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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 31, 2009.

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

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

''CARS'' BILL A PRESCRIPTION FOR IMPROVED AUTO SALES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER) for 3 minutes.

Mrs. MILLER of Michigan. Madam Speaker, yesterday was a very, very tough medicine, I would say that is an understatement, tough medicine for the people of Michigan, as President Obama put down very quick timelines for General Motors and Chrysler to complete the restructuring plans that will make them viable both in the short term, and long-term viability as well.

At that same time, the President indicated his support for the industry, which we took to heart, and we find that very, very encouraging, and the President indicated his desire to work with the Congress to produce an incentive to get customers in the showroom. And this is key: How can we incent people to actually purchase an automobile in these economic times?

Madam Speaker, recently I was very proud to join with my Democratic colleagues, BETTY SUTTON of Ohio and BRUCE BRALEY of Iowa, to sponsor H.R. 1550, which we call the Consumer Assistance to Recycle and Save Act of 2009, or the CARS Act, or as it is now commonly being referred to as the Cash for Clunkers bill.

This bill, Madam Speaker, would provide consumers with up to a $7,500 incentive to trade in an older, less fuel-efficient vehicle for a new, more fuel-efficient vehicle. And we know this is an idea that will work because it already has.

In this case, consumers actually get the immediacy at the point of sale, not later on in the year when they might be doing their tax returns to get a credit or something, but when they are purchasing a car they would get a voucher for this. And the good thing is as well that dealers don't actually have to take that trade-in and have it sitting on the lot, either. That car would be scrapped. But, as I say, we know it would work because we have seen what has happened.

Recently, the German Government introduced a similar incentive, and in February German car sales were up 22 percent, as sales fell, as we all are painfully aware, around the rest of the world.

There was an op-ed in today's USA Today by Bill Ford, and it is titled, ''Cash in Old Cars for New Ones. Economy, Consumers, Automakers Would All Benefit.'' This is written by Bill Ford of the Ford Motor Company. And I will also say that this bill is supported by all of the Big Three, General Motors, and Chrysler, as well as supported by the UAW.

I submit for printing in the RECORD this op-ed.

CASH IN OLD CARS FOR NEW ONES

(By Bill Ford)

In spite of the many challenges our country faces, I strongly believe the government stimulus and other steps to thaw credit markets will be effective in driving economic growth over time.

But we still face an immediate and serious challenge. Last week, President Obama observed that U.S. auto sales have seen a huge drop-off, starkly noting ''every automaker is getting killed right now.'' In just one year, U.S. auto sales have fallen by nearly 50%. And March's sales numbers promise to be sobering for foreign and domestic automakers.

This unprecedented trend is sustainable for neither the industry nor the economy. We urgently need to draw reluctant consumers back into the marketplace. The good news is that there is a proven initiative, outlined by the president on Monday, that can help consumers overcome their fear. The plan also would help the environment and increase energy security. It has been called a ''fleet modernization'' or a ''scrappage'' program. Whatever the name—it works.

In January, the German government enacted a consumer incentive equivalent to $3,200 to scrap automobiles that are at least 9 years old and buy new, more environmentally advanced vehicles. By February, sales of new vehicles jumped 21% over the same month a year before. Countries such as Japan, France, Italy, South Korea and others are considering or already have similar programs.

This model can work in the U.S., too. President Obama said that he would like to use parts of the economic stimulus package to fund a program that would give consumers a ''generous credit'' when they replace an older car with a new, more fuel-efficient car.

President Obama has rightly emphasized the importance of vehicle fuel-efficiency gains and expressed concern about shrinking U.S. auto sales and the risk it poses to the

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economy. This program could help the environment and jobs.

HOW THE PROGRAM WOULD WORK

Here's how one bipartisan proposal before Congress would work to stimulate new vehicle purchases. The program would provide vouchers to consumers for vehicles at least 9 years old. The vouchers likely would be worth more than the current value of their vehicle. For example, a consumer who turns in an older car could get a voucher ranging from $4,000 to $5,000 to use as a down payment on a $20,000 car that exceeds 27 miles per gallon. Combined with current auto sales incentives, consumers likely will get unprecedented deals on more fuel-efficient cars.

An independent analyst, Barclays Capital, estimates that this proposal could boost sales by 2.5 million units if 2% of eligible vehicles were traded in. This surge in sales would help preserve American jobs in communities across the country.

Taxpayers are rightly concerned about the federal deficit given the significant spending on the economic stimulus. Let me clarify, Ford is in a different position and is not seeking emergency taxpayer assistance. Nonetheless, Congress needs to spur consumer demand for autos—the largest purchase a family makes after a home.

This vehicle modernization idea would require additional investment by taxpayers. Its cost would be dependent on how Congress structures the incentive and its duration. The alternative, however, if sales do not rebound quickly, is more job losses, more home foreclosures, and less revenue for governments that must provide more jobless and health care benefits.

In addition to its consumer benefits, this initiative would help reduce our carbon footprint. Automakers are accelerating efforts to reduce greenhouse gases, but the latest fuel-economy rules apply only to new cars. This proposal would help America get greener faster by retiring a portion of the 240 million vehicles on the road. It could reduce our CO_2 emissions by millions of metric tons per year.

FUEL EFFICIENCY MEANS LOWER COSTS

The program also would help contribute to greater energy independence. Replacing an older car with a new, more fuel-efficient one drives down gas consumption. That helps consumers, too. In fact, the Department of Energy estimates a family could save $780 per year by moving from a vehicle with 18 miles per gallon to one with 30 mpg.

The auto industry, both foreign and domestic, needs to work together to do our part in turning the economy around. But we also need to use the tools that our government possesses, and routinely deploys in so many other ways, to help move the economy more swiftly to a better place.

Improved auto sales will be one of the key indicators that America is on the road to economic recovery. As Congress weighs a national energy policy, climate change or even more stimulus measures, we urge lawmakers to consider this market-based consumer incentive. This fleet modernization idea would be a win-win-win for the consumer, the economy, the environment.

This is a bipartisan piece of legislation. It is very important to say this. This is bipartisan legislation, and it accomplishes two very important goals: First, it gets customers into the showrooms by buying vehicles and, of course, to help keep people working, as well as getting more fuel-efficient cars on the roads and reducing our dependence on foreign oil. So it is a win-win all the way around.

I believe that this is a prescription that our auto industry needs. I think it is a critical component, Madam Speaker, of the road forward for the auto industry and our Nation, and I would urge all of my colleagues to join us to help preserve jobs, to help consumers, and to reduce our dependence on foreign oil and protect this vital industry.

THE BUDGET

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

Mr. BLUMENAUER. Madam Speaker, the budget is the most important challenge that every Congress faces year in and year out. It reflects our priorities, it shows how we deal with war and peace, the economy, education, and the environment, who pays, and who benefits.

Under the Constitution, this is a uniquely congressional responsibility. The power of the purse is reserved to the United States Congress.

I have been disturbed lately to find one political party being AWOL. In fact, Republican Leader BOEHNER famously announced earlier this month that he wanted the people that he leads in the Republican Conference not to be legislators but just communicators, not be involved in the give and take of the legislative process. And as if to drive the point home, the Republicans last week released a budget proposal that the Associated Press summarized as, and I quote, ''a glossy pamphlet, short on details, and long on campaign-style talking points.''

There wasn't any substance there. There were no hard numbers talking about what they would do to reduce the deficits and what the deficit would be, what programs they were going to cut. Very, very disappointing to see a pamphlet that basically recycled the policies of the last 8 years of the Bush administration and Republican leadership that drove us into the economic ditch. They proposed their same old tax cuts for people who need them least, and offered an alternative that would provide 25 percent less in tax reduction for lower income Americans than is proposed by President Obama and would run up the deficit even higher than it already is.

We are going to have a week that is dominated by budget discussion. We Democrats are going to bring our budget to the floor on Thursday that builds on the President's challenge: Health care for all Americans; education reform, investing in the needs of education for our children and for people that have lost their jobs or need to change their career track; investing in reducing carbon pollution, climate change, and energy independence to create green-collar jobs that will be sustainable and provide value to the economy while we protect the planet. Our budget is serious about deficit reduction, after President Obama inherited from the Bush administration the largest deficit in United States history.

It is ironic, because when the Bush administration took office, they were facing a projected $5.2 trillion budget surplus, and Republicans had control of all of the levers of power here in Washington, D.C. Their control created economic problems, the budget deficit exploded, and taxes were cut for people who needed it the very least.

Ours is, I must emphasize, a budget outline that will enable Congress, at least those who want to be legislators and not merely talk about it, to roll up their sleeves and deliver on the challenges that the President made in health care, education, climate, deficit reduction, and tax reform.

There are no specific policy decisions made in the budget outline. That is not what a budget is for. Rather, it is to provide the framework. Budget decisions will be made by the people here who decide to be legislators over the next 6 months. There is still time for people on the other side of the aisle to reject their leadership, roll up their sleeves, and work with us to deal with specifics on carbon pollution, on health care, on education.

It was a little disorienting to hear at the Budget Committee late into the night last Wednesday Republicans talking about objecting to the President's proposal to reform student loans because they were afraid it would cost some bankers some jobs. I did the math. According to their figures, those jobs were at the expense of $133,000 each, money that the Democrats and the President think ought to be loaned to students, not to subsidize bankers.

We look forward to a spirited debate this week.

TAXPAYER EMPOWERMENT AND ADVOCACY ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. BARRETT) for 5 minutes.

Mr. BARRETT of South Carolina. Madam Speaker, we are facing serious economic challenges. In my home State of South Carolina, the unemployment rate is right at 11 percent. We all know someone who has been personally affected by these tough times, a friend, a neighbor, a family member. We have all seen the ''going out of business'' signs hanging in the front doors of local shops and stores.

The people we represent are looking to Congress for answers, Madam Speaker. But the so-called solutions coming from the Washington Democrats call for more spending, more borrowing, and more taxing. The President's budget increases taxes by nearly $2 trillion, doubles the national debt in less than 6 years, and spends $4 trillion alone this year. And, of course, who can forget all of the wasteful spending in the stimulus bill: $50 million for the National Endowment for the Arts, $300 million for green golf carts, and $30 million to

protect a mouse in San Francisco. And that is just to name a few.

Taxpayers have had enough. Across our State and across this country, they are gathering together to voice their outrage. Inspired by our Nation's early patriots, thousands of taxpayers are gathering at hundreds of modern-day tea parties to protest Washington's wasteful spending, the Democrat-written stimulus package, the housing bailout, and President Obama's budget. A recent tea party in Greenville, South Carolina, attracted more than 2,000 participants, and a similar rally in Cincinnati drew more than 4,000 dissatisfied taxpayers.

I want to let the people know that I hear what they are saying, and, Madam Speaker, I am doing something about it. Today I am introducing the Taxpayer Empowerment and Advocacy Act, the TEA Act.

Over the next 5 years, the TEA Act will save taxpayers over one-half trillion dollars by reducing spending, restricting the growth of government, and strengthening the definition of emergency spending to close loopholes and prevent abuse.

Across South Carolina, around kitchen tables and behind the small business counters, individuals are making tough decisions about their budgets. But Congress has refused to do the same, and it is time for that to change. I believe the TEA Act is a start to setting Congress on a new, more accountable course, and to protect the taxpayers' best interest. Enough is enough.

I ask my colleagues to join me in supporting this bill and protecting the American taxpayer.

THE BUDGET

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

Mr. DEFAZIO. Well, the Republicans are at it again. It would be funny if we weren't in such dire financial straits as the government is, thanks to a number of years of Republican rule.

During the Bush era, George Bush inherited a balanced budget, he inherited projections of a surplus for years to come, and paying down the debt of the United States substantially. Well, he went to work busily, and using restrictive legislative rules the Republicans passed massive tax cuts favoring the wealthiest of us. Those with estates over $5 million, those who earn over $250,000 a year got huge largess from the Republican Party.

Now, in a time of surplus, it didn't hurt too much. But then, George Bush launched an unnecessary war in Iraq and decided to pay for it off the books; i.e., he did not score it in the budget, and just every year declared it as an emergency as much as it might cost. So far, close to $700 billion has been spent on George Bush's war in Iraq.

□ 1045

Of course George Bush's tax cuts and his off-the-books spending and a massive expansion of government under total Republican rule, took us from a time of surplus to a time of massive deficits. George Bush set record after record with deficits during his Presidency, and he managed in 8 short years to double the debt that it had taken us more than 200 years to accumulate as a Nation. And the Republicans were all for it.

But now they would have us believe that their born-again fiscal conservatives, with a 19-page document with no specifics—and guess what it contains, this is how we are going to balance the budget, folks—more tax cuts for rich people. Oh, what a surprise. That will solve everything. They do have this cockamamie theory, and it is that if we give all of the money to the rich people, the rich people will go out and invest that money. When they invest that money, the little people will get jobs, and the little people will pay taxes because the rich people shouldn't. That is their budget, plain and simple.

Eliminate the estate tax. That would mean that if Bill Gates died tomorrow, and God forbid, I hope he is healthy and he won't, but if he did, the unrealized capital gains of his stock would then become nontaxable. No taxes would have ever been paid on that stock, passed on to his kids. If his kids invest it for a living under the Republican plan, they would earn capital gains and under their plan investors don't pay taxes. So you can have multi-generations of people accumulating more and more wealth who haven't paid a penny in taxes. But don't worry, the Republicans tell us, they will invest that money in America and put the little people to work. Well, no, maybe they will invest that money in China where labor is cheaper, or Mexico where labor is cheaper, or who knows where. Who knows how they will waste it. Who knows what new, speculative instruments they will come up with. Their so-called alternative would be funny if it wasn't so serious. But this is deadly serious.

President Obama is trying to dig us out of an incredibly deep hole and a very difficult time in the American economy. The radical deregulation of the Bush years and all of that wealth creation on Wall Street, which has now tanked, many people's pensions and their 401(k)s, it is killing jobs, we are trying to fix that, and we are trying to re-instill a sense of fiscal responsibility here in Washington, DC. It will not be easy. And particularly it won't be easy if the Republicans continue to play the clown on their side of the aisle and say eliminating taxes for rich people will solve all of the problems confronting the American people. Maybe it will provide them health care; I'm not sure how that works. Maybe it will help educate their kids in public schools; I don't quite get that part. Maybe it will rebuild our infrastructure; hmm, it won't do that, either. But it will make the rich richer, and that's all they are about.

DEMOCRATS REWRITING HISTORY

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

Ms. FOXX. Madam Speaker, it is very interesting to come and listen to my colleagues on the other side of the aisle. It is clear they are living the book ''1984'' by George Orwell because they are constantly rewriting history to suit their purposes. I want to say that if there is anybody out there who hasn't read ''1984'' by George Orwell, or hasn't read it in a long time, I strongly urge you to do so because we are obviously living through what Orwell predicted. We are just a few years later than he suggested it would be.

I love the attitude of my colleagues, too, who say we are going to give all of the money to the rich. It displays their approach to our country. Their attitude is that the government owns all of the money and if money is not taken from citizens, then it is being given to them by the government.

Our country is the greatest country in the world, founded on capitalism and founded on Judeo-Christian beliefs, and founded on the rule of law. The money doesn't belong to the government, it belongs to the hardworking people who earned it. I think that in a nutshell sums up their attitude: The government should be in charge of absolutely everything, and we are seeing that play out with the proposals coming out of this administration and out of this Congress. Again, they are doing their best to make excuses for it by rewriting history.

Our economy was doing very well under the Bush administration until January 2007 when the Democrats took control of the Congress. They like to ignore those 2 years they were in control of Congress and President Bush was still President. We had 55 straight months of job creation. Suddenly that ended in January 2007 when they took over. Gas prices started going up, and they reached their peak under this Democratically controlled Congress. And I think it is very, very important that people be reminded of that.

They have said that President Bush created the largest deficit in our Nation's history. That simply is not true, and it isn't true that President Obama has inherited the largest deficit in history. But we are going to do our best to straighten out that issue.

They also like to say that the Republicans have no alternatives to what the Democrats are proposing. That also is not true. We have always had alternatives. This session in particular we have brought forth very specific alternatives. Last week we presented a 16-page document primarily of principles. This week we are releasing our balanced budget resolution, and we will have a balanced budget and it does the kinds of things that the American people expect to be done. It will be balanced, unlike the Obama budget which puts us greater and greater into debt

and creates a deficit. Our budget improves every single year and achieves a surplus in 2019 which is when the Obama budget has a huge deficit and a huge debt.

Under our budget, the national debt will decline by more than $6 trillion, compared to the President's budget which averages deficits of more than a trillion dollars a year. It is true that we give tax relief, but that is important. Again, we want the American people who earn their money to keep more of their money rather than turning it over to the government under duress and allowing bureaucrats to spend that money.

We will also fully fund defense which is the number one role of the Federal Government. Our colleagues on the other side of the aisle constantly forget to talk about that. The Federal Government is the only government in our country that can provide for our defense. We suffered a terrible situation on September 11, 2001, and we have not had another episode since then because the administration kept us safe.

We also create a zero-growth baseline for nondefense spending, and we assume repeal of most of the provisions in the so-called stimulus bill. We make no changes in Social Security, Medicare and Medicaid. However, we do clamp down on wasteful and low-priority mandatory spending. We are also going to assume savings from an earmark moratorium, something that the American people desperately want to see.

PRESIDENT OBAMA'S BUDGET

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

Mr. PERLMUTTER. Madam Speaker, I was just listening to my good friend from North Carolina, and she and I are friends. We serve on committees together. We agree on a lot of things, but we couldn't disagree more on how we got into this place and what it is going to take to get out.

We had an administration and a Republican Congress that said America, it's okay to give tax cuts to the wealthiest people in the country and have wars in Iraq and Afghanistan and go into debt.

Well, it turned our country from a very prosperous Nation into one that was borrowing money from all across the globe, something that can't go on forever. And it finally came home to roost about 6 or 7 months ago when the banks had trouble, the automakers had trouble, everybody saw our economy just crunch like we hadn't seen it in generations. That's what we are faced with today, ladies and gentlemen. That's what we are faced with today, Madam Speaker.

So what are we going to do about it? Well, in the past month we passed the stimulus bill which is designed to do at least five things to get our country back on track.

First, it rebuilds our infrastructure, our roads, bridges and waterways. It builds a new energy grid so we can get power throughout our Nation in a cheaper and more efficient way.

Second, it creates a new energy economy. If we want to keep sending tons and tons of money across the waters to the Middle East, then we should do nothing, keep the status quo. That's what our friends on the Republican side of the aisle would like us to do, just vote no, we like the status quo. But I don't like the status quo. I don't like sending our hard-earned dollars to the Middle East year after year after year, and we are creating a new energy economy within the stimulus bill.

We are helping our States which have found themselves to have lost lots of revenue over the last 6 months, so they can continue to employ teachers and firefighters and policemen. So we are helping our States continue to provide the services that we so desperately need right now.

There are tax cuts within the stimulus bill and within the budget for almost every American, but not the wealthiest 5 percent, so that each one of us gets a little bit of a break, but we are not giving it to the top people who have had the break for the last 8 years.

The last thing it does is it provides assistance to people who have been laid off and need assistance with unemployment or with their COBRA health insurance so they don't just run into a wall, to get us through this difficult period.

President Obama inherited a budget deficit that was $1.3 trillion. It is a lot of money. It is more than any of us can comprehend being in the red. When President Clinton left office, we had a budget surplus. We were paying off the debt, and we got just the opposite when President Bush left office.

We are doing three things in particular to get us out of this predicament. First is to provide a new energy economy, similar to the stimulus, but the budget moves this forward another 4 years.

Second, it deals with health care which is something that everybody has talked about for years but really little has been done. And for each company out there, for each individual, we have seen our health care costs going up. We have to come at it a whole different way, and that is what the budget proposes.

The third thing is to make sure that our education system, our kindergarten through 12th grade, and then our higher education system is the best in the world so we continue to be able to compete globally, so that business comes here and stays here and doesn't go overseas like it has been doing.

It is a very ambitious agenda, but it is one that is going to take us into the 21st century, something we didn't do during the last eight years of a Republican Administration. We just lived on borrowed time and borrowed money. And now it is time to move forward. The budget that has been proposed reflects those particular values. At the same time, it maintains for middle America, for 95 percent of Americans, smaller taxes. But it is a difficult predicament we are in now. This President has provided to the Congress a budget that is going to get us out of this ditch, and it is going to take the work of each and every one of us to move forward.

BUDGET DECIDES AMONG PRIORITIES

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

Mr. YARMUTH. Madam Speaker, this week the House will consider the budget resolution for fiscal year 2010. As with any budget, whether it is a household budget or the U.S. Government, the process involves deciding among priorities. And in the case of the Federal Government, it is deciding among priorities, all of which have legitimate public benefits.

Last week, the Budget Committee marked up the resolution. One of the amendments offered by our colleagues on the other side of the aisle proposed one of those decisions. Mr. HENSARLING and Mr. MCHENRY proposed to strip $50 million of funding for the National Endowment for the Arts and direct those funds to be spent for veterans' health care facilities. I applaud them very much for their interest in veterans' health care.

And I am happy to remind them and everyone else who is watching that over the past 3 years, the Democratic Congress increased funding for veterans' health care by $17 billion. And that is following 6 years under their party's rule where the number of vets actually receiving care declined.

□ 1100

Unfortunately, the debate on their amendment the other night left a lot to be desired as it actually became an opportunity for somebody to take cheap shots at arts funding that are not borne out by logic or facts. We just heard a little earlier the gentleman from South Carolina say arts funding is wasteful spending. Well, this day by fortuitous coincidence is Arts Advocacy Day, and I'd like to make the case for NEA funding, because, although that amendment was defeated in the Budget Committee, it may rear its head this week as well.

Mr. HENSARLING supported his amendment by juxtaposing the health care needs of one of his constituents, a legitimate American military hero from Palestine, Texas, against funding for the arts. He implied that he didn't represent constituents who would benefit from arts funding. Well, I represent some legitimate American heroes as well, but I also represent Actors Theater of Louisville, a world-renowned institution; the Louisville Ballet; the Louisville Orchestra; the Kentucky

Opera and dozens of other arts groups; 7,700 employees of arts groups; and 1,500 arts-related businesses. I represent Ken von Roenn, a glass artist whose work decorates Reagan National Airport. He created an institution called Glassworks which has brought hundreds and thousands of people to Louisville, made it a national center for glass art and has provided a great economic generator in Louisville.

In total, the arts contribute in my district alone more than $250 million annually, including $100 million on arts-related spending like restaurants and hotels and so forth. All told last year, 5 million people attended arts events and cultural events in my district and they paid $5.6 million in local taxes.

Now I don't know a lot about Mr. HENSARLING's district or Mr. MCHENRY's district, but I do know this: I know in Mr. HENSARLING's district there are 1,317 arts businesses employing 3,229 people. The economic impact of the arts in Dallas, which he represents part of, was $550 million in 2006. In Mr. MCHENRY's district there are 947 arts-related business employing 3,043 people. In North Carolina, there are 17,000 businesses employing 159,000 people. Nationally, the impact of the arts is $166 billion, 5.7 million jobs, $104 billion in household income, $7.9 billion in local taxes, $9.1 billion in State taxes and $12.6 billion in Federal taxes. Now somebody may say that that's not an economic benefit, but I believe the facts are contrary to that. And listen to what the Chicago Tribune wrote in an editorial back in February talking about the stimulus funding for the arts:

After all, the argument that the labor-intensive arts are not job-creation engines is patently absurd; they just fuel different kinds of struggling workers, workers unaccustomed to bonuses. Their role in generating billions of dollars in ancillary economic activity for stores, restaurants and the travel business has been proven in bucketloads of surveys and analyses.

Let's think about the arts funding in another way. Fifty million dollars as a percentage of this year's budget is one seventy-thousandths of the budget. For someone who's trying to decide how to spend $35,000 in annual income, their personal budget, it's 50 cents. That's the equivalent amount. I don't know one American probably who hasn't bought a CD, hasn't gone to a movie, hasn't gone to a concert or gone to a play and spent a lot more than 50 cents.

Mr. HENSARLING offered the contrast of one piece of sculpture—a selective one at that—to a veterans clinic, but I would offer another picture: a picture of an F–22 jet fighter, $143 million for one jet fighter plane.

This is about priorities and the arts are an important priority for this country.

FISCAL YEAR 2010 BUDGET

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

Mr. CONNOLLY of Virginia. I thank the Speaker.

Madam Speaker, listening to some of our friends on the other side, I am struck sometimes with the idea of—have you no shame? The crowd that brought us from record surpluses in 8 brief years to record deficits—have you no shame? The crowd that rode this economy, a healthy economy that was growing jobs, into the economic ditch—have you no shame? The crowd that oversaw the dismantling of strict enforcement of regulation and prevented regulation of the financial services industry to any great degree when it came to complicated financial instruments and then is surprised at the results—have you no shame?

Madam Speaker, today I rise to discuss the fiscal year 2010 budget and its critical importance to our Nation's future. The latest estimate of our 2008 fourth quarter GDP decline is now 6.3 percent. After a record job loss of 681,000 in December, January and February losses both topped 650,000. Almost 2 million Americans have lost their jobs in just the last 3 months. The Federal Reserve has estimated that GDP for the entirety of this year will decline between 0.5 percent and 1.3 percent, which underscores the dire need for action. Every further contraction in our economy represents additional Americans who lose their jobs.

President Obama has set a bold agenda to heal our ailing economy. While no one action will instantly fix the economic troubles we have been left by the Bush administration, the President and this Congress have taken a number of steps to put us on the path to recovery. Like many of my colleagues, I have already seen positive effects of the American Recovery and Reinvestment Act in my district:

A community health center at risk of closing its doors received funding and is treating patients today.

Local small businesses that were laying off workers are now rehiring them to complete transportation projects.

But there's more to accomplish. President Obama's vision is transformative and provides for the critical investments in America that have been neglected for far too long. Deficit reduction, middle-income tax relief, health care reform, education and energy independence are the linchpins of the President's plan.

Under President Obama's plan, at the end of 4 years, we will have cut the current year's deficit of $1.8 trillion, most of it inherited from President Bush, by two-thirds, to $586 billion. The fiscal year 2010 concurrent resolution on the budget reduces nondefense discretionary spending over the next 10 years to its lowest level as a percentage of GDP in almost 50 years. This Congress expects similar fiscal responsibility from the private sector and that is why the Budget Committee cut $250 billion reserved for future financial sector bailouts.

The President's vision supports the middle class by expanding the child tax credit, maintaining the elimination of the marriage tax penalty, carrying forward the Making Work Pay tax credit, maintaining the estate tax and capital gains tax reductions, and ensuring that the alternative minimum tax does not hit the millions of working Americans in danger of being affected. There are $1.5 trillion of tax cuts in this budget.

The President's vision supports meaningful health care reform as well. Even as overall health care costs rose over the last 8 years, the number of Americans without health insurance increased from 13.7 percent of the population to 15.3 percent. Under the President's proposal, we will be able to offer health care to the 46 million Americans currently without coverage.

The President's vision invests in energy independence and promotes a clean energy economy that creates jobs. For too long, a sustainable and clean energy policy has been ignored and our dependence on foreign oil has grown. Increasing our investment in energy efficiency and renewable energy technologies will promote America's energy independence and safeguard our environment through a reduction in greenhouse gas production.

In recognition of the critical role that education plays in our economic productivity, the President's budget builds upon the classroom support provided in the Recovery Act. From enhancing Head Start and early childhood learning opportunities to making college more affordable through expanding Pell Grants, this budget will prepare our children to become productive, contributing members of the global economy.

In addition, the President's vision places national defense on a sustainable course, including a 4 percent increase in defense spending for fiscal year 2010. It includes enhanced support for our veterans, finally fulfilling the duty this country owes for the service they have given.

The President's vision prepares for the reauthorization of the transportation funding bill that will invest in transit and infrastructure projects throughout the country.

Now I would like to confirm what is not in the concurrent resolution on the budget. Much has been made of the potential funding sources the President has listed in his blueprint. Madam Speaker, I would point out, the concurrent budget resolution that is scheduled to come before the full House does not increase taxes. In fact, it would reduce them. It simply lays the foundation for fulfilling President Obama's vision and making the critical investments in America's future. Specific tax policies will be pursued by the tax-writing committees of the Congress where I expect further modifications

and hope to see elimination of the proposed caps on mortgage interest and charitable deductions.

Madam Speaker, I look forward to supporting the President's budget.

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 11 o'clock and 9 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:

Let all the Nations be judged before You. Lord, You alone can touch all the world with a holy fear. Before You every nation is revealed. Each is only a collection of people.

Let humanity reign! Let all the nations see their souls in the eyes of each other. Speak to minds and hearts, O Lord. Lift the lines of demarcation just enough for them to witness their common concerns, their ground for hope, and a united course of action.

Before You alone they stand humbled, yet together You can strengthen them in their resolve to free the future for all Your people. Let all the nations be judged before you, O Lord.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina 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 a bill of the following title in which the concurrence of the House is requested.

S. 681. An act to provide for special rules relating to assistance concerning the Greensburg, Kansas tornado.

HONORING THE LIFE OF LUCILLE DOTSON FRANCOIS

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

Ms. RICHARDSON. Mr. Speaker, I rise to honor the life of Lucille Dotson Francois. I rise in honor of this incredible lady because, although I had not met her in person, but because of the lives that she has left behind, particularly in her daughter, Yvonne Wheeler.

Ms. Francois recently passed after living 85 fulfilling years. She was a devoted public servant. She grew up in Baton Rouge, Louisiana, the same area where my own grandmother grew up.

She served in the East Baton Rouge School System until she retired, raising our young people and creating a new generation—one that I think all of us would agree is something we should not take lightly. After that, she extended her services working in the community, enjoying coordinating various events. But most of all what she loved was building young people and building family.

She was a devoted wife, mother, grandmother, and great grandmother. I'd like to personally acknowledge the incredible work that all of her family has done, and particularly that of her daughter, who has led an incredible life and assisted us in California.

May her family be blessed. Please join me, Mr. Speaker, as we acknowledge the life of Lucille Dotson Francois.

REPUBLICAN BUDGET PROMOTES AMERICAN FAMILIES AND SMALL BUSINESSES

(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, Republicans are offering a budget that will move our country in a new direction of fiscal responsibility. It provides commonsense support for small businesses, which create the majority of jobs in America. It provides relief for American families. It keeps our promise to future generations by addressing entitlement spending so we do not go bankrupt in the future.

The Democrat budget, on the other hand, is a Washington-as-usual borrow and spending spree. It is no change. It raises taxes on American families and small businesses $1.4 trillion. It produces record spending levels and, not surprising, record borrowing.

Republicans are offering a smarter way forward, one where we limit spending, help small businesses create jobs, and control the debt that threatens the solvency of the dollar and Social Security.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

INTERNET FREEDOM

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

Ms. LORETTA SANCHEZ of California. Today, I, along with several of my colleagues, will be sending a letter to major Internet service providers, including Google, Microsoft, and Yahoo, expressing our concern regarding the worsening Internet restrictions in Vietnam.

It has come to our attention that the Vietnamese Government intends to further restrict Internet access by asking major Internet service providers to assist them in policing the Internet.

The letter strongly urges the Internet service providers to protect the Vietnamese people's freedom of speech and expression by providing technologies in a manner that respects individuals' rights and their privacy.

The Internet has become a major source of communication and information for the Vietnamese citizens. As Members of Congress, we must continue to advocate for Vietnamese citizens' freedom of speech and their freedom of expression. Upholding these freedoms is a corporate social responsibility, and Internet service providers must do everything they can to provide Internet freedom for the people of Vietnam, despite the pressure that is coming from the Vietnamese Government.

GM: GOVERNMENT MOTORS

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

Mr. POE of Texas. Mr. Speaker, the Federal Government has gotten into the business of picking winners and losers in the automobile industry. The government has decided that GM is a winner and Chrysler is a loser unless—Chrysler obeys the Federal Government and partners with Italian carmaker Fiat to begin producing Chrysler Fiat as automobiles. No telling what those cars will look like.

Since when, Mr. Speaker, did the Federal Government get the authority to fire CEOs of private companies and take over their businesses?

Well, the Feds did just that by taking control of GM and Chrysler. Now we should change the name of both companies to ''Government Motors.''

If you like the way Uncle Sam runs government businesses like Fannie Mae, Freddie Mac, the Post Office, FEMA, and the IRS, you will love the new Government Motors automobiles.

The Federal Government is picking winners in the auto industry with taxpayer bailout money. We don't need any more bailouts. The government spends too much, borrows too much, taxes too much. The government needs to stop cutting deals with special interest groups and start cutting taxes for Americans.

And that's just the way it is.

CONGRATULATING EISENHOWER HIGH SCHOOL

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

Mr. BACA. Mr. Speaker, I rise today to congratulate the boy's basketball team from Eisenhower High School—in my hometown of Rialto, California—for winning the CIF State title this past Friday.

With their 73–61 victory over the Rocklin Thunder—from Sacramento, California—the Eagles captured the first ever State title for a school from San Bernardino County.

The win was the 23rd consecutive victory to end the season for the Eagles, and came after tough playoff wins over State powerhouses Loyola and Leuzinger from Lawndale, California.

Everyone said they were too small, but led by head coach Steve Johnson, the undersized Eagles used speed and a tenacious defense to beat Rocklin.

On behalf of my family—Barbara, Joe Baca, Jr., Jeremy, Natalie, and Jennifer Baca—I want to thank the players, coaches, parents, and school administrators, who all contributed so much to Eisenhower's historic run.

On Saturday, April 11th, their courage and relentless efforts will be recognized with a ticker-tape parade in Rialto. I thank Eisenhower for the hope this achievement has brought to our inland communities during this time of economic difficulty.

TAKE A SERIOUS LOOK

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

Mr. ROONEY. Mr. Speaker, we've all heard about the out-of-control spending, the borrowing, the increase in taxes, the bailouts, the AIG bonuses, the stock market drop, the job losses, more foreclosures, government-run health care, increased gas prices, the credit crisis, more jobs lost, the President firing the CEO of General Motors, and more jobs lost—and this only in the first 2 months of this Congress.

Now we face a budget this week that will increase taxes, increase spending, increase borrowing more than ever before in the history of this country. We are also poised to make serious cuts in military spending in uncertain times.

We need to take a serious look in the eyes of our children and ask ourselves if they deserve the future we are giving them.

FINANCIAL-AUTO INDUSTRY DOUBLE STANDARD

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

Mr. KILDEE. Mr. Speaker, I rise today to express my disappointment in President Obama's decision regarding General Motors and Chrysler. Personally, I feel that Rick Wagoner was treated shabbily.

Financial institutions were provided with hundreds of billions of dollars—significantly more than the recent GM and Chrysler requests for new loans totaling $21.6 billion, at most.

The people primarily affected by yesterday's decision in the auto industry are those whose greatest daily concerns are their mortgage payments, their children's college tuition, and medical bills. Financial executives are concerned primarily with their own bonuses, awarded for what can only be described as massive failure.

The President has joined the chorus of caustic critics of the automobile industry while only giving faint praise to the high-quality vehicles produced by the American manufacturers like the Buick LaCrosse, which this year matched the Jaguar in J.D. Powers and Associates' rating for the world's most reliable car.

This double standard is offensive, Mr. Speaker.

PROTECT AMERICAN DEMOCRACY

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

Mr. FLEMING. Mr. Speaker, I rise today to speak in opposition to the Employee Free Choice Act, the title of which betrays the true nature of this bill. It represents nothing resembling ''free choice.''

This ''card check'' legislation is un-American and would strip workers of their fundamental democratic right to a secret ballot. Without the protection of the secret ballot, workers are likely to be exposed to pressure and coercion from union bosses and organizers.

My question to those who support this bill is: Why are you afraid of a secret ballot? Can't we give workers credit for making the right decision for themselves?

In addition, a recent study has shown that increases in union workers under card check rules will likely lead to an increase in unemployment due to making their businesses less competitive.

At a time when we should be focusing on job creation, the majority is pushing through legislation that will put millions of American jobs at risk while simultaneously eliminating a cornerstone of American democracy—the secret ballot.

As a small business owner myself, I can tell you that this legislation is a poison pill for the economy. I urge my colleagues to vote against this leftist, socialist legislation.

SUSTAINABLE ENERGY AND ENVIRONMENT COALITION

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

Mrs. HALVORSON. Mr. Speaker, the Sustainable Energy and Environment Coalition is committed to the adoption of policies that will put our Nation on a path towards energy independence and a prosperous clean energy economy. With legislation to encourage environmentally friendly energy production, we can finally achieve this goal. We can turn our American ingenuity towards a new and vibrant clean industry that will create millions of new jobs.

We cannot ignore the facts of climate change. We have to act now to ensure that our children and their children will enjoy the same Earth on which we live today.

Solar, wind, biofuels, natural gas, advanced coal technology, and others are not just the fuels of the future. They are the fuels of today. They are ready for large-scale use in the global economy.

American companies are ready to lead the way, but Congress must first take action. As a member of SEEC and as cochair of the New Dem Energy Task Force, I encourage my colleagues to participate in the debate for a stronger energy-efficient America.

□ 1215

THE VOTE ON THE BUDGET

(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, we will vote on a budget this week, we will discuss spending and taxing, but we will not discuss how our kids will eventually pay these debts.

