned bank. We encourage the Treasury Department and the federal financial regulators to treat all stressed financial institutions fairly regarding usage of the TARP funds during this very difficult financial situation.

THE GREENLINING INSTITUTE,
Berkeley, CA, January 26, 2009.

One united and creating equal opportunities for minority-owned banks under TARP.

Congressman BARNEY FRANK,
Rayburn H.O.B.,
Washington, DC.

DEAR BARNEY, Greenlining Institute met with the Federal Reserve, OCC and FDIC on November 17th and 18th to, in part, formally complain that none of the fifty-two Latino or African American-owned banks, as of early November, had received any bailout funds. We contended that many were better equipped than Citigroup, for example, to assist Main St. borrowers but lack the clout to advance their interests.

We are pleased and very supportive of your efforts to urge that TARP funds also be considered for our nation's fifty-two small African American and Latino-owned banks such as One United. (Wall St. Journal, 1/22/09.)

In contrast to banks like One United, Merrill Lynch and BofA spent $8 million dollars in lobbying regulators and Congress in 2008. (Wall St. Journal, 1/24/09). Small banks ($1 billion dollars or less) can't afford to do this and need all the indirect advocacy that you and a few others have advanced for small minority-owned banks.

Since African American and U.S. Latino-owned banks have less than $8 billion dollars in aggregate assets, the maximum they are eligible for under TARP would be just $240 million dollars. This is approximately a mere one-tenth of one percent (00.1%) of the amount the major banks have already received in TARP bailouts. And this represents only a half of one percent of the $45 billion dollars Citigroup has so far received from TARP.

Thanks for continuing to advocate for Main St.

Warm Regards,

ORSON AGUILAR,
Executive Director.
BOB GNAIZDA,
Consultant.

NATIONAL BANKERS ASSOCIATION,
Washington, DC, February 23, 2009.

Hon. BARNEY FRANK,
House of Representatives, Rayburn House Office Bldg., Washington, DC.

DEAR CHAIRMAN FRANK, I write to you on behalf of the National Bankers Association (the NBA), which, as you know, represents the interests of minority- and women-owned financial institutions from across America. The NBA would like to thank you for your continued and unwavering advocacy on behalf of minority banks.

You have always maintained open lines of communication with us by, among other things, meeting with us during our annual Legislative Summit, and you are always in tune with what minority banks and the communities they serve need and deserve. Moreover, you have taken actions that have led to Government Accountability Office studies on, and, as Chairman of the House Financial Services Committee, you have held hearings on, the regulation of minority banks. Your actions have led to increased support, financial and otherwise, for programs that allow us to continue to serve the communities that our members target and that are often ignored by majority financial institutions. With your unceasing assistance, the minority banking sector has remained financially sound, and our members have continued to operate in accordance with their commitment to extending credit to ordinary Americans.

We remain confident that you recognize the importance of minority banks in this country, particularly to our inner cities, where they not only provide critical financial services, but, as importantly, serve as a beacon of hope to underserved minority residents. You have consistently acknowledged that minority banks have maximum impact in the communities that need their services and that inner cities depend on minority banks for their financial and psychological survival. Thus, these institutions are an essential element of our banking community. As you stated recently, ''To help a minority bank stay in business—that is what democracy means.''

We recognize that, despite your championing of such worthy causes, you have been the target of a significant amount of negative press in recent months with regard to a provision designed to aid minority banks that you put in the Troubled Assets Relief Program bill. You nevertheless have refused to back down from your critics or abandon the plight of minority banks. Rather, you have continued to publicly recognize that many minority institutions are facing a dire economic outlook through no fault of their own, and that these institutions, which are often the lifeblood of their communities, deserve the same opportunities as the largest banks in the country to benefit from our government's attempt to strengthen the U.S. economy.

We are truly grateful for your continued backing and assistance of minority banks—even in the face of undue criticism—which allow us to continue to support you in your broader efforts to revitalize urban America. This letter is only a small token of our appreciation. We cannot thank you enough for the support that you unfailingly have shown for us and our members.

Sincerely.

MICHAEL A. GRANT, J.D.,
President.

REGARDING H.R. 1381

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. YOUNG of Alaska. Madam Speaker, recently, I introduced H.R. 1381, which would make permanent the provisions of Section 646 of the Internal Revenue Code. Currently, these provisions are slated to expire on December 31, 2010.

In 1971 Congress passed, and President Nixon approved, landmark legislation known as the Alaska Native Claims Settlement Act (ANCSA). This legislation settled the aboriginal land claims of Native Alaskans in exchange for land selection rights and cash. The law was, and is, a bold and organic national experiment in Native land claims settlement. However, it has needed revision and refinement many times since 1971. I am proud to have worked with my Colleagues over the past several years to accomplish these improvements.

In 1988, Congress enacted legislation to authorize Alaska Native corporations to establish ''settlement trusts.'' Their purpose was to provide benefits to Alaska Natives and permit a legal structure that would protect and preserve, for current and future Alaska Native generations, much of the value of the land claims settlement. The original ANCSA required Native groups to form Alaska state law corporations to receive, administer, and distribute the ANSCA settlement, and the 1988 legislation was recognition that the corporate form had not always been well-suited to this task. In part, this was due to the federal tax problems that attend the corporate form, although ironically in the years after 1988, it became apparent that the federal tax rules relative to trusts present their own complexities and problems that discouraged the use of settlement trusts.

Congress enacted Section 646 of the Tax Code to address these problems. Section 646 provides for an elective regime for Alaska Native settlement trusts that (i) provides for a trust level tax at various rates ranging up to 10% in lieu of beneficiary level taxes; (ii) allows contributions to be made to these trusts on a tax favored basis; and (iii) streamlines administrative reporting for these trusts. When adopted, this elective treatment initially provided significant incentives to the use of settlement trusts to further the ANCSA settlement, and Alaska Native corporations utilized this provision to provide benefits through Alaska Native settlement trusts.

As I mentioned earlier, Section 646 is scheduled to sunset on December 31, 2010, despite the positive effects it has had for the Alaska Native community. The principal aim of settlement trusts is to provide funds to the Alaska Native beneficiaries. These beneficiaries are among the most economically disadvantaged persons in our country. Section 646 has worked well to provide an incentive for the use of settlement trusts, and must be continued.

However, the looming expiration of Section 646 has had a chilling effect in recent years upon the establishment of new Alaska Native settlement trusts. Alaska Native corporations have no desire to exchange the corporate tax problems they already face for the tax problems accompanying the trust form that they will face if Section 646 is allowed to sunset. In October 2008, the Alaska Federation of Natives formally endorsed the permanent extension of Section 646, and in December 2008 the Joint Committee on Taxation scored the permanent extension of Section 646 as costing approximately $33 million.

I introduced H.R. 1381, because a permanent extension of Section 646 will immediately remove the disincentive for Alaska Native corporations to use settlement trusts to provide benefits to their Alaska Native shareholders otherwise presented by the sunset of Section 646.

EARMARK DECLARATION

HON. STEVE SCALISE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. SCALISE. Madam Speaker, pursuant to the Republican Leadership standards on Congressionally-directed project funding, I am submitting the following information regarding project funding I requested for Southeast Louisiana as part of the FY 2009 Omnibus.