The Bureau of the Public Debt will now undertake a massive borrowing campaign. We used to borrow from about 45 major lenders, but that has now dropped to 16. Our biggest lender used to be China, but they are now reducing.

To fund the stimulus, the Bureau tells the Congress that we have to borrow at a rate of $160 billion a week. And, last month Germany and the United Kingdom both failed to auction their debt because no one wanted to lend these governments more money. Each week, at four auctions a week, the United States will now risk the same fate.

What happens when this Congress runs out of other people's money?

LONG-TERM ECONOMIC PLAN BEGINS GROWING JOBS

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

Mr. CARNAHAN. Mr. Speaker, the fallout from the failed policies of the last 8 years will take time to turn around.

The Bush administration inherited a record surplus of $5.6 trillion, and turned it into a record deficit of $5.8 trillion. President Obama's budget is a long-term plan to turn the economy around and transform it for future prosperity, with targeted investments in health care, energy, and education.

The plan takes steps to reduce health care costs, one of the largest contributors to the deficit and a growing burden on American businesses like the auto industry. The budget includes $2 trillion worth of savings, ending the war in Iraq, cutting programs that are not effective, and ending tax breaks for corporations that ship jobs overseas.

My constituents who are struggling to make ends meet continue to urge me to support this budget. The American people understand this commonsense blueprint for change is exactly what we need for these challenging times. They understand it cuts taxes for 95 percent of Americans, cuts wasteful spending, cuts the deficit in half over 4 years. What this budget grows is jobs. We can't afford to wait.

SMALL BUSINESS

(Mr. LEE of New York asked and was given permission to address the House for 1 minute.)

Mr. LEE of New York. Mr. Speaker, small businesses created over 80 percent of the jobs in this country in the past decade, yet Washington continues to apply erroneous legislation that hurts and dampens the entrepreneurial spirit we have in this country.

Whether it is health care costs, high taxes, or promoting legislation which opens businesses up to more frivolous lawsuits, Washington is making it very difficult on hardworking Americans when we ask them to shoulder more burdens which they continually face.

That is what I heard yesterday when I conducted a small business roundtable in my district. One of these small business owners said, ''We don't want to depend on the government for anything, but they can help us by understanding that the burdens they are placing are trickling down and breaking the backs of small business.''

We can start to change that by passing H.R. 1552, legislation I have introduced with my colleague from Maryland, FRANK KRATOVIL, that will give a boost to new small businesses by increasing the maximum tax deduction on their startup costs from $5,000 to $20,000. This bipartisan initiative will provide firms with the much-needed resources they need.

ENERGY

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

Mr. HIMES. Mr. Speaker, I rise this afternoon for 1 minute, 60 seconds, during which this great Nation will send $200,000 abroad to pay for foreign oil, each of those dollars hard earned in one of our factories, small businesses, or offices.

My colleagues, we have failed to act on energy for far too long, we, who represent a Nation who has always taken the hard choices and done the right thing to invest in our future.

Much is said in this House about our children. Now the eyes of those children are on us, and they have one question, and that question is: When all the work, when all the world, and when all of us stood waiting for you to do the right thing to act on our behalf, to change the way we use and get energy, did you act? Did you act for us, or did you just kick the can down the road one more time?

REAUTHORIZE THE PATRIOT ACT

(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, FBI Director Mueller in his recent testimony before the Senate Judiciary Committee urged Congress to renew what he called exceptional intelligence-gathering tools. Earlier this month, I introduced legislation to do just that.

The Safe and Secure America Act extends for 10 years the sunset on two expiring PATRIOT Act provisions: Roving wiretaps, and Foreign Intelligence Surveillance Act business records.

Director Mueller reports that obtaining business records ''has been exceptionally helpful in our national security investigations.''

And the roving wiretap authority means that agents are no longer required to obtain a separate warrant for each phone, cell phone, or device a suspect uses.

I hope Director Mueller and the administration will ensure that these critical national security tools are reauthorized and kept in place.

THE BUDGET

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

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today in support of House Democrats' budget resolution.

At long last, we have an honest budget that will mark another significant step forward on the road to recovery. This budget reverses 8 years of absolutely failed policies under the Bush administration which led to record deficits, a doubling of the national debt, and loss of 4.4 million jobs since the end of 2007.

Mr. Speaker, this budget makes necessary investments to lead the country toward a future of economic prosperity, creating good-paying American jobs by investing to reform our health care system, developing and manufacturing clean energy economy, and upgrading our educational system so our children can compete in the 21st century global economy. The budget returns fairness and fiscal responsibility by cutting taxes for the middle class.

Now, Mr. Speaker, this budget is clear. It is a clear choice to invest in our country's future, and I urge my colleagues this week to vote ''yes'' on this budget resolution to support House Democrats and to end 8 years of failed Bush policy.

TAX, TAX, TAX . . . SPEND, SPEND, SPEND

(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. Tax, tax, tax, spend, spend, spend. Sounds like the movie Groundhog Day. Doesn't it? Well, actually, that would be an insult to my most famous constituent, Punxsutawney Phil. It is the Democratic budget.

Mr. Speaker, as the budget comes to the floor this week, the American people deserve to know the truth. This budget will increase taxes on every single American. This budget will stifle economic growth. And, this budget will increase the tax burden on small businesses, the very segment of the economy that is best equipped to get us back on track.

Mr. Speaker, this is not the change the American people voted for in November. At the current pace, the 111th Congress is going to leave one legacy for which it will be remembered, and that is a legacy of debt for future generations, $9.3 trillion in debt over the next 10 years, if the President's budget is rubber-stamped by this Congress.

It is time for the American people to hear the truth. This budget taxes too much, spends too much, and borrows too much.

BUDGET FACT CHECK: RESPONSIBLE SPENDING TO GROW AMERICA'S ECONOMY

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

Ms. WATSON. Mr. Speaker, the President's budget includes $2 trillion worth of budget savings through ending the Iraq war, cutting programs that are not effective, ending tax breaks for corporations that ship goods overseas, and asking those who make over $250,000 per year and have had huge tax cuts over the past 8 years to pay a little more. It includes key integrity initiatives to protect taxpayers' money by rooting out any waste, fraud, and abuse.

The President's budget also contains critical investments that will grow the economy. It makes critical investments in the modernization of our Nation's infrastructure, and it helps small business and innovative companies grow their bottom line by eliminating the capital gains tax on small business. It improves opportunities for future generations. It makes the $2,500 American opportunity tax credit.

Let's make a difference. Vote for the budget.

THE BUDGET

(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, after leading our Nation to the brink of financial disaster through their reckless economic policies, our Republican colleagues now have the audacity to launch attacks on the budget proposed by President Obama and the Democratic majority in Congress.

After taking the healthy budget surplus left by the Clinton administration and turning it into the most disastrous deficit in history, Republicans are actually attacking a budget proposal which cuts the deficit by nearly two-thirds by the year 2013, cuts taxes for middle-income families by $1.5 trillion, creates jobs with investment and reforms in health care, clean energy, education, and reduces nondefense discretionary spending to its lowest level as a percentage of the economy in nearly half a century.

By contrast, the Republicans have put forth a so-called budget which, unbelievably, contains no numbers. None. What their budget does is propose more of the same failed policies that got our country into this deep financial economic crisis.

CLEAN CAR REBATE ACT OF 2009

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

Ms. SPEIER. Mr. Speaker, in our budget vote this week we need to do three things: We need to get Americans back to work; we need to get them spending money again; and we need to get them to reduce their dependence on oil. Today, I will introduce a bill to address all three of these concerns.

The Clean Car Rebate Act of 2009 will provide a direct consumer rebate check to anyone buying a fuel-efficient vehicle, beginning at $1,000 for a 2009 car getting 28 miles to the gallon, that is any car, foreign or domestic; and, increasing for more efficient vehicles, topping out at $2,500 for cars getting 33 miles to a gallon.

The Clean Car Rebate Act is good for jobs, it is good for the American car industry, and it is great for our environment.

OUR BUDGET VOTE

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

Mr. CLEAVER. Mr. Speaker, President Barack Obama assumed the presidency with the United States in a condition worse than any President in the history of our Republic. He came in with problems on every single front, not the least of which was our budget.

I am very pleased to be supporting the President's budget. It includes over $2 trillion worth of budget savings through ending what at one point cost us more than $10 billion a month, which was the war in Iraq; we are ending the tax breaks for corporations that ship their jobs overseas; and, asking those who make more than $250,000 a year and have had huge tax cuts over the past 8 years to pay just a little bit more.

This budget cuts taxes for 95 percent of American workers, it cuts the deficit in half in over 4 years, and ends an era of irresponsibility and budget gimmicks. So I am proud, Mr. Speaker, to support the President's budget.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 1388, EDWARD M. KENNEDY SERVE AMERICA ACT

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 296 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 296

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1388) to reauthorize and reform the national service laws, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a single motion offered by the chair of the Committee on Education and Labor or his designee that the House concur in the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

SEC. 2. House Resolution 289 is laid on the table.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, my good friend, Mr. DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 296.

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

There was no objection.

Ms. MATSUI. Mr. Speaker, House Resolution 296 provides for consideration of Senate amendments to the bill H.R. 1388. The rule makes in order a motion by the chairman on the Committee on Education and Labor to concur in Senate amendments to H.R. 1388. The rule provides 1 hour of debate on the motion controlled by the Committee on Education and Labor.

□ 1230

Mr. Speaker, I rise today in support of a vital piece of bipartisan legislation, legislation that directly affects all of our communities and the lives of millions of Americans, legislation that has seen broad support in both this House and by our colleagues in the Senate. This legislation strengthens our communities, helps educate future generations, teaches our youth to prepare for and respond to natural disasters, and fosters a growth of respect and compassion throughout our entire society.

The Senator Edward M. Kennedy Serve America Act will help launch a new era of American service and volunteerism. The bill answers President Obama's call for Americans of all generations to help get the country through the economic crisis by serving and volunteering in their communities.

The bill has been named after the ''lion in the Senate,'' EDWARD KENNEDY, to recognize his lifetime commitment to national service and to making America a stronger, more collective nation. The Edward M. Kennedy Serve America Act reauthorizes for the first time in 15 years our country's investment in community service and volunteerism. As a cochair of the National Service Caucus, it is a pleasure to call attention to the tremendous work of those involved at every level and in every program of the corporation.

Mr. Speaker, service and volunteerism are the bedrock of our emergency preparedness and national security. In times of strife, the American people have always shown a spirit of service and ingenuity. Investing in service and volunteer programs prepares us to handle any crisis.

We saw firsthand the importance of having trained volunteers in the wake of the 2005 hurricanes Katrina and Rita. Following the devastation in the gulf coast, more than 92,000 national service volunteers contributed over 3.5 million hours of work to the recovery effort. They repaired homes, neighborhoods and lives.

The assistance from trained volunteers following the devastating storms represents only one example of the many accomplishments that our service volunteers achieve every single day. Since September of 2005, over 4,070 National Civilian Community Corps, or as we call it NCCC, members have served more than 2.1 million hours in the gulf coast on over 830 relief and recovery projects.

Last year, NCCC members from my hometown of Sacramento served thousands of hours to help fight the fires that devastated the lives and livelihoods of thousands of Californians, and in doing so helped protect thousands more. AmeriCorps NCCC members are disaster-trained and available for immediate deployment in the event of a natural disaster anywhere within the United States, just as they were in the gulf coast and in California.

Through programs such as AmeriCorps State and national, Volunteers in Service to America, or VISTA,

and NCCC, service members address critical needs in our communities. In fact, these programs continually put back more into the community than we put into them. The Serve America Act shows Congress' support for their heroic and continued efforts and ensures these programs continue for years to come.

The Edward M. Kennedy Serve America Act will expand these opportunities as well as health care access, provide seniors with help living independently, enhance services for veterans and help build a green, energy-efficient economy.

Mr. Speaker, in 2007, more than 61 million Americans spent over 8 billion hours volunteering. Overall, about 27 percent of Americans volunteer, and the number of volunteers increased by 1 million from 2002 to 2007. Additionally, with increased numbers of Americans losing jobs, many are turning to service as a way to contribute to their communities and learn new skills. Now is precisely the time when we should make national service more accessible to the millions of Americans who want to serve their country by contributing to their communities.

As a result, I hope that my colleagues will support the rule and the underlying legislation. I look forward to the passage of this bill and the historic moment when President Obama signs this into law.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I want to thank my friend, the distinguished gentlewoman from California (Ms. MATSUI), for the time, and I yield myself such time as I may consume.

Mr. Speaker, I expected to come to the floor today to speak about the good of volunteerism and to support the underlying legislation, the Edward M. Kennedy Serve America Act. However, I must now oppose the legislation because of the removal of important provisions that were supported, by the way, by an overwhelming majority of the House on both sides of the aisle, including a majority of Democrats.

When the House voted to approve the underlying legislation earlier in the month, it included the Republican motion to recommit. The provisions in the Republican motion made organizations that are co-located with those that promote or provide abortions, as well as political parties and lobbyists, ineligible from receiving funds provided through the legislation. It also prohibited funds from going to organizations that have been indicted on voter fraud charges.

However, the version of the legislation before the House today was stripped of those protections, even though those very provisions passed the House by a bipartisan vote of 318–105. I really don't understand why the majority leadership would force the House to consider legislation that will allow organizations that have been indicted on voter fraud charges to receive taxpayer funds, especially when the House overwhelmingly voted to forbid the use of taxpayer funds for such organizations.

It is my sincere belief that if those provisions would have been kept in the legislation, over two-thirds of the House would have voted to pass the legislation today, legislation that, yes, otherwise does help communities by recruiting 250,000 volunteers for AmeriCorps. But we will never know if I'm right because the majority is rushing to get this bill passed and is prohibiting Members on both sides of the aisle from introducing amendments to once again include the commonsense bipartisan provisions that passed previously in the House.

Mr. Speaker, I would remind the majority leadership of the events 2 weeks ago, when we learned that legislation that the majority also rushed to the floor without proper review included a provision that allowed AIG executives to receive multimillion-dollar bonuses with taxpayer funds. I know the majority will say that we are trying to obstruct important legislation today. That is far from the truth. Many of us in the minority were ready to support the legislation and, in fact, many of us did so before.

What we in the minority are saying today, what we are trying to do, is to prevent the majority from once again wasting taxpayer dollars and embarrassing Congress.

I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today in support of H.R. 1388, the Edward M. Kennedy Serve America Act. And I want to thank the leadership of my colleague for offering me this opportunity to speak. I want to also thank Chairman MILLER for his leadership and dedication to national service after moving this important bill towards passage. I would also like to thank the full committee ranking member, Mr. MCKEON, and the ranking member on my subcommittee, Mr. PLATTS, and I would like to thank all the staff that have worked so hard on this.

I am pleased that the Senate has moved this bill so quickly and that we are getting closer to being able to send it to President Obama for his signature. I'm also glad to see that we have renamed the bill in honor of Senator EDWARD KENNEDY, a man who has demonstrated a lifelong commitment to public service.

Last month President Obama stood in this Chamber and called on Congress to pass legislation that would inspire a new generation of service and volunteerism in our Nation. This bill answers that call. Since the bill was passed in this body 2 weeks ago, there has been a public outpouring and interest in public service and volunteerism from citizens throughout this Nation.

Public service and volunteerism provide the means through which Americans can give back to their communities while gaining the tools that they need to achieve their own goals. The Serve America Act will create a framework to help develop national service programs that will improve their communities and enrich the lives of all those who answer the call to serve.

I am pleased to see that in this compromised version of the bill before us that we retain the competition provisions in the Senior Corps program. I'm also pleased this bill permits our Silver Scholars to transfer their education awards to their children, foster children or grandchildren. The Serve America Act contains important provisions that will help strengthen communities and provide real opportunities for Americans to serve in meaningful ways.

I am proud of the focus that the bill places in providing opportunities for disadvantaged youth, strengthening mentoring programs, increasing service opportunities in cities and urban centers, vets and people with disabilities. Under the Serve America Act, volunteer and service opportunities are made available to people of all ages. This will give thousands of older Americans the opportunity to share their knowledge and skills for the benefit of their communities while offering young people guidance and support.

I am proud that this bill contains an important focus on disadvantaged youth. By providing the right types of outlets, young people coming from difficult circumstances will have a chance to lift themselves up through service. The Serve America Act will build a national infrastructure for service and volunteerism and makes an historical investment in the way our service programs are administered.

The bill focuses on building our national service participation while providing much-needed streamlining to reduce administrative burdens. This bill requires States to ensure outreach to local government such as cities and counties when preparing national service plans. Better outreach will result in being able to target program funds to where local folks think they need to go.

I'm also pleased that this bill includes an investment in mentoring partnerships. I would like to thank SUSAN DAVIS for her hard work on this issue. Mr. Chairman, this is a good bill, and I certainly hope we can pass it.

Mr. LINCOLN DIAZ-BALART of Florida. I have no further requests for time at this time, and I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, this reauthorization, the first in 15 years, takes programs and infrastructure that have touched so many lives and builds off its foundation to greatly increase the quality and improve the quantity and quality of service that we as a Nation work to provide.

National service is a proven return on our investment. With this bill, we

will broaden those involved in service across the country, and in doing so, foster the value of civic engagement and duty that can change a life in a community.

This bipartisan legislation is truly a win-win for all those involved and for our country. It makes excellent improvements in an already successful Corporation for National and Community Service. It improves access and support for organizations and grant applicants, and most importantly, reassures our valued servicemembers that Congress supports them and their work in our communities.

I urge a ''yes'' vote on the previous question and on the rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H. RES. 279, PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF HOUSE OF REPRESENTATIVES IN 111TH CONGRESS

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 294 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 294

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 279) providing for the expenses of certain committees of the House of Representatives in the One Hundred Eleventh Congress. The amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the resolution shall be considered as adopted. The resolution, as amended, shall be considered as read. The previous question shall be considered as ordered on the resolution, as amended, to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on House Administration; and (2) one motion to recommit which may not contain instructions.

□ 1245

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

Mr. HASTINGS of Florida. For the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman, my friend from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Mr. HASTINGS of Florida. I also ask, Mr. Speaker, unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 294.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, H. Res. 294 provides for consideration of the 111th Congress committee funding resolution. As my colleagues may know, clause 7 of rule X provides for the interim committee funding until the permanent funding resolution is in place. That temporary funding expires today. Therefore, it is very important that we consider and pass this rule and the underlying resolution today.

The committee funding resolution before us is the result of a bipartisan effort between Chairman BRADY and Ranking Member LUNGREN of the Committee on House Administration. It was reported from the committee by a voice vote, and included an amendment by the ranking member to help increase transparency and accountability in the committee funding process.

This is a very fair and modest funding resolution which seeks to keep costs down, but still allow committees to fulfill their duties. This resolution recommends to the House an authorization to expend approximately $149.6 million in the first session and $154.9 million in the second session. This totals approximately $12.4 million below the combined levels requested by each of the committees.

It further reflects the commitment of Democrats to fairness and bipartisanship. The resolution incorporates an amendment by Ranking Member LUNGREN and carries forward the ''one-third'' rule in which a third of committee resources are used to support the work of the minority.

Rather than blindly tying committee funding to inflation or some other arbitrary number, this resolution is tailored to meet the unique challenges and circumstances facing this Congress.

As we work to implement the sweeping agenda of Democratic leadership and the new Democratic administration while simultaneously addressing seemingly unprecedented challenges, this resolution sensibly provides targeted increases to the Committees on Energy and Commerce, Financial Services, Small Business, and Standards of Official Conduct, among others.

The 12 percent increase recommended for the Committee on Financial Services is vital, considering the committee's stewardship of our Nation's financial recovery. It ensures that the committee not only has the resources to develop the legislation necessary to further our economic recovery, but also ensures that the committee has the capacity to adequately oversee the execution of these policies.

This increase, as well as the increase in funding for the Committee on Small Business, will help ensure that hard-earned taxpayer dollars are going into the right hands and helping the right people.

Additionally, with health care reform a priority for this Congress and our new President, H. Res. 279 provides an increase of 11 percent for the Committee on Energy and Commerce so we can continue our efforts to provide health care for every single American, in addition to working to finally achieve energy independence.

And while Congress continues to take on the task of overseeing our Nation's financial industry and the execution of our recovery initiatives, this body is ever-more scrutinized by the watchful eye of the American public. In order to ensure public trust in Congress, this resolution provides for an increase of 10 percent for the Committee on Standards of Official Conduct.

This resolution provides a pragmatic, fiscally prudent approach to committee funding, increasing total funding in 2009 by less than 5 percent, an amount within the D.C. cost of living adjustment.

Further, it provides a 3.9-percent increase in 2010, to accommodate the increased legislative and oversight work load typically seen in the second session.

It also assures adequate oversight by requiring committee chairs and ranking members to return to the Committee on House Administration by February of 2010 to report on committee spending.

This funding resolution strikes a responsible balance between the expanded oversight duties of the 111th Congress and the realities of our current economic climate. It will help this Congress adequately meet our economy's pressing needs, while working toward implementing the policies that will drive our Nation into the 21st century.

Mr. Speaker, I urge passage of this rule and of the resolution, and I reserve the balance of my time.

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

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

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation to my very good friend from Fort Lauderdale, my Rules Committee colleague, Mr. HASTINGS, for yielding me the customary 30 minutes.

And let me say that the American people are hurting. We know that. And Mr. HASTINGS has alluded to some of the challenges that we have. We're dealing with one of the most serious economic challenges that we've faced in modern history.

And while the American people are facing their economic challenges, I think it's very important for us as an institution, especially as the body of the people, to realize that it's incumbent upon us to set an example.

We all know that the Federal Government is filled, riddled with tremendous waste, fraud and abuse. It's a high level of frustration for Americans. And regardless of political party, people regularly talk about the challenge of dealing with waste, fraud and abuse.

And I will say that one of our important responsibilities that too often is forgotten is our responsibility for oversight. We have to oversee the multifarious programs that have been put forward and established by this Congress.

Now, from my perspective, we have way too many programs. The reach of the Federal Government is far beyond what it should be. And as we look at the budget which we're going to be debating later this week, the notion of having this dramatic increase in spending as a percentage of our gross domestic product is something that I find to be extraordinarily troubling. And we need to get our economy back on track. We need to make sure that we have in place an economic policy that will do that.

And so the American people are clearly looking to this institution, they're looking to Washington, to make sure that we set policies that will allow them to, once again, keep their homes, meet the obligation of paying tuition for their children who are going to college, to pay their other bills. That is something that, on a regular basis, we as Members of Congress hear from the American people. So this issue of committee funding is an important one.

And I will say that there is some concern that has been voiced on this side of the aisle. My California colleague, the ranking member of the Oversight Committee, is troubled over the fact that there have been increases in a number of other committees, and yet the Oversight and Government Reform Committee has not had the kind of increase that he believes is important.

I also want to say that we should take our hats off to the chairman of the Administration Committee, Mr. BRADY of Philadelphia, as well as my California colleague, Mr. LUNGREN, the gentleman from Sacramento, who is the ranking member. We have seen chairmen and ranking members of all of the committees go before their committee, and they have been deliberative and very thoughtful in this package that they have put together. But I do believe that there are, again, concerns that have been voiced by a number of our colleagues.

I want to say that if we look at what has happened in the last couple of months, one particular entity that I think needs to have very, very, very close scrutiny paid to it when it comes to this issue of oversight is the Department of the Treasury. We know there have been programs that began last fall with the Troubled Asset Relief Program, the so-called TARP program, and since that period of time we've had the 1,100-page stimulus bill, which we know has been flawed.

And I think it was demonstrated when, the week before last, we had the issue of trying to deal with the $167 million in bonuses that have been provided in the stimulus package for the executives of AIG. And so we have unintended consequences that stem from a dramatic expansion of the Federal Government. And everyone acknowledges that that's the case. And that's why we, on our side, are regularly trying to, again, limit that reach because no one knows exactly what the unintended consequences will be.

Now, Mr. LUNGREN, the ranking member, informed me yesterday that we are going to, in this resolution, have a scrutiny over the action of every committee when it comes to the issue of oversight. And I do congratulate the members of the Administration Committee for ensuring that we do have more scrutiny put into place.

I also want to mention an item that is included in this measure that is, I think, very, very important, and that is funding for a commission which I was privileged to found when we were in the majority, and now serve as the ranking member under our colleague, DAVID PRICE, the gentleman from North Carolina, who has chaired this commission. It's known as the House Democracy Assistance Commission. And our commission has basically taken the challenge of building democratic institutions in new and re-emerging democracies around the world and worked to share our example of the United States Congress with these new and re-emerging democracies. I mean, we are in Afghanistan, Timor-Leste, Indonesia, Haiti, Colombia, Lebanon, Liberia, Kenya, Macedonia, Georgia, and Ukraine. I mean, we have worked closely with the parliaments to try and, again, share our example of the work of the United States Congress.

And I regularly argue, Mr. Speaker, that we clearly don't have the answer, because we know that democracy is a work in progress. And I've often quipped that if some of these countries see the United States Congress in operation they may want to go back to totalitarianism. But the fact is we do have a 220-year example to which we can point as our work in progress. And this commission is, I believe, making great strides in trying to help build the parliaments in these countries so that, as we pursue economic growth and the rule of law in those countries, this commission is going to remain on the cutting edge of that very important work.

So I will say that, again, there are concerns that have been voiced about the level of funding, and I think that there are a number of issues that we still do want to ensure that we address.

But as the American people deal with the economic downturn that we're facing today, I think it is imperative that we, as an institution, do all that we can, Mr. Speaker, all that we can to ensure that we utilize those taxpayer dollars just as cost effectively as possible and, at the same time, redouble our efforts when it comes to overseeing this massive expansion of the Federal Government that has taken place.

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

□ 1300

Mr. HASTINGS of Florida. Mr. Speaker, I inquire of my good friend from California if he has any remaining speakers?

Mr. DREIER. If the gentleman would yield, I would say to my friend, if he would like me to talk for another 15 or 20 minutes, I would be more than happy to.

Mr. HASTINGS of Florida. I am the last speaker for this side, so I will reserve my time until the gentleman has closed for his side and has yielded back his time.

Mr. DREIER. Mr. Speaker, with that, I will yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would like to address one of the concerns that my good friend raised with reference to Oversight and Government Reform.

It remains the second best-funded committee in the House with the second largest staff, and Oversight and Government Reform did not use $700,000 of their funding last year, showing that they have a good cushion of additional funding to use this year.

Mr. Speaker, H. Res. 297 is a practical resolution that reflects the new pressing priorities of the 111th Congress. The funding levels authorized in this resolution will provide our committees with the resources necessary to carry out Congress' increase in oversight responsibilities and to implement the sweeping legislative initiatives of the President's and Democrats' in Congress, referencing yet one more item raised by my good friend as he references the things that are being done.

When people tell me that we are trying to do too much, I always ask: What is it that they would leave out that we should not be doing? Would they leave out education? Do they think that energy independence is not particularly critical? Is there anyone in this body or anywhere in this country who does not understand the critical need for health insurance for all Americans?

One thing is certain: When we are talking about the economy, we are talking about health care, and if we do not do things with reference to health care, then we are not going to be able to solve our economic crisis.

Mr. DREIER. Would the gentleman yield?

Mr. HASTINGS of Florida. Of course, I will yield.

Mr. DREIER. I thank my good friend for yielding.

Mr. Speaker, I would simply say that I completely concur with my friend on those two issues that he has just mentioned. Ensuring that we have access to quality health care in this country is, I believe, a right that needs to be pursued, number 1.

Number 2, education is going to be critical. As we deal with our emergence from this economic downturn, the United States of America must remain on the cutting edge. The argument that one would get is regarding the exact role the Federal Government should play in every one of these things—in dramatically expanding the number of programs to deal with it or, in fact, in incentivizing those in the private sector. Do we do everything we can to, again, encourage greater access to health care and to quality education?

I thank my friend for yielding.

Mr. HASTINGS of Florida. Reclaiming my time, I am putting a question to my colleague, and I will then reference time for him.

When you said we should incentivize the private sector, who is the ''we'' that you are talking about?

Mr. DREIER. Will my friend yield?

Mr. HASTINGS of Florida. Yes.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, let me just say, by incentivizing, I believe that we as an institution, through tax policy, can do everything that we possibly can.

For example, in the area of health care, just to touch on that, I believe that a dramatic expansion of medical savings accounts—of which we have been on the cutting edge—of encouraging people to put dollars aside and to save and plan for their health care needs is a better way to go rather than dramatically expanding a government program to deal with it. That is the response, I would say, as far as incentivizing.

I thank my friend for yielding.

Mr. HASTINGS of Florida. Reclaiming my time, it is still the government as an institution that you refer to that is going to do these things. It is just that somehow or another, I guess, ideologically, my good friend and I are opposites when it comes, not only to health care, but to a variety of issues of major consequence.

If this Nation does not face up to its responsibilities having to do with Social Security, if we do not significantly address the issues of Medicare and Medicaid, then somehow or another, I think we are leaving the least of us out of this process. It is one thing to believe that if we incentivize the Tax Code that it is going to solve the problem, but that is not going to reach those persons at the very bottom.

For example, I hope that this budget addresses community health facilities. I believe this resolution represents the vital first step toward adequately addressing health care reform, energy policy and climate change, financial regulation and oversight, job growth and the recovery and long-term stability of our Nation's economy.

Now, in spite of the criticism from our friends on the other side, if they feel about this rule that it is unfair, perhaps unprecedented, our only intention today is to ensure that this resolution is considered in a timely manner so that our committees may be adequately funded and so that we may continue to do the work of the American people.

Mr. Speaker, I urge a ''yes'' vote on the previous question and on the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Adoption of H. Res. 296, by the yeas and nays;

Motion to suspend the rules and pass the bill, H.R. 1259, by the yeas and nays;

Motion to suspend the rules and agree to the resolution, H. Res. 282, de novo.

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

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 1388, EDWARD M. KENNEDY SERVE AMERICA ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 296, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 240, nays 173, not voting 18, as follows:

[Roll No. 166]

YEAS—240

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Bright
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Ortiz
Pallone
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
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
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—173

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis

Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Boucher
Brown, Corrine
Conyers
Fattah
Goodlatte
Hensarling
Kilroy
Lewis (GA)
Miller, Gary
Minnick
Moore (KS)
Olver
Pascrell
Pomeroy
Smith (TX)
Watson
Watt
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1334

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GOODLATTE. Mr. Speaker, on rollcall 166, I was unavoidably detained. Had I been present I would have voted "no."

DEXTROMETHORPHAN DISTRIBUTION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1259, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1259.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 8, not voting 16, as follows:

[Roll No. 167]

YEAS—407

Abercrombie
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)
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
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
Cooper
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
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
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 (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)
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
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
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
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
Waxman
Weiner
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—8

Broun (GA)
Campbell
Flake
McClintock
Paul
Poe (TX)
Rohrabacher
Royce

NOT VOTING—16

Brady (TX)
Brown, Corrine
Franks (AZ)
Green, Gene
Hensarling
Johnson (GA)
Lewis (GA)
Miller, Gary
Olson
Pascrell
Pomeroy
Rangel
Watson
Watt
Welch
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1342

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.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 167, had I been present, I would have voted "yea."

Mr. OLSON. Mr. Speaker, I was unavoidably detained. If I had been present I would have voted "yea."

RECOGNIZING 30TH ANNIVERSARY OF EGYPT-ISRAEL PEACE TREATY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 282, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. CONNOLLY) that the House suspend the rules and agree to the resolution, H. Res. 282, as amended.

The question was taken.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 1, not voting 12, as follows:

[Roll No. 168]

AYES—418

Abercrombie
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-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
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
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
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)
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, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
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
Waxman
Weiner
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—1

Paul

NOT VOTING—12

Brown, Corrine
Davis (TN)
Hensarling
Lewis (GA)
Miller, Gary
Murphy (CT)
Pascrell
Pomeroy
Watson
Watt
Welch
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1351

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EDWARD M. KENNEDY SERVE AMERICA ACT

Mr. GEORGE MILLER of California. Mr. Speaker, pursuant to House Resolution 296, I move to take from the Speaker's table the bill (H.R. 1388) to reauthorize the reform of the national service laws, with the Senate amendments thereto, and I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the title of the bill, designate the Senate amendments and designate the motion.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Serve America Act''.

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

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

Sec. 1001. References.

Subtitle A—Amendments to Subtitle A (General Provisions)

Sec. 1101. Purposes.
Sec. 1102. Definitions.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

Sec. 1201. School-based allotments.
Sec. 1202. Higher education provisions.
Sec. 1203. Campuses of Service.
Sec. 1204. Innovative programs and research.
Sec. 1205. Service-learning impact study.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

Sec. 1301. Prohibition on grants to Federal agencies; limits on Corporation costs.
Sec. 1302. Eligible national service programs.
Sec. 1303. Types of positions.
Sec. 1304. Conforming repeal relating to training and technical assistance.
Sec. 1305. Assistance to State Commissions; challenge grants.
Sec. 1306. Allocation of assistance to States and other eligible entities.
Sec. 1307. Additional authority.
Sec. 1308. State selection of programs.
Sec. 1309. National service program assistance requirements.
Sec. 1310. Prohibited activities and ineligible organizations.
Sec. 1311. Consideration of applications.
Sec. 1312. Description of participants.
Sec. 1313. Selection of national service participants.
Sec. 1314. Terms of service.
Sec. 1315. Adjustments to living allowance.

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

Sec. 1401. Availability of funds in the National Service Trust.
Sec. 1402. Individuals eligible to receive an educational award from the Trust.
Sec. 1403. Certifications.
Sec. 1404. Determination of the amount of the educational award.
Sec. 1405. Disbursement of educational awards.
Sec. 1406. Approval process for approved positions.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

Sec. 1501. Purpose.
Sec. 1502. Program components.
Sec. 1503. Eligible participants.
Sec. 1504. Summer national service program.
Sec. 1505. National Civilian Community Corps.
Sec. 1506. Training.
Sec. 1507. Consultation with State Commissions.
Sec. 1508. Authorized benefits for Corps members.
Sec. 1509. Permanent cadre.
Sec. 1510. Status of Corps members and Corps personnel under Federal law.
Sec. 1511. Contract and grant authority.
Sec. 1512. Other departments.
Sec. 1513. Advisory Board.
Sec. 1514. Evaluations.
Sec. 1515. Repeal of funding limitation.
Sec. 1516. Definitions.
Sec. 1517. Terminology.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

Sec. 1601. Family and medical leave.
Sec. 1602. Reports.
Sec. 1603. Use of funds.

Sec. 1604. Notice, hearing, and grievance procedures.
Sec. 1605. Resolution of displacement complaints.
Sec. 1606. State Commissions on National and Community Service.
Sec. 1607. Evaluation and accountability.
Sec. 1608. Civic Health Assessment.
Sec. 1609. Contingent extension.
Sec. 1610. Partnerships with schools.
Sec. 1611. Rights of access, examination, and copying.
Sec. 1612. Additional administrative provisions.
Sec. 1613. Availability of assistance.
Sec. 1614. Criminal history checks for individuals working with vulnerable populations.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

Sec. 1701. Terms of office.
Sec. 1702. Board of Directors authorities and duties.
Sec. 1703. Chief Executive Officer compensation.
Sec. 1704. Authorities and duties of the Chief Executive Officer.
Sec. 1705. Chief Financial Officer status.
Sec. 1706. Nonvoting members; personal services contracts.
Sec. 1707. Donated services.
Sec. 1708. Assignment to State Commissions.
Sec. 1709. Study of involvement of veterans.
Sec. 1710. Study to examine and increase service programs for displaced workers in services corps and community service and to develop pilot program planning study.
Sec. 1711. Study to evaluate the effectiveness of agency coordination.
Sec. 1712. Study of program effectiveness.
Sec. 1713. Volunteer Management Corps study.

Subtitle H—Amendments to Subtitle H (Investment for Quality and Innovation)

Sec. 1801. Technical amendment to subtitle H.
Sec. 1802. Additional Corporation activities to support national service.
Sec. 1803. Repeals.
Sec. 1804. Presidential awards.
Sec. 1805. New fellowships.
Sec. 1806. National Service Reserve Corps.
Sec. 1807. Social Innovation Funds pilot program.
Sec. 1808. Clearinghouses.
Sec. 1809. Nonprofit Capacity Building Program.

Subtitle I—Training and Technical Assistance

Sec. 1821. Training and technical assistance.

Subtitle J—Repeal of Title III (Points of Light Foundation)

Sec. 1831. Repeal.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

Sec. 1841. Authorization of appropriations.

TITLE II—DOMESTIC VOLUNTEER SERVICE ACT OF 1973

Sec. 2001. References.
Sec. 2002. Volunteerism policy.

Subtitle A—National Volunteer Antipoverty Programs

CHAPTER 1—VOLUNTEERS IN SERVICE TO AMERICA

Sec. 2101. Statement of purpose.
Sec. 2102. Selection and assignment of volunteers.
Sec. 2103. Support service.
Sec. 2104. Repeal.
Sec. 2105. Redesignation.

CHAPTER 2—UNIVERSITY YEAR FOR VISTA

Sec. 2121. University year for VISTA.

CHAPTER 3—SPECIAL VOLUNTEER PROGRAMS

Sec. 2131. Statement of purpose.
Sec. 2132. Literacy challenge grants.

Subtitle B—National Senior Service Corps

Sec. 2141. Title.
Sec. 2142. Statement of purpose.
Sec. 2143. Retired and Senior Volunteer Program.
Sec. 2144. Foster grandparent program.
Sec. 2145. Senior companion program.
Sec. 2146. General provisions.

Subtitle C—Administration and Coordination

Sec. 2151. Special limitations.
Sec. 2152. Application of Federal law.
Sec. 2153. Evaluation.
Sec. 2154. Definitions.
Sec. 2155. Protection against improper use.
Sec. 2156. Provisions under the National and Community Service Act of 1990.

Subtitle D—Authorization of Appropriations

Sec. 2161. Authorizations of appropriations.

TITLE III—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

Sec. 3101. Table of contents of the National and Community Service Act of 1990.
Sec. 3102. Table of contents of the Domestic Volunteer Service Act of 1973.

TITLE IV—AMENDMENTS TO OTHER LAWS

Sec. 4101. Inspector General Act of 1978.

TITLE V—VOLUNTEERS FOR PROSPERITY PROGRAM

Sec. 5101. Findings.
Sec. 5102. Definitions.
Sec. 5103. Office of Volunteers for Prosperity.
Sec. 5104. Authorization of appropriations.

TITLE VI—EFFECTIVE DATE

Sec. 6101. Effective date.
Sec. 6102. Sense of the Senate.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SEC. 1001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the amendment or repeal shall be considered to be made to a provision of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

Subtitle A—Amendments to Subtitle A (General Provisions)

SEC. 1101. PURPOSES.

Section 2(b) (42 U.S.C. 12501(b)) is amended—

(1) in paragraph (2), by striking ''community throughout'' and inserting ''community and service throughout the varied and diverse communities of'';

(2) in paragraph (4), by inserting after ''income,'' the following: ''geographic location,'';

(3) in paragraph (6), by inserting after ''existing'' the following: ''national'';

(4) in paragraph (7)—

(A) by striking ''programs and agencies'' and inserting ''programs, agencies, and communities''; and

(B) by striking ''and'' at the end;

(5) in paragraph (8), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

''(9) expand and strengthen service-learning programs through year-round opportunities, including opportunities during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community for children and youth throughout the United States;

''(10) assist in coordinating and strengthening Federal and other service opportunities, including opportunities for participation in emergency and disaster preparedness, relief, and recovery;

''(11) increase service opportunities for the Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions, to improve the education of the Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the experience, knowledge, and skills of older individuals;

''(12) encourage the continued service of the alumni of the national service programs, including service in times of national need;

''(13) encourage individuals age 55 or older to partake of service opportunities;

''(14) focus national service on the areas of national need such service has the capacity to address, such as improving education, increasing energy conservation, improving the health status of economically disadvantaged individuals, and improving economic opportunity for economically disadvantaged individuals;

''(15) recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in addressing national and local challenges;

''(16) increase public and private investment in nonprofit community organizations that are effectively addressing national and local challenges and encourage such organizations to replicate and expand successful initiatives;

''(17) leverage Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

''(18) support institutions of higher education that engage students in community service activities and provide high-quality service-learning opportunities; and

''(19) recognize the expertise veterans can offer to national service programs, expand the participation of the veterans in the national service programs, and assist the families of veterans and members of the Armed Forces on active duty.''.

SEC. 1102. DEFINITIONS.

(a) IN GENERAL.—Section 101 (42 U.S.C. 12511) is amended—

(1) in paragraph (3), by striking ''described in section 122'';

(2) in paragraph (13), by striking ''section 101(a) of the Higher Education Act of 1965'' and inserting ''sections 101(a) and 102(a)(1) of the Higher Education Act of 1965'';

(3) in paragraph (17)(B), by striking ''program in which the participant is enrolled'' and inserting ''organization receiving assistance under the national service laws through which the participant is engaging in service'';

(4) in paragraph (19)—

(A) by striking ''section 111(a)'' and inserting ''section 112(a)'';

(B) by striking ''117A(a),'';

(C) by striking ''119(b)(1), or 122(a),'' and inserting ''118A, or 118(b)(1), or subsection (a), (b), or (c) of section 122,'';

(D) by inserting ''section 198B, 198C, 198G, 198H, or 198K,'' after ''section 152(b),''; and

(E) by striking ''198, 198C, or 198D'' and inserting ''179A, 198, 198O, 198P, or 199N'';

(5) in paragraph (21)(B)—

(A) by striking ''602'' and inserting ''602(3)''; and

(B) by striking ''1401'' and inserting ''1401(3)'';

(6) in paragraph (24), by striking ''section 111'' and inserting ''section 112'';

(7) in paragraph (26), by striking the second sentence; and

(8) by adding at the end the following:

''(30) ALASKA NATIVE-SERVING INSTITUTION.—The term 'Alaska Native-serving institution' has the meaning given the term in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).

''(31) APPROVED SILVER SCHOLAR POSITION.—The term 'approved silver scholar position' means a position, in a program described in section 198C(a), for which the Corporation has approved the provision of a silver scholarship educational award as one of the benefits to be provided for successful service in the position.

''(32) APPROVED SUMMER OF SERVICE POSITION.—The term 'approved summer of service position' means a position, in a program described in section 119(c)(8), for which the Corporation has approved the provision of a summer of service educational award as one of the

benefits to be provided for successful service in the position.

''(33) ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.—The term 'Asian American and Native American Pacific Islander-serving institution' has the meaning given the term in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b)).

''(34) AUTHORIZING COMMITTEES.—The term 'authorizing committees' means the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(35) COMMUNITY-BASED ENTITY.—The term 'community-based entity' means a public or private nonprofit organization that—

''(A) has experience with meeting unmet human, educational, environmental, or public safety needs; and

''(B) meets other such criteria as the Chief Executive Officer may establish.

''(36) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' includes those youth who are economically disadvantaged and 1 or more of the following:

''(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

''(B) Who are in or aging out of foster care.

''(C) Who have limited English proficiency.

''(D) Who are homeless or who have run away from home.

''(E) Who are at-risk to leave secondary school without a diploma.

''(F) Who are former juvenile offenders or at risk of delinquency.

''(G) Who are individuals with disabilities.

''(37) ENCORE SERVICE PROGRAM.—The term 'encore service program' means a program, carried out by an eligible entity as described in subsection (a), (b), or (c) of section 122, that—

''(A) involves a significant number of participants age 55 or older in the program; and

''(B) takes advantage of the skills and experience that such participants offer in the design and implementation of the program.

''(38) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given such term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

''(39) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically black college or university' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

''(40) MEDICALLY UNDERSERVED POPULATION.—The term 'medically underserved population' has the meaning given that term in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)).

''(41) NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTION.—The term 'Native American-serving, nontribal institution' has the meaning given the term in section 319(b) of the Higher Education Act of 1965 (20 U.S.C. 1059f(b)).

''(42) NATIVE HAWAIIAN-SERVING INSTITUTION.—The term 'Native Hawaiian-serving institution' has the meaning given the term in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).

''(43) PREDOMINANTLY BLACK INSTITUTION.—The term 'Predominantly Black Institution' has the meaning given the term in section 318 of the Higher Education Act of 1965 (20 U.S.C. 1059e).

''(44) PRINCIPLES OF SCIENTIFIC RESEARCH.—The term 'principles of scientific research' means principles of research that—

''(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to the subject matter involved;

''(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and

''(C) include, appropriate to the research being conducted—

''(i) use of systematic, empirical methods that draw on observation or experiment;

''(ii) use of data analyses that are adequate to support the general findings;

''(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

''(iv) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random-assignment experiments;

''(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

''(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

''(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions.

''(45) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.

''(46) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.

''(47) TERRITORY.—The term 'territory' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(48) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term 'tribally controlled college or university' has the meaning given such term in section 2 of the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801).

''(49) VETERAN.—The term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.''.

(b) REDESIGNATION.—Section 101 (42 U.S.C. 12511) is amended—

(1) by redesignating paragraphs (1) through (49) as paragraphs (1), (3), (8), (9), (10), (12), (14), (15), (19), (20), (21), (22), (23), (24), (26), (29), (30), (31), (34), (35), (37), (39), (40), (41), (42), (43), (44), (45), (46), (2), (4), (5), (6), (7), (11), (13), (16), (17), (18), (25), (27), (28), (32), (33), (36), (38), (47), (48), and (49); and

(2) so that paragraphs (1) through (49), as so redesignated in paragraph (1), appear in numerical order.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

SEC. 1201. SCHOOL-BASED ALLOTMENTS.

Part I of subtitle B of title I (42 U.S.C. 12521 et seq.) is amended to read as follows:

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS

''SEC. 111. PURPOSE.

''The purpose of this part is to promote service-learning as a strategy to—

''(1) support high-quality service-learning projects that engage students in meeting community needs with demonstrable results, while enhancing students' academic and civic learning; and

''(2) support efforts to build institutional capacity, including the training of educators, and to strengthen the service infrastructure to expand service opportunities.

''SEC. 111A. DEFINITIONS.

''In this part:

''(1) STATE.—The term 'State' means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(2) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' means—

''(A) a State educational agency (as defined in section 101) of a State; or

''(B) for a State in which a State educational agency described in subparagraph (A) has designated a statewide entity under section 112(e), that designated statewide entity.

''SEC. 112. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

''(a) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, territories, and Indian tribes to pay for the Federal share of—

''(1) planning and building the capacity within the State, territory, or Indian tribe involved to implement service-learning programs that are based principally in elementary schools and secondary schools, including—

''(A) providing training and professional development for teachers, supervisors, personnel from community-based entities (particularly with regard to the recruitment, utilization, and management of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

''(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including curricula for an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

''(C) forming local partnerships described in paragraph (2) or (4)(D) to develop school-based service-learning programs in accordance with this part;

''(D) devising appropriate methods for research on and evaluation of the educational value of service-learning and the effect of service-learning activities on communities;

''(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based entities with demonstrated effectiveness in working with school-age youth in their communities; and

''(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, throughout the territory, or serving the Indian tribe involved with particular attention to schools not making adequate yearly progress for two or more consecutive years under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

''(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to projects operated by local partnerships among—

''(A) local educational agencies; and

''(B) 1 or more community partners that—

''(i) shall include a public or private nonprofit organization that—

''(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

''(II) will make projects available for participants, who shall be students; and

''(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

''(ii) may include a private for-profit business, private elementary school or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

''(3) planning of school-based service-learning programs, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, which planning may include paying for the cost of—

''(A) the salaries and benefits of service-learning coordinators; or

''(B) the recruitment, training and professional development, supervision, and placement

of service-learning coordinators who may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

''(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to—

''(A) local educational agencies;

''(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

''(C) public or private nonprofit organizations; or

''(D) partnerships or combinations of local educational agencies, and entities described in subparagraph (B) or (C); and

''(5) developing, as service-learning programs, civic engagement programs that promote a better understanding of—

''(A) the principles of the Constitution, the heroes of United States history (including military heroes), and the meaning of the Pledge of Allegiance;

''(B) how the Nation's government functions; and

''(C) the importance of service in the Nation's character.

''(b) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (a) shall provide services to a local partnership described in subsection (a)(2) or entity described in subsection (a)(3), respectively, that may include—

''(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

''(2) assisting local partnerships described in subsection (a)(2) in the planning, development, and execution of service-learning projects, including summer of service programs;

''(3) assisting schools and local educational agencies in developing school policies and practices that support the integration of service-learning into the curriculum; and

''(4) carrying out such other duties as the local partnership or entity, respectively, may determine to be appropriate.

''(c) RELATED EXPENSES.—An entity that receives financial assistance under this part from a State, territory, or Indian tribe may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

''(d) SPECIAL RULE.—A State educational agency described in section 111A(2)(A) may designate a statewide entity (which may be a community-based entity) with demonstrated experience in supporting or implementing service-learning programs, to receive the State educational agency's allotment under this part, and carry out the functions of the agency under this part.

''(e) CONSULTATION WITH SECRETARY OF EDUCATION.—The Corporation is authorized to enter into agreements with the Secretary of Education for initiatives (and may use funds authorized under section 501(a)(6) to enter into the agreements if the additional costs of the initiatives are warranted) that may include—

''(1) identification and dissemination of research findings on service-learning and scientifically valid research based practices for service-learning; and

''(2) provision of professional development opportunities that—

''(A) improve the quality of service-learning instruction and delivery for teachers both preservice and in-service, personnel from community-based entities and youth workers; and

''(B) create and sustain effective partnerships for service-learning programs between local educational agencies, community-based entities, businesses, and other stakeholders.

"SEC. 112A. ALLOTMENTS.

''(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

''(b) ALLOTMENTS THROUGH STATES.—

''(1) IN GENERAL.—After reserving an amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for the fiscal year as follows:

''(A) ALLOTMENTS BASED ON SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth in all States.

''(B) ALLOTMENTS BASED ON ALLOCATIONS UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) bears to the total of such allocations to all States.

''(2) MINIMUM AMOUNT.—For any fiscal year for which amounts appropriated for this subtitle exceed $50,000,000, the minimum allotment to each State under paragraph (1) shall be $75,000.

''(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, territory, or Indian tribe under this section will not be required for a fiscal year because the State, territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make the allotment for such State, territory, or Indian tribe available for grants to community-based entities to carry out service-learning programs as described in section 112(b) in such State, in such territory, or for such Indian tribe. After community-based entities apply for grants from the allotment, by submitting an application at such time and in such manner as the Corporation requires, and receive approval, the remainder of such allotment shall be available for reallotment to such other States, territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

"SEC. 113. APPLICATIONS.

''(a) APPLICATIONS TO CORPORATION FOR ALLOTMENTS.—

''(1) IN GENERAL.—To be eligible to receive an allotment under section 112A, a State, acting through the State educational agency, territory, or Indian tribe shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

''(2) CONTENTS.—An application for an allotment under section 112 shall include—

''(A) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

''(B) information about the criteria the State educational agency, territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (b), including an assurance that the State educational agency, territory, or Indian tribe will comply with the requirement in section 114(a);

''(C) assurances about the applicant's efforts to—

''(i) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

''(ii) include any opportunities for students, enrolled in schools or programs of education providing elementary or secondary education, to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

''(iii) involve participants in the design and operation of the programs;

''(iv) promote service-learning in areas of greatest need, including low-income or rural areas; and

''(v) otherwise integrate service opportunities into the academic program of the participants; and

''(D) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the notice, hearing, and grievance procedures required by section 176.

''(b) APPLICATION TO STATE, TERRITORY, OR INDIAN TRIBE FOR ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

''(1) IN GENERAL.—Any—

''(A) qualified organization, Indian tribe, territory, local educational agency, for-profit business, private elementary school or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, territory, or Indian tribe for an activity described in section 112(a)(1);

''(B) partnership described in section 112(a)(2) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in section 112(a)(2);

''(C) entity described in section 112(a)(3) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in such section;

''(D) entity or partnership described in section 112(a)(4) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in such section; and

''(E) entity that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in section 111(a)(5),

shall prepare, submit to the State educational agency for the State, territory, or Indian tribe, and obtain approval of, an application for the program.

''(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, territory, or Indian tribe may reasonably require.

"SEC. 114. CONSIDERATION OF APPLICATIONS.

''(a) CRITERIA FOR LOCAL APPLICATIONS.—In providing assistance under this part, a State educational agency, territory, or Indian tribe (or the Corporation if section 112A(c) applies) shall consider criteria with respect to sustainability, replicability, innovation, and quality of programs.

''(b) PRIORITY FOR LOCAL APPLICATIONS.—In providing assistance under this part, a State educational agency, territory, or Indian tribe (or the Corporation if section 112A(c) applies) shall give priority to entities that submit applications under section 113 with respect to service-learning programs described in section 111 that are in the greatest need of assistance, such as

programs targeting low-income areas or serving economically disadvantaged youth.

''(c) REJECTION OF APPLICATIONS TO CORPORATION.—If the Corporation rejects an application submitted by a State, territory, or Indian tribe under section 113 for an allotment, the Corporation shall promptly notify the State, territory, or Indian tribe of the reasons for the rejection of the application. The Corporation shall provide the State, territory, or Indian tribe with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State, territory, or Indian tribe as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

''SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

''(a) IN GENERAL.—To the extent consistent with the number of students in the State, in the territory, or served by the Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary schools and secondary schools, such State, territory, or Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

''(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this part; and

''(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this part.

''(b) WAIVER.—If a State, territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers.

''SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

''(a) CORPORATION SHARE.—

''(1) IN GENERAL.—The Corporation share of the cost of carrying out a program for which a grant is made from an allotment under this part—

''(A) for new grants may not exceed 80 percent of the total cost of the program for the first year of the grant period, 65 percent for the second year, and 50 percent for each remaining year; and

''(B) for continuing grants, may not exceed 50 percent of the total cost of the program.

''(2) NONCORPORATION CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of such a grant under this part—

''(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services;

''(B) except as provided in subparagraph (C), may provide for such share through Federal, State, or local sources, including private funds or donated services; and

''(C) may not provide for such share through Federal funds made available under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

''(b) WAIVER.—The Chief Executive Officer may waive the requirements of subsection (a) in whole or in part with respect to any such program for any fiscal year, on a determination that such a waiver would be equitable due to a lack of resources at the local level.

''SEC. 117. LIMITATIONS ON USES OF FUNDS.

''Not more than 6 percent of the amount of assistance received by a State, territory, or Indian tribe that is the original recipient of an allotment under this part for a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by that recipient.''.

SEC. 1202. HIGHER EDUCATION PROVISIONS.

(a) REDESIGNATION.—Section 119 (42 U.S.C. 12561) is redesignated as section 118.

(b) HIGHER EDUCATION INNOVATIVE PROGRAMS.—Section 118 (as so redesignated) is amended—

(1) in subsection (a), by inserting after ''community service programs'' the following: ''through service-learning'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''combination'' and inserting ''consortium'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(C) the institution or partnership may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at 1 or more members of the partnership;''; and

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''teachers at the elementary, secondary, and postsecondary levels'' and inserting ''institutions of higher education and their faculty'';

(ii) in subparagraph (A), by striking ''education of the institution; and'' and inserting ''curricula of the institution to strengthen the instructional capacity of teachers to provide service-learning at the elementary and secondary levels;'';

(iii) by redesignating subparagraph (B) as subparagraph (C); and

(iv) by inserting after subparagraph (A) the following:

''(B) including service-learning as a component of other curricula or academic programs (other than education curricula or programs), such as curricula or programs relating to nursing, medicine, criminal justice, or public policy; and'';

(3) by striking subsections (c), (d), (e), and (g);

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (b) the following:

''(c) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

''(1) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant or contract under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.

''(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

''(d) APPLICATION FOR GRANT.—

''(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an institution or partnership shall prepare and submit to the Corporation, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require, and obtain approval of the application. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

''(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

''(A) assurances that—

''(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

''(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the notice, hearing, and grievance procedures required by section 176; and

''(B) such other assurances as the Chief Executive Officer may reasonably require.

''(e) SPECIAL CONSIDERATION.—To the extent practicable, in making grants and entering into contracts under subsection (b), the Corporation shall give special consideration to applications submitted by, or applications from partnerships including, institutions serving primarily low-income populations, including—

''(1) Alaska Native-serving institutions;

''(2) Asian American and Native American Pacific Islander-serving institutions;

''(3) Hispanic-serving institutions;

''(4) historically black colleges and universities;

''(5) Native American-serving, nontribal institutions;

''(6) Native Hawaiian-serving institutions;

''(7) Predominantly Black Institutions;

''(8) tribally controlled colleges and universities; and

''(9) community colleges serving predominantly minority populations.

''(f) CONSIDERATIONS.—In making grants and entering into contracts under subsection (b), the Corporation shall take into consideration whether the applicants submit applications containing proposals that—

''(1) demonstrate the commitment of the institution of higher education involved, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

''(2) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

''(3) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools and colleges;

''(4) describe any partnership that will participate in the community service projects, such as a partnership comprised of—

''(A) the institution;

''(B)(i) a community-based agency;

''(ii) a local government agency; or

''(iii) a nonprofit entity that serves or involves school-age youth, older adults, or low-income communities; and

''(C)(i) a student organization;

''(ii) a department of the institution; or

''(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

''(5) demonstrate community involvement in the development of the proposal and the extent to which the proposal will contribute to the goals of the involved community members;

''(6) demonstrate a commitment to perform community service projects in underserved urban and rural communities;

''(7) describe research on effective strategies and methods to improve service utilized in the design of the projects;

''(8) specify that the institution or partnership will use the assistance provided through the grant or contract to strengthen the service infrastructure in institutions of higher education;

''(9) with respect to projects involving delivery of services, specify projects that involve leadership development of school-age youth; or

''(10) describe the needs that the proposed projects are designed to address, such as housing, economic development, infrastructure, health care, job training, education, crime prevention, urban planning, transportation, information technology, or child welfare.

''(g) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education shall demonstrate that it meets the minimum requirements under section 443(b)(2)(A) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)(A)) relating to the participation of students employed under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) (relating to Federal Work-Study programs) in community service activities, or has received a waiver of those requirements from the Secretary of Education.

''(h) DEFINITION.—Notwithstanding section 101, as used in this part, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis.''.

SEC. 1203. CAMPUSES OF SERVICE.

Subtitle B of title I (42 U.S.C. 12521 et seq.) is amended by inserting after section 118 (as redesignated by section 1202) the following:

''SEC. 118A. CAMPUSES OF SERVICE.

''(a) IN GENERAL.—The Corporation, after consultation with the Secretary of Education, may annually designate not more than 25 institutions of higher education as Campuses of Service, from among institutions nominated by State Commissions.

''(b) APPLICATIONS FOR NOMINATION.—

''(1) IN GENERAL.—To be eligible for a nomination to receive designation under subsection (a), and have an opportunity to apply for funds under subsection (d) for a fiscal year, an institution of higher education in a State shall submit an application to the State Commission at such time, in such manner, and containing such information as the State Commission may require.

''(2) CONTENTS.—At a minimum, the application shall include information specifying—

''(A)(i) the number of undergraduate and, if applicable, graduate service-learning courses offered at such institution for the most recent full academic year preceding the fiscal year for which designation is sought; and

''(ii) the number and percentage of undergraduate students and, if applicable, the number and percentage of graduate students at such institution who were enrolled in the corresponding courses described in clause (i), for such preceding academic year;

''(B) the percentage of undergraduate students engaging in and, if applicable, the percentage of graduate students engaging in activities providing community services, as defined in section 441(c) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)), during such preceding academic year, the quality of such activities, and the average amount of time spent, per student, engaged in such activities;

''(C) for such preceding academic year, the percentage of Federal work-study funds made available to the institution under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) that is used to compensate students employed in providing community services, as so defined, and a description of the efforts the institution undertakes to make available to students opportunities to provide such community services and be compensated through such work-study funds;

''(D) at the discretion of the institution, information demonstrating the degree to which recent graduates of the institution, and all graduates of the institution, have obtained full-time public service employment in the nonprofit sector or government, with a private nonprofit organization or a Federal, State, or local public agency; and

''(E) any programs the institution has in place to encourage or assist graduates of the institution to pursue careers in public service in the nonprofit sector or government.

''(c) NOMINATIONS AND DESIGNATION.—

''(1) NOMINATION.—

''(A) IN GENERAL.—A State Commission that receives applications from institutions of higher education under subsection (b) may nominate, for designation under subsection (a), not more than 3 such institutions of higher education, consisting of—

''(i) not more than one 4-year public institution of higher education;

''(ii) not more than one 4-year private institution of higher education; and

''(iii) not more than one 2-year institution of higher education.

''(B) SUBMISSION.—The State Commission shall submit to the Corporation the name and application of each institution nominated by the State Commission under subparagraph (A).

''(2) DESIGNATION.—The Corporation shall designate, under subsection (a), not more than 25 institutions of higher education from among the institutions nominated under paragraph (1). In making the designations, the Corporation shall, if feasible, designate various types of institutions, including institutions from each of the categories of institutions described in clauses (i), (ii), and (iii) of paragraph (1)(A).

''(d) AWARDS.—

''(1) IN GENERAL.—Using sums reserved under section 501(a)(1)(C) for Campuses of Service, the Corporation shall provide an award of funds to institutions designated under subsection (c), to be used by the institutions to develop or disseminate service-learning models and information on best practices regarding service-learning to other institutions of higher education.

''(2) PLAN.—To be eligible to receive funds under this subsection, an institution designated under subsection (c) shall submit a plan to the Corporation describing how the institution intends to use the funds to develop or disseminate service-learning models and information on best practices regarding service-learning to other institutions of higher education.

''(3) ALLOCATION.—The Corporation shall determine how the funds reserved under section 501(a)(1)(C) for Campuses of Service for a fiscal year will be allocated among the institutions submitting acceptable plans under paragraph (2). In determining the amount of funds to be allocated to such an institution, the Corporation shall consider the number of students at the institution, the quality and scope of the plan submitted by the institution under paragraph (2), and the institution's current (as of the date of submission of the plan) strategies to encourage or assist students to pursue public service careers in the nonprofit sector or government.''.

SEC. 1204. INNOVATIVE PROGRAMS AND RESEARCH.

Subtitle B of title I (42 U.S.C. 12521 et seq.), as amended by section 1203, is further amended by adding at the end the following:

''PART III—INNOVATIVE AND COMMUNITY-BASED SERVICE–LEARNING PROGRAMS AND RESEARCH

''SEC. 119. INNOVATIVE AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS AND RESEARCH.

''(a) DEFINITIONS.—In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a State educational agency, a State Commission, a territory, an Indian tribe, an institution of higher education, or a public or private nonprofit organization (including community-based entities), a public or private elementary school or secondary school, a local educational agency, a consortium of such entities, or a consortium of 2 or more such entities and a for-profit organization.

''(2) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership that—

''(A) shall include—

''(i) 1 or more community-based entities that have demonstrated records of success in carrying out service-learning programs with economically disadvantaged students, and that meet such criteria as the Chief Executive Officer may establish; and

''(ii) a local educational agency for which—

''(I) a high number or percentage, as determined by the Corporation, of the students served by the agency are economically disadvantaged students; and

''(II) the graduation rate (as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education for the secondary school students served by the agency is less than 70 percent; and

''(B) may also include—

''(i) a local government agency that is not described in subparagraph (A);

''(ii) the office of the chief executive officer of a unit of general local government;

''(iii) an institution of higher education;

''(iv) a State Commission or State educational agency; or

''(v) more than 1 local educational agency described in subclause (I).

''(3) YOUTH ENGAGEMENT ZONE.—The term 'youth engagement zone' means the area in which a youth engagement zone program is carried out.

''(4) YOUTH ENGAGEMENT ZONE PROGRAM.—The term 'youth engagement zone program' means a service-learning program in which members of an eligible partnership collaborate to provide coordinated school-based or community-based service-learning opportunities—

''(A) in order to address a specific community challenge;

''(B) for an increasing percentage of out-of-school youth and secondary school students served by a local educational agency; and

''(C) in circumstances under which—

''(i) not less than 90 percent of such students participate in service-learning activities as part of the program; or

''(ii) service-learning is a part of the curriculum in all of the secondary schools served by the local educational agency.

''(b) GENERAL AUTHORITY.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants (which may include approved summer of service positions in the case of a grant for a program described in subsection (c)(8)) and fixed-amount grants (in accordance with section 129(l)) to eligible entities or eligible partnerships, as appropriate, for programs and activities described in subsection (c).

''(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

''(1) integrate service-learning programs into the science, technology, engineering, and mathematics (referred to in this part as 'STEM') curricula at the elementary, secondary, postsecondary, or postbaccalaureate levels in coordination with practicing or retired STEM professionals;

''(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low-income housing and in public spaces;

''(3) involve students in service-learning programs in emergency and disaster preparedness;

''(4) involve students in service-learning programs aimed at improving access to and obtaining the benefits from computers and other emerging technologies, including improving such access for individuals with disabilities, in low-income or rural communities, in senior centers

and communities, in schools, in libraries, and in other public spaces;

''(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency and disaster preparedness needs in their community;

''(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

''(7) conduct innovative and creative activities as described in section 112(a);

''(8) establish or implement summer of service programs (giving priority to programs that enroll youth who will be enrolled in any of grades 6 through 9 at the end of the summer concerned) during the summer months (including recruiting, training, and placing service-learning coordinators)—

''(A) for youth who will be enrolled in any of grades 6 through 12 at the end of the summer concerned; and

''(B) for community-based service-learning projects—

''(i) that shall—

''(I) meet unmet human, educational, environmental (including energy conservation and stewardship), and emergency and disaster preparedness and other public safety needs; and

''(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community;

''(ii) that may include the extension of academic year service-learning programs into the summer months; and

''(iii) under which a student who completes 100 hours of service as described in section 146(b)(2), shall be eligible for a summer of service educational award of $500 or $750 as described in sections 146(a)(2)(C) and 147(d);

''(9) establish or implement youth engagement zone programs in youth engagement zones, for students in secondary schools served by local educational agencies for which a majority of such students do not participate in service-learning activities that are—

''(A) carried out by eligible partnerships; and

''(B) designed to—

''(i) involve all students in secondary schools served by the local educational agency in service-learning to address a specific community challenge;

''(ii) improve student engagement, including student attendance and student behavior, and student achievement, graduation rates, and college-going rates at secondary schools; and

''(iii) involve an increasing percentage of students in secondary school and out-of-school youth in the community in school-based or community-based service-learning activities each year, with the goal of involving all students in secondary schools served by the local educational agency and involving an increasing percentage of the out-of-school youth in service-learning activities; and

''(10) conduct semester of service programs that—

''(A) provide opportunities for secondary school students to participate in a semester of coordinated school-based or community-based service-learning opportunities for a minimum of 70 hours (of which at least a third will be spent participating in field-based activities) over a semester, to address specific community challenges;

''(B) engage as participants high percentages or numbers of economically disadvantaged students;

''(C) allow participants to receive academic credit, for the time spent in the classroom and in the field for the program, that is equivalent to the academic credit for any class of equivalent length and with an equivalent time commitment; and

''(D) ensure that the classroom-based instruction component of the program is integrated into the academic program of the local educational agency involved; and

''(11) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

''(d) APPLICATIONS.—To be eligible to receive a grant to carry out a program or activity under this part, an entity or partnership, as appropriate, shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

''(e) PRIORITY.—In making grants under this part, the Corporation shall give priority to applicants proposing to—

''(1) involve students and community stakeholders in the design and implementation of service-learning programs carried out using funds received under this part;

''(2) implement service-learning programs in low-income or rural communities; and

''(3) utilize adult volunteers, including tapping the resources of retired and retiring adults, in the planning and implementation of service-learning programs.

''(f) REQUIREMENTS.—

''(1) TERM.—Each program or activity funded under this part shall be carried out over a period of 3 years, which may include 1 planning year. In the case of a program funded under this part, the 3-year period may be extended by 1 year, if the program meets performance levels established in accordance with section 179(k) and any other criteria determined by the Corporation.

''(2) COLLABORATION ENCOURAGED.—Each entity carrying out a program or activity funded under this part shall, to the extent practicable, collaborate with entities carrying out programs under this subtitle, subtitle C, and titles I and II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001 et seq.).

''(3) EVALUATION.—Not later than 4 years after the effective date of the Serve America Act, the Corporation shall conduct an independent evaluation of the programs and activities carried out using funds made available under this part, and determine best practices relating to service-learning and recommendations for improvement of those programs and activities. The Corporation shall widely disseminate the results of the evaluations, and information on the best practices and recommendations to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.''.

SEC. 1205. SERVICE-LEARNING IMPACT STUDY.

Subtitle B of title I (42 U.S.C. 12521 et seq.), as amended by section 1204, is further amended by adding at the end the following:

''PART IV—SERVICE-LEARNING IMPACT STUDY

''SEC. 120. STUDY AND REPORT.

''(a) STUDY.—

''(1) IN GENERAL.—From the sums reserved under section 501(a)(1)(B) for this section, the Corporation shall enter into a contract with an entity that is not otherwise a recipient of financial assistance under this subtitle, to conduct a 10-year longitudinal study on the impact of the activities carried out under this subtitle.

''(2) CONTENTS.—In conducting the study, the entity shall consider the impact of service-learning activities carried out under this subtitle on students participating in such activities, including in particular examining the degree to which the activities—

''(A) improved student academic achievement;

''(B) improved student engagement;

''(C) improved graduation rates, as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education; and

''(D) improved the degree to which the participants in the activities engaged in subsequent national service, volunteering, or other service activities, or pursued careers in public service, in the nonprofit sector or government.

''(3) ANALYSIS.—In carrying out such study, the entity shall examine the impact of the service-learning activities on the 4 factors described in subparagraphs (A) through (D) of paragraph (2), analyzed in terms of how much time participants were engaged in service-learning activities.

''(4) BEST PRACTICES.—The entity shall collect information on best practices concerning using service-learning activities to improve the 4 factors.

''(b) INTERIM REPORTS.—The entity shall periodically submit reports to the Corporation containing the interim results of the study and the information on best practices. The Corporation shall submit such reports to the authorizing committees.

''(c) FINAL REPORT.—The entity shall submit a report to the Corporation containing the results of the study and the information on best practices. The Corporation shall submit such report to the authorizing committees, and shall make such report available to the public on the Corporation's website.

''(d) CONSULTATION AND DISSEMINATION.—On receiving the report described in subsection (c), the Corporation shall consult with the Secretary of Education to review the results of the study, and to identify best practices concerning using service-learning activities to improve the 4 factors described in subparagraphs (A) through (D) of subsection (a)(2). The Corporation shall disseminate information on the identified best practices.''.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

SEC. 1301. PROHIBITION ON GRANTS TO FEDERAL AGENCIES; LIMITS ON CORPORATION COSTS.

Section 121 (42 U.S.C. 12571) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting after ''subdivisions of States,'' the following: ''territories,''; and

(B) in paragraphs (1) and (2), by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122'';

(2) in subsection (b)—

(A) in the heading, by striking ''AGREEMENTS WITH FEDERAL AGENCIES'' and inserting ''RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES'';

(B) by striking paragraph (1) and inserting the following:

''(1) AGREEMENTS AUTHORIZED.—The Corporation may enter into an interagency agreement (other than a grant agreement) with another Federal agency to support a national service program carried out or otherwise supported by the agency. The Corporation, in entering into the interagency agreement may approve positions as approved national service positions for a program carried out or otherwise supported by the agency.'';

(C) by striking paragraph (2) and inserting the following:

''(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency.'';

(D) in paragraph (3)—

(i) by striking ''receiving assistance under this subsection'' and inserting ''carrying out or supporting a national service program''; and

(ii) by striking ''using such assistance'' and inserting ''through that program'';

(E) in paragraph (4), by striking ''a contract or cooperative agreement'' the first place it appears and inserting ''an interagency agreement''; and

(F) by adding at the end the following:

''(5) APPLICATION OF REQUIREMENTS.—A requirement under this Act that applies to an entity receiving assistance under section 121 (other than a requirement limited to an entity receiving assistance under section 121(a)) shall be

considered to apply to a Federal agency that enters into an interagency agreement under this subsection, even though no Federal agency may receive financial assistance under such an agreement.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''subsections (a) and (b),'' and inserting ''subsection (a), and in providing approved national service positions under subsection (b),''; and

(B) in paragraph (2)(B), by striking ''to be provided'' and inserting ''to be provided or otherwise approved'';

(4) in paragraphs (1) and (2) of subsection (d), by striking ''or (b)'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''Federal share of the cost'' and inserting ''Corporation share of the cost (including the costs of member living allowances, employment-related taxes, health care coverage, and workers' compensation and other necessary operation costs)''; and

(B) by adding at the end the following:

''(5) OTHER FEDERAL FUNDS.—

''(A) RECIPIENT REPORT.—A recipient of assistance under this section (other than a recipient of assistance through a fixed-amount grant in accordance with section 129(l)) shall report to the Corporation the amount and source of any Federal funds used to carry out the program for which the assistance is made available other than those provided by the Corporation.

''(B) CORPORATION REPORT.—The Corporation shall report to the authorizing committees on an annual basis information regarding each recipient of such assistance that uses Federal funds other than those provided by the Corporation to carry out such a program, including the amounts and sources of the other Federal funds.''; and

(6) by adding at the end the following:

''(f) PLAN FOR APPROVED NATIONAL SERVICE POSITIONS.—The Corporation shall—

''(1) develop a plan to—

''(A) establish the number of the approved national service positions as 88,000 for fiscal year 2010;

''(B) increase the number of the approved positions to—

''(i) 115,000 for fiscal year 2011;

''(ii) 140,000 for fiscal year 2012;

''(iii) 170,000 for fiscal year 2013;

''(iv) 200,000 for fiscal year 2014;

''(v) 210,000 for fiscal year 2015;

''(vi) 235,000 for fiscal year 2016; and

''(vii) 250,000 for fiscal year 2017;

''(C) ensure that the increases described in subparagraph (B) are achieved through an appropriate balance of full- and part-time service positions;

''(2) not later than 1 year after the date of enactment of the Serve America Act, submit a report to the authorizing committees on the status of the plan described in paragraph (1); and

''(3) subject to the availability of appropriations and quality service opportunities, implement the plan described in paragraph (1).''.

SEC. 1302. ELIGIBLE NATIONAL SERVICE PROGRAMS.