Requesting Member: Congressman STEVE SCALISE

Bill Number: FY 2009 Omnibus

Account: HHS, Health Resources and Services Administration (HRSA)—Health Facilities and Services

Legal Name of Requesting Entity: West Jefferson Medical Center

Address of Requesting Entity: 1101 Medical Center Boulevard, Marrero, Louisiana 70072

Description of Request: I have secured $190,000 for West Jefferson Medical Center in Marrero, Louisiana. This funding will be used to relocate and upgrade emergency electrical system switchgear to above the 1st floor of the hospital to prevent loss of power due to possible flooding. It would also add on-site electrical generation capacity to power the entire facility with on-site diesel fuel for up to seven days. The upgrade would add an additional 1,500 KW generator and a 24,000 gallon diesel fuel tank capacity. It relocates and rewires the existing 13 mission critical electrical switchgear locations to an upper level to ensure continued operation in the event of

flooding and municipal power interruption. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman STEVE SCALISE

Bill Number: FY 2009 Omnibus

Account: Department of Labor, Employment and Training Administration (ETA)—Training and Employment Services (TES)

Legal Name of Requesting Entity: Southeastern Louisiana University

Address of Requesting Entity: SLU Box 10784, Hammond, Louisiana 70402

Description of Request: I have secured $190,000 for the Southeastern Louisiana University Economic and Workforce Development Initiative. The funding would be used to expand its pilot initiative to provide one stop economic/workforce development and community planning/smart growth assistance to meet the needs of Post-Katrina southeast Louisiana. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman STEVE SCALISE

Bill Number: FY 2009 Omnibus

Account: DOT, Transportation, Community and System Preservation

Legal Name of Requesting Entity: Regional Planning Commission

Address of Requesting Entity: 1340 Poydras Street, Ste. 2100, New Orleans, Louisiana 70112

Description of Request: I have secured $285,000 for the Regional Planning Commission. The funding would be used for geometric and signalization improvements to Almedia Road (LA 50) at its intersections with US 61 to the north and LA 48 to the south. Almedia Road is a key north-south connector route on the eastbank of St. Charles Parish linking petrochemical facilities, refineries, and grain elevators along the Mississippi River with the national highway system, specifically, US 61, 1–310 and 1–10. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman STEVE SCALISE

Bill Number: FY 2009 Omnibus

Account: DOT, Transportation, Community and System Preservation

Legal Name of Requesting Entity: Regional Planning Commission

Address of Requesting Entity: 1340 Poydras Street, Ste. 2100, New Orleans, Louisiana 70112

Description of Request: I have secured $356,250 for the Regional Planning Commission. The funding would be used to upgrade transportation and drainage on Clearview Parkway (LA Hwy. 3152) at the interchange area with Earhart Expressway (LA 3139) in the Elmwood area of Jefferson Parish. The Department of Transportation and Development (LaDOTD) will be the grant recipient on behalf of Jefferson Parish and the State of Louisiana. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman STEVE SCALISE

Bill Number: FY 2009 Omnibus

Account: DOT, Transportation, Community and System Preservation

Legal Name of Requesting Entity: Regional Planning Commission

Address of Requesting Entity: 1340 Poydras Street, Ste. 2100, New Orleans, Louisiana 70112

Description of Request: I have secured $175,000 for the Regional Planning Commission. The funding would be used for construction of a Service Road of I–10 between LA 433 and US 190B in Slidell. This area of the Northshore has seen significant growth and development in the last decade. This trend is anticipated to continue and to expand further as the New Orleans region resettles as a result of Hurricane Katrina. The Department of Transportation and Development (LaDOTD) will be the grant recipient on behalf of St. Tammany Parish and the State of Louisiana. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman STEVE SCALISE

Bill Number: FY 2009 Omnibus

Account: DOT, Transportation, Community and System Preservation

Legal Name of Requesting Entity: St. Tammany Parish government

Address of Requesting Entity: PO Box 628, Covington, Louisiana 70434

Description of Request: I have secured $237,500 for St. Tammany Parish government. This funding would be used for an interchange at 1–12 and LA Highway 1088 in order to take traffic congestion off LA Highway 59 and US Highway 190. Traffic congestion is very heavy due to the continued population migration into St. Tammany Parish, the need for more schools and the expansion of retail and commercial businesses and residential subdivisions. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman STEVE SCALISE

Bill Number: FY 2009 Omnibus

Account: DOT, Transportation, Community and System Preservation

Legal Name of Requesting Entity: Regional Planning Commission

Address of Requesting Entity: 1340 Poydras Street, Ste. 2100, New Orleans, Louisiana 70112

Description of Request: I have secured $237,500 for the Regional Planning Commission. This funding would be used for the widening of US 190 to a four lane section between US 11 and LA 433 in Slidell. The project is needed to alleviate severe congestion along the roadway that services the City of Slidell and eastern St. Tammany Parish. The project would help alleviate increasing congestion along the I–10/1–12 corridor by providing an alternative to the interstate. The Department of Transportation and Development (LaDOTD) will be the grant recipient on behalf of St. Tammany Parish and the State of Louisiana. I certify that neither I nor my spouse has any financial interest in this project.

TRAVIS ROBINSON DISTINGUISHED FINALIST 2009 PRUDENTIAL SPIRIT OF COMMUNITY AWARDS

HON. ROSCOE G. BARTLETT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. BARTLETT. Madam Speaker, I would like to congratulate and honor a young student from my district who has achieved national recognition for exemplary volunteer service in his community. Travis Robinson of Taneytown has been named a distinguished finalist by the 2009 Prudential Spirit of Community Awards program, an annual honor conferred on the most impressive student volunteers in each state and the District of Columbia.

Mr. Robinson is being recognized for raising nearly $10,000 in cash and food donations to support the Carroll County Food Sunday program. Upon learning that donations at the food pantry had been ruined by the high summer heat, Travis conducted a series of food drives in his community.

I believe it is vital that we encourage and support the kind of selfless contribution that Travis has made. People of all ages need to think more about how we, as individual citizens, can work together at the local level to ensure the health and vitality of our towns and neighborhoods.

I heartily applaud Mr. Robinson for his initiative in seeking to make his community a better place to live, and for the positive impact he has had on the lives of others. Travis' actions show that young Americans can and do play important roles in our communities, and that America's community spirit continues to hold tremendous promise for the future.

Young volunteers like Travis are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow.

THE FREEDOM TO BANK ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 2009

Mr. PAUL. Madam Speaker, I am pleased to introduce legislation repealing two unconstitutional and paternalistic federal financial regulations. First, this legislation repeals a federal regulation that limits the number of withdrawals someone can make from a savings account in a month's time without being assessed financial penalties. As hard as it is to believe, the federal government actually forces banks to punish people for accessing their own savings too many times in a month. This bill also repeals a regulation that requires bank customers to receive a written monthly financial statement from their banks, regardless of whether the customer wants such a communication.

These regulations exceed Congress's constitutional powers and violate individual property and contract rights. Furthermore, these regulations insult Americans by treating them as children who are unable to manage their own affairs without federal control. I urge my colleagues to show their respect for the Constitution and the American people by cosponsoring the Freedom to Bank Act.

HELPING FAMILIES SAVE THEIR HOMES ACT OF 2009

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 2009

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability:

Ms. JACKSON-LEE. Mr. Chair, I rise in strong support of H.R. 1106, ''Helping Families Save Their Homes in Bankruptcy Act of 2009.'' I would like to thank Chairman CONYERS of the House Judiciary Committee and Chairman BARNEY FRANK of the Financial Services Committee for their leadership on this issue. I also would like to thank Arthur D. Sidney of my staff who serves as my able Legislative Director.