Section 122 is amended to read as follows:

''SEC. 122. NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.

''(a) NATIONAL SERVICE CORPS.—The recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) shall use a portion of the financial assistance or positions involved, directly or through subgrants to other entities, to support or carry out the following national service corps or programs, as full- or part-time corps or programs, to address unmet needs:

''(1) EDUCATION CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through an Education Corps that identifies and meets unmet educational needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—An Education Corps described in this paragraph may carry out activities such as—

''(i) tutoring, or providing other academic support to elementary school and secondary school students;

''(ii) improving school climate;

''(iii) mentoring students, including adult or peer mentoring;

''(iv) linking needed integrated services and comprehensive supports with students, their families, and their public schools;

''(v) providing assistance to a school in expanding the school day by strengthening the quality of staff and expanding the academic programming offered in an expanded learning time initiative, a program of a 21st century community learning center (as defined in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171)), or a high-quality after-school program;

''(vi) assisting schools and local educational agencies in improving and expanding high-quality service-learning programs that keep students engaged in schools by carrying out programs that provide specialized training to individuals in service-learning, and place the individuals (after such training) in positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I of subtitle B;

''(vii) assisting students in being prepared for college-level work;

''(viii) involving family members of students in supporting teachers and students;

''(ix) conducting a preprofessional training program in which students enrolled in an institution of higher education—

''(I) receive training (which may include classes containing service-learning) in specified fields including early childhood education and care, elementary and secondary education, and other fields such as those relating to health services, criminal justice, environmental stewardship and conservation, or public safety;

''(II) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

''(III) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training;

''(x) assisting economically disadvantaged students in navigating the college admissions process;

''(xi) providing other activities, addressing unmet educational needs, that the Corporation may designate; or

''(xii) providing skilled musicians and artists to promote greater community unity through the use of music and arts education and engagement through work in low-income communities, and education, health care, and therapeutic settings, and other work in the public domain with citizens of all ages.

''(C) EDUCATION CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) student engagement, including student attendance and student behavior;

''(ii) student academic achievement;

''(iii) secondary school graduation rates as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education;

''(iv) rate of college enrollment and continued college enrollment for recipients of a high school diploma;

''(v) any additional indicator relating to improving education for students that the Corporation, in consultation (as appropriate) with the Secretary of Education, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to improving education for students, that is approved by the Corporation or a State Commission.

''(2) HEALTHY FUTURES CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through a Healthy Futures Corps that identifies and meets unmet health needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Healthy Futures Corps described in this paragraph may carry out activities such as—

''(i) assisting economically disadvantaged individuals in navigating the health services system;

''(ii) assisting individuals in obtaining access to health services, including oral health services, for themselves or their children;

''(iii) educating economically disadvantaged individuals and individuals who are members of medically underserved populations about, and engaging individuals described in this clause in, initiatives regarding navigating the health services system and regarding disease prevention and health promotion, with a particular focus on common health conditions, chronic diseases, and conditions, for which disease prevention and health promotion measures exist and for which socioeconomic, geographic, and racial and ethnic health disparities exist;

''(iv) improving the literacy of patients regarding health, including oral health;

''(v) providing translation services at clinics and in emergency rooms to improve health services;

''(vi) providing services designed to meet the health needs of rural communities, including the recruitment of youth to work in health professions in such communities;

''(vii) assisting in health promotion interventions that improve health status, and helping people adopt and maintain healthy lifestyles and habits to improve health status;

''(viii) addressing childhood obesity through in-school and after-school physical activities, and providing nutrition education to students, in elementary schools and secondary schools; or

''(ix) providing activities, addressing unmet health needs, that the Corporation may designate.

''(C) HEALTHY FUTURES CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) access to health services among economically disadvantaged individuals and individuals who are members of medically underserved populations;

''(ii) access to health services for uninsured individuals, including such individuals who are economically disadvantaged children;

''(iii) participation, among economically disadvantaged individuals and individuals who are members of medically underserved populations, in disease prevention and health promotion initiatives, particularly those with a focus on addressing common health conditions, addressing chronic diseases, and decreasing health disparities;

''(iv) literacy of patients regarding health;

''(v) any additional indicator, relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that the Corporation, in consultation (as appropriate) with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating

to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that is approved by the Corporation or a State Commission.

''(3) CLEAN ENERGY SERVICE CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service projects through a Clean Energy Service Corps that identifies and meets unmet environmental needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Clean Energy Service Corps described in this paragraph may carry out activities such as—

''(i) weatherizing and retrofitting housing units for low-income households to significantly improve the energy efficiency and reduce carbon emissions of such housing units;

''(ii) building energy-efficient housing units in low-income communities;

''(iii) conducting energy audits for low-income households and recommending ways for the households to improve energy efficiency;

''(iv) providing clean energy-related services designed to meet the needs of rural communities;

''(v) working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment, including conducting service-learning projects to provide such education;

''(vi) assisting in the development of local recycling programs;

''(vii) renewing and rehabilitating national and State parks and forests, city parks, county parks and other public lands, and trails owned or maintained by the Federal Government or a State, including planting trees, carrying out reforestation, carrying out forest health restoration measures, carrying out erosion control measures, fire hazard reduction measures, and rehabilitation and maintenance of historic sites and structures throughout the national park system, and providing trail enhancements, rehabilitation, and repairs;

''(viii) cleaning and improving rivers maintained by the Federal Government or a State;

''(ix) carrying out projects in partnership with the National Park Service, designed to renew and rehabilitate national park resources and enhance services and learning opportunities for national park visitors, and nearby communities and schools;

''(x) providing service through a full-time, year-round youth corps program or full-time summer youth corps program, such as a conservation corps or youth service corps program that—

''(I) undertakes meaningful service projects with visible public benefits, including projects involving urban renewal, sustaining natural resources, or improving human services;

''(II) includes as participants youths and young adults who are age 16 through 25, including out-of-school youth and other disadvantaged youth (such as youth who are aging out of foster care, youth who have limited English proficiency, homeless youth, and youth who are individuals with disabilities), who are age 16 through 25; and

''(III) provides those participants who are youth and young adults with—

''(aa) team-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services including mentoring; and

''(bb) the opportunity to develop citizenship values and skills through service to their community and the United States;

''(xi) carrying out other activities, addressing unmet environmental and workforce needs, that the Corporation may designate.

''(C) CLEAN ENERGY SERVICE CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the number of housing units of low-income households weatherized or retrofitted to significantly improve energy efficiency and reduce carbon emissions;

''(ii) annual energy costs (to determine savings in those costs) at facilities where participants have provided service;

''(iii) the number of students and youth receiving education or training in energy-efficient and environmentally conscious practices;

''(iv)(I) the number of acres of national parks, State parks, city parks, county parks, or other public lands, that are cleaned or improved; and

''(II) the number of acres of forest preserves, or miles of trails or rivers, owned or maintained by the Federal Government or a State, that are cleaned or improved;

''(v) any additional indicator relating to clean energy, the reduction of greenhouse gas emissions, or education and skill attainment for clean energy jobs, that the Corporation, in consultation (as appropriate) with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, or the Secretary of Labor, as appropriate, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to clean energy, the reduction of greenhouse gas emissions, or education or skill attainment for clean energy jobs, that is approved by the Corporation or a State Commission.

''(4) VETERANS CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through a Veterans Corps that identifies and meets unmet needs of veterans and members of the Armed Forces who are on active duty through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Veterans Corps described in this paragraph may carry out activities such as—

''(i) promoting community-based efforts to meet the unique needs of military families while a family member is deployed and upon that family member's return home;

''(ii) recruiting veterans, particularly returning veterans, into service opportunities, including opportunities that utilize their military experience;

''(iii) assisting veterans in developing their educational opportunities (including opportunities for professional certification, licensure, or credentials), coordinating activities with and assisting State and local agencies administering veterans education benefits, and coordinating activities with and assisting entities administering veterans programs with internships and fellowships that could lead to employment in the private and public sectors;

''(iv) promoting efforts within a community to serve the needs of veterans and members of the Armed Forces who are on active duty, including helping veterans file benefits claims and assisting Federal agencies in providing services to veterans, and sending care packages to Members of the Armed Forces who are deployed;

''(v) assisting veterans in developing mentoring relationships with economically disadvantaged students;

''(vi) developing projects to assist veterans with disabilities, veterans who are unemployed, older veterans, and veterans in rural communities, including assisting veterans described in this clause with transportation; or

''(vii) other activities, addressing unmet needs of veterans, that the Corporation may designate.

''(C) VETERANS' CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the number of housing units created for veterans;

''(ii) the number of veterans who pursue educational opportunities;

''(iii) the number of veterans receiving professional certification, licensure, or credentials;

''(iv) the number of veterans engaged in service opportunities;

''(v) the number of military families assisted by organizations while a family member is deployed and upon that family member's return home;

''(vi) the number of economically disadvantaged students engaged in mentoring relationships with veterans;

''(vii) the number of projects designed to meet identifiable public needs of veterans, especially veterans with disabilities, veterans who are unemployed, older veterans, and veterans in rural communities;

''(viii) any additional indicator that relates to education or skill attainment that assists in providing veterans with the skills to address identifiable public needs, or that relates to improving the lives of veterans, of members of the Armed Forces on active duty, and of families of the veterans and the members on active duty, and that the Corporation, in consultation (as appropriate) with the Secretary of Veterans Affairs, establishes; or

''(ix) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to the education or skill attainment, or the improvement, described in clause (viii), that is approved by the Corporation or a State Commission.

''(5) OPPORTUNITY CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through an Opportunity Corps that identifies and meets unmet needs relating to economic opportunity for economically disadvantaged individuals within communities, through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—An Opportunity Corps described in this paragraph may carry out activities such as—

''(i) providing financial literacy education to economically disadvantaged individuals, including financial literacy education with regard to credit management, financial institutions including banks and credit unions, and utilization of savings plans;

''(ii) assisting in the construction, rehabilitation, or preservation of housing units, including energy efficient homes, for economically disadvantaged individuals;

''(iii) assisting economically disadvantaged individuals, including homeless individuals, in finding placement in and maintaining housing;

''(iv) assisting economically disadvantaged individuals in obtaining access to health services for themselves or their children;

''(v) assisting individuals in obtaining information about Federal, State, local, or private programs or benefits focused on assisting economically disadvantaged individuals, economically disadvantaged children, or low-income families;

''(vi) facilitating enrollment in and completion of job training for economically disadvantaged individuals;

''(vii) assisting economically disadvantaged individuals in obtaining access to job placement assistance;

''(viii) carrying out a program that seeks to eliminate hunger in low-income communities and rural areas through service in projects—

''(I) involving food banks, food pantries, and nonprofit organizations that provide food during emergencies;

''(II) seeking to address the long-term causes of hunger through education and the delivery of appropriate services;

''(III) providing training in basic health, nutrition, and life skills necessary to alleviate hunger in communities and rural areas; or

''(IV) assisting individuals in obtaining information about federally supported nutrition programs;

''(ix) addressing issues faced by homebound citizens, such as needs for food deliveries, legal

and medical services, nutrition information, and transportation;

''(x) implementing an E–Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs that seek to increase access to technology and the benefits of technology in such community; and

''(xi) carrying out other activities, addressing unmet needs relating to economic opportunity for economically disadvantaged individuals, that the Corporation may designate.

''(C) OPPORTUNITY CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the degree of financial literacy among economically disadvantaged individuals;

''(ii) the number of housing units built or improved for economically disadvantaged individuals or low-income families;

''(iii) the number of economically disadvantaged individuals with access to job training and other skill enhancement;

''(iv) the number of economically disadvantaged individuals with access to information about job placement services;

''(v) any additional indicator relating to improving economic opportunity for economically disadvantaged individuals that the Corporation, in consultation (as appropriate) with the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of Housing and Urban Development, and the Secretary of the Treasury, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) that is approved by the Corporation or a State Commission.

''(b) NATIONAL SERVICE PROGRAMS.—

''(1) IN GENERAL.—The recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) may use the financial assistance or positions involved, directly or through subgrants to other entities, to carry out national service programs and model programs under this subsection that are focused on meeting community needs and improve performance on the indicators described in paragraph (3).

''(2) PROGRAMS.—The programs may include the following types of national service programs:

''(A) A community service program designed to meet the needs of rural communities, using teams or individual placements to address the development needs of rural communities, including addressing rural poverty, or the need for health services, education, or job training.

''(B) A program—

''(i) that engages participants in public health, emergency and disaster preparedness, and other public safety activities;

''(ii) that may include the recruitment of qualified participants for, and placement of the participants in, positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers; and

''(iii) that may engage Federal, State, and local stakeholders, in collaboration, to organize more effective responses to issues of public health, emergencies and disasters, and other public safety issues.

''(C) A program that seeks to expand the number of mentors for disadvantaged youths and other youths (including by recruiting high school-, and college-age individuals to enter into mentoring relationships), either through—

''(i) provision of direct mentoring services;

''(ii) provision of supportive services to direct mentoring service organizations (in the case of a partnership);

''(iii) the creative utilization of current and emerging technologies to connect youth with mentors; or

''(iv) supporting mentoring partnerships (including statewide and local mentoring partnerships that strengthen direct service mentoring programs) by—

''(I) increasing State resources dedicated to mentoring;

''(II) supporting the creation of statewide and local mentoring partnerships and programs of national scope through collaborative efforts between entities such as local or direct service mentoring partnerships, or units of State or local government; and

''(III) assisting direct service mentoring programs.

''(D) A program—

''(i) in which not less than 75 percent of the participants are disadvantaged youth;

''(ii) that may provide life skills training, employment training, educational counseling, assistance to complete a secondary school diploma or its recognized equivalent, counseling, or a mentoring relationship with an adult volunteer; and

''(iii) for which, in awarding financial assistance and approved national service positions, the Corporation shall give priority to programs that engage retirees to serve as mentors.

''(E) A program—

''(i) that reengages court-involved youth and adults with the goal of reducing recidivism;

''(ii) that may create support systems beginning in correctional facilities; and

''(iii) that may have life skills training, employment training, an education program (including a program to complete a secondary school diploma or its recognized equivalent), educational and career counseling, and post-program placement services.

''(F) A demonstration program—

''(i) that has as 1 of its primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members; and

''(ii) that may serve any purpose otherwise permitted under this Act.

''(G) A program that provides education or job training services that are designed to meet the needs of rural communities.

''(H) A program that seeks to expand the number of mentors for youth in foster care through—

''(i) the provision of direct academic mentoring services for youth in foster care;

''(ii) the provision of supportive services to mentoring service organizations that directly provide mentoring to youth in foster care, including providing training of mentors in child development, domestic violence, foster care, confidentiality requirements, and other matters related to working with youth in foster care; or

''(iii) supporting foster care mentoring partnerships, including statewide and local mentoring partnerships that strengthen direct service mentoring programs.

''(I) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

''(3) INDICATORS.—The indicators for a program described in this subsection are the indicators described in subparagraph (C) of paragraphs (1), (2), (3), (4), or (5) of subsection (a) or any additional local indicator (applicable to a participant or recipient and on which an improvement in performance is needed) relating to meeting unmet community needs, that is approved by the Corporation or a State Commission.

''(c) PROGRAM MODELS FOR SERVICE CORPS.—

''(1) IN GENERAL.—In addition to any activities described in subparagraph (B) of paragraphs (1) through (5) of subsection (a), and subsection (b)(2), a recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) may directly or through grants or subgrants to other entities carry out a national service corps program through the following program models:

''(A) A community corps program that meets unmet health, veteran, and other human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders.

''(B) A service program that—

''(i) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and

''(ii) if consistent with the purposes of the program, brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided.

''(C) A campus-based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

''(i) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

''(ii) teams composed of students described in clause (i); or

''(iii) teams composed of a combination of such students and community residents.

''(D) A professional corps program that recruits and places qualified participants in positions—

''(i) as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet human, educational, environmental, or public safety needs in communities with an inadequate number of such professionals;

''(ii) for which the salary may exceed the maximum living allowance authorized in subsection (a)(2) of section 140, as provided in subsection (c) of such section; and

''(iii) that are sponsored by public or private employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants.

''(E) A program that provides opportunities for veterans to participate in service projects.

''(F) A program carried out by an intermediary that builds the capacity of local nonprofit and faith-based organizations to expand and enhance services to meet local or national needs.

''(G) Such other program models as may be approved by the Corporation or a State Commission, as appropriate.

''(2) PROGRAM MODELS WITHIN CORPS.—A recipient of financial assistance or approved national service positions for a corps program described in subsection (a) may use the assistance or positions to carry out the corps program, in whole or in part, using a program model described in this subsection. The corps program shall meet the applicable requirements of subsection (a) and this subsection.

''(d) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

''(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

''(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals with extensive experience in developing and administering effective national service programs or regarding the delivery of veteran services, and other human, educational, environmental, or public safety services, to communities or persons.

''(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation

under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

''(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, disadvantaged youth, and older adults as participants to provide services to address unmet human, educational, environmental, or public safety needs.

''(e) PRIORITIES FOR CERTAIN CORPS.—In awarding financial assistance and approved national service positions to eligible entities proposed to carry out the corps described in subsection (a)—

''(1) in the case of a corps described in subsection (a)(2)—

''(A) the Corporation may give priority to eligible entities that propose to provide support for participants who, after completing service under this section, will undertake careers to improve performance on health indicators described in subsection (a)(2)(C); and

''(B) the Corporation shall give priority to eligible entities that propose to carry out national service programs in medically underserved areas (as designated individually, by the Secretary of Health and Human Services as an area with a shortage of personal health services); and

''(2) in the case of a corps described in subsection (a)(3), the Corporation shall give priority to eligible entities that propose to recruit individuals for the Clean Energy Service Corps so that significant percentages of participants in the Corps are economically disadvantaged individuals, and provide to such individuals support services and education and training to develop skills needed for clean energy jobs for which there is current demand or projected future demand.

''(f) NATIONAL SERVICE PRIORITIES.—

''(1) ESTABLISHMENT.—

''(A) BY CORPORATION.—In order to concentrate national efforts on meeting human, educational, environmental, or public safety needs and to achieve the other purposes of this Act, the Corporation, after reviewing the strategic plan approved under section 192A(g)(1,) shall establish, and may periodically alter, priorities regarding the types of national service programs and corps to be assisted under section 129 and the purposes for which such assistance may be used.

''(B) BY STATES.—Consistent with paragraph (4), States shall establish, and through the national service plan process described in section 178(e)(1), periodically alter priorities as appropriate regarding the national service programs to be assisted under section 129(e). The State priorities shall be subject to Corporation review as part of the application process under section 130.

''(2) NOTICE TO APPLICANTS.—The Corporation shall provide advance notice to potential applicants of any national service priorities to be in effect under this subsection for a fiscal year. The notice shall specifically include—

''(A) a description of any alteration made in the priorities since the previous notice; and

''(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

''(3) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure the equitable treatment of national service programs that—

''(A) receive funding under this subtitle for multiple years; and

''(B) would be adversely affected by annual revisions in such national service priorities.

''(4) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

''(g) CONSULTATION ON INDICATORS.—The Corporation shall consult with the Secretary of Education, the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, the Secretary of Energy, the Secretary of Veterans Affairs, the Secretary of the Interior, the Administrator of the Environmental Protection Agency, the Secretary of Labor, the Secretary of Housing and Urban Development, and the Secretary of the Treasury, as appropriate, in developing additional indicators for the corps and programs described in subsections (a) and (b).

''(h) REQUIREMENTS FOR TUTORS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary school or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

''(A) obtained their high school diplomas; and

''(B) successfully completed pre- and in-service training for tutors.

''(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary school or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

''(i) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

''(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

''(2) offer high quality, research-based pre- and in-service training for tutors.

''(j) CITIZENSHIP TRAINING.—The Corporation shall establish guidelines for recipients of assistance under the national service laws, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based, relating to the promotion of citizenship and civic engagement among participants in approved national service positions and approved summer of service positions, and appropriate to the age, education, and experience of the participants.

''(k) REPORT.—Not later than 60 days after the end of each fiscal year for which the Corporation makes grants under section 121(a), the Corporation shall prepare and submit to the authorizing committees a report containing—

''(1) information describing how the Corporation allocated financial assistance and approved national service positions among eligible entities proposed to carry out corps and national service programs described in this section for that fiscal year;

''(2) information describing the amount of financial assistance and the number of approved national service positions the Corporation provided to each corps and national service program described in this section for that fiscal year;

''(3) a measure of the extent to which the corps and national service programs improved performance on the corresponding indicators; and

''(4) information describing how the Corporation is coordinating—

''(A) the national service programs funded under this section; with

''(B) applicable programs, as determined by the Corporation, carried out under subtitle B of this title, and part A of title I and parts A and B of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001, 5011) that improve performance on those indicators or otherwise address identified community needs.''.

SEC. 1303. TYPES OF POSITIONS.

Section 123 (42 U.S.C. 12573) is amended—

(1) in paragraph (1)—

(A) by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122''; and

(B) by striking ''or (b)'';

(2) in paragraph (2)(A)—

(A) by inserting after ''subdivision of a State,'' the following: ''a territory,''; and

(B) by striking ''Federal agency'' and inserting ''Federal agency (under an interagency agreement described in section 121(b))'';

(3) in paragraph (4), by striking ''section 122(a)(3)'' and inserting ''section 122(a)(1)(B)(vi)'';

(4) in paragraph (5), by inserting ''National'' before ''Civilian Community Corps'';

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

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

''(7) A position involving service in the ServeAmerica Fellowship program carried out under section 198B.''.

SEC. 1304. CONFORMING REPEAL RELATING TO TRAINING AND TECHNICAL ASSISTANCE.

Section 125 (42 U.S.C. 12575) is repealed.

SEC. 1305. ASSISTANCE TO STATE COMMISSIONS; CHALLENGE GRANTS.

Section 126 (42 U.S.C. 12576) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''$125,000 and $750,000'' and inserting ''$250,000 and $1,000,000''; and

(ii) by striking ''501(a)(4)'' and inserting ''501(a)(5)''; and

(B) by striking paragraph (2) and inserting the following:

''(2) MATCHING REQUIREMENT.—In making a grant to a State under this subsection, the Corporation shall require the State to agree to provide matching funds from non-Federal sources of not less than $1 for every $1 provided by the Corporation through the grant.

''(3) ALTERNATIVE.—Notwithstanding paragraph (2), the Chief Executive Officer may permit a State that demonstrates hardship or a new State Commission to meet alternative matching requirements for such a grant as follows:

''(A) FIRST $100,000.—For the first $100,000 of grant funds provided by the Corporation, the State involved shall not be required to provide matching funds.

''(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not more than $250,000 provided by the Corporation, the State shall agree to provide matching funds from non-Federal sources of not less than $1 for every $2 provided by the Corporation, in excess of $100,000.

''(C) AMOUNTS GREATER THAN $250,000.—For grant amounts of more than $250,000 provided by the Corporation, the State shall agree to provide matching funds from non-Federal sources of not less than $1 for every $1 provided by the Corporation, in excess of $250,000.'';

(2) by striking subsection (b) and inserting the following:

''(b) DISASTER SERVICE.—The Corporation may undertake activities, including activities carried out through part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), to involve programs that receive assistance under the national service laws in disaster relief efforts, and to support, including through mission assignments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), nonprofit organizations and public agencies responding to

the needs of communities experiencing disasters.''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''to national service programs that receive assistance under section 121'' and inserting ''to programs supported under the national service laws''; and

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

''(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, a grant under this subsection may provide not more than $1 of assistance under this subsection for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds under this paragraph in lieu of cash raised from private sources if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.''.

SEC. 1306. ALLOCATION OF ASSISTANCE TO STATES AND OTHER ELIGIBLE ENTITIES.

Section 129 (42 U.S.C. 12581) is amended to read as follows:

''SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

''(a) ONE PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The Corporation shall allot for a grant to each such territory under this subsection for a fiscal year an amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the territory bears to the total population of all such territories.

''(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes to be allotted by the Corporation on a competitive basis.

''(c) RESERVATION OF APPROVED POSITIONS.—The Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the National Civilian Community Corps Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (d) and (e) for that fiscal year.

''(d) ALLOTMENT FOR COMPETITIVE GRANTS.—

''(1) IN GENERAL.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year and subject to section 133(d)(3), the Corporation shall reserve not more than 62.7 percent for grants awarded on a competitive basis to States specified in subsection (e)(1) for national service programs, to nonprofit organizations seeking to operate a national service program in 2 or more of those States, and to Indian tribes.

''(2) EQUITABLE TREATMENT.—In the consideration of applications for such grants, the Corporation shall ensure the equitable treatment of applicants from urban areas, applicants from rural areas, applicants of diverse sizes (as measured by the number of participants served), applicants from States, and applicants from national nonprofit organizations.

''(3) ENCORE SERVICE PROGRAMS.—In making grants under this subsection for a fiscal year, the Corporation shall make an effort to allocate not less than 10 percent of the financial assistance and approved national service positions provided through the grants for that fiscal year to eligible entities proposing to carry out encore service programs, unless the Corporation does not receive a sufficient number of applications of adequate quality to justify making that percentage available to those eligible entities.

''(4) CORPS PROGRAMS.—In making grants under this subsection for a fiscal year, the Corporation—

''(A) shall select 2 or more of the national service corps described in section 122(a) to receive grants under this subsection; and

''(B) may select national service programs described in section 122(b) to receive such grants.

''(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

''(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

''(2) ALLOTMENTS.—The Corporation shall allot for a grant to each such State under this subsection for a fiscal year an amount that bears the same ratio to 35.3 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, in compliance with paragraph (3).

''(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year shall be at least $600,000, or 0.5 percent of the amount allocated for the State formula under this subsection for the fiscal year, whichever is greater.

''(f) EFFECT OF FAILURE TO APPLY.—If a State or territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or territory to—

''(1) make grants (and provide approved national service positions in connection with such grants) to other community-based entities under section 121 that propose to carry out national service programs in such State or territory; and

''(2) make reallotments to other States or territories with approved applications submitted under section 130, from the allotment funds not used to make grants as described in paragraph (1).

''(g) APPLICATION REQUIRED.—The Corporation shall make an allotment of assistance (including the provision of approved national service positions) to a recipient under this section only pursuant to an application submitted by a State or other applicant under section 130.

''(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

''(i) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

''(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of those approved national service positions shall be made pursuant to the agreement, and the creation of those positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

''(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

''(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—

''(1) RESERVATION.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and allocated to carry out subtitle C and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under subsections (b) and (c) of section 126.

''(2) LIMITATION.—The amount reserved under paragraph (1) for a fiscal year may not exceed $10,000,000.

''(3) TIMING.—The Corporation shall reserve such amount, and any amount reserved under subsection (k) from funds appropriated and allocated to carry out subtitle C, before allocating funds for the provision of assistance under any other provision of this subtitle.

''(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—

''(1) RESERVATION.—To make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose, and subject to the limitation in paragraph (2), the Chief Executive Officer shall reserve not less than 2 percent from the amounts, appropriated to carry out subtitles C, D, E, and H for each fiscal year.

''(2) LIMITATION.—The amount reserved under paragraph (1) for a fiscal year may not exceed $20,000,000.

''(3) REMAINDER.—The Chief Executive Officer may use the funds reserved under paragraph (1), and not distributed to make grants under this subsection for other activities described in section 501(a)(2).

''(l) AUTHORITY FOR FIXED-AMOUNT GRANTS.—

''(1) IN GENERAL.—

''(A) AUTHORITY.—From amounts appropriated for a fiscal year to provide financial assistance under the national service laws, the Corporation may provide assistance in the form of fixed-amount grants in an amount determined by the Corporation under paragraph (2) rather than on the basis of actual costs incurred by a program.

''(B) LIMITATION.—Other than fixed-amount grants to support programs described in section 129A, for the 1-year period beginning on the effective date of the Serve America Act, the Corporation may provide assistance in the form of fixed-amount grants to programs that only offer full-time positions.

''(2) DETERMINATION OF AMOUNT OF FIXED-AMOUNT GRANTS.—A fixed-amount grant authorized by this subsection shall be in an amount determined by the Corporation that is—

''(A) significantly less than the reasonable and necessary costs of administering the program supported by the grant; and

''(B) based on an amount per individual enrolled in the program receiving the grant, taking into account—

''(i) the capacity of the entity carrying out the program to manage funds and achieve programmatic results;

''(ii) the number of approved national service positions, approved silver scholar positions, or approved summer of service positions for the program, if applicable;

''(iii) the proposed design of the program;

''(iv) whether the program provides service to, or involves the participation of, disadvantaged youth or otherwise would reasonably incur a relatively higher level of costs; and

''(v) such other factors as the Corporation may consider under section 133 in considering applications for assistance.

''(3) REQUIREMENTS FOR GRANT RECIPIENTS.—In awarding a fixed-amount grant under this subsection, the Corporation—

''(A) shall require the grant recipient—

''(i) to return a pro rata amount of the grant funds based upon the difference between the number of hours served by a participant and the minimum number of hours for completion of a term of service (as established by the Corporation);

''(ii) to report on the program's performance on standardized measures and performance levels established by the Corporation;

''(iii) to cooperate with any evaluation activities undertaken by the Corporation; and

''(iv) to provide assurances that additional funds will be raised in support of the program, in addition to those received under the national service laws; and

''(B) may adopt other terms and conditions that the Corporation considers necessary or appropriate based on the relative risks (as determined by the Corporation) associated with any application for a fixed-amount grant.

''(4) OTHER REQUIREMENTS NOT APPLICABLE.—Limitations on administrative costs and matching fund documentation requirements shall not apply to fixed-amount grants provided in accordance with this subsection.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall relieve a grant recipient of the responsibility to comply with the requirements of chapter 75 of title 31, United States Code, or other requirements of Office of Management and Budget Circular A–133.''.

SEC. 1307. ADDITIONAL AUTHORITY.

Part II of subtitle C of title I is amended by inserting after section 129 (42 U.S.C. 12581) the following:

''SEC. 129A. EDUCATIONAL AWARDS ONLY PROGRAM.

''(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed-amount grants (in accordance with section 129(l)), provide operational support to programs that receive approved national service positions but do not receive funds under section 121(a).

''(b) LIMIT ON CORPORATION GRANT FUNDS.—The Corporation may provide the operational support under this section for a program in an amount that is not more than $800 per individual enrolled in an approved national service position, or not more than $1,000 per such individual if at least 50 percent of the persons enrolled in the program are disadvantaged youth.

''(c) INAPPLICABLE PROVISIONS.—The following provisions shall not apply to programs funded under this section:

''(1) The limitation on administrative costs under section 121(d).

''(2) The matching funds requirements under section 121(e).

''(3) The living allowance and other benefits under sections 131(e) and 140 (other than individualized support services for participants with disabilities under section 140(f)).''.

SEC. 1308. STATE SELECTION OF PROGRAMS.

Section 130 (42 U.S.C. 12582) is amended—

(1) in subsection (a)—

(A) by striking ''section 121'' and inserting ''section 121(a)'';

(B) by inserting after ''assistance, a State,'' the following: ''territory,''; and

(C) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education'';

(2) in subsection (b)—

(A) in paragraph (9), by striking ''section 122(c)'' and inserting ''section 122(f)''; and

(B) in paragraph (12), by inserting ''municipalities and governments of counties in which such a community is located,'' after ''providing services,'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''jobs or positions'' and inserting ''proposed positions''; and

(ii) by striking '', including'' and all that follows through the period at the end and inserting a period;

(B) in paragraph (2), by inserting ''proposed'' before ''minimum''; and

(C) by adding at the end the following:

''(3) In the case of a nonprofit organization intending to operate programs in 2 or more States, a description of the manner in which and extent to which the organization consulted with the State Commissions of each State in which the organization intends to operate and the nature of the consultation.'';

(4) in subsection (d)(1)—

(A) in subparagraphs (A) and (B), by striking ''subsection (a) or (b) of section 121'' and inserting ''section 121(a)'';

(B) in subparagraph (B), by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122'';

(5) by redesignating subsections (d) through (g) as subsections (e) through (h), respectively and inserting after subsection (c) the following:

''(d) ADDITIONAL REQUIRED APPLICATION INFORMATION.—An application submitted under subsection (a) for programs described in 122(a) shall also contain—

''(1) measurable goals, to be used for annual measurements of the program's performance on 1 or more of the corresponding indicators described in section 122;

''(2) information describing how the applicant proposes to utilize funds to improve performance on the corresponding indicators utilizing participants, including describing the activities in which such participants will engage to improve performance on those indicators;

''(3) information identifying the geographical area in which the eligible entity proposing to carry out the program proposes to use funds to improve performance on the corresponding indicators, and demographic information on the students or individuals, as appropriate, in such area, and statistics demonstrating the need to improve such indicators in such area; and

''(4) if applicable, information on how the eligible entity will work with other community-based entities to carry out activities to improve performance on the corresponding indicators using such funds.'';

(6) in paragraph (2)(A) of subsection (f) (as so redesignated), by striking ''were selected'' and inserting ''were or will be selected'';

(7) in subsection (g) (as so redesignated)—

(A) in paragraph (1), by striking ''a program applicant'' and inserting ''an applicant''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''PROGRAM APPLICANT'' and inserting ''APPLICANT'';

(ii) in the matter preceding subparagraph (A), by striking ''program applicant'' and inserting ''applicant'';

(iii) in subparagraph (A)—

(I) by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(iv) in subparagraph (B)—

(I) by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(8) by amending subsection (h) (as so redesignated) to read as follows:

''(h) LIMITATION ON SAME PROJECT RECEIVING MULTIPLE GRANTS.—Unless specifically authorized by law, the Corporation may not provide more than 1 grant under the national service laws for a fiscal year to support the same project under the national service laws.''.

SEC. 1309. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

Section 131(c) (42 U.S.C. 12583(c)) is amended—

(1) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) the community served, the municipality and government of the county (if appropriate) in which the community is located, and potential participants in the program; and''; and

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

''(3) in the case of a program that is not funded through a State (including a national service program that a nonprofit organization seeks to operate in 2 or more States), consult with and coordinate activities with the State Commission for each State in which the program will operate, and the Corporation shall obtain confirmation from the State Commission that the applicant seeking assistance under this Act has consulted with and coordinated with the State Commission when seeking to operate the program in that State.''.

SEC. 1310. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

Subtitle C of title I (42 U.S.C. 12571 et seq.) is amended by inserting after section 132 the following:

''SEC. 132A. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

''(a) PROHIBITED ACTIVITIES.—An approved national service position under this subtitle may not be used for the following activities:

''(1) Attempting to influence legislation.

''(2) Organizing or engaging in protests, petitions, boycotts, or strikes.

''(3) Assisting, promoting, or deterring union organizing.

''(4) Impairing existing contracts for services or collective bargaining agreements.

''(5) Engaging in partisan political activities, or other activities designed to influence the outcome of an election to Federal office or the outcome of an election to a State or local public office.

''(6) Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials.

''(7) Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of proselytization, consistent with section 132.

''(8) Consistent with section 132, providing a direct benefit to any—

''(A) business organized for profit;

''(B) labor union;

''(C) partisan political organization;

''(D) nonprofit organization that fails to comply with the restrictions contained in section 501(c) of the Internal Revenue Code of 1986, except that nothing in this paragraph shall be construed to prevent participants from engaging

in advocacy activities undertaken at their own initiative; and

''(E) organization engaged in the religious activities described in paragraph (7), unless the position is not used to support those religious activities.

''(9) Providing abortion services or referrals for receipt of such services.

''(10) Conducting a voter registration drive or using Corporation funds to conduct a voter registration drive.

''(11) Carrying out such other activities as the Corporation may prohibit.

''(b) INELIGIBILITY.—No assistance provided under this subtitle may be provided to any organization that has violated a Federal criminal statute.

''(c) NONDISPLACEMENT OF EMPLOYED WORKERS OR OTHER VOLUNTEERS.—A participant in an approved national service position under this subtitle may not be directed to perform any services or duties, or to engage in any activities, prohibited under the nonduplication, nondisplacement, or nonsupplantation requirements relating to employees and volunteers in section 177.''.

SEC. 1311. CONSIDERATION OF APPLICATIONS.

Section 133 (42 U.S.C. 12585) is amended—

(1) in subsection (b)(2)(B), by striking ''jobs or'';

(2) in subsection (d)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122''; and

(II) by striking ''section 129(d)(2)'' and inserting ''section 129(d)'';

(ii) by striking subparagraphs (A) through (G) and inserting the following:

''(A) national service programs that—

''(i) conform to the national service priorities in effect under section 122(f);

''(ii) are innovative; and

''(iii) are well established in 1 or more States at the time of the application and are proposed to be expanded to additional States using assistance provided under section 121;

''(B) grant programs in support of other national service programs if the grant programs are to be conducted by nonprofit organizations with demonstrated and extensive expertise in the provision of services to meet human, educational, environmental, or public safety needs; and

''(C) professional corps programs described in section 122(c)(1)(D).''; and

(B) in paragraph (3), by striking ''section 129(d)(2)'' and inserting ''section 129(d)'';

(3) in subsection (e), by striking ''subsections (a) and (d)(1) of section 129'' and inserting ''subsections (d) and (e) of section 129'';

(4) in subsection (f)—

(A) in paragraph (1), by striking ''section 129(a)(1)'' and inserting ''section 129(e)''; and

(B) in paragraph (3)—

(i) by striking ''section 129(a)'' and inserting ''section 129(e)''; and

(ii) by striking ''paragraph (3) of such subsection'' and inserting ''section 129(f)'';

(5) by redesignating subsection (f) as subsection (g); and

(6) by inserting after subsection (e) the following:

''(f) VIEWS OF STATE COMMISSION.—In making competitive awards under section 129(d), the Corporation shall solicit and consider the views of a State Commission regarding any application for assistance to carry out a national service program within the State.''.