Mr. Chair, I urge my colleagues to support this bill because it provides a viable medium for bankruptcy judges to modify the terms of mortgages held by homeowners who have little recourse but to declare bankruptcy.

This bill could not have come at a more timely moment. This bill is on the floor of the House within weeks after the President's address before the Joint Session of Congress where President Obama outlined his economic plan for America and discussed the current economic situation that this country is facing.

To be sure, there are many economic woes that saddle this country. The statistics are staggering.

Home foreclosures are at an all-time high and they will increase as the recession continues. In 2006, there were 1.2 million foreclosures in the United States, representing an increase of 42 percent over the prior year. During 2007 through 2008, mortgage foreclosures were estimated to result in a whopping $400 billion worth of defaults and $100 billion in losses to investors in mortgage securities. This means that one per 62 American households is currently approaching levels not seen since the Depression.

The current economic crisis and the foreclosure blight has affected new home sales and depressed home value generally. New home sales have fallen by about 50 percent. One in six homeowners owes more on a mortgage than the home is worth which raises the possibility of default. Home values have fallen nationwide from an average of 19 percent from their peak in 2006, and this price plunge has wiped out trillions of dollars in home equity. The tide of foreclosure might become self-perpetuating. The nation could be facing a housing depression—something far worse than a recession.

Obviously, there are substantial societal and economic costs of home foreclosures that adversely impact American families, their neighborhoods, communities and municipalities. A single foreclosure could impose direct costs on local government agencies totaling more than $34,000.

I am glad that this legislation is finally on the floor of the United States House of Representatives. I have long championed in the first TARP bill that was introduced and signed late last Congress, that language be included to specifically address the issue of mortgage foreclosures. I had asked that $100 billion be set aside to address that issue. Now, my idea has been vindicated as the TARP today has included language and we here today are continuing to engage in the dialogue to provide monies to those in mortgage foreclosure. I have also asked for modification of homeowners' existing loans to avoid mortgage foreclosure. I believe that the rules governing these loans should be relaxed. These are indeed tough economic times that require tough measures.

Because of the pervasive home foreclosures, federal legislation is necessary to curb the fall out from the subprime mortgage crisis. For consumers facing a foreclosure sale who want to retain their homes, Chapter 13 of the Bankruptcy Code provides some modicum of protection. The Supreme Court has held that the exception to a Chapter 13's ability to modify the rights of creditors applies even if the mortgage is under-secured. Thus, if a Chapter 13 debtor owes $300,000 on a mortgage for a home that is worth less than $200,000, he or she must repay the entire amount in order to keep his or her home, even though the maximum that the mortgage would receive upon foreclosure is the home's value, i.e., $200,000, less the costs of foreclosure.

Importantly, H.R. 1106 provides for a relaxation of the bankruptcy provisions and waives the mandatory requirement that a debtor must receive credit counseling prior to the filing for bankruptcy relief, under certain circumstances. The waiver applies in a Chapter 13 case where the debtor submits to the court a certification that the debtor has received notice that the holder of a claim secured by the debtor's principal residence may commence a foreclosure proceeding against such residence.

This bill also prohibits claims arising from violations of consumer protection laws. Specifically, this bill amends the Bankruptcy Code to disallow a claim that is subject to any remedy for damages or rescission as a result of the claimant's failure to comply with any applicable requirement under the Truth in Lending Act or other applicable state or federal consumer protection law in effect when the noncompliance took place, notwithstanding the prior entry of a foreclosure judgment.

H.R. 1106 also amends the Bankruptcy Code to permit modification of certain mortgages that are secured by the debtor's principal residence in specified respects. Lastly, the bill provides that the debtor, the debtor's property, and property of the bankruptcy estate are not liable for a fee, cost, or charge incurred while the Chapter 13 case is pending and that arises from a debt secured by the debtor's principal residence, unless the holder of the claim complies with certain requirements.

I have long championed the rights of homeowners, especially those facing mortgage foreclosure. I have worked with the Chairman of the House Judiciary Committee to include language that would relax the bankruptcy provisions to allow those facing mortgage foreclosure to restructure their debt to avoid foreclosure.

MANAGER'S AMENDMENT

Because I have long championed the rights of homeowners facing mortgage foreclose in the recent TARP bill and before the Judiciary Committee, I have worked with Chairman CONYERS and his staff to add language that would make the bill stronger and that would help more Americans. I co-sponsored sections of the Manager's Amendment and I urge my colleagues to support the bill.

Specifically, I worked with the Chairman CONYERS to ensure that in section 2 of the amendment, section 109(h) of the Bankruptcy Code would be amended to waive the mandatory requirement, under current law, that a debtor receive credit counseling prior to filing for bankruptcy relief. Under the amended language there is now a waiver that will apply where the debtor submits to the court a certification that the debtor has received notice that the holder of a claim secured by the debtor's principal residence may commence a foreclosure proceeding against such residence.

This is important because it affords the debtor the maximum relief without having to undergo a slow credit counseling process. This will help prevent the debtor's credit situation from worsening, potentially spiraling out of control, and result in the eventual loss of his or her home.

Section 4 of the Manager's Amendment relaxes certain bankruptcy requirements under Chapter 13 so that the debtor can modify the terms of the mortgage secured by his or her primary residence. This is an idea that I have long championed in the TARP legislation—the ability of debtors to modify their existing primary mortgages. Section 4 allows for a modification of the mortgage for a period of up to 40 years. Such modification cannot occur if the debtor fails to certify that it contacted the creditor before filing for bankruptcy. In this way, the language in the Manager's Amendment allows for the creditor to demonstrate that it undertook its ''last clear'' chance to work out the restructuring of the debt with its creditor before filing bankruptcy.

Importantly, the Manager's Amendment amends the bankruptcy code to provide that a debtor, the debtor's property, and property of the bankruptcy estate are not liable for fees and costs incurred while the Chapter 13 case is pending and that arises from a claim for debt secured by the debtor's principal residence.

Lastly, I worked to get language in the Manager's Amendment that would allow the debtors and creditors to negotiate before a declaration of bankruptcy is made. I made sure that the bill addresses present situations at the time of enactment where homeowners are in the process of mortgage foreclosure. This is done with a view toward consistency predictability and a hope that things will improve.

RULES COMMITTEE

During this time, debtors and average homeowners found themselves in the midst of a home mortgage foreclosure crisis of unprecedented levels. Many of the mortgage foreclosures were the result of subprime lending practices.

I have worked with my colleagues to strengthen the housing market and the economy, expand affordable mortgage loan opportunities for families at risk of foreclosure, and strengthen consumer protections against risky loans in the future. Unfortunately, problems in the subprime mortgage markets have helped push the housing market into its worst slump in 16 years.

Before the Rules Committee, I offered an amendment that would prevent homeowners and debtors, who were facing mortgage foreclosure as a result of the unscrupulous and unchecked lending of predatory lenders and financial institutions, from having their mortgage foreclosure count against them in the determination of their credit score. It is an equitable result given that the debtors ultimately faced mortgage foreclosure because of the bad practices of the lender.

Simply put, my amendment would prevent homeowners who have declared mortgage foreclosure as a result of subprime mortgage lending and mortgages from having the foreclosure count against the debtor/homeowner in the determination of the debtor/homeowner's credit score.

Specifically, my amendment language was the following:

SEC. 205. FORBEARANCE IN CREATION OF CREDIT SCORE

(a) In General—Section 609 of the Fair Credit Reporting Act (15 U.S.C. 1681g) is amended by adding at the end the following new subsection:

(h) Foreclosure on Subprime Not Taken Into Account for

Credit Scores—

(1) In General—A foreclosure on a subprime mortgage of a consumer may not be taken into account by any person in preparing or calculating the credit score (as defined in subsection (0(2)) for, or with respect to, the consumer.

(2) Subprime Defined—The term 'subprime mortgage' means any consumer credit transaction secured by the principal dwelling of the consumer that bears or otherwise meets the terms and characteristics for such a transaction that the Board has defined as a subprime mortgage.'.

(b) Regulations—The Board shall prescribe regulations defining a subprime mortgage for purposes of the amendment made by subsection (a) before the end of the 90-day period beginning on the date of the enactment of this Act.

(c) Effective Date—The amendment made by subsection (a) shall take effect at the end of the 30-day period beginning on the date of the enactment of this Act and shall apply without regard to the date of the foreclosure.

The homeowners should not be required to pay for the bad acts of the lenders. It would take years for a homeowner to recover from a mortgage foreclosure. My amendment would have strengthened this already much needed and well thought out bill.

I intend to offer a bill later this Congress to address this issue. I am delighted however that the Judiciary Committee has expressed their willingness to incorporate my language in the Conference language for this bill. Without a doubt, this issue is important to me and it is critical to Americans who are facing mortgage foreclosure and bankruptcy.

OTHER AMENDMENTS

There were four amendments that were made in order by the Rules Committee. I will address my support or non-support for each amendment.

CONYERS AMENDMENT

I support the Manager's Amendment offered by Chairman CONYERS. The amendment makes sense and makes clear that H.R. 1106 is intended to help those that cannot afford to repay their mortgage without intervention. Indeed it is strength to the underlying bill by providing finality to the decisions worked out by the bankruptcy courts. These decisions would provide finality between lendors and borrowers. Moreover, the debtors are afforded certain protections by the Second Degree Amendment. The Second Degree Amendment provides that the lender could receive additional funding from the sale of the foreclosed home.

The Manager's Amendment would do the following:

(1) require courts to use FHA appraisal guidelines where the fair market value of a home is in dispute;

(2) deny relief to individuals who can afford to repay their mortgages without judicial mortgage modification; and

(3) extend the negotiation period from 15 to 30 days, requiring the debtor to certify that he or she contacted the lender, provided the lender with income, expense and debt statements, and that there was a process for the borrower and lender to seek to reach agreement on a qualified loan modification.

The Conyers Amendment would require a GAO study regarding the effectiveness of mortgage modifications outside of bankruptcy and judicial modifications, whether there should be a sunset, the impact of the amendment on bankruptcy courts, whether relief should be limited to certain types of homeowners. The GAO must analyze how bankruptcy judges restructure mortgages, including the number of judges disciplined as a result of actions taken to restore mortgages.

The Conyers Amendment would clarify that loan modifications, workout plans or other loss mitigation plans are eligible for the servicer safe harbor. Further, it would require HUD to receive public input before implementing certain FHA approval provisions.

With respect to the HOPE for Homeowners Program: recasts the prohibition against having committed fraud over the last 10 years from a freestanding prohibition to a borrower certification. The Conyers Amendment would amend the National Housing Act to broaden eligibility for Home Equity Conversion Mortgage (HECM) or "reverse mortgage."

Provides that the GAO must submit to Congress a review of the effects of the judicial modification program.

Requires the Comptroller of Currency, in coordination with the Director of Thrift Supervision, to submit reports to Congress on the volume of mortgage modifications and issue modification data collection and reporting requirements.

Expresses the Sense of Congress that the Treasury Secretary should use amounts made available under the Act to purchase mortgage revenue bonds for single-family housing.

Expresses the Sense of Congress that financial institutions should not foreclose on any principal homeowner until the loan modification programs included in H.R. 1106 and the President's foreclosure plan are implemented and deemed operational by the Treasury and HUD Secretaries.

Establishes a Justice Department Nationwide Mortgage Fraud Task Force to coordinate anti-mortgage fraud efforts. Would provide that the Treasury Secretary shall provide that the limit on the maximum original principal obligation of a mortgage that may be modified using EESA funds shall not be less than the dollar limit on the maximum original principal obligation of a mortgage that may be purchased by the Federal Home Loan Mortgage Corporation that is in effect at the time the mortgage is modified.

PRICE, TOM AMENDMENT

I oppose the Price amendment. The Price Amendment provides that if a homeowner who has had a mortgage modified in a bankruptcy proceeding sells the home at a profit, the lender can recapture the amount of principal lost in the modification.

I oppose the Price amendment for the following reasons.

First, the Price amendment would make homeowners into renters for life. It will lead to poorly maintained homes and lower property values for all of us. It takes away any incentive for homeowners to maintain their homes or insist on competitive sale prices.

Second, the Manager's amendment already allows lenders to get back a substantial portion of any amount a home appreciates after bankruptcy. But it leaves in place incentives for homeowners to maintain and improve homes.

Third, the Price amendment is opposed by the Center for Responsible Lending, Consumers Union, Leadership Conference on Civil Rights, National Association of Consumer Advocates, National Association of Consumer Bankruptcy Attorneys, National Community Reinvestment Coalition, National Consumer Law Center, National Legal Aid and Defender Association, National Policy and Advocacy Council on Homelessness, and USPIRG.

For the foregoing reasons, I oppose the Price Amendment and I urge my colleagues to vote "no" on this amendment.

PETERS, GARY AMENDMENT

I support this amendment. This amendment is straightforward and is intended to help the borrower by providing a last clear chance to garner much needed information. It is my hope that this information would be used to provide financial assistance and education to the consumer.

In many cases, proper education about the use of credit and mortgages could have made all the difference in the consumers choices. Simply put, if the consumers made wise and informed credit decisions in the first instance, they might not have been in bankruptcy or facing foreclosure. I find this amendment incredibly prudent and helpful to debtors and consumers. I urge my colleagues to support this amendment.

TITRUS AMENDMENT

The Titrus Amendment would require a servicer that receives an incentive payment under the HOPE for homeowners to notify all mortgagors under mortgages they service who are "at-risk homeowners" (as such term is defined by the Secretary), in a form and manner as shall be prescribed by the Secretary, that they may be eligible for the HOPE for Homeowners Program and how to obtain information regarding the program.

The HOPE for Homeowners (H4H) program was created by Congress to help those at risk of default and foreclosure refinance into more affordable, sustainable loans. H4H is an additional mortgage option designed to keep borrowers in their homes.

The program is effective from October 1, 2008 to September 30, 2011.

HOW THE PROGRAM WORKS

There are four ways that a distressed homeowner could pursue participation in the HOPE for Homeowners program:

1. Homeowners may contact their existing lender and/or a new lender to discuss how to qualify and their eligibility for this program.

2. Servicers working with troubled homeowners may determine that the best solution for avoiding foreclosure is to refinance the homeowner into a HOPE for Homeowners loan.

3. Originating lenders who are looking for ways to refinance potential customers out from under their high-cost loans and/or who are willing to work with servicers to assist distressed homeowners.

4. Counselors who are working with troubled homeowners and their lenders to reach a mutually agreeable solution for avoiding foreclosure.

It is envisioned that the primary way homeowners will initially participate in this program is through the servicing lender on their existing mortgage. Servicers that do not have an underwriting component to their mortgage operations will partner with an FHA-approved lender that does.