SEC. 1312. DESCRIPTION OF PARTICIPANTS.

Section 137 (42 U.S.C. 12591) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''section 122(a)(2) or a program described in section 122(a)(9)'' and inserting ''section 122(a)(3)(B)(x)''; and

(B) in paragraph (1), by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(3) in subsection (c), by striking ''(a)(5)'' and inserting ''(a)(4)''.

SEC. 1313. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

Section 138 (42 U.S.C. 12592) is amended—

(1) in subsection (a), by striking ''conducted by the State'' and all that follows through ''or other entity'' and inserting ''conducted by the entity''; and

(2) in subsection (e)(2)(C), by inserting before the semicolon at the end the following: '', particularly those who were considered, at the time of their service, disadvantaged youth''.

SEC. 1314. TERMS OF SERVICE.

Section 139 (42 U.S.C. 12593) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''not less than 9 months and'';

(B) in paragraph (2), by striking ''during a period of—'' and all that follows through the period at the end and inserting ''during a period of not more than 2 years.''; and

(C) by adding at the end the following:

''(4) EXTENSION OF TERM FOR DISASTER PURPOSES.—

''(A) EXTENSION.—An individual in an approved national service position performing service directly related to disaster relief efforts may continue in a term of service for a period of 90 days beyond the period otherwise specified in, as appropriate, this subsection or section 153(d) or in section 104 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4954).

''(B) SINGLE TERM OF SERVICE.—A period of service performed by an individual in an originally-agreed to term of service and service performed under this paragraph shall constitute a single term of service for purposes of subsections (b)(1) and (c) of section 146.

''(C) BENEFITS.—An individual performing service under this paragraph may continue to receive a living allowance and other benefits under section 140 but may not receive an additional national service educational award under section 141.''; and

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking ''as demonstrated by the participant'' and inserting ''as determined by the organization responsible for granting the release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the term of service''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''provide to the participant that portion of the national service educational award'' and inserting ''certify the participant's eligibility for that portion of the national service educational award''; and

(ii) in subparagraph (B), by striking ''to allow return to the program with which the individual was serving in order''.

SEC. 1315. ADJUSTMENTS TO LIVING ALLOWANCE.

Section 140 (42 U.S.C. 12594) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (2) and (3)'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2);

(D) by inserting after paragraph (2) (as so redesignated) the following:

''(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided under paragraph (1) to an individual whose term of service includes hours for which the individual receives a Federal work-study award under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) shall be reduced by the amount of the individual's Federal work study award.''; and

(E) in paragraph (4), by striking ''a reduced term of service under section 139(b)(3)'' and inserting ''a term of service that is less than 12 months'';

(2) in subsection (b), by striking ''shall include an amount sufficient to cover 85 percent of such taxes'' and all that follows through the period at the end and inserting ''may be used to pay the taxes described in this subsection.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''section 122(a)(8)'' and inserting ''section 122(c)(1)(D)''; and

(ii) by striking ''subsection (a)(3)'' and inserting ''subsection (a)(2)'';

(B) in paragraph (1), by adding ''and'' at the end;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2);

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''shall provide'' and inserting ''shall provide or make available''; and

(ii) by striking the second sentence; and

(B) in paragraph (2), by striking ''provide from its own funds'' and inserting ''provide from its own funds or make available''; and

(5) by striking subsections (g) and (h).

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

SEC. 1401. AVAILABILITY OF FUNDS IN THE NATIONAL SERVICE TRUST.

(a) SUBTITLE HEADING.—The subtitle heading for subtitle D of title I is amended to read as follows:

''Subtitle D—National Service Trust and Provision of Educational Awards''.

(b) ESTABLISHMENT OF TRUST.—Section 145 (42 U.S.C. 12601) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''pursuant to section 501(a)(2)''; and

(ii) in subparagraph (A), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, and silver scholar educational awards'';

(B) in paragraph (2)—

(i) by striking ''pursuant to section 196(a)(2)'' and inserting ''pursuant to section 196(a)(2), if the terms of such donations direct that the donated amounts be deposited in the National Service Trust''; and

(ii) by striking ''and'' at the end;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

''(3) any amounts recovered by the Corporation pursuant to section 146A; and'';

(2) in subsection (c), by striking ''for payments of national service educational awards in accordance with section 148.'' and inserting ''for—

''(1) payments of national service educational awards, summer of service educational awards, and silver scholar educational awards in accordance with section 148; and

''(2) payments of interest in accordance with section 148(e).''; and

(3) in subsection (d)—

(A) in the subsection heading, by striking ''CONGRESS'' and inserting ''THE AUTHORIZING COMMITTEES'';

(B) in the matter preceding paragraph (1), by striking ''the Congress'' and inserting ''the authorizing committees'';

(C) in paragraphs (2), (3), and (4), by inserting '', summer of service educational awards, or silver scholar awards'' after ''national service educational awards'' each place the term appears; and

(D) in paragraph (4)—

(i) by inserting '', additional approved summer of service positions, and additional approved silver scholar positions'' after ''additional approved national service positions''; and

(ii) by striking ''under subtitle C''.

SEC. 1402. INDIVIDUALS ELIGIBLE TO RECEIVE AN EDUCATIONAL AWARD FROM THE TRUST.

Section 146 (42 U.S.C. 12602) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE AN EDUCATIONAL AWARD FROM THE TRUST.''; and

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting '', summer of service educational award, or silver scholar educational award'' after ''national service educational award''; and

(ii) by striking ''if the individual'' and inserting ''if the organization responsible for the individual's supervision in a national service program certifies that the individual'';

(B) by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) met the applicable eligibility requirements for the approved national service position, approved silver scholar position, or approved summer of service position, as appropriate, in which the individual served;

''(2)(A) for a full-time or part-time national service educational award, successfully completed the required term of service described in subsection (b)(1) in the approved national service position;

''(B) for a partial educational award in accordance with section 139(c)—

''(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under such section; and

''(ii) completed at least 15 percent of the required term of service described in subsection (b) for the approved national service position;

''(C) for a summer of service educational award, successfully completed the required term of service described in subsection (b)(2) in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 138(f); or

''(D) for a silver scholar educational award, successfully completed the required term of service described in subsection (b)(3) in an approved silver scholar position, as certified through a process determined by the Corporation through regulations consistent with section 138(f); and''.

(C) by redesignating paragraph (4) as paragraph (3);

(3) in subsection (b)—

(A) by striking ''The term'' and inserting the following:

''(1) APPROVED NATIONAL SERVICE POSITION.—The term''; and

(B) by adding at the end the following:

''(2) APPROVED SUMMER OF SERVICE POSITION.—The term of service for an approved summer of service position shall not be less than 100 hours of service during the summer months.

''(3) APPROVED SILVER SCHOLAR POSITION.—The term of service for an approved silver scholar position shall be not less than 350 hours during a 1-year period.'';

(4) by striking subsection (c) and inserting the following:

''(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, through national service educational awards and silver scholar educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of the national service educational awards the individual may receive.'';

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''SEVEN-YEAR REQUIREMENT'' and inserting ''IN GENERAL'';

(ii) by striking ''An'' and inserting ''Subject to paragraph (2), an'';

(iii) by inserting ''or a silver scholar educational award'' after ''national service educational award'';

(iv) by inserting ''or an approved silver scholar position, as applicable,'' after ''approved national service position''; and

(v) by adding at the end the following: ''Subject to paragraph (2), an individual eligible to receive a summer of service educational award under this section may not use such award after the end of the 10-year period beginning on the date the individual completes the term of service in an approved summer of service position that is the basis of the award.'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) and in subparagraph (A), by inserting '', summer of service educational award, or silver scholar educational award'' after ''national service educational award'';

(ii) in subparagraph (A), by inserting '', or 10-year period, as appropriate'' after ''7-year period''; and

(iii) in subparagraph (B), by inserting '', approved summer of service position, or approved silver scholar position'' after ''approved national service position''; and

(C) by adding at the end the following:

''(3) TERM FOR TRANSFERRED EDUCATIONAL AWARDS.—For purposes of applying paragraphs (1) and (2)(A) to an individual who is eligible to receive an educational award as a designated individual (as defined in section 148(f)(8)), references to a seven-year period shall be considered to be references to a 10-year period that begins on the date the individual who transferred the educational award to the designated individual completed the term of service in the approved national service position or approved silver scholar position that is the basis of the award.''; and

(6) in subsection (e)(1)—

(A) by inserting after ''qualifying under this section'' the following: ''or under section 119(c)(8)''; and

(B) by inserting after ''to receive a national service educational award'' the following: '', a summer of service educational award, or a silver scholar educational award''.

SEC. 1403. CERTIFICATIONS.

The Act is amended by adding after section 146 (42 U.S.C. 12602) the following:

''SEC. 146A. CERTIFICATIONS OF SUCCESSFUL COMPLETION OF TERMS OF SERVICE.

''(a) CERTIFICATIONS.—In making any authorized disbursement from the National Service Trust in regard to an eligible individual (including disbursement for a designated individual, as defined in section 148(f)(8), due to the service of an eligible individual) under section 146 who served in an approved national service position, an approved summer of service position, or an approved silver scholar position, the Corporation shall rely on a certification. The certification shall be made by the entity that selected the individual for and supervised the individual in the approved national service position in which such individual successfully completed a required term of service, in a national service program.

''(b) EFFECT OF ERRONEOUS CERTIFICATIONS.—If the Corporation determines that the certification under subsection (a) is erroneous or incorrect, the Corporation shall assess against the national service program a charge for the amount of any associated payment or potential payment from the National Service Trust. In assessing the amount of the charge, the Corporation shall consider the full facts and circumstances surrounding the erroneous or incorrect certification.''.

SEC. 1404. DETERMINATION OF THE AMOUNT OF THE EDUCATIONAL AWARD.

Section 147 (42 U.S.C. 12603) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 147. DETERMINATION OF THE AMOUNT OF THE EDUCATIONAL AWARD.''; and

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

''(a) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position shall receive a national service educational award having a value equal to the maximum amount of a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) that a student eligible for such Grant may receive in the aggregate (without regard to whether the funds are provided through discretionary or mandatory appropriations), for the award year for which the national service position is approved by the Corporation.'';

(3) in subsection (b), by striking '', for each of not more than 2 of such terms of service,''; and

(4) by adding at the end the following:

''(d) AMOUNT FOR SUMMER OF SERVICE.—An individual described in section 146(a) who successfully completes a required summer of service term shall receive a summer of service educational award having a value, for each of not more than 2 of such terms of service, equal to $500 (or, at the discretion of the Chief Executive Officer, equal to $750 in the case of a participant who is economically disadvantaged).

''(e) AMOUNT FOR SILVER SCHOLARS.—An individual described in section 146(a) who successfully completes a required silver scholar term shall receive a silver scholar educational award having a value of $1,000.''.

SEC. 1405. DISBURSEMENT OF EDUCATIONAL AWARDS.

Section 148 (42 U.S.C. 12604) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 148. DISBURSEMENT OF EDUCATIONAL AWARDS.'';

(2) in subsection (a)—

(A) in paragraph (2), by striking ''cost of attendance'' and inserting ''cost of attendance or other educational expenses'';

(B) in paragraph (3), by striking ''and'';

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

''(4) to pay expenses incurred in enrolling in an educational institution or training establishment that is approved under chapter 36 of title 38, United States Code, or other applicable provisions of law, for offering programs of education, apprenticeship, or on-job training for which educational assistance may be provided by the Secretary of Veterans Affairs; and'';

(3) in subsection (b)—

(A) in paragraph (1), by inserting after ''the national service educational award of the individual'' the following: '', an eligible individual under section 146(a) who served in a summer of service program and desires to apply that individual's summer of service educational award, or an eligible individual under section 146(a) who served in a silver scholar program and desires to apply that individual's silver scholar educational award,'';

(B) in paragraph (2), by inserting after ''the national service educational award'' the following: '', the summer of service educational award, or the silver scholar educational award, as applicable,'';

(C) in paragraph (5), by inserting after ''the national service educational award'' the following: '', the summer of service educational award, or the silver scholar educational award, as applicable''; and

(D) in paragraph (7)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to

cover a student's educational expenses and made, insured, or guaranteed by—

''(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

''(ii) the direct student loan program under part D of title IV of such Act (20 U.S.C. 1087a et seq.);

''(iii) a State agency; or

''(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.'';

(4) in subsection (c)—

(A) in paragraph (1), by inserting after ''national service educational award'' the following: '', an eligible individual under section 146(a) who desires to apply the individual's summer of service educational award, or an eligible individual under section 146(a) who served in a silver scholar program and desires to apply that individual's silver scholar educational award,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award, as applicable,''; and

(ii) in subparagraph (C)(iii), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, or silver scholar educational awards, as applicable,'';

(C) in paragraph (3), by inserting after ''national service educational awards'' the following: ''summer of service educational awards, or silver scholar educational awards'';

(D) in paragraph (5)—

(i) in the first sentence, by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award, as applicable,''; and

(ii) in the third sentence, by inserting before the period the following: '', additional approved summer of service positions, and additional approved silver scholar positions''; and

(E) in paragraph (6)—

(i) in the matter preceding subparagraph (A), by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award'';

(ii) in subparagraph (A), by inserting ''and other educational expenses'' after ''cost of attendance''; and

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

''(B) the student's estimated financial assistance for such period under part A of title IV of such Act (20 U.S.C. 1070 et seq.).'';

(5) in subsection (d), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, and silver scholar educational awards'';

(6) in subsection (e), by striking ''subsection (b)(6)'' and inserting ''subsection (b)(7)'';

(7) in subsection (f)—

(A) by striking ''Director'' and inserting ''Chief Executive Officer''; and

(B) by inserting '', summer of service educational award, or silver scholar educational award, as appropriate,'' after ''national service educational award'';

(8) by redesignating subsections (f) and (g) as subsections (g) and (h) respectively; and

(9) by inserting after subsection (e) the following:

''(f) TRANSFER OF EDUCATIONAL AWARDS.—

''(1) IN GENERAL.—An individual who is eligible to receive a national service educational award or silver scholar educational award due to service in a program described in paragraph (2) may elect to receive the award (in the amount described in the corresponding provision of section 147) and transfer the award to a designated individual. Subsections (b), (c), and (d) shall apply to the designated individual in lieu of the individual who is eligible to receive the national service educational award or silver scholar educational award, except that amounts refunded to the account under subsection (c)(5) on behalf of a designated individual may be used by the Corporation to fund additional placements in the national service program in which the eligible individual who transferred the national service educational award or silver scholar educational award participated for such award.

''(2) CONDITIONS FOR TRANSFER.—An educational award may be transferred under this subsection if—

''(A)(i) the award is a national service educational award for service in a national service program that receives a grant under subtitle C; and

''(ii) before beginning the term of service involved, the eligible individual is age 55 or older; or

''(B) the award is a silver scholarship educational award under section 198C(a).

''(3) MODIFICATION OR REVOCATION.—

''(A) IN GENERAL.—An individual transferring an educational award under this subsection may, on any date on which a portion of the educational award remains unused, modify or revoke the transfer of the educational award with respect to that portion.

''(B) NOTICE.—A modification or revocation of the transfer of an educational award under this paragraph shall be made by the submission of written notice to the Corporation.

''(4) PROHIBITION ON TREATMENT OF TRANSFERRED AWARD AS MARITAL PROPERTY.—An educational award transferred under this subsection may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

''(5) DEATH OF TRANSFEROR.—The death of an individual transferring an educational award under this subsection shall not affect the use of the educational award by the child, foster child, or grandchild to whom the educational award is transferred if such educational award is transferred prior to the death of the individual.

''(6) PROCEDURES TO PREVENT WASTE, FRAUD, OR ABUSE.—The Corporation shall establish requirements to prevent waste, fraud, or abuse in connection with the transfer of an educational award and to protect the integrity of the educational award under this subsection.

''(7) TECHNICAL ASSISTANCE.—The Corporation may, as appropriate, provide technical assistance, to individuals and eligible entities carrying out national service programs, concerning carrying out this subsection.

''(8) DEFINITION OF A DESIGNATED INDIVIDUAL.—In this subsection, the term 'designated individual' is an individual—

''(A) whom an individual who is eligible to receive a national service educational award or silver scholar educational award due to service in a program described in paragraph (2) designates to receive the educational award;

''(B) who meets the eligibility requirements of paragraphs (3) and (4) of section 146(a); and

''(C) who is a child, foster child, or grandchild of the individual described in subparagraph (A).''.

SEC. 1406. APPROVAL PROCESS FOR APPROVED POSITIONS.

(a) IN GENERAL.—Subtitle D of title I (42 U.S.C. 12601 et seq.) is amended by adding at the end the following new section:

''SEC. 149. APPROVAL PROCESS FOR APPROVED POSITIONS.

''(a) TIMING AND RECORDING REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding subtitles C, D, and H, and any other provision of law, in approving a position as an approved national service position, an approved summer of service position, or an approved silver scholar position, the Corporation—

''(A) shall approve the position at the time the Corporation—

''(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act, section 198B or 198C(a), or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), a summer of service program described in section 119(c)(8), or a silver scholarship program described in section 198C(a); or

''(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

''(B) shall record as an obligation an estimate of the net present value of the national service educational award, summer of service educational award, or silver scholar educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards, summer of service educational awards, or silver scholar educational awards, as appropriate, for such a program and remain available.

''(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

''(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to the authorizing committees a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

''(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position, approved summer of service position, or approved silver scholarship position that the Corporation approves—

''(A) during fiscal year 2010; and

''(B) during any subsequent fiscal year.

''(b) RESERVE ACCOUNT.—

''(1) ESTABLISHMENT AND CONTENTS.—

''(A) ESTABLISHMENT.—Notwithstanding subtitles C, D, and H, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

''(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions, approved summer of service positions, and approved silver scholar positions, for each fiscal year, the Corporation shall place in the account—

''(i) during fiscal year 2010, a portion of the funds that were appropriated for fiscal year 2010 or a previous fiscal year under section 501 of this Act or section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081), were made available to carry out subtitle C, D, or E of this title, section 198B or 198C(a), subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service programs described in section 119(c)(8), and remain available; and

''(ii) during fiscal year 2011 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501 of this Act or section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081), were made available to carry out subtitle C, D, or E of this title, section 198B or 198C(a), subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service programs described in section 119(c)(8), and remain available.

''(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

''(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions, summer of service educational awards associated with previously approved summer of service positions, and silver scholar educational awards associated with previously approved silver scholar positions; or

''(B) obligates the funds for the payment of national service educational awards for such

previously approved national service positions, summer of service educational awards for such previously approved summer of service positions, or silver scholar educational awards for such previously approved silver scholar positions, as applicable.

''(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, approved summer of service positions, and approved silver scholar positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

''(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards, summer of service educational awards, or silver scholar educational awards under section 148.''.

(b) CONFORMING REPEAL.—The Strengthen AmeriCorps Program Act (42 U.S.C. 12605) is repealed.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

SEC. 1501. PURPOSE.

Section 151 (42 U.S.C. 12611) is amended to read as follows:

''SEC. 151. PURPOSE.

''It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs. The needs to be met under such programs include those needs related to—

''(1) natural and other disasters;

''(2) infrastructure improvement;

''(3) environmental stewardship and conservation;

''(4) energy conservation; and

''(5) urban and rural development.''.

SEC. 1502. PROGRAM COMPONENTS.

Section 152 (42 U.S.C. 12612) is amended—

(1) by amending the section heading to read as follows:

''SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.'';

(2) in subsection (a), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(3) in the matter preceding paragraph (1) of subsection (b)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''a Civilian Community Corps'' and inserting ''a National Civilian Community Corps''; and

(4) by striking subsection (c) and inserting the following:

''(c) RESIDENTIAL COMPONENTS.—Both programs referred to in subsection (b) may include a residential component.''.

SEC. 1503. ELIGIBLE PARTICIPANTS.

Section 153 (42 U.S.C. 12613) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps'';

(2) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) is, or will be, at least 18 years of age on or before December 31 of the calendar year in which the individual enrolls in the program, but is not more than 24 years of age as of the date the individual begins participating in the program; and'';

(3) in subsection (c)—

(A) in the subsection heading, by striking ''BACKROUNDS'' and inserting ''BACKGROUNDS''; and

(B) by adding at the end the following: ''The Director shall take appropriate steps, including through outreach and recruitment activities, to increase the percentage of participants in the program who are disadvantaged youth to 50 percent of all participants by year 2012. The Director shall report to the authorizing committees biennially on such steps, any challenges faced, and the annual participation rates of disadvantaged youth in the program.'';

(4) by striking subsection (d); and

(5) by redesignating subsection (e) as subsection (d).

SEC. 1504. SUMMER NATIONAL SERVICE PROGRAM.

Section 154 (42 U.S.C. 12614) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps''; and

(2) in subsection (b), by striking ''shall be'' and all that follows through the period at the end and inserting ''shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.''.

SEC. 1505. NATIONAL CIVILIAN COMMUNITY CORPS.

Section 155 (42 U.S.C. 12615) is amended—

(1) by amending the section heading to read as follows:

''SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.'';

(2) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''the Civilian Community Corps shall'' and inserting ''the National Civilian Community Corps shall'';

(3) in subsection (b)—

(A) by amending the subsection heading to read as follows:

''(b) MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.—'';

(B) in paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(C) in paragraph (3)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' and inserting ''campus''; and

(D) by adding at the end the following:

''(4) TEAM LEADERS.—

''(A) IN GENERAL.—The Director may select individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps, to perform service that includes leading and supervising teams of Corps members. Each team leader shall be selected without regard to the age limitation under section 153(b).

''(B) RIGHTS AND BENEFITS.—A team leader shall be provided the same rights and benefits applicable to other Corps members, except that the Director may increase the limitation on the amount of the living allowance under section 158(b) by not more than 10 percent for a team leader.'';

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows:

''(d) CAMPUSES.—'';

(B) in paragraph (1)—

(i) by amending the paragraph heading to read as follows:

''(1) UNITS TO BE ASSIGNED TO CAMPUSES.—'';

(ii) by striking ''in camps'' and inserting ''in campuses'';

(iii) by striking ''Corps camp'' and inserting ''Corps campus''; and

(iv) by striking ''in the camps'' and inserting ''in the campuses'';

(C) by amending paragraphs (2) and (3) to read as follows:

''(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.

''(3) ELIGIBLE SITE FOR CAMPUS.—A campus shall be cost effective and may, upon the completion of a feasibility study, be located in a facility referred to in section 162(c).'';

(5) in subsection (e)—

(A) by amending the subsection heading to read as follows:

''(e) DISTRIBUTION OF UNITS AND CAMPUSES.—'';

(B) by striking ''camps are distributed'' and inserting ''campuses are cost effective and are distributed''; and

(C) by striking ''rural areas'' and all that follows through the period at the end and inserting ''rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region.''; and

(6) in subsection (f)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''superintendent of a camp'' and inserting ''campus director of a campus'';

(ii) in subparagraph (A)—

(I) by striking ''superintendent'' and inserting ''campus director'';

(II) by striking ''superintendent's'' and inserting ''campus director's''; and

(III) by striking ''camp'' each place such term appears and inserting ''campus''; and

(iii) in subparagraph (B), by striking ''superintendent'' and inserting ''campus director''; and

(C) in paragraph (3), by striking ''camp superintendent'' and inserting ''campus director''.

SEC. 1506. TRAINING.

Section 156 (42 U.S.C. 12616) is amended—

(1) in subsection (a)—

(A) by inserting ''National'' before ''Civilian Community Corps''; and

(B) by adding at the end the following: ''The Director shall ensure that, to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.'';

(2) in subsection (b)(1), by inserting before the period at the end the following: '', including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs, as appropriate'';

(3) by amending subsection (c)(2) to read as follows:

''(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide, either directly or through grants, contracts, or cooperative agreements, the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, other qualified individuals, or organizations with expertise in training youth, including disadvantaged youth, in the skills described in such subsection.''; and

(4) in subsection (d), by striking ''section 162(a)(3)'' and inserting ''section 162(c)''.

SEC. 1507. CONSULTATION WITH STATE COMMISSIONS.

Section 157 (42 U.S.C. 12617) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(B) in paragraph (1), by inserting before the semicolon the following: '', with specific emphasis on projects in support of infrastructure improvement, energy conservation, and urban and rural development''; and

(C) in paragraph (2), by striking ''service learning'' and inserting ''service-learning'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''and the Secretary of Housing and Urban Development'' and inserting ''the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the Forest Service''; and

(ii) in subparagraph (B)—

(I) by inserting ''community-based entities and'' before ''representatives of local communities''; and

(II) by striking ''camp'' both places such term appears and inserting ''campus''; and

(B) in paragraph (2), by inserting ''State Commissions,'' before ''and persons involved in other youth service programs.''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' both places such term appears and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus''; and

(B) in paragraph (2), by striking ''camp superintendents'' and inserting ''campus directors''.

SEC. 1508. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

Section 158 (42 U.S.C. 12618) is amended—

(1) in subsection (a), by inserting ''National'' before ''Civilian Community Corps''; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''National'' before ''Civilian Community Corps''; and

(ii) by inserting before the colon the following: '', as the Director determines appropriate'';

(B) in paragraph (6), by striking ''Clothing'' and inserting ''Uniforms''; and

(C) in paragraph (7), by striking ''Recreational services and supplies'' and inserting ''Supplies''.

SEC. 1509. PERMANENT CADRE.

Section 159 (42 U.S.C. 12619) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) in paragraph (1)—

(i) by inserting ''including those'' before ''recommended''; and

(ii) by inserting ''National'' before ''Civilian Community Corps'';

(2) in subsection (b)(1), by inserting ''National'' before ''Civilian Community Corps'';

(3) in subsection (c)—

(A) in paragraph (1)(B)(i), by inserting ''National'' before ''Civilian Community Corps''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''The Director shall establish a permanent cadre of'' and inserting ''The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed''; and

(II) by inserting ''National'' before ''Civilian Community Corps'';

(ii) in subparagraph (B), by striking ''The Director shall appoint the members'' and inserting ''The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members'';

(iii) in subparagraph (C)—

(I) in the matter preceding clause (i), by striking ''the Director'' and inserting ''the Chief Executive Officer'';

(II) in clause (i), by striking ''section 162(a)(2)'' and inserting ''section 162(b)'';

(III) in clause (iii), by striking ''and'' at the end;

(IV) by redesignating clause (iv) as clause (v); and

(V) by inserting after clause (iii) the following:

''(iv) give consideration to retired and other former law enforcement, fire, rescue, and emergency personnel, and other individuals with backgrounds in disaster preparedness, relief, and recovery; and''; and

(iv) in subparagraph (E)—

(I) by striking ''to members'' and inserting ''to other members'';

(II) by inserting after ''techniques'' the following: '', including techniques for working with and enhancing the development of disadvantaged youth,''; and

(III) by striking ''service learning'' and inserting ''service-learning''; and

(C) in paragraph (3)—

(i) in the first sentence, by striking ''the members'' and inserting ''other members''; and

(ii) in the third sentence, by striking ''section 162(a)(2)(A)'' and inserting ''162(b)(1)''.

SEC. 1510. STATUS OF CORPS MEMBERS AND CORPS PERSONNEL UNDER FEDERAL LAW.

Section 160(a) (42 U.S.C. 12620(a)) is amended by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1511. CONTRACT AND GRANT AUTHORITY.

Section 161 (42 U.S.C. 12621) is amended—

(1) in subsection (a), by striking ''perform any program function under this subtitle'' and inserting ''carry out the National Civilian Community Corps program''; and

(2) in subsection (b)—

(A) in paragraph (1)(B), by striking ''section 162(a)(3)'' and inserting ''section 162(c)''; and

(B) in paragraph (2), by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1512. OTHER DEPARTMENTS.

(a) IN GENERAL.—Section 162 (42 U.S.C. 12622) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''National'' before ''Civilian Community Corps''; and

(ii) in subparagraph (B)(i), by striking ''the registry established by'' and all that follows through the semicolon and inserting ''the registry established by section 1143a of title 10, United States Code;'';

(B) in paragraph (2)(A), by striking ''to be recommended for appointment'' and inserting ''from which individuals may be selected for appointment by the Director''; and

(C) in paragraph (3), by inserting ''National'' before ''Civilian Community Corps''; and

(2) by striking subsection (b).

(b) TECHNICAL AMENDMENTS.—Section 162 (42 U.S.C. 12622), as amended by subsection (a), is further amended—

*(1) in the section heading, by striking ''**OTHER DEPARTMENTS**'' and inserting ''**DEPARTMENT OF DEFENSE**'';*

(2) by redesignating paragraphs (2), (3), and (4) of subsection (a) as subsections (b), (c), and (d), respectively, and aligning the margins of such subsections with the margins of section 161(a) of the Act;

(3) by striking ''(a) SECRETARY'' and all that follows through ''OFFICE.—'' and inserting the following:

''(a) LIAISON OFFICE.—'';

(4) in subsection (a) (as amended by paragraph (3))—

(A) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and aligning the margins of such paragraphs with the margins of section 161(b)(1) of the Act; and

(B) by redesignating clauses (i) and (ii) of paragraph (2) (as redesignated by subparagraph (A)) as subparagraphs (A) and (B), respectively, and aligning the margins of such subparagraphs with the margins of section 161(b)(1)(A) of the Act;

(5) in subsection (b) (as redesignated by paragraph (2))—

(A) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and aligning the margins of such paragraphs with the margins of section 161(b)(1) of the Act;

(B) in paragraph (1) (as redesignated by subparagraph (A)), by striking ''paragraph (1)'' and inserting ''subsection (a)''; and

(C) in paragraph (2) (as redesignated by subparagraph (A)), by striking ''paragraph'' and inserting ''subsection''; and

(6) in subsection (c) (as redesignated by paragraph (2))—

(A) by striking ''this paragraph'' and inserting ''this subsection''; and

(B) by striking ''paragraph (1)'' and inserting ''subsection (a)''.

SEC. 1513. ADVISORY BOARD.

Section 163 (42 U.S.C. 12623) is amended—

(1) in subsection (a)—

(A) by striking ''Upon the establishment of the Program, there shall also be'' and inserting ''There shall be'';

(B) by inserting ''National'' before ''Civilian Community Corps Advisory Board''; and

(C) by striking ''to assist'' and all that follows through the period at the end and inserting ''to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. The Advisory Board members shall help coordinate activities with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.'';

(2) in subsection (b)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (13) and (14), respectively;

(B) by inserting after paragraph (7) the following:

''(8) The Administrator of the Federal Emergency Management Agency.

''(9) The Secretary of Transportation.

''(10) The Chief of the Forest Service.

''(11) The Administrator of the Environmental Protection Agency.

''(12) The Secretary of Energy.''; and

(C) in paragraph (13), as so redesignated, by striking ''industry,'' and inserting ''public and private organizations,''.

SEC. 1514. EVALUATIONS.

Section 164 (42 U.S.C. 12624) is amended—

*(1) in the section heading, by striking ''**ANNUAL EVALUATION**'' and inserting ''**EVALUATIONS**'';*

(2) by striking ''an annual evaluation'' and inserting ''periodic evaluations'';

(3) by striking ''Civilian Community Corps programs'' and inserting ''National Civilian Community Corps Program''; and

(4) by adding at the end the following: ''Upon completing each such evaluation, the Corporation shall transmit to the authorizing committees a report on the evaluation.''.

SEC. 1515. REPEAL OF FUNDING LIMITATION.

Section 165 (42 U.S.C. 12625) is repealed.

SEC. 1516. DEFINITIONS.

Subtitle E of title I (42 U.S.C. 12611 et seq.), as amended by this subtitle, is further amended—

(1) by redesignating section 166 as 165; and

(2) in section 165 (as redesignated by paragraph (1))—

(A) by striking paragraphs (2), (3), and (9);

(B) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(C) by inserting after paragraph (1) the following:

''(2) CAMPUS DIRECTOR.—The term 'campus director', with respect to a Corps campus, means the head of the campus under section 155(d).

''(3) CORPS.—The term 'Corps' means the National Civilian Community Corps required under section 155 as part of the National Civilian Community Corps Program.

''(4) CORPS CAMPUS.—The term 'Corps campus' means the facility or central location established as the operational headquarters and boarding place for particular Corps units.'';

(D) in paragraph (5) (as so redesignated), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(E) in paragraph (6) (as so redesignated), by inserting ''National'' before ''Civilian Community Corps'';

(F) in paragraph (8) (as so redesignated), by striking ''The terms'' and all that follows through ''Demonstration Program'' and inserting ''The term 'Program' means the National Civilian Community Corps Program''; and

(G) in paragraph (9) (as so redesignated)—

(i) in the paragraph heading, by striking ''SERVICE LEARNING'' and inserting ''SERVICE-LEARNING''; and

(ii) in the matter preceding subparagraph (A), by striking ''service learning'' and inserting ''service-learning''.

SEC. 1517. TERMINOLOGY.

Subtitle E of title I (as so amended) (42 U.S.C. 12611 et seq.) is further amended by striking the subtitle heading and inserting the following:

''Subtitle E—National Civilian Community Corps''.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

SEC. 1601. FAMILY AND MEDICAL LEAVE.

Section 171(a)(1) (42 U.S.C. 12631(a)(1)) is amended by striking ''with respect to a project'' and inserting ''with respect to a project authorized under the national service laws''.

SEC. 1602. REPORTS.

Section 172 (42 U.S.C. 12632) is amended—

(1) in subsection (b)(1), by striking ''appropriate authorizing and appropriations Committees of Congress'' and inserting ''authorizing committees, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate''; and

(2) in subsection (c)(2), by striking ''the appropriate committees of Congress'' and inserting ''the authorizing committees, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate''.

SEC. 1603. USE OF FUNDS.

Section 174 (42 U.S.C. 12634) is amended by adding at the end the following:

''(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal Government.''.

SEC. 1604. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

Section 176 (42 U.S.C. 12636) is amended—

(1) in subsection (a)(2)(A), by striking ''30 days'' and inserting ''1 or more periods of 30 days not to exceed a total of 90 days''; and

(2) in subsection (f)—

(A) in paragraph (1), by striking ''A State or local applicant'' and inserting ''An entity''; and

(B) in paragraph (6)—

(i) in subparagraph (C), by striking ''and'';

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) in a case in which the grievance is filed by an individual applicant or participant—

''(i) the applicant's selection or the participant's reinstatement, as the case may be; and

''(ii) other changes in the terms and conditions of service applicable to the individual; and''.

SEC. 1605. RESOLUTION OF DISPLACEMENT COMPLAINTS.

Section 177 (42 U.S.C. 12637) is amended—

(1) in subsections (a) and (b), by striking ''under this title'' each place it appears and inserting ''under the national service laws'';

(2) in subsection (b)(1), by striking ''employee or position'' and inserting ''employee, position, or volunteer (other than a participant under the national service laws)''; and

(3) by adding at the end the following:

''(f) PARENTAL INVOLVEMENT.—

''(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

''(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, before transporting minor children, provide the children's parents with the reason for the transportation and obtain the parents' written permission for such transportation, consistent with State law.''.

SEC. 1606. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

Section 178 (42 U.S.C. 12638) is amended—

(1) in subsection (a)(2), by striking ''sections 117B and 130'' and inserting ''section 130'';

(2) in subsection (c)(1)—

(A) in subparagraph (I), by striking ''section 122(a)'' and all that follows through the period at the end and inserting ''subsection (a), (b), or (c) of section 122.''; and

(B) by adding at the end the following:

''(J) A representative of the volunteer sector.'';

(3) in subsection (c)(3), by striking '', unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity'';

(4) in subsection (d)(6)(B), by striking ''section 193A(b)(11)'' and inserting ''section 193A(b)(12)'';

(5) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

''(1) Preparation of a national service plan for the State that—

''(A) is developed, through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from the private sector, organizations, and public agencies, using service and volunteerism as strategies to meet critical community needs, including service through programs funded under the national service laws;

''(B) covers a 3-year period, the beginning of which may be set by the State;

''(C) is subject to approval by the chief executive officer of the State;

''(D) includes measurable goals and outcomes for the State national service programs in the State consistent with the performance levels for national service programs as described in section 179(k);

''(E) ensures outreach to diverse community-based agencies that serve underrepresented populations, through established networks and registries at the State level, or through the development of such networks and registries;

''(F) provides for effective coordination of funding applications submitted by the State and other organizations within the State under the national service laws;

''(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State;

''(H) ensures outreach to, and coordination with, municipalities (including large cities) and county governments regarding the national service laws; and

''(I) contains such information as the State Commission considers to be appropriate or as the Corporation may require.''; and

(B) in paragraph (2), by striking ''sections 117B and 130'' and inserting ''section 130'';

(6) by redesignating subsections (f) through (j) as subsections (h) through (l), respectively; and

(7) by inserting after subsection (e) the following:

''(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive for the State, or specify alternatives for the State to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by the State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State.