Because I am committed to helping Americans obtain homes and remain in their homes, I support the HOPE for Homeowners Program and I support this amendment. I urge my colleagues to support this bill. Indeed, I feel personally vindicated that Congress has set aside $100 bill to address the issue of mortgage foreclosure, an issue that I have long championed in the 110th Congress.

HOUSING, FORECLOSURES, & TEXAS

Texas ranks 17th in foreclosures. Texas would have faired far worse but for the fact that homeowners enjoy strong constitutional protections under the state's home-equity lending law. These consumer protections include a 3 percent cap on lender's fees, 80 percent loan-to-value ratio (compared to many other states that allow borrowers to obtain 125 percent of their home's value), and mandatory judicial sign-off on any foreclosure proceeding involving a defaulted home-equity loan.

Still, in the last month, in Texas alone there have been 30,720 foreclosures and sadly 15,839 bankruptcies. Much of this has to do with a lack of understanding about finance—especially personal finance.

Last year, American's Personal income decreased $20.7 billion, or 0.2 percent, and disposable personal income (DPI) decreased $11.8 billion, or 0.1 percent, in November, according to the Bureau of Economic Analysis. Personal consumption expenditures (PCE) decreased $56.1 billion, or 0.6 percent. In India, household savings are about 23 percent of their GDP.

Even though the rate of increase has showed some slowing, uncertainties remain. Foreclosures and bankruptcies are high and could still beat last year's numbers.

Home foreclosures are at an all-time high and they will increase as the recession continues. In 2006, there were 1.2 million foreclosures in the United States, representing an increase of 42 percent over the prior year. During 2007 through 2008, mortgage foreclosures were estimated to result in a whopping $400 billion worth of defaults and $100 billion in losses to investors in mortgage securities. This means that one per 62 American households is currently approaching levels not seen since the Depression.

The current economic crisis and the foreclosure blight has affected new home sales and depressed home value generally. New home sales have fallen by about 50 percent.

One in six homeowners owes more on a mortgage than the home is worth raising the possibility of default. Home values have fallen nationwide from an average of 19% from their peak in 2006 and this price plunge has wiped out trillions of dollars in home equity. The tide of foreclosure might become self-perpetuating. The nation could be facing a housing depression—something far worse than a recession.

Obviously, there are substantial societal and economic costs of home foreclosures that adversely impact American families, their neighborhoods, communities and municipalities. A single foreclosure could impose direct costs on local government agencies totaling more than $34,000.

Recently, the Congress set aside $100 billion to address the issue of mortgage foreclosure prevention. I have long championed that money be a set aside to address this very important issue. I believe in homeownership and will do all within my power to ensure that Americans remain in their houses.

BANKRUPTCY

We have come full circle in our discussion today. The bill before us today is on bankruptcy and mortgage foreclosures.

I have long championed in the first TARP bill that was introduced and signed late last Congress, that language be included to specifically address the issue of mortgage foreclosures. I had asked that $100 billion be set aside to address that issue. Now, my idea has been vindicated as the TARP that was voted upon this week has included language that would give $100 billion to address the issue of mortgage foreclosure. I am continuing to engage in the dialogue with Leadership to provide monies to those in mortgage foreclosure. I have also asked for modification of homeowners' existing loans to avoid mortgage foreclosure. I believe that the rules governing these loans should be relaxed. These are indeed tough economic times that require tough measures. Again, I feel a sense of vindication on this point, because this bill, H.R. 1106 addresses this point

CREDIT CRUNCH

A record amount of commercial real estate loans coming due in Texas and nationwide the next three years are at risk of not being renewed or refinanced, which could have dire consequences, industry leaders warn. Texas has approximately $27 billion in commercial loans coming up for refinancing through 2011, ranking among the top five states, based on data provided by research firms Foresight Analytics LLC and Trepp LLC. Nationally, Foresight Analytics estimates that $530 billion of commercial debt will mature through 2011. Dallas-Fort Worth has nearly $9 billion in commercial debt maturing in that time frame.

Most of Texas' $27 billion in loans maturing through 2011—$18 billion—is held by financial institutions. Texas also has $9 billion in commercial mortgage-backed securities, the third-largest amount after California and New York, according to Trepp.

Mr. Chair, my amendment would have helped alleviate these problems. Although my amendment language was not included in the bill, I am confident that it will be included in the Conference language.

All in all, I believe that this bill is important and will do yeoman's work helping America get back on the right track with respect to the economy and the mortgage foreclosure crisis. I wholeheartedly urge my colleagues to support this bill.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 1105, Omnibus Appropriations Act, 2009.

Senate

Chamber Action

Routine Proceedings, pages S2919–S2989

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 555–566, and S. Res. 72–73. **Pages S2964–65**

Measures Passed:

Omnibus Appropriations Act: Senate passed H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, after taking action on the following amendments proposed thereto: **Pages S2920–54**

Rejected:

By 32 yeas to 64 nays (Vote No. 90) Cornyn Amendment No. 673, to prevent the collection of excessive contingency legal fees by lawyers hired to protect the public interest. **Pages S2920–21, S2922–23, S2941**

By 38 yeas to 59 nays (Vote No. 91) Cornyn Amendment No. 674, to prohibit the use of funds to implement an Executive Order relating to employee notice of rights under Federal labor laws. **Pages S2921–22, S2936, S2941–42**

By 47 yeas to 50 nays (Vote No. 92) Thune (and others) Amendment No. 662, to prohibit the use of funds by the Federal Communications Commission to repromulgate the Fairness Doctrine. **Pages S2931–32, S2935–36, S2942**

Sessions Amendment No. 604, to extend the pilot program for employment eligibility confirmation established in title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 for 6 years. (By 50 yeas to 47 nays (Vote No. 93), Senate tabled the amendment.) **Pages S2920, S2924, S2936, S2937–38, S2942–44**

By 39 yeas to 58 nays (Vote No. 94) Ensign Amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program. **Pages S2920, S2927–30, S2936–37, S2939–40, S2944–45**

Grassley (for Vitter and others) Amendment No. 621, to repeal the provision of law that provides automatic pay adjustments for Members of Congress. (By 52 yeas to 45 nays (Vote No. 95), Senate tabled the amendment.) **Pages S2924, S2946–47**

Withdrawn:

Kyl Amendment No. 629, to provide that no funds may be used to resettle Palestinians from Gaza into the United States. **Pages S2920, S2927**

Bunning Amendment No. 665, to require the Secretary of State to issue a report on investments by foreign companies in the energy sector of Iran. **Pages S2920, S2940**

During consideration of this measure today, Senate also took the following action:

By 62 yeas to 35 nays (Vote No. 96), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Pages S2953–54**

Authorizing Expenditures by Committees of the Senate: Senate agreed to S. Res. 73, authorizing expenditures by committees of the Senate for the periods March 1, 2009, through September 30, 2009, and October 1, 2009, through September 30, 2010, and October 1, 2010, through February 28, 2011. **Pages S2954–60**

Appointments:

Senate National Security Working Group: The Chair announced, on behalf of the Republican Leader, pursuant to the provisions of S. Res. 105, (adopted April 13, 1989), as amended by S. Res. 149, (adopted October 5, 1993), as amended by Public Law 105–275, (adopted October 21, 1998), further amended by S. Res. 75, (adopted March 25, 1999), and S. Res. 383, (adopted October 27, 2000), and amended by S. Res. 355, (adopted November 13, 2002), and further amended by S. Res. 480, (adopted November 21, 2004), the appointment of the following Senator as a member of the Senate National Security Working Group for the 111th Congress: Senator Graham. **Page S2986**

Ogden Nomination—Agreement: A unanimous-consent-time agreement was reached providing that the cloture motion relative to the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General be withdrawn; that at 11:30 a.m. on Wednesday, March 11, 2009, Senate begin consideration of the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General; provided further, that the time until 4:30 p.m. be equally divided and controlled between the Majority and Republican Leaders, or their designees; that when Senate continues consideration of the nomination on Thursday, March 12, 2009, that there be two hours remaining for debate, equally divided and controlled between the Majority and Republican Leaders, or their designees; provided further, that upon the use of time on Thursday, March 12, 2009, Senate vote on confirmation of the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General. **Page S2986**

Nominations Confirmed: Senate confirmed the following nominations:

Cecilia Elena Rouse, of California, to be Member of the Council of Economic Advisers.

Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers. **Pages S2986, S2989**

Nominations Received: Senate received the following nominations:

David S. Cohen, of Maryland, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

Sherburne B. Abbott, of Texas, to be an Associate Director of the Office of Science and Technology Policy.

Dana G. Gresham, of the District of Columbia, to be an Assistant Secretary of Transportation.

Alan B. Krueger, of New Jersey, to be an Assistant Secretary of the Treasury.

John Morton, of Virginia, to be an Assistant Secretary of Homeland Security.

James N. Miller, Jr., of Virginia, to be Deputy Under Secretary of Defense for Policy.

Routine lists in the Air Force, Army, and Navy. **Pages S2987–89**

Messages From the House: **Page S2964**

Executive Communications: **Page S2964**

Additional Cosponsors: **Pages S2965–66**

Statements on Introduced Bills/Resolutions: **Pages S2966–85**

Additional Statements: **Page S2963**

Notices of Hearings/Meetings: **Pages S2985–86**

Authorities for Committees To Meet: **Page S2986**

Record Votes: Seven record votes were taken today. (Total—96) **Pages S2941–45, S2947, S2954**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:31 p.m., until 11 a.m. on Wednesday, March 11, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2987.)

Committee Meetings

(Committees not listed did not meet)

NATIONAL SECURITY THREATS

Committee on Armed Services: Committee concluded open and closed hearings to examine current and future worldwide threats to the national security of the United States, after receiving testimony from Dennis C. Blair, Director, National Intelligence; and Michael D. Maples, United States Army, Director, Defense Intelligence Agency, and David J. Dorsett, Director, Naval Intelligence, both of the Department of Defense.

SECURITIES MARKETS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine enhancing investor protection and the regulation of securities markets, after receiving testimony from Lynn E. Turner, former Chief Accountant, Securities and Exchange Commission; John C. Coffee, Jr., Columbia University Law School, T. Timothy Ryan, Jr., Securities Industry and Financial Markets Association, and Robert Pickel, International Swaps and Derivatives Association, all of New York, New York; Paul Schott Stevens, Investment Company Institute, Alexandria, Virginia; Mercer E. Bullard, University of Mississippi School of Law, Oxford; Damon A. Silvers, American Federation of Labor and Congress of Industrial Organizations (AFL–CIO), Takoma Park, Maryland; and Thomas Doe, Municipal Market Advisors, Concord, Massachusetts.

BUDGET PROPOSAL

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget for fiscal year 2010, after receiving testimony from Peter R. Orszag, Director, Office of Management and Budget.

WATER RESOURCES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 531, to provide for the conduct of an in-depth analysis of the impact of energy development and production on the water resources of the United States, after receiving testimony from Carl O. Bauer, Director, National Energy

Technology Laboratory, Department of Energy; Lon W. House, Association of California Water Agencies, Cameron Park; Stephen Bolze, General Electric Power and Water, Schenectady, New York; Peter H. Gleick, Pacific Institute, Oakland, California; and Michael E. Webber, University of Texas Center for International Energy and Environmental Policy, Austin.

HEALTH CARE PROPOSALS

Committee on Finance: Committee concluded a hearing to examine the President's fiscal year 2010 health care proposals, after receiving testimony from Peter R. Orszag, Director, Office of Management and Budget.

REBUILDING ECONOMIC SECURITY

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine rebuilding economic security, focusing on empowering workers to restore the middle class, after receiving testimony from Paula B. Voos, Rutgers the State University of New Jersey, New Brunswick; Wade Henderson, Leadership Conference on Civil Rights, and Jim Wallis, Sojourners, both of Washington, DC.; Anne Layne-Farrar, LECG, LLC, Chicago, Illinois; Deborah Kelly, International Brotherhood of Electrical Workers, Anchorage, Alaska; Kelly Badillo, Service Employees International Union, Jersey City, New Jersey; Larry Getts, Dana Corporation, Albion, Indiana; and Sharon Harrison, AT&T Mobility, Lebanon, Virginia.

NATIONAL SERVICE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the future of national service, after receiving testimony from Alan Solomont, Weston, Massachusetts, Chairman, and Stephen Goldsmith, Vice-Chairman, Cambridge, Massachusetts, both of the Board of Directors, Corporation for National and Community Service; former Montana Governor Marc Racicot, Bigfork; Lester Strong, Experience Corps, and Shirley Sagawa, Center for American Progress, both of Washington, DC; Michael Brown, City Year, Inc., Boston, Massachusetts; and Michelle Bouchard, HealthCorps, New York, New York.

PATENT REFORM

Committee on the Judiciary: Committee concluded a hearing to examine patent reform in the 111th Congress, focusing on legislation and recent court decisions, after receiving testimony from Steven R. Appleton, Micron Technology, Inc., Boise, Idaho; Philip S. Johnson, Johnson and Johnson, New Brunswick, New Jersey; David J. Kappos, International Business Machines Corporation (IBM), Armonk, New York; Taraneh Maghame, Tessera, Inc., San Jose, California; Herbert C. Wamsley, Intellectual Property Owners Association, Washington, DC; and Mark A. Lemley, Stanford Law School, Stanford, California.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Lanny A. Breuer, of the District of Columbia, who was introduced by Representative Harmon, Christine Anne Varney, of the District of Columbia, who was introduced by Senator Schumer, and Tony West, of California, each to be an Assistant Attorney General, after the nominees testified and answered questions in their own behalf.