''(g) STATE SERVICE PLAN FOR ADULTS AGE 55 OR OLDER.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State shall work with appropriate State agencies and private entities to develop a comprehensive State service plan for service by adults age 55 or older.

''(2) MATTERS INCLUDED.—The State service plan shall include—

''(A) recommendations for policies to increase service for adults age 55 or older, including how to best use such adults as sources of social capital, and how to utilize their skills and experience to address community needs;

''(B) recommendations to the State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) on—

''(i) a marketing outreach plan to businesses; and

''(ii) outreach to—

''(I) nonprofit organizations;

''(II) the State educational agency;

''(III) institutions of higher education; and

''(IV) other State agencies;

''(C) recommendations for civic engagement and multigenerational activities, such as—

''(i) early childhood education and care, family literacy, and after school programs;

''(ii) respite services for adults age 55 or older and caregivers; and

''(iii) transitions for older adults age 55 or older to purposeful work in their post-career lives; and

''(D) recommendations for encouraging the development of Encore service programs in the State.

''(3) KNOWLEDGE BASE.—The State service plan shall incorporate the current knowledge base (as of the time of the plan) regarding—

''(A) the economic impact of the roles of workers age 55 or older in the economy;

''(B) the social impact of the roles of such workers in the community; and

''(C) the health and social benefits of active engagement for adults age 55 or older.

''(4) PUBLICATION.—The State service plan shall be made available to the public and be transmitted to the Chief Executive Officer.''.

SEC. 1607. EVALUATION AND ACCOUNTABILITY.

Section 179 (42 U.S.C. 12639) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

''(1) the effectiveness of programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such programs, including an evaluation of each such program's performance based on the performance levels established under subsection (k); and

''(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease with which recipients were able to receive services, to maximize the cost effectiveness and the impact of such programs.'';

(2) in subsection (g)—

(A) in paragraph (3), by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(B) in paragraph (9), by striking ''to public service'' and all that follows through the period at the end and inserting ''to engage in service that benefits the community.'';

(3) in the matter preceding subparagraph (A) of subsection (i)(2), by striking ''Congress'' and inserting ''the authorizing committees''; and

(4) by adding at the end the following:

''(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—Notwithstanding any other provision of law, in addition to amounts appropriated to carry out this section, the Corporation may reserve not more than 1 percent of the total funds appropriated for a fiscal year under section 501 of this Act and sections 501 and 502 of the Domestic Volunteer Service Act of 1973 to support program accountability activities under this section.

''(k) PERFORMANCE LEVELS.—The Corporation shall, in consultation with each recipient of assistance under the national service laws, establish performance levels for such recipient to meet during the term of the assistance. The performance levels may include, for each national service program carried out by the recipient, performance levels based on the following performance measures:

''(1) Number of participants enrolled in the program and completing terms of service, as compared to the stated participation and retention goals of the program.

''(2) Number of volunteers recruited from the community in which the program was implemented.

''(3) If applicable based on the program design, the number of individuals receiving or benefitting from the service conducted.

''(4) Number of disadvantaged and underrepresented youth participants.

''(5) Measures of the sustainability of the program and the projects supported by the program, including measures to ascertain the level of community support for the program or projects.

''(6) Measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service.

''(7) Other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance and the Corporation.

''(l) CORRECTIVE ACTION PLANS.—

''(1) IN GENERAL.—A recipient of assistance under the national service laws that fails, as determined by the Corporation, to meet or exceed the performance levels agreed upon under subsection (k) for a national service program, shall reach an agreement with the Corporation on a corrective action plan to meet such performance levels.

''(2) ASSISTANCE.—

''(A) NEW PROGRAM.—For a program that has received assistance under the national service laws for less than 3 years and for which the recipient is failing to meet or exceed the performance levels agreed upon under subsection (k), the Corporation shall—

''(i) provide technical assistance to the recipient to address targeted performance problems relating to the performance levels for the program; and

''(ii) require the recipient to submit quarterly reports on the program's progress toward meeting the performance levels for the program to the—

''(I) appropriate State, territory, or Indian tribe; and

''(II) the Corporation.

''(B) ESTABLISHED PROGRAMS.—For a program that has received assistance under the national service laws for 3 years or more and for which the recipient is failing to meet or exceed the performance levels agreed upon under subsection (k), the Corporation shall require the recipient to submit quarterly reports on the program's progress toward the performance levels for the program to—

''(i) the appropriate State, territory, or Indian tribe; and

''(ii) the Corporation.

''(m) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation in accordance with subsection (l), a recipient of assistance under the national service laws fails to meet or exceed the performance levels for a national service program, the Corporation shall—

''(1) reduce the annual amount of the assistance received by the underperforming recipient by at least 25 percent, for each remaining year of the grant period for that program; or

''(2) terminate assistance to the underperforming recipient for that program, in accordance with section 176(a).

''(n) REPORTS.—The Corporation shall submit to the authorizing committees not later than 2 years after the date of enactment of the Serve America Act, and annually thereafter, a report containing information on the number of—

''(1) recipients of assistance under the national service laws implementing corrective action plans under subsection (l)(1);

''(2) recipients for which the Corporation provides technical assistance for a program under subsection (l)(2)(A)(i);

''(3) recipients for which the Corporation terminates assistance for a program under subsection (m);

''(4) entities whose application for assistance under a national service law was rejected; and

''(5) recipients meeting or exceeding their performance levels under subsection (k).''.

SEC. 1608. CIVIC HEALTH ASSESSMENT.

(a) IN GENERAL.—Subtitle F of title I (42 U.S.C. 12631 et seq.), as amended by this subtitle, is further amended by inserting after section 179 the following:

''SEC. 179A. CIVIC HEALTH ASSESSMENT AND VOLUNTEERING RESEARCH AND EVALUATION.

''(a) DEFINITION OF PARTNERSHIP.—In this section, the term 'partnership' means the Corporation, acting in conjunction with (consistent with the terms of an agreement entered into between the Corporation and the National Conference) the National Conference on Citizenship referred to in section 150701 of title 36, United States Code, to carry out this section.

''(b) IN GENERAL.—The partnership shall facilitate the establishment of a Civic Health Assessment by—

''(1) after identifying public and private sources of civic health data, selecting a set of civic health indicators, in accordance with subsection (c), that shall comprise the Civic Health Assessment;

''(2) obtaining civic health data relating to the Civic Health Assessment, in accordance with subsection (d); and

''(3) conducting related analyses, and reporting the data and analyses, as described in paragraphs (4) and (5) of subsection (d) and subsections (e) and (f).

''(c) SELECTION OF INDICATORS FOR CIVIC HEALTH ASSESSMENT.—

''(1) IDENTIFYING SOURCES.—The partnership shall select a set of civic health indicators that shall comprise the Civic Health Assessment. In making such selection, the partnership—

''(A) shall identify public and private sources of civic health data;

''(B) shall explore collaborating with other similar efforts to develop national indicators in the civic health domain; and

''(C) may sponsor a panel of experts, such as one convened by the National Academy of Sciences, to recommend civic health indicators and data sources for the Civic Health Assessment.

''(2) TECHNICAL ADVICE.—At the request of the partnership, the Director of the Bureau of the Census and the Commissioner of Labor Statistics shall provide technical advice to the partnership on the selection of the indicators for the Civic Health Assessment.

''(3) UPDATES.—The partnership shall periodically evaluate and update the Civic Health Assessment, and may expand or modify the indicators described in subsection (d)(1) as necessary to carry out the purposes of this section.

''(d) DATA ON THE INDICATORS.—

''(1) SPONSORED DATA COLLECTION.—In identifying the civic health indicators for the Civic Health Assessment, and obtaining data for the Assessment, the partnership may sponsor the collection of data for the Assessment or for the various civic health indicators being considered for inclusion in the Assessment, including indicators related to—

''(A) volunteering and community service;

''(B) voting and other forms of political and civic engagement;

''(C) charitable giving;

''(D) connecting to civic groups and faith-based organizations;

''(E) interest in employment, and careers, in public service in the nonprofit sector or government;

''(F) understanding and obtaining knowledge of United States history and government; and

''(G) social enterprise and innovation.

''(2) DATA FROM STATISTICAL AGENCIES.—The Director of the Bureau of the Census and the Commissioner of Labor Statistics shall collect annually, to the extent practicable, data to inform the Civic Health Assessment, and shall report data from such collection to the partnership. In determining the data to be collected, the Director and the Commissioner shall examine privacy issues, response rates, and other relevant issues.

''(3) SOURCES OF DATA.—To obtain data for the Civic Health Assessment, the partnership shall consider—

''(A) data collected through public and private sources; and

''(B) data collected by the Bureau of the Census, through the Current Population Survey, or by the Bureau of Labor Statistics, in accordance with paragraph (2).

''(4) DEMOGRAPHIC CHARACTERISTICS.—The partnership shall seek to obtain data for the Civic Health Assessment that will permit the partnership to analyze the data by age group, race and ethnicity, education level, and other demographic characteristics of the individuals involved.

''(5) OTHER ISSUES.—In obtaining data for the Civic Health Assessment, the partnership may also obtain such information as may be necessary to analyze—

''(A) the role of Internet technology in strengthening and inhibiting civic activities;

''(B) the role of specific programs in strengthening civic activities;

''(C) the civic attitudes and activities of new citizens and immigrants; and

''(D) other areas related to civic activities.

''(e) REPORTING OF DATA.—

''(1) IN GENERAL.—The partnership shall, not less often than once each year, prepare a report containing—

''(A) detailed data obtained under subsection (d), including data on the indicators comprising the Civic Health Assessment; and

''(B) the analyses described in paragraphs (4) and (5) of subsection (d), to the extent practicable based on the data the partnership is able to obtain.

''(2) AGGREGATION AND PRESENTATION.—The partnership shall, to the extent practicable, aggregate the data on the civic health indicators comprising the Civic Health Assessment by community, by State, and nationally. The report described in paragraph (1) shall present the aggregated data in a form that enables communities and States to assess their civic health, as measured on each of the indicators comprising the Civic Health Assessment, and compare those measures with comparable measures of other communities and States.

''(3) SUBMISSION.—The partnership shall submit the report to the authorizing committees, and make the report available to the general public on the Corporation's website.

''(f) PUBLIC INPUT.—The partnership shall—

''(1) identify opportunities for public dialogue and input on the Civic Health Assessment; and

''(2) hold conferences and forums to discuss the implications of the data and analyses reported under subsection (e).

''(g) VOLUNTEERING RESEARCH AND EVALUATION.—

''(1) RESEARCH.—The partnership shall provide for baseline research and tracking of domestic and international volunteering, and baseline research and tracking related to relevant data on the indicators described in subsection (d). In providing for the research and tracking under this subsection, the partnership shall consider data from the Supplements to the Current Populations Surveys conducted by the Bureau of the Census for the Bureau of Labor Statistics, and data from other public and private sources, including other data collected by the Bureau of the Census and the Bureau of Labor Statistics.

''(2) IMPACT RESEARCH AND EVALUATION.—The partnership shall sponsor an independent evaluation of the impact of domestic and international volunteering, including an assessment of best practices for such volunteering, and methods of improving such volunteering through enhanced collaboration among—

''(A) entities that recruit, manage, support, and utilize volunteers;

''(B) institutions of higher education; and

''(C) research institutions.

''(h) DATABASE PROHIBITION.—Nothing in this Act shall be construed to authorize the development, implementation, or maintenance of a Federal database of personally identifiable information on individuals participating in data collection for sources of information under this section.''.

SEC. 1609. CONTINGENT EXTENSION.

Section 181 (42 U.S.C. 12641) is amended by striking ''Section 414'' and inserting ''Section 422''.

SEC. 1610. PARTNERSHIPS WITH SCHOOLS.

Section 182(b) (42 U.S.C. 12642(b)) is amended to read as follows:

''(b) REPORT.—

''(1) FEDERAL AGENCY SUBMISSION.—The head of each Federal agency and department shall prepare and submit to the Corporation a report concerning the implementation of this section, including an evaluation of the agency or department's performance on performance goals and benchmarks for each partnership program of the agency or department.

''(2) REPORT TO CONGRESS.—The Corporation shall prepare and submit to the authorizing committees a compilation of the information received under paragraph (1).''.

SEC. 1611. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

Section 183 (42 U.S.C. 12643) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''The'' and inserting ''Consistent with otherwise applicable law, the''; and

(B) in paragraph (1), by inserting ''territory,'' after ''local government,'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The'' and inserting ''Consistent with otherwise applicable law, the''; and

(B) in paragraph (1), by inserting ''territory'' after ''local government,''; and

(3) by adding at the end the following:

''(c) INSPECTOR GENERAL.—Consistent with otherwise applicable law, the Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

''(1) within the possession or control of the Corporation or any State or local government, territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under the national service laws; and

''(2) that relates to—

''(A) such assistance; and

''(B) the duties of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.).''.

SEC. 1612. ADDITIONAL ADMINISTRATIVE PROVISIONS.

Subtitle F of title I (42 U.S.C. 12631 et seq.) is amended by adding at the end the following:

''SEC. 185. CONSOLIDATED APPLICATION AND REPORTING REQUIREMENTS.

''(a) IN GENERAL.—To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs, projects, and activities funded under the national service laws.

''(b) REPORT TO CONGRESS.—Not later than 18 months after the effective date of the Serve America Act, the Corporation shall submit to the authorizing committees a report containing information on the actions taken to consolidate or modify the application procedures and reporting requirements for programs, projects, and activities funded under the national service laws, including a description of the procedures for consultation with recipients of the funding.

''SEC. 186. SUSTAINABILITY.

''The Corporation, after consultation with State Commissions and recipients of assistance, may set sustainability goals for projects or programs under the national service laws, so that recipients of assistance under the national service laws are carrying out sustainable projects or programs. Such sustainability goals shall be in writing and shall be used—

''(1) to build the capacity of the projects or programs that receive assistance under the national service laws to meet community needs;

''(2) in providing technical assistance to recipients of assistance under the national service laws regarding acquiring and leveraging non-Federal funds for support of the projects or programs that receive such assistance; and

''(3) to determine whether the projects or programs, receiving such assistance, are generating sufficient community support.

''SEC. 187. GRANT PERIODS.

''Unless otherwise specifically provided, the Corporation has authority to award a grant or contract, or enter into a cooperative agreement, under the national service laws for a period of 3 years.

''SEC. 188. GENERATION OF VOLUNTEERS.

''In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs. In reviewing the application for this purpose, the Corporation may take into account the mission of the applicant.

''SEC. 189. LIMITATION ON PROGRAM GRANT COSTS.

''(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section, the amount of funds approved by the Corporation for a grant to operate a program authorized under the national service laws, for supporting individuals serving in approved national service positions, may not exceed $18,000 per full-time equivalent position.

''(b) COSTS SUBJECT TO LIMITATION.—The limitation under subsection (a), and the increased limitation under subsection (e)(1), shall apply to the Corporation's share of the member support costs, staff costs, and other costs to operate a program authorized under the national service laws incurred, by the recipient of the grant.

''(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation under subsection (a), and the increased limitation under subsection (e)(1), shall not apply to expenses under a grant authorized under the national service laws to operate a program that are not included in the grant award for operating the program.

''(d) ADJUSTMENTS FOR INFLATION.—The amounts specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

''(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

''(1) WAIVER.—The Chief Executive Officer may increase the limitation under subsection (a) to not more than $19,500 per full-time equivalent position if necessary to meet the compelling needs of a particular program, such as—

''(A) exceptional training needs for a program serving disadvantaged youth;

''(B) the need to pay for increased costs relating to the participation of individuals with disabilities;

''(C) the needs of tribal programs or programs located in the territories; and

''(D) the need to pay for start-up costs associated with a first-time recipient of assistance under a program of the national service laws.

''(2) REPORTS.—The Chief Executive Officer shall report to the authorizing committees annually on all limitations increased under this subsection, with an explanation of the compelling needs justifying such increases.

''SEC. 189A. MATCHING FUNDS FOR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.

''(a) IN GENERAL.—Notwithstanding any other provision of law, a severely economically distressed community that receives assistance from the Corporation for any program under the national service laws shall not be subject to any requirements to provide matching funds for any such program, and the Federal share of such assistance for such a community may be 100 percent.

''(b) SEVERELY ECONOMICALLY DISTRESSED COMMUNITY.—For the purposes of this section, the term 'severely economically distressed community' means—

''(1) an area that has a mortgage foreclosure rate, home price decline, and unemployment rate all of which are above the national average for such rates or level, for the most recent 12 months for which satisfactory data are available; or

''(2) a residential area that lacks basic living necessities, such as water and sewer systems, electricity, paved roads, and safe, sanitary housing.

''SEC. 189B. AUDITS AND REPORTS.

''The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 901 note; Public Law 101–576) and chapter 91 of title 31, United States Code (commonly known as the 'Government Corporation Control Act'). The Corporation shall report to the authorizing committees any failure to comply with such requirements.

''SEC. 189C. RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

''(a) GENERAL PROHIBITION.—Nothing in the national service laws shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

''(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—Notwithstanding any other prohibition of Federal law, no funds provided to the Corporation under this Act may be used by the Corporation to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

''(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION STANDARDS.—Notwithstanding any other provision of Federal

law, not State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

"SEC. 189D. CRIMINAL HISTORY CHECKS.

''(a) IN GENERAL.—Each entity selecting individuals to serve in a position in which the individuals receive a living allowance, stipend, national service educational award, or salary through a program receiving assistance under the national service laws, shall, subject to regulations and requirements established by the Corporation, conduct criminal history checks for such individuals.

''(b) REQUIREMENTS.—A criminal history check under subsection (a) shall, except in cases approved for good cause by the Corporation, include—

''(1) a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); and

''(2)(A) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; or

''(B) submitting fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

''(c) ELIGIBILITY PROHIBITION.—An individual shall be ineligible to serve in a position described under subsection (a) if such individual—

''(1) refuses to consent to the criminal history check described in subsection (b);

''(2) makes a false statement in connection with such criminal history check;

''(3) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

''(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.''.

SEC. 1613. AVAILABILITY OF ASSISTANCE.

(a) AMENDMENT.—Subtitle F of title I is further amended by inserting after section 184 the following:

"SEC. 184A. AVAILABILITY OF ASSISTANCE.

''A reference in subtitle C, D, E, or H of title I regarding an entity eligible to receive direct or indirect assistance to carry out a national service program shall include a non-profit organization promoting competitive and non-competitive sporting events involving individuals with disabilities (including the Special Olympics), which enhance the quality of life for individuals with disabilities.''.

SEC. 1614. CRIMINAL HISTORY CHECKS FOR INDIVIDUALS WORKING WITH VULNERABLE POPULATIONS.

(a) AMENDMENT.—Section 189D, as added by section 1612, is further amended by adding at the end the following:

''(d) SPECIAL RULE FOR INDIVIDUALS WORKING WITH VULNERABLE POPULATIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (b), on and after the date that is 2 years after the date of enactment of the Serve America Act, a criminal history check under subsection (a) for each individual described in paragraph (2) shall, except for an entity described in paragraph (3), include—

''(A) a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.);

''(B) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; and

''(C) submitting fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

''(2) INDIVIDUALS WITH ACCESS TO VULNERABLE POPULATIONS.—An individual described in this paragraph is an individual age 18 or older who—

''(A) serves in a position in which the individual receives a living allowance, stipend, national service educational award, or salary through a program receiving assistance under the national service laws; and

''(B) as a result of such individual's service in such position, has or will have access, on a recurring basis, to—

''(i) children age 17 years or younger;

''(ii) individuals age 60 years or older; or

''(iii) individuals with disabilities.

''(3) EXCEPTIONS.—The provisions of this subsection shall not apply to an entity—

''(A) where the service provided by individuals serving with the entity to a vulnerable population described in paragraph (2)(B) is episodic in nature or for a 1-day period;

''(B) where the cost to the entity of complying with this subsection is prohibitive;

''(C) where the entity is not authorized, or is otherwise unable, under State law, to access the national criminal history background check system of the Federal Bureau of Investigation;

''(D) where the entity is not authorized, or is otherwise unable, under Federal law, to access the national criminal history background check system of the Federal Bureau of Investigation; or

''(E) to which the Corporation otherwise provides an exemption from this subsection for good cause.''.

(b) FEASIBILITY STUDY FOR A SYSTEM OF CRIMINAL HISTORY CHECKS FOR EMPLOYEES AND VOLUNTEERS.—

(1) FEASIBILITY STUDY ON EFFICIENCY AND EFFECTIVENESS REGARDING CRIMINAL HISTORY CHECK.—The Attorney General of the United States shall conduct a study that shall examine, to the extent discernible and as of the date of the study, the following:

(A) The state of criminal history checks (including the use of fingerprint collection) at the State and local level, including—

(i) the available infrastructure for conducting criminal history checks;

(ii) the State system capacities to conduct such criminal history checks; and

(iii) the time required for each State to process an individual's fingerprints for a national criminal history background check through the Federal Bureau of Investigation, from the time of fingerprint collection to the submission to the Federal Bureau of Investigation.

(B) The likelihood that each State would participate in a nationwide system of criminal history checks to provide information regarding participants to entities receiving assistance under the national service laws.

(C) The number of participants that would require a fingerprint-based national criminal history background check under the national service laws.

(D) The impact of the national service laws on the Integrated Automated Fingerprint Identification System of the Federal Bureau of Investigation in terms of capacity and impact on other users of the system, including the effect on the work practices and staffing levels of the Federal Bureau of Investigation.

(E) The fees charged by the Federal Bureau of Investigation, States, local agencies, and private companies to collect and process fingerprints and conduct criminal history checks.

(F) The existence of model or best practice programs regarding conducting criminal history checks that could easily be expanded and duplicated in other States.

(G) The extent to which private companies are currently performing criminal history checks, and the possibility of using private companies in the future to perform any of the criminal history check process, including the collection and transmission of fingerprints and fitness determinations.

(H) The cost of development and operation of the technology and the infrastructure necessary to establish a nationwide fingerprint-based and other criminal background check system.

(I) The extent of State participation in the procedures for background checks under the National Child Protection Act of 1993 (42 U.S.C. 5119 et seq.).

(J) The extent to which States provide access to nationwide criminal history checks to organizations that serve children.

(K) The extent to which States permit volunteers and other individuals to appeal adverse fitness determinations, and whether similar procedures are required at the Federal level.

(L) Any privacy concerns that may arise from nationwide criminal background checks for participants.

(M) Any other information determined relevant by the Attorney General.

(2) INTERIM REPORT.—Based on the findings of the study under paragraph (1), the Attorney General shall, not later than 6 months after the date of the enactment of this Act, submit to the appropriate committees of Congress an interim report, which may include recommendations regarding criminal history checks for individuals that seek to volunteer with organizations that work with children, the elderly, or individuals with disabilities.

(3) FINAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and to the Committee on the Judiciary and the Committee on Education and Labor of the House of Representatives, a final report including recommendations regarding criminal history checks for participants under the national service laws, which may include—

(A) a proposal for grants to States to develop or improve programs to collect fingerprints and perform criminal history checks for individuals that seek to volunteer with organizations that work with children, the elderly, or individuals with disabilities; and

(B) recommendations for amendments to the National Child Protection Act of 1993 and the Volunteers for Children Act so that entities receiving assistance under the national service laws can promptly and affordably conduct nationwide criminal history background checks on their employees and volunteers.

(4) DEFINITIONS.—In this subsection, the terms ''authorizing committees'', ''participants'', and ''national service laws'' have the meanings given such terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(c) EFFECTIVE DATE.—Notwithstanding section 6101, subsection (b) shall take effect on the date of enactment of this Act.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

SEC. 1701. TERMS OF OFFICE.

Section 192 (42 U.S.C. 12651a) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.''; and

(2) by adding at the end the following:

''(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve on the Board until the date on which the member's successor takes office, which period shall not exceed 1 year.''.

SEC. 1702. BOARD OF DIRECTORS AUTHORITIES AND DUTIES.

Section 192A(g) (42 U.S.C. 12651b(g)) is amended—

(1) in the matter preceding paragraph (1), by striking ''shall—'' and inserting ''shall have responsibility for setting overall policy for the Corporation and shall—'';

(2) in paragraph (1), by inserting before the semicolon at the end the following: '', *and review the budget proposal in advance of submission to the Office of Management and Budget'';*

(3) in paragraph (5)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;'';

(4) in paragraph (8), by striking ''the Congress'' each place it appears and inserting ''the authorizing committees'';

(5) by striking paragraph (10) and inserting the following:

''(10) notwithstanding any other provision of law—

''(A) make grants to or contracts with Federal and other public departments or agencies, and private nonprofit organizations, for the assignment or referral of volunteers under the provisions of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.) (except as provided in section 108 of such Act), which may provide that the agency or organization shall pay all or a part of the costs of the program; and

''(B) enter into agreements with other Federal agencies or private nonprofit organizations for the support of programs under the national service laws, which—

''(i) may provide that the agency or organization shall pay all or a part of the costs of the program, except as is provided in section 121(b); and

''(ii) shall provide that the program (including any program operated by another Federal agency) will comply with all requirements related to evaluation, performance, and other goals applicable to similar programs under the national service laws, as determined by the Corporation,''; and

(6) in paragraph (11)—

(A) by striking ''Congress'' each place it appears and inserting ''authorizing committees'';

(B) by striking ''section 193A(b)(10)'' and inserting ''section 193A(b)(11)''; and

(C) by striking ''September 30, 1995'' and inserting ''January 1, 2012''.

SEC. 1703. CHIEF EXECUTIVE OFFICER COMPENSATION.

Section 193(b) (42 U.S.C. 12651c(b)) is amended by striking the period and inserting '', *plus 3 percent.''.*

SEC. 1704. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

Section 193A (42 U.S.C. 12651d) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''shall—'' and inserting '', *in collaboration with the State Commissions, shall—'';*

(B) in paragraph (1), by inserting after ''a strategic plan'' the following: '', *including a plan for having 50 percent of all approved national service positions be full-time positions by 2012,'';*

(C) in paragraph (2)(B), by inserting '', *approved summer of service positions, and approved silver scholar positions'' after ''approved national service positions'';*

(D) by redesignating paragraphs (7) through (11) as paragraphs (8) through (12), respectively;

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

''(7) prepare and submit to the authorizing committees and the Board an annual report on actions taken to achieve the goal of having 50 percent of all approved national service positions be full-time positions by 2012 as described in paragraph (1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal;'';

(F) in the matter preceding subparagraph (A) of paragraph (10) (as so redesignated), by striking ''appropriate committees of Congress'' and inserting ''authorizing committees'';

(G) in paragraph (11) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking ''by June 30, 1995,'' and inserting ''periodically,'';

(ii) in subparagraph (A)(i)—

(I) by striking ''described in section 122(c)(1)''; and

(II) by striking ''national priorities designed to meet the'' and inserting ''national priorities, as described in section 122(f)(1), designed to meet''; and

(iii) in subparagraph (B), by striking ''and'' after a semicolon;

(H) in paragraph (12) (as so redesignated), by striking the period at the end and inserting a semicolon; and

(I) by adding at the end the following:

''(13) bolster the public awareness of and recruitment efforts for the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

''(A) print media;

''(B) the Internet and related emerging technologies;

''(C) television;

''(D) radio;

''(E) presentations at public or private forums;

''(F) other innovative methods of communication; and

''(G) outreach to offices of economic development, State employment security agencies, labor organizations and trade associations, local educational agencies, institutions of higher education, agencies and organizations serving veterans and individuals with disabilities, and other institutions or organizations from which participants for programs receiving assistance from the national service laws can be recruited;

''(14) identify and implement methods of recruitment to—

''(A) increase the diversity of participants in the programs receiving assistance under the national service laws; and

''(B) increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

''(15) coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

''(16) collaborate with organizations with demonstrated expertise in supporting and accommodating individuals with disabilities, including institutions of higher education, to identify and implement methods of recruitment to increase the number of participants who are individuals with disabilities in the programs receiving assistance under the national service laws;

''(17) identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

''(18) collaborate with organizations that have established volunteer recruitment programs to increase the recruitment capacity of the Corporation;

''(19) where practicable, provide application materials in languages other than English for individuals with limited English proficiency who wish to participate in a national service program;

''(20) collaborate with the training and technical assistance programs described in subtitle J with respect to the activities described in section 199N(b));

''(21) coordinate the clearinghouses described in section 198O;

''(22) coordinate with entities receiving funds under subtitle C in establishing the National Service Reserve Corps under section 198H, through which alumni of the national service programs and veterans can serve in disasters and emergencies (as such terms are defined in section 198H(a));

''(23) identify and implement strategies to increase awareness among Indian tribes of the types and availability of assistance under the national service laws, increase Native American participation in programs under the national service laws, collect information on challenges facing Native American communities, and designate a Strategic Advisor for Native American Affairs to be responsible for the execution of those activities under the national service laws;

''(24) conduct outreach to ensure the inclusion of economically disadvantaged individuals in national service programs and activities authorized under the national service laws; and

''(25) ensure that outreach, awareness, and recruitment efforts are consistent with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).'';

(2) in subsection (c)—

(A) in paragraph (9)—

(i) by striking ''Congress'' each place the term occurs and inserting ''the authorizing committees''; and

(ii) by striking ''and'' at the end;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by inserting after paragraph (9) the following:

''(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and'';

(3) in subsection (f)(2)(B), by striking ''date specified in subsection (b)(10)'' and inserting ''the first date that a report is submitted under subsection (b)(11) after the effective date of the Serve America Act''; and

(4) by adding at the end the following:

''(h) AUTHORITY TO CONTRACT WITH BUSINESSES.—The Chief Executive Officer may, through contracts or cooperative agreements, carry out the marketing duties described in subsection (b)(13), with priority given to those entities that have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and older adults.

''(i) CAMPAIGN TO SOLICIT FUNDS.—The Chief Executive Officer may conduct a campaign to solicit funds to conduct outreach and recruitment campaigns to recruit a diverse population of service sponsors of, and participants in, programs and projects receiving assistance under the national service laws.''.

SEC. 1705. CHIEF FINANCIAL OFFICER STATUS.

Section 194(c) (42 U.S.C. 12651e(c)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the Chief Executive Officer pursuant to subsections (a) and (b) of section 195.''; and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 1706. NONVOTING MEMBERS; PERSONAL SERVICES CONTRACTS.

Section 195 (42 U.S.C. 12651f) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(B), by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(B) in paragraph (3)—

(i) in the heading, by striking ''MEMBER'' and inserting ''NONVOTING MEMBER''; and

(ii) by inserting ''nonvoting'' before ''member''; and

(2) by adding at the end the following new subsection:

''(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.''.

SEC. 1707. DONATED SERVICES.

Section 196(a) (42 U.S.C. 12651g(a)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

''(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking ''Such a volunteer'' and inserting ''A person who provides assistance, either individually or as a member of an organization, in accordance with subparagraph (A)'';

(ii) in clause (i), by striking ''a volunteer under this subtitle'' and inserting ''such a person'';

(iii) in clause (ii), by striking ''volunteers under this subtitle'' and inserting ''such persons''; and

(iv) in clause (iii), by striking ''such a volunteer'' and inserting ''such a person''; and

(C) in subparagraph (C)(i), by striking ''Such a volunteer'' and inserting ''Such a person''; and

(2) by striking paragraph (3).

SEC. 1708. ASSIGNMENT TO STATE COMMISSIONS.

Subtitle G of title I (42 U.S.C. 12651 et seq.) is further amended by adding at the end the following:

''SEC. 196B. ASSIGNMENT TO STATE COMMISSIONS.

''(a) ASSIGNMENT.—In accordance with section 193A(c)(1), the Chief Executive Officer may assign to State Commissions specific programmatic functions upon a determination that such an assignment will increase efficiency in the operation or oversight of a program under the national service laws. In carrying out this section, and before executing any assignment of authority, the Corporation shall seek input from and consult Corporation employees, State Commissions, State educational agencies, and other interested stakeholders.

''(b) REPORT.—Not later than 2 years after the effective date of the Serve America Act, the Corporation shall submit a report to the authorizing committees describing the consultation process described in subsection (a), including the stakeholders consulted, the recommendation of stakeholders, and any actions taken by the Corporation under this section.''.

SEC. 1709. STUDY OF INVOLVEMENT OF VETERANS.

Subtitle G of title I (42 U.S.C. 12651 et seq.) is further amended by adding at the end the following:

''SEC. 196C. STUDY OF INVOLVEMENT OF VETERANS.

''(a) STUDY AND REPORT.—The Corporation shall conduct a study and submit a report to the authorizing committees, not later than 3 years after the effective date of the Serve America Act, on—

''(1) the number of veterans serving in national service programs historically by year;

''(2) strategies being undertaken to identify the specific areas of need of veterans, including any goals set by the Corporation for veterans participating in the service programs;

''(3) the impact of the strategies described in paragraph (2) and the Veterans Corps on enabling greater participation by veterans in the national service programs carried out under the national service laws;

''(4) how existing programs and activities carried out under the national service laws could be improved to serve veterans, veterans service organizations, families of active-duty military, including gaps in services to veterans;

''(5) the extent to which existing programs and activities carried out under the national service laws are coordinated and recommendations to improve such coordination including the methods for ensuring the efficient financial organization of services directed towards veterans; and

''(6) how to improve utilization of veterans as resources and volunteers.

''(b) CONSULTATION.—In conducting the studies and preparing the reports required under this subsection, the Corporation shall consult with veterans' service organizations, the Secretary of Veterans Affairs, State veterans agencies, the Secretary of Defense, as appropriate, and other individuals and entities the Corporation considers appropriate.''.

SEC. 1710. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR DISPLACED WORKERS IN SERVICES CORPS AND COMMUNITY SERVICE AND TO DEVELOP PILOT PROGRAM PLANNING STUDY.

(a) PLANNING STUDY.—The Corporation shall conduct a study to identify—

(1) specific areas of need for displaced workers;

(2) how existing programs and activities (as of the time of the study) carried out under the national service laws could better serve displaced workers and communities that have been adversely affected by plant closings and job losses;

(3) prospects for better utilization of displaced workers as resources and volunteers; and

(4) methods for ensuring the efficient financial organization of services directed towards displaced workers.

(b) CONSULTATION.—The study shall be carried out in consultation with the Secretary of Labor, State labor agencies, and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 1 year after the effective date of this Act, the Corporation shall submit to the authorizing committees a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving displaced workers.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation shall develop and carry out a pilot program based on the findings and plan in the report submitted under subsection (c).

(e) DEFINITIONS.—In this section, the terms ''Corporation'', ''authorizing committees'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2014.

SEC. 1711. STUDY TO EVALUATE THE EFFECTIVENESS OF AGENCY COORDINATION.

(a) STUDY.—In order to reduce administrative burdens and lower costs for national service programs carried out under the national service laws, the Corporation shall conduct a study to determine the feasibility and effectiveness of implementing a data matching system under which the statements of an individual declaring that such individual is in compliance with the requirements of section 146(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12602(a)(3)) shall be verified by the Corporation by comparing information provided by the individual with information relevant to such a declaration in the possession of other Federal agencies. Such study shall—

(1) review the feasibility of—

(A) expanding, and participating in, the data matching conducted by the Department of Education with the Social Security Administration and the Department of Homeland Security, pursuant to section 484(g) of the Higher Education Act of 1965 (20 U.S.C. 1091(g)); or

(B) establishing a comparable system of data matching with the Social Security Administration and the Department of Homeland Security; and

(2) identify—

(A) the costs, for both the Corporation and the other Federal agencies identified in paragraph (1), associated with expanding or establishing such a system of data matching;

(B) the benefits or detriments of such an expanded or comparable system both for the Corporation and for the other Federal agencies so identified;

(C) strategies for ensuring the privacy and security of participant information that is shared between Federal agencies and organizations receiving assistance under the national service laws;

(D) the information that needs to be shared in order to fulfill the eligibility requirements of section 146(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12602(a)(3));

(E) an alternative system through which an individual's compliance with section 146(a)(3) of such Act may be verified, should such an expanded or comparable system fail to verify the individual's declaration of compliance; and

(F) recommendations for implementation of such an expanded or comparable system.

(b) CONSULTATION.—The Corporation shall carry out the study in consultation with the Secretary of Education, the Commissioner of the Social Security Administration, the Secretary of Homeland Security, and other Federal agencies, entities, and individuals that the Corporation considers appropriate.

(c) REPORT.—Not later than 9 months after the effective date of this Act, the Corporation shall submit to the authorizing committees a report on the results of the study required by subsection (a) and a plan for implementation of a pilot data matching program using promising strategies and approaches identified in such study, if the Corporation determines such program to be feasible.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation may develop and carry out a pilot data matching program based on the report submitted under subsection (c).

(e) DEFINITIONS.—In this section, the terms ''Corporation'', ''authorizing committees'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

SEC. 1712. STUDY OF PROGRAM EFFECTIVENESS.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall develop performance measures for each program receiving Federal assistance under the national service laws.

(b) CONTENTS.—The performance measures developed under subsection (a) shall—

(1) to the maximum extent practicable draw on research-based, quantitative data;

(2) take into account program purpose and program design;

(3) include criteria to evaluate the cost effectiveness of programs receiving assistance under the national service laws;

(4) include criteria to evaluate the administration and management of programs receiving Federal assistance under the national service laws; and

(5) include criteria to evaluate oversight and accountability of recipients of assistance through such programs under the national service laws.