BUDGET FOR VETERANS PROGRAMS

Committee on Veterans' Affairs: Committee concluded an oversight hearing to examine Department of Veterans Affairs budget programs for fiscal year 2010, after receiving testimony from Eric K. Shinseki, Secretary of Veterans Affairs; Carl Blake, Paralyzed Veterans of America, Fredericksburg, Virginia; Kerry Baker, Disabled American Veterans, Cold Spring, Kentucky; Raymond C. Kelley, AMVETS, Lanham, Maryland; Dennis M. Cullinan, Veterans of Foreign Wars, Kansas City, Missouri; Steve Robertson, American Legion, Indianapolis, Indiana; and Rick Weidman, Vietnam Veterans of America, Silver Spring, Maryland.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of David S. Kris, of Maryland, to be an Assistant Attorney General, after the nominee testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 1404–1425; and 7 resolutions, H. Con. Res. 70; and H. Res. 228, 230–234, were introduced. **Pages H3144–45**

Additional Cosponsors: **Pages H3145–46**

Reports Filed: Reports were filed today as follows:

H.R. 813, to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the "J. Herbert W. Small Federal Building and United States Courthouse" (H. Rept. 111–27);

H.R. 837, to designate the Federal building located at 799 United Nations Plaza in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building" (H. Rept. 111–28);

H.R. 842, to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse" (H. Rept. 111–29);

H.R. 869, to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse" (H. Rept. 111–30);

H.R. 887, to designate the United States courthouse located at 131 East 4th Street in Davenport, Iowa, as the "James A. Leach United States Courthouse" (H. Rept. 111–31);

H. Con. Res. 37, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (H. Rept. 111–32);

H. Con. Res. 38, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service (H. Rept. 111–33);

H. Con. Res. 39, authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run (H. Rept. 111–34); and

H. Res. 229, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 111–35). **Pages H3143–44**

Speaker: Read a letter from the Speaker wherein she appointed Representative McIntyre to act as Speaker Pro Tempore for today. **Page H3107**

Recess: The House recessed at 10:50 a.m. and reconvened at 12 noon. **Page H3109**

Suspensions: The House agreed to suspend the rules and pass the following measures:

J. Herbert W. Small Federal Building and United States Courthouse Designation Act: H.R. 813, to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the "J. Herbert W. Small Federal Building and United States Courthouse", by a ⅔ yea-and-nay vote of 427 yeas with none voting "nay", Roll No. 114; **Pages H3114–15, H3126**

Ronald H. Brown United States Mission to the United Nations Building Designation Act: H.R. 837, to designate the Federal building located at 799 United Nations Plaza in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building"; **Pages H3115–16**

R. Jess Brown United States Courthouse Designation Act: H.R. 842, to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse", by a ⅔ yea-and-nay vote of 424 yeas with none voting "nay", Roll No. 115; **Pages H3116–18, H3126–27**

Scott Reed Federal Building and United States Courthouse Designation Act: H.R. 869, to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse"; **Pages H3118–19**

James A. Leach United States Courthouse Designation Act: H.R. 887, to designate the United States courthouse located at 131 East 4th Street in Davenport, Iowa, as the "James A. Leach United States Courthouse"; **Pages H3119–21**

Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby: H. Con. Res. 37, to authorize the use of the Capitol Grounds for the Greater Washington Soap Box Derby; and **Pages H3121–22**

Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run: H. Con. Res. 39, to authorize the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run. **Pages H3123–24**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service: H. Con. Res. 38, to authorize the use of the Capitol Grounds for the National Peace Officers' Memorial Service. **Pages H3122–23**

Privileged Resolution: The House agreed to table H. Res. 228, raising a question of the privileges of the House, by a yea-and-nay vote of 228 yeas to 184 nays with 14 voting ''present'', Roll No. 113. **Pages H3124–26**

Advisory Committee on the Records of Congress—Reappointment: Read a letter from the Clerk of the House wherein she reappointed Mr. Bernard Forrester of Houston, Texas to the Advisory Committee on the Records of Congress. **Page H3127**

Senate Message: Message received from the Senate today appears on pages H3109–10.

Senate Referrals: S. Con. Res. 4 was referred to the Committee on Foreign Affairs and S. Con. Res. 10 was referred to the Committee on Armed Services. **Page H3143**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H3125, H3126, and H3126–27. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 4:53 p.m.

Committee Meetings

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on Major Challenges Facing Federal Prisons, Parts I and II. Testimony was heard from Harley Lappin, Director, Federal Bureau of Prisons, Department of Justice; and public witnesses.

The Subcommittee also held a hearing on Offender Drug Abuse Treatment Approaches. Testimony was heard from a public witness.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Marine Corps Ground Equipment. Testimony was heard from LTG George J. Flynn, USMC, Department of Defense; Deputy Commandant, Combat Development and Integration.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Secure Border Initiative and Control of the Land Border, and on Department of Homeland Security Response to Violence on the Border with Mexico. Testimony was heard from the following officials of the Department of Homeland Security: Jayson Ahern, Acting Commissioner, U.S. Customs and Border Protection, David Aguilar, Chief, U.S. Border Patrol, Mark Koumans, Deputy Assistant Secretary, International Affairs; and March Forman, Director, Office of Investigations, U.S. Immigration and Customs Enforcement; and a public witness.

STATE AND FOREIGN OPERATIONS APPROPRIATIONS

Committee on Appropriations: Subcommittee on State and Foreign Operations held a hearing on The Merida Initiative. Testimony was heard from the following officials of the Department of State: Thomas Shannon, Assistant Secretary, Western Hemisphere Affairs; David Johnson, Assistant Secretary, International Narcotics Control and Law Enforcement; Roger Garner, Mission Director for Mexico, U.S. Agency for International Development; and public witnesses.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development and Related Agencies, hearing on Department of Transportation Inspector General and GAO, Top Management Challenges and High Risk. Testimony was heard from Calvin Scovel, Inspector General, Department of Transportation; and Katherine Siggerud, Managing Director, Physical Infrastructure Team, GAO.

LITTORAL COMBAT SHIP PROGRAM

Committee on Armed Services: Subcommittee on Seapower and Expeditionary Forces held a hearing on Littoral Combat Ship program update. Testimony was heard from the following officials of the Department of the Navy, Department of Defense: RADM Victor G. Guillory, USN, Director, Surface Warfare Division, N86; RADM William E. Landay, USN, Program Executive Officer, Ships; and E. Anne Sandel, Program Executive Officer, Littoral and Mine Warfare.

STRENGTHENING EMPLOYER-BASED HEALTH CARE

Committee on Education and Labor: Subcommittee on Health, Employment, Labor and Pensions held a hearing on Strengthening Employer-Based Health Care. Testimony was heard from public witnesses.

COAL FUTURE UNDER CLIMATE LEGISLATION

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing on the Future of

Coal under Climate Legislation. Testimony was heard from public witnesses.

HEALTH CARE SYSTEM REFORM

Committee on Energy and Commerce: Subcommittee on Health held a hearing on Making Health Care Work for American Families with emphasis on Designing a High Performance Healthcare System. Testimony was heard from Glenn Hackbarth, Chairman, Medicare Payment Advisory Commission; Alan Levine, Secretary, Department of Health and Hospitals, State of Louisiana; and public witnesses.

FEDERAL CYBERSECURITY MISSION

Committee on Homeland Security: Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology held a hearing entitled ''Reviewing the Federal Cybersecurity Mission.'' Testimony was heard from Dave Powner, Director, Information Technology and Management Issues, GAO; and public witnesses.

PERFORMANCE RIGHTS ACT

Committee on the Judiciary: Held a hearing on H.R. 848, Performance Rights Act. Testimony was heard from public witnesses.

STATE SEX OFFENDER REGISTRY COMPLIANCE

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held a hearing on Sex Offender Registration and Notification Act (SORNA): Barriers to Timely Compliance by States. Testimony was heard from Laura Rogers, Previous Director, SMART Office, Department of Justice; and public witnesses.