(c) REPORT.—Not later than 2 years after the development of the performance measures under subsection (a), and every 5 years thereafter, the Comptroller General of the United States shall prepare and submit to the authorizing committees and the Corporation's Board of Directors a report containing an assessment of each such

program with respect to the performance measures developed under subsection (a).

(d) DEFINITIONS.—In this section:

(1) IN GENERAL.—The terms ''authorizing committees'', ''Corporation'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(2) PROGRAM.—The term ''program'' means an entire program carried out by the Corporation under the national service laws, such as the entire AmeriCorps program carried out under subtitle C.

SEC. 1713. VOLUNTEER MANAGEMENT CORPS STUDY.

(a) FINDINGS.—Congress finds the following:

(1) Many managers seek opportunities to give back to their communities and address the Nation's challenges.

(2) Managers possess business and technical skills that make them especially suited to help nonprofit organizations and State and local governments create efficiencies and cost savings and develop programs to serve communities in need.

(3) There are currently a large number of businesses and firms who are seeking to identify savings through sabbatical opportunities for senior employees.

(b) STUDY AND PLAN.—Not later than 6 months after the date of enactment of this Act, the Corporation shall—

(1) conduct a study on how best to establish and implement a Volunteer Management Corps program; and

(2) submit a plan regarding the establishment of such program to Congress and to the President.

(c) CONSULTATION.—In carrying out the study described in subsection (b)(1), the Corporation may consult with experts in the private and nonprofit sectors.

(d) EFFECTIVE DATE.—Notwithstanding section 6101, this section shall take effect on the date of enactment of this Act.

Subtitle H—Amendments to Subtitle H (Investment for Quality and Innovation)

SEC. 1801. TECHNICAL AMENDMENT TO SUBTITLE H.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is amended by inserting after the subtitle heading and before section 198 the following:

"PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE".

SEC. 1802. ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.

(a) TECHNICAL AMENDMENTS.—Section 198 (42 U.S.C. 12653) is amended—

(1) in subsection (a), by striking ''subsection (r)'' and inserting ''subsection (g)'';

(2) in the matter preceding paragraph (1) of subsection (b), by striking ''to improve the quality'' and all that follows through ''including—'' and inserting ''to address emergent needs through summer programs and other activities, and to support service-learning programs and national service programs, including—'';

(3) by striking subsections (c), (d), (e), (f), (h), (i), (j), (l), (m), and (p) and redesignating subsections (g), (k), (n), (o), (q), (r), and (s) as subsections (c), (d), (e), (f), (g), (h), and (i), respectively.

(b) GLOBAL YOUTH SERVICE DAYS.—Section 198 (42 U.S.C. 12653), as amended in subsection (a), is further amended—

(1) in subsection (g) (as redesignated by subsection (a)(3))—

(A) in the subsection heading, by striking ''NATIONAL'' and inserting ''GLOBAL'';

(B) by striking ''National Youth'' each place it appears and inserting ''Global Youth'';

(C) in paragraph (1)—

(i) by striking the first sentence and inserting ''April 24, 2009, and April 23, 2010, are each designated as 'Global Youth Service Days'.''; and

(ii) in the second sentence, by striking ''appropriate ceremonies and activities'' and inserting ''appropriate youth-led community improvement and service-learning activities'';

(D) in paragraph (2)—

(i) by inserting ''and other Federal departments and agencies'' after ''Corporation''; and

(ii) by striking ''ceremonies and activities'' and inserting ''youth-led community improvement and service-learning activities''; and

(E) in paragraph (3), by inserting ''and other Federal departments and agencies'' after ''Corporation''.

(c) CALL TO SERVICE CAMPAIGN AND SEPTEMBER 11TH DAY OF SERVICE.—Section 198 (42 U.S.C. 12653), as amended by subsection (a), is further amended by adding at the end the following:

''(j) CALL TO SERVICE CAMPAIGN.—Not later than 180 days after the date of enactment of the Serve America Act, the Corporation shall conduct a nationwide 'Call To Service' campaign, to encourage all people of the United States, regardless of age, race, ethnicity, religion, or economic status, to engage in full- or part-time national service, long- or short-term public service in the nonprofit sector or government, or volunteering. In conducting the campaign, the Corporation may collaborate with other Federal agencies and entities, State Commissions, Governors, nonprofit and faith-based organizations, businesses, institutions of higher education, elementary schools, and secondary schools.

''(k) SEPTEMBER 11TH DAY OF SERVICE.—

''(1) FEDERAL ACTIVITIES.—The Corporation may organize and carry out appropriate ceremonies and activities, which may include activities that are part of the broader Call to Service Campaign under subsection (j), in order to observe the September 11th National Day of Service and Remembrance at the Federal level.

''(2) ACTIVITIES.—The Corporation may make grants and provide other support to community-based organizations to assist in planning and carrying out appropriate service, charity, and remembrance opportunities in conjunction with the September 11th National Day of Service and Remembrance.

''(3) CONSULTATION.—The Corporation may consult with and make grants or provide other forms of support to nonprofit organizations with expertise in representing families of victims of the September 11, 2001 terrorist attacks and other impacted constituencies, and in promoting the establishment of September 11 as an annually recognized National Day of Service and Remembrance.''.

SEC. 1803. REPEALS.

(a) REPEALS.—The following provisions are repealed:

(1) CLEARINGHOUSES.—Section 198A (42 U.S.C. 12653a).

(2) MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.—Section 198C (42 U.S.C. 12653c).

(3) SPECIAL DEMONSTRATION PROJECT.—Section 198D (42 U.S.C. 12653d).

(b) REDESIGNATION.—Section 198B (42 U.S.C. 12653b) is redesignated as section 198A.

SEC. 1804. PRESIDENTIAL AWARDS.

Section 198A(a)(2) (as redesignated by section 1803(b)) (42 U.S.C. 12653b(a)(2)) is further amended by striking ''section 101(19)'' and inserting ''section 101''.

SEC. 1805. NEW FELLOWSHIPS.

Part I of subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following new sections:

"SEC. 198B. SERVEAMERICA FELLOWSHIPS.

''(a) DEFINITIONS.—In this section:

''(1) AREA OF NATIONAL NEED.—The term 'area of national need' means an area involved in efforts to—

''(A) improve education in schools for economically disadvantaged students;

''(B) expand and improve access to health care;

''(C) improve energy efficiency and conserve natural resources;

''(D) improve economic opportunities for economically disadvantaged individuals; or

''(E) improve disaster preparedness and response.

''(2) ELIGIBLE FELLOWSHIP RECIPIENT.—The term 'eligible fellowship recipient' means an individual who is selected by a State Commission under subsection (c) and, as a result of such selection, is eligible for a ServeAmerica Fellowship.

''(3) FELLOW.—The term 'fellow' means an eligible fellowship recipient who is awarded a ServeAmerica Fellowship and is designated a fellow under subsection (e)(2).

''(4) SMALL SERVICE SPONSOR ORGANIZATION.—The term 'small service sponsor organization' means a service sponsor organization described in subsection (d)(1) that has not more than 10 full-time employees and 10 part-time employees.

''(b) GRANTS.—

''(1) IN GENERAL.—From the amounts appropriated under section 501(a)(4)(B) and allotted under paragraph (2)(A), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions), to the State Commission of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico with an application approved under this section, to enable such State Commissions to award ServeAmerica Fellowships under subsection (e).

''(2) ALLOTMENT; ADMINISTRATIVE COSTS.—

''(A) ALLOTMENT.—The amount allotted to a State Commission for a fiscal year shall be equal to an amount that bears the same ratio to the amount appropriated under section 501(a)(4)(B), as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(B) REALLOTMENT.—If a State Commission does not apply for an allotment under this subsection for any fiscal year, or if the State Commission's application is not approved, the Corporation shall reallot the amount of the State Commission's allotment to the remaining State Commissions in accordance with subparagraph (A).

''(C) ADMINISTRATIVE COSTS.—Of the amount allotted to a State Commission under subparagraph (A), not more than 1.5 percent of such amount may be used for administrative costs.

''(3) NUMBER OF POSITIONS.—The Corporation shall—

''(A) establish or increase the number of approved national service positions under this subsection during each of fiscal years 2010 through 2014;

''(B) establish the number of approved positions at 500 for fiscal year 2010; and

''(C) increase the number of the approved positions to—

''(i) 750 for fiscal year 2011;

''(ii) 1,000 for fiscal year 2012;

''(iii) 1,250 for fiscal year 2013; and

''(iv) 1,500 for fiscal year 2014.

''(4) USES OF GRANT FUNDS.—

''(A) REQUIRED USES.—A grant awarded under this subsection shall be used to enable fellows to carry out service projects in areas of national need.

''(B) PERMITTED USES.—A grant awarded under this subsection may be used for—

''(i) oversight activities and mechanisms for the service sites of the fellows, as determined necessary by the State Commission or the Corporation, which may include site visits;

''(ii) activities to augment the experience of fellows, including activities to engage the fellows in networking opportunities with other national service participants; and

''(iii) recruitment or training activities for fellows.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State Commission shall submit an application to the Corporation

at such time, in such manner, and containing such information as the Corporation may require, including information on the criteria and procedures that the State Commission will use for overseeing ServeAmerica Fellowship placements for service projects, under subsection (e).

''(c) ELIGIBLE FELLOWSHIP RECIPIENTS.—

''(1) APPLICATION.—

''(A) IN GENERAL.—An applicant desiring to become an eligible fellowship recipient shall submit an application to a State Commission that has elected to participate in the program authorized under this section, at such time and in such manner as the Commission may require, and containing the information described in subparagraph (B) and such additional information as the Commission may require. An applicant may submit such application to only 1 State Commission for a fiscal year.

''(B) CONTENTS.—The Corporation shall specify information to be provided in an application submitted under this subsection, which—

''(i) shall include—

''(I) a description of the area of national need that the applicant intends to address in the service project;

''(II) a description of the skills and experience the applicant has to address the area of national need;

''(III) a description of the type of service the applicant plans to provide as a fellow; and

''(IV) information identifying the local area within the State served by the Commission in which the applicant plans to serve for the service project; and

''(ii) may include, if the applicant chooses, the size of the registered service sponsor organization with which the applicant hopes to serve.

''(2) SELECTION.—Each State Commission shall—

''(A) select, from the applications received by the State Commission for a fiscal year, the number of eligible fellowship recipients that may be supported for that fiscal year based on the amount of the grant received by the State Commission under subsection (b); and

''(B) make an effort to award one-third of the fellowships available to the State Commission for a fiscal year, based on the amount of the grant received under subsection (b), to applicants who propose to serve the fellowship with small service sponsor organizations registered under subsection (d).

''(d) SERVICE SPONSOR ORGANIZATIONS.—

''(1) IN GENERAL.—Each service sponsor organization shall—

''(A) be a nonprofit organization;

''(B) satisfy qualification criteria established by the Corporation or the State Commission, including standards relating to organizational capacity, financial management, and programmatic oversight;

''(C) not be a recipient of other assistance, approved national service positions, or approved summer of service positions under the national service laws; and

''(D) at the time of registration with a State Commission, enter into an agreement providing that the service sponsor organization shall—

''(i) abide by all program requirements;

''(ii) provide an amount described in subsection (e)(3)(b) for each fellow serving with the organization through the ServeAmerica Fellowship;

''(iii) be responsible for certifying whether each fellow serving with the organization successfully completed the ServeAmerica Fellowship, and record and certify in a manner specified by the Corporation the number of hours served by a fellow for purposes of determining the fellow's eligibility for benefits; and

''(iv) provide timely access to records relating to the ServeAmerica Fellowship to the State Commission, the Corporation, and the Inspector General of the Corporation.

''(2) REGISTRATION.—

''(A) REQUIREMENT.—No service sponsor organization may receive a fellow under this section until the organization registers with the State Commission.

''(B) CLEARINGHOUSE.—The State Commission shall maintain a list of registered service sponsor organizations on a public website.

''(C) REVOCATION.—If a State Commission determines that a service sponsor organization is in violation of any of the applicable provisions of this section—

''(i) the State Commission shall revoke the registration of the organization;

''(ii) the organization shall not be eligible to receive assistance, approved national service positions, or approved summer of service positions under this title for not less than 5 years; and

''(iii) the State Commission shall have the right to remove a fellow from the organization and relocate the fellow to another site.

''(e) FELLOWS.—

''(1) IN GENERAL.—To be eligible to participate in a service project as a fellow and receive a ServeAmerica Fellowship, an eligible fellowship recipient shall—

''(A) within 3 months after being selected as an eligible fellowship recipient by a State Commission, select a registered service sponsor organization described in subsection (d)—

''(i) with which the recipient is interested in serving under this section; and

''(ii) that is located in the State served by the State Commission;

''(B) enter into an agreement with the organization—

''(i) that specifies the service the recipient will provide if the placement is approved; and

''(ii) in which the recipient agrees to serve for 1 year on a full-time or part-time basis (as determined by the Corporation); and

''(C) submit such agreement to the State Commission.

''(2) AWARD.—Upon receiving the eligible fellowship recipient's agreement under paragraph (1), the State Commission shall award a ServeAmerica Fellowship to the recipient and designate the recipient as a fellow.

''(3) FELLOWSHIP AMOUNT.—

''(A) IN GENERAL.—From amounts received under subsection (b), each State Commission shall award each of the State's fellows a ServeAmerica Fellowship amount that is equal to 50 percent of the amount of the average annual VISTA subsistence allowance.

''(B) AMOUNT FROM SERVICE SPONSOR ORGANIZATION.—

''(i) IN GENERAL.—Except as provided in clause (ii) and subparagraph (E), the service sponsor organization shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of such amount and the ServeAmerica Fellowship amount the fellow receives under subparagraph (A)) is equal to or greater than 70 percent of the average annual VISTA subsistence allowance.

''(ii) SMALL SERVICE SPONSOR ORGANIZATIONS.—In the case of a small service sponsor organization, the small service sponsor organization may decrease the amount of the service sponsor organization award required under clause (i) to not less than an amount that will ensure that the total award received by the fellow for service in the service project (as calculated in clause (i)) is equal to or greater than 60 percent of the average annual VISTA subsistence allowance.

''(C) MAXIMUM LIVING ALLOWANCE.—The total amount that may be provided to a fellow under this subparagraph shall not exceed 100 percent of the average annual VISTA subsistence allowance.

''(D) PRORATION OF AMOUNT.—In the case of a fellow who is authorized to serve a part-time term of service under the agreement described in paragraph (1)(B)(ii), the amount provided to a fellow under this paragraph shall be prorated accordingly.

''(E) WAIVER.—The Corporation may allow a State Commission to waive the amount required under subparagraph (B) from the service sponsor organization for a fellow serving the organization if—

''(i) such requirement is inconsistent with the objectives of the ServeAmerica Fellowship program; and

''(ii) the amount provided to the fellow under subparagraph (A) is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the ServeAmerica Fellowship program is located.

''(F) DEFINITION.—In this paragraph, the term 'average annual VISTA subsistence allowance' means the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(f) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service under a ServeAmerica Fellowship shall comply with section 132(a). For purposes of applying that section to this subsection, a reference to assistance shall be considered to be a reference to assistance provided under this section.

''(g) REPORTS.—Each service sponsor organization that receives a fellow under this section shall, on a biweekly basis, report to the Corporation on the number of hours served and the services provided by that fellow. The Corporation shall establish a web portal for the organizations to use in reporting the information.

''(h) EDUCATIONAL AWARDS.—A fellow who serves in a service project under this section shall be considered to have served in an approved national service position and, upon meeting the requirements of section 147 for full-time or part-time national service, shall be eligible for a national service educational award described in such section. The Corporation shall transfer an appropriate amount of funds to the National Service Trust to provide for the national service educational award for such fellow.

"SEC. 198C. SILVER SCHOLARSHIPS AND ENCORE FELLOWSHIPS.

''(a) SILVER SCHOLARSHIP GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Corporation may award fixed-amount grants (in accordance with section 129(l)) to community-based entities to carry out a Silver Scholarship Grant Program for individuals age 55 or older, in which such individuals complete not less than 350 hours of service in a year carrying out projects of national need and receive a Silver Scholarship in the form of a $1,000 national service educational award. Under such a program, the Corporation shall establish criteria for the types of the service required to be performed to receive such award.

''(2) TERM.—Each program funded under this subsection shall be carried out over a period of 3 years (which may include 1 planning year), with a 1-year extension possible, if the program meets performance levels developed in accordance with section 179(k) and any other criteria determined by the Corporation.

''(3) APPLICATIONS.—To be eligible for a grant under this subsection, a community-based entity shall—

''(A) submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require; and

''(B) be a listed organization as described in subsection (b)(4).

''(4) COLLABORATION ENCOURAGED.—A community-based entity awarded a grant under this subsection is encouraged to collaborate with programs funded under title II of the Domestic Volunteer Service Act of 1973 in carrying out this program.

''(5) ELIGIBILITY FOR FELLOWSHIP.—An individual is eligible to receive a Silver Scholarship if the community-based entity certifies to the Corporation that the individual has completed not less than 350 hours of service under this section in a 1-year period.

''(6) TRANSFER TO TRUST.—The Corporation shall transfer an appropriate amount of funds

to the National Service Trust to provide for the national service educational award for each silver scholar under this subsection.

''(7) SUPPORT SERVICES.—A community-based entity receiving a fixed-amount grant under this subsection may use a portion of the grant to provide transportation services to an eligible individual to allow such individual to participate in a service project.

''(b) ENCORE FELLOWSHIPS.—

''(1) ESTABLISHMENT.—The Corporation may award 1-year Encore Fellowships to enable individuals age 55 or older to—

''(A) carry out service projects in areas of national need; and

''(B) receive training and development in order to transition to full- or part-time public service in the nonprofit sector or government.

''(2) PROGRAM.—In carrying out the program, the Corporation shall—

''(A) maintain a list of eligible organizations for which Encore Fellows may be placed to carry out service projects through the program and shall provide the list to all Fellowship recipients; and

''(B) at the request of a Fellowship recipient—

''(i) determine whether the requesting recipient is able to meet the service needs of a listed organization, or another organization that the recipient requests in accordance with paragraph (5)(B), for a service project; and

''(ii) upon making a favorable determination under clause (i), award the recipient with an Encore Fellowship, and place the recipient with the organization as an Encore Fellow under paragraph (5)(C).

''(3) ELIGIBLE RECIPIENTS.—

''(A) IN GENERAL.—An individual desiring to be selected as a Fellowship recipient shall—

''(i) be an individual who—

''(I) is age 55 or older as of the time the individual applies for the program; and

''(II) is not engaged in, but who wishes to engage in, full- or part-time public service in the nonprofit sector or government; and

''(ii) submit an application to the Corporation, at such time, in such manner, and containing such information as the Corporation may require, including—

''(I) a description of the area of national need that the applicant hopes to address through the service project;

''(II) a description of the skills and experience the applicant has to address an area of national need; and

''(III) information identifying the region of the United States in which the applicant wishes to serve.

''(B) SELECTION BASIS.—In determining which individuals to select as Fellowship recipients, the Corporation shall—

''(i) select not more than 10 individuals from each State; and

''(ii) give priority to individuals with skills and experience for which there is an ongoing high demand in the nonprofit sector and government.

''(4) LISTED ORGANIZATIONS.—To be listed under paragraph (2)(A), an organization shall—

''(A) be a nonprofit organization; and

''(B) submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including—

''(i) a description of—

''(I) the services and activities the organization carries out generally;

''(II) the area of national need that the organization seeks to address through a service project; and

''(III) the services and activities the organization seeks to carry out through the proposed service project;

''(ii) a description of the skills and experience that an eligible Encore Fellowship recipient needs to be placed with the organization as an Encore Fellow for the service project;

''(iii) a description of the training and leadership development the organization shall provide an Encore Fellow placed with the organization to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(iv) evidence of the organization's financial stability.

''(5) PLACEMENT.—

''(A) REQUEST FOR PLACEMENT WITH LISTED ORGANIZATIONS.—To be placed with a listed organization in accordance with paragraph (2)(B) for a service project, an eligible Encore Fellowship recipient shall submit an application for such placement to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

''(B) REQUEST FOR PLACEMENT WITH OTHER ORGANIZATION.—An eligible Encore Fellowship recipient may apply to the Corporation to serve the recipient's Encore Fellowship year with a nonprofit organization that is not a listed organization. Such application shall be submitted to the Corporation at such time, in such manner, and containing such information as the Corporation shall require, and shall include—

''(i) an identification and description of—

''(I) the organization;

''(II) the area of national need the organization seeks to address; and

''(III) the services or activities the organization carries out to address such area of national need;

''(ii) a description of the services the eligible Encore Fellowship recipient shall provide for the organization as an Encore Fellow; and

''(iii) a letter of support from the leader of the organization, including—

''(I) a description of the organization's need for the eligible Encore Fellowship recipient's services;

''(II) evidence that the organization is financially sound;

''(III) an assurance that the organization will provide training and leadership development to the eligible Encore Fellowship recipient if placed with the organization as an Encore Fellow, to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(IV) a description of the training and leadership development to be provided to the Encore Fellowship recipient if so placed.

''(C) PLACEMENT AND AWARD OF FELLOWSHIP.—If the Corporation determines that the eligible Encore Fellowship recipient is able to meet the service needs (including skills and experience to address an area of national need) of the organization that the eligible fellowship recipient requests under subparagraph (A) or (B), the Corporation shall—

''(i) approve the placement of the eligible Encore Fellowship recipient with the organization;

''(ii) award the eligible Encore Fellowship recipient an Encore Fellowship for a period of 1 year and designate the eligible Encore Fellowship recipient as an Encore Fellow; and

''(iii) in awarding the Encore Fellowship, make a payment, in the amount of $11,000, to the organization to enable the organization to provide living expenses to the Encore Fellow for the year in which the Encore Fellow agrees to serve.

''(6) MATCHING FUNDS.—An organization that receives an Encore Fellow under this subsection shall agree to provide, for the living expenses of the Encore Fellow during the year of service, non-Federal contributions in an amount equal to not less than $1 for every $1 of Federal funds provided to the organization for the Encore Fellow through the Encore Fellowship.

''(7) TRAINING AND ASSISTANCE.—Each organization that receives an Encore Fellow under this subsection shall provide training, leadership development, and assistance to the Encore Fellow, and conduct oversight of the service provided by the Encore Fellow.

''(8) LEADERSHIP DEVELOPMENT.—Each year, the Corporation shall convene current and former Encore Fellows to discuss the Encore Fellows' experiences related to service under this subsection and discuss strategies for increasing leadership and careers in public service in the nonprofit sector or government.

''(c) EVALUATIONS.—The Corporation shall conduct an independent evaluation of the programs authorized under subsections (a) and (b) and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.''.

SEC. 1806. NATIONAL SERVICE RESERVE CORPS.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART II—NATIONAL SERVICE RESERVE CORPS

''SEC. 198H. NATIONAL SERVICE RESERVE CORPS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'National Service Reserve Corps member' means an individual who—

''(A) has completed a term of national service or is a veteran;

''(B) has successfully completed training described in subsection (c) within the previous 2 years;

''(C) completes not less than 10 hours of volunteering each year (which may include the training session described in subparagraph (B)); and

''(D) has indicated interest to the Corporation in responding to disasters and emergencies in a timely manner through the National Service Reserve Corps; and

''(2) the term 'term of national service' means a term or period of service under section 123.

''(b) ESTABLISHMENT OF NATIONAL SERVICE RESERVE CORPS.—

''(1) IN GENERAL.—In consultation with the Federal Emergency Management Agency, the Corporation shall establish a National Service Reserve Corps to prepare and deploy National Service Reserve Corps members to respond to disasters and emergencies in support of national service programs and other requesting programs and agencies.

''(2) GRANTS OR CONTRACTS.—In carrying out this section, the Corporation may enter into a grant or contract with an organization experienced in responding to disasters or in coordinating individuals who have completed a term of national service or are veterans, or may directly deploy National Service Reserve Corps members, as the Corporation determines necessary.

''(c) ANNUAL TRAINING.—The Corporation shall conduct or coordinate annual training sessions, consistent with the training requirements of the Federal Emergency Management Agency, for individuals who have completed a term of national service or are veterans, and who wish to join the National Service Reserve Corps.

''(d) DESIGNATION OF ORGANIZATIONS.—

''(1) IN GENERAL.—The Corporation shall designate organizations with demonstrated experience in responding to disasters or emergencies, including through using volunteers, for participation in the program under this section.

''(2) REQUIREMENTS.—The Corporation shall ensure that every designated organization is—

''(A) prepared to respond to disasters or emergencies;

''(B) prepared and able to utilize National Service Reserve Corps members in responding to disasters or emergencies; and

''(C) willing to respond in a timely manner when notified by the Corporation of a disaster or emergency.

''(e) DATABASES.—The Corporation shall develop or contract with an outside organization to develop—

''(1) a database of all National Service Reserve Corps members; and

''(2) a database of all nonprofit organizations that have been designated by the Corporation under subsection (d).

''(f) DEPLOYMENT OF NATIONAL SERVICE RESERVE CORPS.—

''(1) MAJOR DISASTERS OR EMERGENCIES.—If a major disaster or emergency is declared by the President pursuant to section 102 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5122), the Administrator of the Federal Emergency Management Agency, in consultation with the Corporation, may task the National Service Reserve Corps to assist in response.

''(2) OTHER DISASTERS OR EMERGENCIES.—For a disaster or emergency that is not declared a major disaster or emergency under section 102 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5122), the Corporation may directly, or through a grant or contract, deploy the National Service Reserve Corps.

''(3) DEPLOYMENT.—Under paragraph (1) or (2), the Corporation may—

''(A) deploy interested National Service Reserve Corps members on assignments of not more than 30 days to assist with local needs related to preparing or recovering from the incident in the affected area, either directly or through organizations designated under subsection (d);

''(B) make travel arrangements for the deployed National Service Reserve Corps members to the site of the incident; and

''(C) provide funds to those organizations that are responding to the incident with deployed National Service Reserve Corps members, to enable the organizations to coordinate and provide housing, living stipends, and insurance for those deployed members.

''(4) ALLOWANCE.—Any amounts that are utilized by the Corporation from funds appropriated under section 501(a)(4)(D) to carry out paragraph (1) for a fiscal year shall be kept in a separate fund. Any amounts in such fund that are not used during a fiscal year shall remain available to use to pay National Service Reserve Corps members an allowance, determined by the Corporation, for out-of-pocket expenses.

''(5) INFORMATION.—

''(A) NATIONAL SERVICE PARTICIPANTS.—The Corporation, the State Commissions, and entities receiving financial assistance for programs under subtitle C of this Act, or under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), shall inform participants about the National Service Reserve Corps upon the participants' completion of their term of national service.

''(B) VETERANS.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall inform veterans who are recently discharged, released, or separated from the Armed Forces about the National Service Reserve Corps.

''(6) COORDINATION.—In deploying National Service Reserve Corps members under this subsection, the Corporation shall—

''(A) avoid duplication of activities directed by the Federal Emergency Management Agency; and

''(B) consult and, as appropriate, partner with Citizen Corps programs and other local disaster agencies, including State and local emergency management agencies, voluntary organizations active in disaster, State Commissions, and similar organizations, in the affected area.''.

SEC. 1807. SOCIAL INNOVATION FUNDS PILOT PROGRAM.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART III—SOCIAL INNOVATION FUNDS PILOT PROGRAM

''SEC. 198K. FUNDS.

''(a) FINDINGS.—Congress finds the following:

''(1) Social entrepreneurs and other nonprofit community organizations are developing innovative and effective solutions to national and local challenges.

''(2) Increased public and private investment in replicating and expanding proven effective solutions, and supporting new solutions, developed by social entrepreneurs and other nonprofit community organizations could allow those entrepreneurs and organizations to replicate and expand proven initiatives, and support new initiatives, in communities.

''(3) A network of Social Innovation Funds could leverage Federal investments to increase State, local, business, and philanthropic resources to replicate and expand proven solutions and invest in supporting new innovations to tackle specific identified community challenges.

''(b) PURPOSES.—The purposes of this section are—

''(1) to recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in tackling national and local challenges;

''(2) to stimulate the development of a network of Social Innovation Funds that will increase private and public investment in nonprofit community organizations that are effectively addressing national and local challenges to allow such organizations to replicate and expand proven initiatives or support new initiatives;

''(3) to assess the effectiveness of such Funds in—

''(A) leveraging Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

''(B) providing resources to replicate and expand effective initiatives; and

''(C) seeding experimental initiatives focused on improving outcomes in the areas described in subsection (f)(3); and

''(4) to strengthen the infrastructure to identify, invest in, replicate, and expand initiatives with effective solutions to national and local challenges.

''(c) DEFINITIONS.—In this section:

''(1) COMMUNITY ORGANIZATION.—The term 'community organization' means a nonprofit organization that carries out innovative, effective initiatives to address community challenges.

''(2) COVERED ENTITY.—The term 'covered entity' means—

''(A) an existing grantmaking institution (existing as of the date on which the institution applies for a grant under this section); or

''(B) a partnership between—

''(i) such an existing grantmaking institution; and

''(ii) an additional grantmaking institution, a State Commission, or a chief executive officer of a unit of general local government.

''(3) ISSUE AREA.—The term 'issue area' means an area described in subsection (f)(3).

''(d) PROGRAM.—From the amounts appropriated to carry out this section that are not reserved under subsections (l) and (m), the Corporation shall establish a Social Innovation Funds grant program to make grants on a competitive basis to eligible entities for Social Innovation Funds.

''(e) PERIODS; AMOUNTS.—The Corporation shall make such grants for periods of 5 years, and may renew the grants for additional periods of 5 years, in amounts of not less than $1,000,000 and not more than $10,000,000 per year.

''(f) ELIGIBILITY.—To be eligible to receive a grant under subsection (d), an entity shall—

''(1) be a covered entity;

''(2) propose to focus on—

''(A) serving a specific local geographical area; or

''(B) addressing a specific issue area;

''(3) propose to focus on improving measurable outcomes relating to—

''(A) education for economically disadvantaged elementary or secondary school students;

''(B) child and youth development;

''(C) reductions in poverty or increases in economic opportunity for economically disadvantaged individuals;

''(D) health, including access to health services and health education;

''(E) resource conservation and local environmental quality;

''(F) individual or community energy efficiency;

''(G) civic engagement; or

''(H) reductions in crime;

''(4) have an evidence-based decisionmaking strategy, including—

''(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; and

''(B) a well-articulated plan to—

''(i)(I) replicate and expand research-proven initiatives that have been shown to produce sizeable, sustained benefits to participants or society; or

''(II) support new initiatives with a substantial likelihood of significant impact; or

''(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of such initiatives; and

''(5) have appropriate policies, as determined by the Corporation, that protect against conflict of interest, self-dealing, and other improper practices.

''(g) APPLICATION.—To be eligible to receive a grant under subsection (d) for national leveraging capital, an eligible entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may specify, including, at a minimum—

''(1) an assurance that the eligible entity will—

''(A) use the funds received through that capital in order to make subgrants to community organizations that will use the funds to replicate or expand proven initiatives, or support new initiatives, in low-income communities;

''(B) in making decisions about subgrants for communities, consult with a diverse cross section of community representatives in the decisions, including individuals from the public, nonprofit private, and for-profit private sectors; and

''(C) make subgrants of a sufficient size and scope to enable the community organizations to build their capacity to manage initiatives, and sustain replication or expansion of the initiatives;

''(2) an assurance that the eligible entity will not make any subgrants to the parent organizations of the eligible entity, a subsidiary organization of the parent organization, or, if the eligible entity applied for funds under this section as a partnership, any member of the partnership;

''(3) an identification of, as appropriate—

''(A) the specific local geographical area referred to in subsection (f)(2)(A) that the eligible entity is proposing to serve; or

''(B) the issue area referred to in subsection (f)(2)(B) that the eligible entity will address, and the geographical areas that the eligible entity is likely to serve in addressing such issue area;

''(4)(A) information identifying the issue areas in which the eligible entity will work to improve measurable outcomes;

''(B) statistics on the needs related to those issue areas in, as appropriate—

''(i) the specific local geographical area described in paragraph (3)(A); or

''(ii) the geographical areas described in paragraph (3)(B), including statistics demonstrating that those geographical areas have high need in the specific issue area that the eligible entity is proposing to address; and

''(C) information on the specific measurable outcomes related to the issue areas involved that the eligible entity will seek to improve;

''(5) information describing the process by which the eligible entity selected, or will select, community organizations to receive the subgrants, to ensure that the community organizations—

''(A) are institutions—

''(i) with proven initiatives and a demonstrated track record of achieving specific outcomes related to the measurable outcomes for the eligible entity; or

''(ii) that articulate a new solution with a significant likelihood for substantial impact;

''(B) articulate measurable outcomes for the use of the subgrant funds that are connected to the measurable outcomes for the eligible entity;

''(C) will use the funds to replicate, expand, or support their initiatives;

''(D) provide a well-defined plan for replicating, expanding, or supporting the initiatives funded;

''(E) can sustain the initiatives after the subgrant period concludes through reliable public revenues, earned income, or private sector funding;

''(F) have strong leadership and financial and management systems;

''(G) are committed to the use of data collection and evaluation for improvement of the initiatives;

''(H) will implement and evaluate innovative initiatives, to be important contributors to knowledge in their fields; and

''(I) will meet the requirements for providing matching funds specified in subsection (k);

''(6) information about the eligible entity, including its experience managing collaborative initiatives, or assessing applicants for grants and evaluating the performance of grant recipients for outcome-focused initiatives, and any other relevant information;

''(7) a commitment to meet the requirements of subsection (i) and a plan for meeting the requirements, including information on any funding that the eligible entity has secured to provide the matching funds required under that subsection;

''(8) a description of the eligible entity's plan for providing technical assistance and support, other than financial support, to the community organizations that will increase the ability of the community organizations to achieve their measurable outcomes;

''(9) information on the commitment, institutional capacity, and expertise of the eligible entity concerning—

''(A) collecting and analyzing data required for evaluations, compliance efforts, and other purposes;

''(B) supporting relevant research; and

''(C) submitting regular reports to the Corporation, including information on the initiatives of the community organizations, and the replication or expansion of such initiatives;

''(10) a commitment to use data and evaluations to improve the eligible entity's own model and to improve the initiatives funded by the eligible entity; and

''(11) a commitment to cooperate with any evaluation activities undertaken by the Corporation.

''(h) SELECTION CRITERIA.—In selecting eligible entities to receive grants under subsection (d), the Corporation shall—

''(1) select eligible entities on a competitive basis;

''(2) select eligible entities on the basis of the quality of their selection process, as described in subsection (g)(5), the capacity of the eligible entities to manage Social Innovation Funds, and the potential of the eligible entities to sustain the Funds after the conclusion of the grant period;

''(3) include among the grant recipients eligible entities that propose to provide subgrants to serve communities (such as rural low-income communities) that the eligible entities can demonstrate are significantly philanthropically underserved;

''(4) select a geographically diverse set of eligible entities; and

''(5) take into account broad community perspectives and support.

''(i) MATCHING FUNDS FOR GRANTS.—

''(1) IN GENERAL.—The Corporation may not make a grant to an eligible entity under subsection (d) for a Social Innovation Fund unless the entity agrees that, with respect to the cost described in subsection (d) for that Fund, the entity will make available matching funds in an amount equal to not less than $1 for every $1 of funds provided under the grant.

''(2) ADDITIONAL REQUIREMENTS.—

''(A) TYPE AND SOURCES.—The eligible entity shall provide the matching funds in cash. The eligible entity shall provide the matching funds from State, local, or private sources, which may include State or local agencies, businesses, private philanthropic organizations, or individuals.

''(B) ELIGIBLE ENTITIES INCLUDING STATE COMMISSIONS OR LOCAL GOVERNMENT OFFICES.—

''(i) IN GENERAL.—In a case in which a State Commission, a local government office, or both entities are a part of the eligible entity, the State involved, the local government involved, or both entities, respectively, shall contribute not less than 30 percent and not more than 50 percent of the matching funds.

''(ii) LOCAL GOVERNMENT OFFICE.—In this subparagraph, the term 'local government office' means the office of the chief executive officer of a unit of general local government.

''(3) REDUCTION.—The Corporation may reduce by 50 percent the matching funds required by paragraph (1) for an eligible entity serving a community (such as a rural low-income community) that the eligible entity can demonstrate is significantly philanthropically underserved.

''(j) SUBGRANTS.—

''(1) SUBGRANTS AUTHORIZED.—An eligible entity receiving a grant under subsection (d) is authorized to use the funds made available through the grant to award, on a competitive basis, subgrants to expand or replicate proven initiatives, or support new initiatives with a substantial likelihood of success, to—

''(A) community organizations serving low-income communities within the specific local geographical area described in the eligible entity's application in accordance with subsection (g)(3)(A); or

''(B) community organizations addressing a specific issue area described in the eligible entity's application in accordance with subsection (g)(3)(B), in low-income communities in the geographical areas described in the application.

''(2) PERIODS; AMOUNTS.—The eligible entity shall make such subgrants for periods of not less than 3 and not more than 5 years, and may renew the subgrants for such periods, in amounts of not less than $100,000 per year.