FEDERAL POWER MARKETING BORROWING AUTHORITY

Committee on Natural Resources: Subcommittee on Water and Power held an oversight hearing on Federal Power Marketing Administration Borrowing Authority: Defining Success. Testimony was heard from the following officials of the Department of Energy: Timothy Meeks, Administrator, Western Area Power Administration; and Steve Wright, Administrator, Bonneville Power Administration; Steve Ellenbecker, Energy Policy Advisor, Office of the Governor, State of Wyoming; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Ordered reported the following measures: H.R. 1387, amended, Electronic Message Preservation Act; H.R. 1320, Federal Advisory Committee Act Amendments of 2009; H.R. 1323, Reducing Information Control Designations Act; H. Res. 166, Recognizing the 450th birthday of the settlement of Pensacola, Florida, and encouraging the people of the United States to observe the 450th birthday of the settlement of Pensacola, Florida, and remember how the rich history of Pensacola, Florida, has likewise contributed to the rich history of the United States; H. Res. 178, Expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month; H. Res. 211, Supporting the goals and ideals of National Women's History Month; H.R. 918, To designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the ''Stan Lundine Post Office Building;'' H.R. 955, to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the ''John 'Bud' Hawk Post Office;'' H.R. 987, To designate the facility of the United States Postal Service located at 601 8th Street in Freedom, Pennsylvania, as the ''John Scott Challis, Jr. Post Office;'' H.R. 1216, To designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building;'' H.R. 1217, To designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the '' Specialist Peter J. Navarro Post Office Building;'' H.R. 1218, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the '' Lance Corporal Drew W. Weaver Post Office Building;'' and H.R. 1284, To designate the facility of the United States Postal Services located at 103 West Main Street in McLain, Mississippi, as the ''Major Ed W. Freeman Post Office.''

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Committee granted, by a nonrecord vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported on the legislative day of March 11, 2009, providing for consideration or disposition of any measure making appropriations for the fiscal year 2009, and for other purposes. The rule provides that House Resolutions 218 and 219 are laid on the table.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY—FORENSIC SCIENCE ROLE

Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on Strengthening Forensic Science in the United States: The Role of the National Institute of Standards and Technology. Testimony was heard from Pete Marone, Director, Technical Services, Department of Forensic Science, State of Virginia; John Hicks, former, FBI Laboratory, Department of Justice; and public witnesses.

ECONOMIC DEVELOPMENT ADMINISTRATION

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Lands and Emergency Management held a hearing on EDA Reauthorization: Rating Past Performances and Setting Goals During an Economic Crisis. Testimony was heard from the Sandra R. Walters, Acting Assistant Secretary of Commerce for Economic Development, Economic Development Administration, Department of Transportation; Jonathan Sallet, former Assistant to the Secretary and Director, Office of Planning and Strategic Planning, Department of Commerce; and public witnesses.

VA BUDGET REQUEST FISCAL YEAR 2010

Committee on Veterans' Affairs: Held a hearing on U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2010. Testimony was heard from Eric K. Shinseki, Secretary of Veterans Affairs; representatives of veterans organizations; and public witnesses.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Trade met for organizational purposes.

Joint Meetings

CLIMATE REMEDIATION POLICIES

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine the impact of potential climate remediation policies on carbon-intensive United States industries and creating climate-friendly economic and trade policies, focusing on ways the financial crisis impacts the implementation of climate-friendly policies within the United States and among trading partners, after receiving testimony from Richard D. Morgenstern, Resources for the Future, Trevor Houser, Rhodium Group Peterson Institute for International Economics, and Rob Bradley, World Resources Institute, all of Washington, DC.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 231)*

S. 234, to designate the facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the "Colonel John H. Wilson, Jr. Post Office Building". Signed on March 9, 2009. (Public Law 111–7)

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 11, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Budget: to hold hearings to examine the President's proposed budget request for fiscal year 2009 for the Department of Energy, 10 a.m., SD–608.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine violent Islamist extremism, focusing on al-Shabaab recruitment in America, 10 a.m., SD–342.

Committee on the Judiciary: Subcommittee on the Constitution, to hold joint hearings with the House Committee on the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties to examine S.J. Res. 7 and H.J. Res. 21, proposing an amendment to the Constitution of the United States relative to the election of Senators, 10 a.m., SH–216.

Committee on Rules and Administration: to hold hearings to examine voter registration, focusing on assessing current problems, 10 a.m., SR–301.

House

Committee on Agriculture, Subcommittee on Livestock, Dairy, and Poultry, hearing to review animal identification systems, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Assessment of the Serious and Violent Offender Reentry Initiative, 9:30 a.m., on Innovative Prisoner Reentry, 1:30 p.m., and 3 p.m., H–309 Capitol.

Subcommittee on Defense, on Soldier Equipment, Ergonomics and Injuries, 10 a.m., and executive, on Army and Marine Corps Readiness, 1:30 p.m., H–140 Capitol.

Subcommittee on Financial Services, and Government Operations, on SEC Actions Relating to the Financial Crisis, 10 a.m., 2220 Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on U.S. Forest Service Oversight, 9:30 a.m., B–308 Rayburn.

Committee on Armed Services, hearing on security challenges arising from the global financial crisis, 10 a.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Tracking and Disrupting Terrorist Financial Networks: A Potential Model for Inter-Agency Success? 3:30 p.m., 2118 Rayburn.

Committee on the Budget, hearing on Members' Day, 10:30 a.m., 210 Cannon.

Committee on Education and Labor, to mark up H.R. 1388, Generations Invigorating Volunteerism and Education Act, 10 a. m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing on How Do You Fix Our Ailing Food Safety System? 10 a.m., 2123 Rayburn.

Committee on Financial Services, to consider the following: S. 383, Special Inspector General for the Troubled Asset Relief Program Act of 2009; and a Committee Print entitled ''Views and Estimates of the Committee on Financial Services on Matters to be Set Forth in the Concurrent Resolution on the Budget for Fiscal Year 2010,'' 9:30 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing on Mortgage Lending Reform: A Comprehensive Review of the American Mortgage System, 2:30 p.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on The Summit of the Americas: A New Beginning for U.S. Policy in the Region? 10 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation Security and Infrastructure Protection, hearing entitled ''The Mumbai Attacks: A Wake-Up Call for America's Private Sector,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on Circuit City Unplugged: Why Did Chapter 11 Fail to Save 34,000 Jobs? 2 p.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Domestic Policy, hearing on Peeling Back the TARP: Exposing Treasury's Failure to Monitor the Ways Financial Institutions are Using Taxpayer Funds Provided under the Troubled Assets Relief Program, 10 a.m., 2154 Rayburn.

Committee on Rules, to consider H.R. 1262, Water Quality Investment Act of 2009, 3:30 p.m., Capitol.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on FutureGen and the Department of Energy's Advanced Coal Program, 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Regulations and Healthcare, hearing entitled ''Impact of Food Recalls on Small Businesses, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard, and Maritime Transportation, hearing on overview of Coast Guard Drug and Migrant Interdiction, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, to consider Budget Views and Estimates to be submitted to the Committee on the Budget, 10 a.m., hearing on Health Reform in the 21st Century: Expanding Coverage, Improving Quality and Controlling Costs, 10:30 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, to consider pending business, 4:45 p.m., 304, HVC.

Joint Meetings

Joint Hearing: Senate Committee on the Judiciary, Subcommittee on the Constitution, to hold joint hearings with the House Committee on the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties to examine S.J. Res. 7 and H.J. Res. 21, proposing an amendment to the Constitution of the United States relative to the election of Senators, 10 a.m., SH–216.

Joint Economic Committee: to hold hearings to examine Troubled Asset Relief Program (TARP) accountability and oversight, focusing on achieving transparency, 10:30 a.m., SD–106.

Next Meeting of the SENATE

11 a.m., Wednesday, March 11

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 11:30 a.m.), Senate will begin consideration of the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 11

House Chamber

Program for Wednesday: To be announced.

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