''(3) APPLICATIONS.—To be eligible to receive a subgrant from an eligible entity under this section, including receiving a payment for that subgrant each year, a community organization shall submit an application to an eligible entity that serves the specific local geographical area, or geographical areas, that the community organization proposes to serve, at such time, in such manner, and containing such information as the eligible entity may require, including—

''(A) a description of the initiative the community organization carries out and plans to replicate or expand, or of the new initiative the community organization intends to support, using funds received from the eligible entity, and how the initiative relates to the issue areas in which the eligible entity has committed to work in the eligible entity's application, in accordance with subsection (g)(4)(A);

''(B) data on the measurable outcomes the community organization has improved, and information on the measurable outcomes the community organization seeks to improve by replicating or expanding a proven initiative or supporting a new initiative, which shall be among the measurable outcomes that the eligible entity identified in the eligible entity's application, in accordance with subsection (g)(4)(C);

''(C) an identification of the community in which the community organization proposes to carry out an initiative, which shall be within a local geographical area described in the eligible entity's application in accordance with subparagraph (A) or (B) of subsection (g)(3), as applicable;

''(D) a description of the evidence-based decisionmaking strategies the community organization uses to improve the measurable outcomes, including—

''(i) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; or

''(ii) a well-articulated plan to conduct, or partner with a research organization to conduct, rigorous evaluations to assess the effectiveness of initiatives addressing national or local challenges;

''(E) a description of how the community organization uses data to analyze and improve its initiatives;

''(F) specific evidence of how the community organization will meet the requirements for providing matching funds specified in subsection (k);

''(G) a description of how the community organization will sustain the replicated or expanded initiative after the conclusion of the subgrant period; and

''(H) any other information the eligible entity may require, including information necessary for the eligible entity to fulfill the requirements of subsection (g)(5).

''(k) MATCHING FUNDS FOR SUBGRANTS.—

''(1) IN GENERAL.—An eligible entity may not make a subgrant to a community organization under this section for an initiative described in subsection (j)(3)(A) unless the organization agrees that, with respect to the cost of carrying out that initiative, the organization will make available, on an annual basis, matching funds in an amount equal to not less than $1 for every $1 of funds provided under the subgrant. If the community organization fails to make such matching funds available for a fiscal year, the eligible entity shall not make payments for the remaining fiscal years of the subgrant period, notwithstanding any other provision of this part.

''(2) TYPES AND SOURCES.—The community organization shall provide the matching funds in cash. The community organization shall provide the matching funds from State, local, or private sources, which may include funds from State or local agencies or private sector funding.

''(l) DIRECT SUPPORT.—

''(1) PROGRAM AUTHORIZED.—The Corporation may use not more than 10 percent of the funds appropriated for this section to award grants to community organizations serving low-income communities or addressing a specific issue area in geographical areas that have the highest need in that issue area, to enable such community organizations to replicate or expand proven initiatives or support new initiatives.

''(2) TERMS AND CONDITIONS.—A grant awarded under this subsection shall be subject to the same terms and conditions as a subgrant awarded under subsection (j).

''(3) APPLICATION; MATCHING FUNDS.—Paragraphs (2) and (3) of subsection (j) and subsection (k) shall apply to a community organization receiving or applying for a grant under this subsection in the same manner as such subsections apply to a community organization receiving or applying for a subgrant under subsection (j), except that references to a subgrant shall mean a grant and references to an eligible entity shall mean the Corporation.

''(m) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—The Corporation may reserve not more than 5 percent of the funds appropriated for this section for a fiscal year to support, directly or through contract with an independent entity, research and evaluation activities to evaluate the eligible entities and community organizations receiving grants under subsections (d) and (l) and the initiatives supported by the grants.

''(2) RESEARCH AND EVALUATION ACTIVITIES.—

''(A) RESEARCH AND REPORTS.—

''(i) IN GENERAL.—The entity carrying out this subsection shall collect data and conduct or

support research with respect to the eligible entities and community organizations receiving grants under subsections (d) and (l), and the initiatives supported by such eligible entities and community organizations, to determine the success of the program carried out under this section in replicating, expanding, and supporting initiatives, including—

''(I) the success of the initiatives in improving measurable outcomes; and

''(II) the success of the program in increasing philanthropic investments in philanthropically underserved communities.

''(ii) REPORTS.—The Corporation shall submit periodic reports to the authorizing committees including—

''(I) the data collected and the results of the research under this subsection;

''(II) information on lessons learned about best practices from the activities carried out under this section, to improve those activities; and

''(III) a list of all eligible entities and community organizations receiving funds under this section.

''(iii) PUBLIC INFORMATION.—The Corporation shall annually post the list described in clause (ii)(III) on the Corporation's website.

''(B) TECHNICAL ASSISTANCE.—The Corporation shall, directly or through contract, provide technical assistance to the eligible entities and community organizations that receive grants under subsections (d) and (l).

''(C) KNOWLEDGE MANAGEMENT.—The Corporation shall, directly or through contract, maintain a clearinghouse for information on best practices resulting from initiatives supported by the eligible entities and community organizations.

''(D) RESERVATION.—Of the funds appropriated under section 501(a)(4)(E) for a fiscal year, not more than 5 percent may be used to carry out this subsection.''.

SEC. 1808. CLEARINGHOUSES.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSES; VOLUNTEER GENERATION FUND

''SEC. 198O. NATIONAL SERVICE PROGRAMS CLEARINGHOUSES.

''(a) IN GENERAL.—The Corporation shall provide assistance, by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish 1 or more clearinghouses for information regarding the national service laws, which shall include information on service-learning and on service through other programs receiving assistance under the national service laws.

''(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

''(1) assist entities carrying out State or local service-learning and national service programs with needs assessments and planning;

''(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws, except that such clearinghouse may not conduct such research and evaluations if the recipient of the grant, contract, or cooperative agreement establishing the clearinghouse under this section is receiving funds for such purpose under part III of subtitle B or under this subtitle (not including this section);

''(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

''(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

''(4) facilitate communication among—

''(A) entities carrying out service-learning programs and programs offered under the national service laws; and

''(B) participants in such programs;

''(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

''(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

''(7) disseminate applications in languages other than English;

''(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national service laws, components of such successful programs, innovative curricula related to service-learning, and service-learning projects; and

''(B) coordinate the activities of the clearinghouse with appropriate entities to avoid duplication of effort;

''(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

''(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

''(11) disseminate effective strategies for working with disadvantaged youth in national service programs, as determined by organizations with an established expertise in working with such youth; and

''(12) carry out such other activities as the Chief Executive Officer determines to be appropriate.

''SEC. 198P. VOLUNTEER GENERATION FUND.

''(a) GRANTS AUTHORIZED.—Subject to the availability of appropriations for this section, the Corporation may make grants to State Commissions and nonprofit organizations for the purpose of assisting the State Commissions and nonprofit organizations to—

''(1) develop and carry out volunteer programs described in subsection (c); and

''(2) make subgrants to support and create new local community-based entities that recruit, manage, or support volunteers as described in such subsection.

''(b) APPLICATION.—

''(1) IN GENERAL.—Each State Commission or nonprofit organization desiring a grant under this section shall submit an application to the Corporation at such time, in such manner, and accompanied by such information as the Corporation may reasonably require.

''(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall contain—

''(A)(i) a description of the program that the applicant will provide;

''(B) an assurance that the applicant will annually collect information on—

''(i) the number of volunteers recruited for activities carried out under this section, using funds received under this section, and the type and amount of activities carried out by such volunteers; and

''(ii) the number of volunteers managed or supported using funds received under this section, and the type and amount of activities carried out by such volunteers;

''(C) a description of the outcomes the applicant will use to annually measure and track performance with regard to—

''(i) activities carried out by volunteers; and

''(ii) volunteers recruited, managed, or supported; and

''(D) such additional assurances as the Corporation determines to be essential to ensure compliance with the requirements of this section.

''(c) ELIGIBLE VOLUNTEER PROGRAMS.—A State Commission or nonprofit organization receiving a grant under this section shall use the assistance—

''(1) directly to carry out volunteer programs or to develop and support community-based entities that recruit, manage, or support volunteers, by carrying out activities consistent with the goals of the subgrants described in paragraph (2); or

''(2) through subgrants to community-based entities to carry out volunteer programs or develop and support such entities that recruit, manage, or support volunteers, through 1 or more of the following types of subgrants:

''(A) A subgrant to a community-based entity for activities that are consistent with the priorities set by the State's national service plan as described in section 178(e), or by the Corporation.

''(B) A subgrant to recruit, manage, or support volunteers to a community-based entity such as a volunteer coordinating agency, a nonprofit resource center, a volunteer training clearinghouse, an institution of higher education, or a collaborative partnership of faith-based and community-based organizations.

''(C) A subgrant to a community-based entity that provides technical assistance and support to—

''(i) strengthen the capacity of local volunteer infrastructure organizations;

''(ii) address areas of national need (as defined in section 198B(a)); and

''(iii) expand the number of volunteers nationally.

''(d) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—Of the funds allocated by the Corporation for provision of assistance under this section for a fiscal year—

''(A) the Corporation shall use 50 percent of such funds to award grants, on a competitive basis, to State Commissions and nonprofit organizations for such fiscal year; and

''(B) the Corporation shall use 50 percent of such funds make an allotment to the State Commissions of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico based on the formula described in subsections (e) and (f) of section 129, subject to paragraph (2).

''(2) MINIMUM GRANT AMOUNT.—In order to ensure that each State Commission is able to improve efforts to recruit, manage, or support volunteers, the Corporation may determine a minimum grant amount for allotments under paragraph (1)(B).

''(e) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount of any grant provided under this section for a fiscal year may be used to pay for administrative costs incurred by either the recipient of the grant or any community-based entity receiving assistance or a subgrant under such grant.

''(f) MATCHING FUND REQUIREMENTS.—The Corporation share of the cost of carrying out a program that receives assistance under this section, whether the assistance is provided directly or as a subgrant from the original recipient of the assistance, may not exceed—

''(1) 80 percent of such cost for the first year in which the recipient receives such assistance;

''(2) 70 percent of such cost for the second year in which the recipient receives such assistance;

''(3) 60 percent of such cost for the third year in which the recipient receives such assistance; and

''(4) 50 percent of such cost for the fourth year in which the recipient receives such assistance and each year thereafter.''.

SEC. 1809. NONPROFIT CAPACITY BUILDING PROGRAM.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is amended by adding at the end the following:

''PART V—NONPROFIT CAPACITY BUILDING PROGRAM

''SEC. 198S. NONPROFIT CAPACITY BUILDING.

''(a) DEFINITIONS.—In this section:

''(1) INTERMEDIARY NONPROFIT GRANTEE.—The term 'intermediary nonprofit grantee' means an intermediary nonprofit organization that receives a grant under subsection (b).

''(2) INTERMEDIARY NONPROFIT ORGANIZATION.—The term 'intermediary nonprofit organization' means an experienced and capable nonprofit entity with meaningful prior experience in providing organizational development assistance, or capacity building assistance, focused on small and midsize nonprofit organizations.

''(3) NONPROFIT.—The term 'nonprofit', used with respect to an entity or organization, means—

''(A) an entity or organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

''(B) an entity or organization described in paragraph (1) or (2) of section 170(c) of such Code.

''(4) STATE.—The term 'State' means each of the several States, and the District of Columbia.

''(b) GRANTS.—The Corporation shall establish a Nonprofit Capacity Building Program to make grants to intermediary nonprofit organizations to serve as intermediary nonprofit grantees. The Corporation shall make the grants to enable the intermediary nonprofit grantees to pay for the Federal share of the cost of delivering organizational development assistance, including training on best practices, financial planning, grantwriting, and compliance with the applicable tax laws, for small and midsize nonprofit organizations, especially those nonprofit organizations facing resource hardship challenges. Each of the grantees shall match the grant funds by providing a non-Federal share as described in subsection (f).

''(c) AMOUNT.—To the extent practicable, the Corporation shall make such a grant to an intermediary nonprofit organization in each State, and shall make such grant in an amount of not less than $200,000.

''(d) APPLICATION.—To be eligible to receive a grant under this section, an intermediary nonprofit organization shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require. The intermediary nonprofit organization shall submit in the application information demonstrating that the organization has secured sufficient resources to meet the requirements of subsection (f).

''(e) PREFERENCE AND CONSIDERATIONS.—

''(1) PREFERENCE.—In making such grants, the Corporation shall give preference to intermediary nonprofit organizations seeking to become intermediary nonprofit grantees in areas where nonprofit organizations face significant resource hardship challenges.

''(2) CONSIDERATIONS.—In determining whether to make a grant the Corporation shall consider—

''(A) the number of small and midsize nonprofit organizations that will be served by the grant;

''(B) the degree to which the activities proposed to be provided through the grant will assist a wide number of nonprofit organizations within a State, relative to the proposed amount of the grant; and

''(C) the quality of the organizational development assistance to be delivered by the intermediary nonprofit grantee, including the qualifications of its administrators and representatives, and its record in providing services to small and midsize nonprofit organizations.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost as referenced in subsection (b) shall be 50 percent.

''(2) NON-FEDERAL SHARE.—

''(A) IN GENERAL.—The non-Federal share of the cost as referenced in subsection (b) shall be 50 percent and shall be provided in cash.

''(B) THIRD PARTY CONTRIBUTIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), an intermediary nonprofit grantee shall provide the non-Federal share of the cost through contributions from third parties. The third parties may include charitable grantmaking entities and grantmaking vehicles within existing organizations, entities of corporate philanthropy, corporations, individual donors, and regional, State, or local government agencies, or other non-Federal sources.

''(ii) EXCEPTION.—If the intermediary nonprofit grantee is a private foundation (as defined in section 509(a) of the Internal Revenue Code of 1986), a donor advised fund (as defined in section 4966(d)(2) of such Code), an organization which is described in section 4966(d)(4)(A)(i) of such Code, or an organization which is described in section 4966(d)(4)(B) of such Code, the grantee shall provide the non-Federal share from within that grantee's own funds.

''(iii) MAINTENANCE OF EFFORT, PRIOR YEAR THIRD-PARTY FUNDING LEVELS.—For purposes of maintaining private sector support levels for the activities specified by this program, a non-Federal share that includes donations by third parties shall be composed in a way that does not decrease prior levels of funding from the same third parties granted to the nonprofit intermediary grantee in the preceding year.

''(g) RESERVATION.—Of the amount authorized to provide financial assistance under this subtitle, there shall be made available to carry out this section $5,000,000 for each of fiscal years 2010 through 2014.''.

Subtitle I—Training and Technical Assistance

SEC. 1821. TRAINING AND TECHNICAL ASSISTANCE.

Title I is further amended by adding at the end the following new subtitle:

''Subtitle J—Training and Technical Assistance

''SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

''(a) IN GENERAL.—The Corporation shall, directly or through grants, contracts, or cooperative agreements (including through State Commissions), conduct appropriate training for and provide technical assistance to—

''(1) programs receiving assistance under the national service laws; and

''(2) entities (particularly entities in rural areas and underserved communities) that desire to—

''(A) carry out or establish national service programs; or

''(B) apply for assistance (including subgrants) under the national service laws.

''(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

''(1) providing technical assistance to entities applying to carry out national service programs or entities carrying out national service programs;

''(2) promoting leadership development in national service programs;

''(3) improving the instructional and programmatic quality of national service programs;

''(4) developing the management and budgetary skills of individuals operating or overseeing national service programs, including developing skills to increase the cost effectiveness of the programs under the national service laws;

''(5) providing for or improving the training provided to the participants in programs under the national service laws;

''(6) facilitating the education of individuals participating in national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

''(7) training individuals operating or overseeing national service programs—

''(A) in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner, which training results in high-quality service and the desire of participants and volunteers to continue to serve in other capacities after the program is completed;

''(B) in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the national service programs; or

''(C) to effectively accommodate individuals with disabilities to increase the participation of individuals with disabilities in national service programs, which training may utilize funding from the reservation of funds under section 129(k) to increase the participation of individuals with disabilities;

''(8) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation in national service programs, and to coordinate community-wide planning and service with respect to national service programs;

''(9) providing training and technical assistance for the National Senior Service Corps, including providing such training and technical assistance to programs receiving assistance under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001); and

''(10) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

''(c) PRIORITY.—In carrying out this section, the Corporation shall give priority to programs under the national service laws and entities eligible to establish such programs that seek training or technical assistance and that—

''(1) seek to carry out high-quality programs where the services are needed most;

''(2) seek to carry out high-quality programs where national service programs do not exist or where the programs are too limited to meet community needs;

''(3) seek to carry out high-quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

''(4) seek to assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.''.

Subtitle J—Repeal of Title III (Points of Light Foundation)

SEC. 1831. REPEAL.

(a) IN GENERAL.—Title III (42 U.S.C. 12661 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—Section 401 (42 U.S.C. 12671) is amended—

(1) in subsection (a), by striking ''term'' and all that follows through the period and inserting the following: ''term 'administrative organization' means a nonprofit private organization that enters into an agreement with the Corporation to carry out this section.''; and

(2) by striking ''Foundation'' each place it appears and inserting ''administrative organization''.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

SEC. 1841. AUTHORIZATION OF APPROPRIATIONS.

Section 501 (42 U.S.C. 12681) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) TITLE I.—

''(1) SUBTITLE B.—

''(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

''(i) $97,000,000 for fiscal year 2010; and

''(ii) such sums as may be necessary for each of fiscal years 2011 through 2014.

''(B) PART IV RESERVATION.—Of the amount appropriated under subparagraph (A) for a fiscal year, the Corporation may reserve such sums as may be necessary to carry out part IV of subtitle B of title I.

''(C) SECTION 118A.—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year,

not more than $7,000,000 shall be made available for awards to Campuses of Service under section 118A.

''(D) SECTION 119(C)(8).—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than $10,000,000 shall be made available for summer of service program grants under section 119(c)(8), and not more than $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards, consistent with section 119(c)(8).

''(E) SECTION 119(C)(9).—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than $20,000,000 shall be made available for youth engagement zone programs under section 119(c)(9).

''(F) GENERAL PROGRAMS.—Of the amount remaining after the application of subparagraphs (A) through (E) for a fiscal year—

''(i) not more than 60 percent shall be available to provide financial assistance under part I of subtitle B of title I;

''(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

''(iii) not less than 15 percent shall be available to provide financial assistance under part III of such subtitle.

''(2) SUBTITLES C AND D.—There are authorized to be appropriated, for each of fiscal years 2010 through 2014, such sums as may be necessary to provide financial assistance under subtitle C of title I and to provide national service educational awards under subtitle D of title I for the number of participants described in section 121(f)(1) for each such fiscal year.

''(3) SUBTITLE E.—

''(A) IN GENERAL.—There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under subtitle E of title I, such sums as may be necessary for each of fiscal years 2010 through 2014.

''(B) PRIORITY.—Notwithstanding any other provision of this Act, in obligating the amounts made available pursuant to the authorization of appropriations in this paragraph, priority shall be given to programs carrying out activities in areas for which the President has declared the existence of a major disaster, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), including a major disaster as a consequence of Hurricane Katrina or Rita.

''(4) SUBTITLE H.—

''(A) AUTHORIZATION.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2010 through 2014 to provide financial assistance under subtitle H of title I.

''(B) SECTION 198B.—Of the amount authorized under subparagraph (A) for a fiscal year, such sums as may be necessary shall be made available to provide financial assistance under section 198B and to provide national service educational awards under subtitle D of title I to the number of participants in national service positions established or increased as provided in section 198B(b)(3) for such year.

''(C) SECTION 198C.—Of the amount authorized under subparagraph (A) for a fiscal year, $12,000,000 shall be made available to provide financial assistance under section 198C.

''(D) SECTION 198H.—Of the amount authorized under subparagraph (A) for a fiscal year, such sums as may be necessary shall be made available to provide financial assistance under section 198H.

''(E) SECTION 198K.—Of the amount authorized under subparagraph (A), there shall be made available to carry out section 198K—

''(i) $50,000,000 for fiscal year 2010;

''(ii) $60,000,000 for fiscal year 2011;

''(iii) $70,000,000 for fiscal year 2012;

''(iv) $80,000,000 for fiscal year 2013; and

''(v) $100,000,000 for fiscal year 2014.

''(F) SECTION 198P.—Of the amount authorized under subparagraph (A), there shall be made available to carry out section 198P—

''(i) $50,000,000 for fiscal year 2010;

''(ii) $60,000,000 for fiscal year 2011;

''(iii) $70,000,000 for fiscal year 2012;

''(iv) $80,000,000 for fiscal year 2013; and

''(v) $100,000,000 for fiscal year 2014.

''(5) ADMINISTRATION.—

''(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act, including financial assistance under section 126(a), such sums as may be necessary for each of fiscal years 2010 through 2014.

''(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, a portion shall be made available to provide financial assistance under section 126(a).

''(6) EVALUATION, TRAINING, AND TECHNICAL ASSISTANCE.—Notwithstanding paragraphs (1), (2), and (4) and any other provision of law, of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve not more than 2.5 percent to carry out sections 112(e) and 179A and subtitle J, of which $1,000,000 shall be used by the Corporation to carry out section 179A. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which the amounts are reserved.'';

(2) by striking subsections (b) and (d); and

(3) by redesignating subsection (c) as subsection (b).

TITLE II—DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SEC. 2001. REFERENCES.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

SEC. 2002. VOLUNTEERISM POLICY.

Section 2 (42 U.S.C. 4950) is amended—

(1) in subsection (a), by striking ''both young'' and all that follows through the period and inserting ''individuals of all ages and backgrounds.''; and

(2) in subsection (b), by inserting after ''State, and local agencies'' the following: '', expand relationships with, and support for, the efforts of civic, community, and educational organizations,''.

Subtitle A—National Volunteer Antipoverty Programs

CHAPTER 1—VOLUNTEERS IN SERVICE TO AMERICA

SEC. 2101. STATEMENT OF PURPOSE.

Section 101 (42 U.S.C. 4951) is amended—

(1) in the second sentence, by striking ''exploit'' and all that follows through the period and inserting ''increase opportunities for self-advancement by persons affected by such problems.''; and

(2) in the third sentence, by striking ''at the local level'' and all that follows through the period and inserting ''at the local level, to support efforts by local agencies and community organizations to achieve long-term sustainability of projects, and to strengthen local agencies and community organizations to carry out the objectives of this part.''.

SEC. 2102. SELECTION AND ASSIGNMENT OF VOLUNTEERS.

Section 103 (42 U.S.C. 4953) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa,'';

(B) in paragraph (2), by striking ''handicapped individuals'' and all that follows through the semicolon and inserting ''individuals with disabilities, especially individuals with severe disabilities;'';

(C) in paragraph (3), by striking ''the jobless, the hungry,'' and inserting ''unemployed individuals,'';

(D) in paragraph (4), by striking ''prevention, education,'' and inserting ''through prevention, education, rehabilitation, treatment,'';

(E) in paragraph (5), by striking ''chronic and life-threatening illnesses'' and inserting ''mental illness, chronic and life-threatening illnesses,'';

(F) in paragraph (6)—

(i) by striking ''Headstart act'' and inserting ''Head Start Act''; and

(ii) by striking ''and'' after the semicolon at the end;

(G) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(H) by adding at the end the following:

''(8) in assisting with the reentry and reintegration of formerly incarcerated youth and adults into society, including providing training and counseling in education, employment, and life skills;

''(9) in developing and carrying out financial literacy, financial planning, budgeting, saving, and reputable credit accessibility programs in low-income communities, including those programs that educate individuals about financing home ownership and higher education;

''(10) in initiating and supporting before-school and after-school programs, serving children in low-income communities, that may engage participants in mentoring, tutoring, life skills and study skills programs, service-learning, physical, nutrition, and health education programs, and other activities addressing the needs of the children;

''(11) in establishing and supporting community economic development initiatives, with a priority on work on such initiatives in rural areas and the other areas where such initiatives are needed most;

''(12) in assisting veterans and their family members through establishing or augmenting programs that assist such persons with access to legal assistance, health care (including mental health care), employment counseling or training, education counseling or training, affordable housing, and other support services; and

''(13) in addressing the health and wellness of individuals in low-income communities and individuals in underserved communities, including programs to increase access to preventive services, insurance, and health services.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''recruitment and placement procedures'' and inserting ''placement procedures that involve sponsoring organizations and'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''Community Service Trust Act of 1993'' and all that follows through the period at the end of the fourth sentence and inserting ''Community Service Act of 1990.'';

(ii) in subparagraph (B), by striking ''central information system that shall, on request, promptly provide'' and inserting ''database that provides''; and

(iii) in subparagraph (C), in the second sentence, by inserting ''and management'' after ''the recruitment''; and

(C) in paragraph (5)(B), by striking ''information system'' and inserting ''database'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''the Internet and related technologies,'' before ''radio,'';

(ii) in subparagraph (B), by inserting ''Internet and related technologies,'' before ''print media,'';

(iii) in subparagraph (C), by inserting ''State or local offices of economic development, State employment security agencies, employment offices,'' before ''and other institutions''; and

(iv) in subparagraph (F), by striking ''Community Service Trust Act of 1993'' and inserting ''Community Service Act of 1990''; and

(B) by striking paragraph (4);

(4) in subsection (d), in the second sentence, by striking ''private industry council established under the Job Training Partnership Act or'';

(5) in subsection (g), in the first sentence, by striking '', and such'' and all that follows through the period and inserting a period; and

(6) by adding at the end the following:

''(i) The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this part.''.

SEC. 2103. SUPPORT SERVICE.

Section 105(a)(1)(B) (42 U.S.C. 4955(a)(1)(B)) is amended—

(1) by striking the first sentence and inserting the following: ''Such stipend shall be set at a rate that is not less than a minimum of $125 per month and not more than a maximum of $150 per month, subject to the availability of funds to provide such a maximum rate.''; and

(2) in the second sentence, by striking ''stipend of a maximum of $200 per month'' and inserting ''stipend set at a rate that is not more than a maximum of $250 per month''.

SEC. 2104. REPEAL.

Section 109 (42 U.S.C. 4959) is repealed.

SEC. 2105. REDESIGNATION.

Section 110 (42 U.S.C. 4960) is redesignated as section 109.

CHAPTER 2—UNIVERSITY YEAR FOR VISTA

SEC. 2121. UNIVERSITY YEAR FOR VISTA.

Part B of title I (42 U.S.C. 4971 et seq.) is repealed.

CHAPTER 3—SPECIAL VOLUNTEER PROGRAMS

SEC. 2131. STATEMENT OF PURPOSE.

Section 121 (42 U.S.C. 4991) is amended in the second sentence by striking ''situations'' and inserting ''organizations''.

SEC. 2132. LITERACY CHALLENGE GRANTS.

Section 124 (42 U.S.C. 4995) is repealed.

Subtitle B—National Senior Service Corps

SEC. 2141. TITLE.

Title II (42 U.S.C. 5000 et seq.) is amended by striking the title heading and inserting the following:

''TITLE II—NATIONAL SENIOR SERVICE CORPS''.

SEC. 2142. STATEMENT OF PURPOSE.

Section 200 (42 U.S.C. 5000) is amended to read as follows:

''SEC. 200. STATEMENT OF PURPOSE.

''It is the purpose of this title to provide—

''(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

''(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs, to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

''(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

''(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need; and

''(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide support services and companionship to other older individuals through volunteer service.''.

SEC. 2143. RETIRED AND SENIOR VOLUNTEER PROGRAM.

Section 201 (42 U.S.C. 5001(a)) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''avail'' and all that follows through ''community,'' and inserting ''share their experiences, abilities, and skills to improve their communities and themselves through service in their communities,'';

(B) in paragraph (2), by striking '', and individuals 60 years of age or older will be given priority for enrollment,''; and

(C) in paragraph (4)—

(i) by striking ''established and will be carried out'' and inserting ''designed and implemented''; and

(ii) by striking ''field of service'' and all that follows through the period at the end and inserting ''field of service to be provided, as well as persons who have expertise in the management of volunteers and the needs of older individuals.''; and

(2) by adding at the end the following:

''(e)(1) Beginning with fiscal year 2013 and for each fiscal year thereafter, each grant or contract awarded under this section, for such a year, shall be—

''(A) awarded for a period of 3 years, with an option for a grant renewal of 3 years if the grantee meets the performances measures established under subsection (g); and

''(B) awarded through a competitive process described in paragraph (2).

''(2)(A) The Corporation shall promulgate regulations establishing the competitive process required under paragraph (1)(B), and make such regulations available to the public, not later than 18 months after the date of the enactment of the Serve America Act. The Corporation shall consult with the directors of programs receiving grants under this section during the development and implementation of the competitive process.

''(B) The competitive process required by subparagraph (A) shall—

''(i) include the use of a peer review panel, including members with expertise in senior service and aging, to review applications;

''(ii) include site inspections of programs assisted under this section, as appropriate;

''(iii) in the case of an applicant who has previously received a grant or contract for a program under this section, include an evaluation of the program conducted by a review team, as described in subsection (f);

''(iv) ensure that—

''(I) the grants or contracts awarded under this section through the competitive process for a grant or contract cycle support an aggregate number of volunteer service years for a given geographic service area that is not less than the aggregate number of volunteer service years supported under this section for such service area for the previous grant or contract cycle;

''(II) the grants or contracts awarded under this section through the competitive process for a grant or contract cycle maintain a similar program distribution, as compared to the program distribution for the previous grant or contract cycle; and

''(III) every effort is made to minimize the disruption to volunteers; and

''(v) include the use of performance measures, outcomes, and other criteria established under subsection (g).

''(f)(1) Notwithstanding section 412, and effective beginning 180 days after the date of enactment of the Serve America Act, each grant or contract under this section that expires in fiscal year 2011, 2012, or 2013 shall be subject to an evaluation process conducted by a review team described in paragraph (4). The evaluation process shall be carried out, to the maximum extent practicable, in fiscal year 2010, 2011, and 2012, respectively.

''(2) The Corporation shall promulgate regulations establishing the evaluation process required under paragraph (1), and make such regulations available to the public, not later than 18 months after the date of enactment of the Serve America Act. The Corporation shall consult with the directors of programs receiving grants under this section during the development and implementation of the evaluation process.

''(3) The evaluation process required under paragraph (1) shall—

''(A) include performance measures, outcomes, and other criteria established under subsection (g); and

''(B) evaluate the extent to which the recipient of the grant or contract meets or exceeds such performance measures, outcomes, and other criteria through a review of the recipient.

''(4) To the maximum extent practicable, the Corporation shall provide that each evaluation required by this subsection is conducted by a review team that—

''(A) includes individuals who are knowledgeable about programs assisted under this section;

''(B) includes current or former employees of the Corporation who are knowledgeable about programs assisted under this section;

''(C) includes representatives of communities served by volunteers of programs assisted under this section; and

''(D) shall receive periodic training to ensure quality and consistency across evaluations.

''(5) The findings of an evaluation described in this subsection of a program described in paragraph (1) shall—

''(A) be presented to the recipient of the grant or contract for such program in a timely, transparent, and uniform manner that conveys information of program strengths and weaknesses and assists with program improvement; and

''(B) be used as the basis for program improvement, and for the provision of training and technical assistance.

''(g)(1) The Corporation shall, with particular attention to the different needs of rural and urban programs assisted under this section, develop performance measures, outcomes, and other criteria for programs assisted under this section that—

''(A) include an assessment of the strengths and areas in need of improvement of a program assisted under this section;

''(B) include an assessment of whether such program has adequately addressed population and community-wide needs;

''(C) include an assessment of the efforts of such program to collaborate with other community-based organizations, units of government, and entities providing services to seniors, taking into account barriers to such collaboration that such program may encounter;

''(D) include a protocol for fiscal management that shall be used to assess such program's compliance with the program requirements for the appropriate use of Federal funds;

''(E) include an assessment of whether the program is in conformity with the eligibility, outreach, enrollment, and other requirements for programs assisted under this section; and

''(F) contain other measures of performance developed by the Corporation, in consultation with the review teams described in subsection (f)(4).

''(2)(A) The performance measures, outcomes, and other criteria established under this subsection may be updated or modified as necessary, in consultation with directors of programs under this section, but not earlier than fiscal year 2014.

''(B) For each fiscal year preceding fiscal year 2014, the Corporation may, after consulting with directors of the programs under this section, determine that a performance measure, outcome, or criterion established under this subsection is operationally problematic, and may, in consultation with such directors and after notifying the authorizing committees—

''(i) eliminate the use of that performance measure, outcome or criterion; or

''(ii) modify that performance measure, outcome, or criterion as necessary to render it no longer operationally problematic.

''(3) In the event that a program does not meet one or more of the performance measures, outcome, or criteria established under this subsection, the Corporation shall initiate procedures to terminate the program in accordance with section 412.

''(h) The Chief Executive Officer shall develop procedures by which programs assisted under this section may receive training and technical assistance, which may include regular monitoring visits to assist programs in meeting the performance measures, outcomes, and criteria.

''(i)(1) Notwithstanding subsection (g)(3) or section 412, the Corporation shall continue to fund a program assisted under this section that has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection for not more than 12 months if the competitive process established under subsection (e) does not result in a successor grant or contract for such program, in order to minimize the disruption to volunteers and the disruption of services.

''(2) In the case where a program is continued under paragraph (1), the Corporation shall conduct outreach regarding the availability of a grant under this section for the area served by such program and establish a new competition for awarding the successor program to the continued program. The recipient operating the continued program shall remain eligible for the new competition.

''(3) The Corporation may monitor the recipient of a grant or contract supporting a program continued under paragraph (1) during this period and may provide training and technical assistance to assist such recipient in meeting the performance measures for such program.

''(j) The Corporation shall develop and disseminate an online resource guide for programs under this section not later than 180 days after the date of enactment of the Serve America Act, which shall include—

''(1) examples of high-performing programs assisted under this section;

''(2) corrective actions for underperforming programs; and

''(3) examples of meaningful outcome-based performance measures, outcomes, and criteria that capture a program's mission and priorities.''.

SEC. 2144. FOSTER GRANDPARENT PROGRAM.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking ''aged sixty'' and inserting ''age 55''; and

(ii) by striking ''children having exceptional needs'' and inserting ''children having special or exceptional needs or circumstances identified as limiting their academic, social, or emotional development''; and

(B) in the second sentence—

(i) by striking ''any of a variety of''; and

(ii) by striking ''children with special or exceptional needs'' and inserting ''children having special or exceptional needs or circumstances identified as limiting their academic, social, or emotional development'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''shall have'' and all that follows through ''(2) of the subsection'' and inserting ''may determine'';

(ii) in subparagraph (A), by striking ''and'' after the semicolon at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(C) whether it is in the best interest of the child receiving, and the particular foster grandparent providing, services in such a project, to continue the relationship between the child and the grandparent under this part after the child reaches the age of 21, if such child is an individual with a disability who was receiving such services prior to attaining the age of 21.''; and

(B) by striking paragraph (2) and inserting the following:

''(2) If an assignment of a foster grandparent under this part is suspended or discontinued, the replacement of that foster grandparent shall be determined in a manner consistent with paragraph (3).'';

(3) in subsection (d), by striking ''$2.45 per hour'' and all that follows through ''five cents, except'' and inserting ''$3.00 per hour, except'';

(4) in subsection (e)—

(A) in paragraph (1), by striking ''125 per centum'' and inserting ''200 percent''; and

(B) in paragraph (2), by striking ''per centum'' and inserting ''percent''; and

(5) in subsection (f)(1)—

(A) in subparagraph (A), by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraph (B)''; and

(B) by striking subparagraph (C).

SEC. 2145. SENIOR COMPANION PROGRAM.

Section 213(a) (42 U.S.C. 5013(a)) is amended by striking ''aged 60 or over'' and inserting ''age 55 or older''.

SEC. 2146. GENERAL PROVISIONS.

(a) PROMOTION OF NATIONAL SENIOR SERVICE CORPS.—Section 221 (42 U.S.C. 5021) is amended—

(1) in the section heading, by striking ''VOLUNTEER'' and inserting ''SERVICE''; and

(2) in subsection (b)(2), by striking ''participation of volunteers'' and inserting ''participation of volunteers of all ages and backgrounds, living in urban or rural communities''.

(b) MINORITY POPULATION PARTICIPATION.—Section 223 (42 U.S.C. 5023) is amended—

(1) in the section heading, by striking ''GROUP'' and inserting ''POPULATION''; and

(2) by striking ''sixty years and older from minority groups'' and inserting ''age 55 years or older from minority populations''.

(c) USE OF LOCALLY GENERATED CONTRIBUTIONS IN NATIONAL SENIOR SERVICE CORPS.—Section 224 (42 U.S.C. 5024) is amended—

(1) in the section heading, by striking ''VOLUNTEER'' and inserting ''SERVICE''; and

(2) by striking ''Volunteer Corps'' and inserting ''Service Corps''.

(d) NATIONAL PROBLEMS OF LOCAL CONCERN.—Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''(10), (12), (15), and (16)'' and inserting ''(9), (11), and (14)''; and

(ii) in subparagraph (C), by striking ''(10)'' and inserting ''(9)'';

(B) by amending paragraph (2) to read as follows:

''(2) An applicant for a grant under paragraph (1) shall determine whether the program to be supported by the grant is a program under part A, B, or C, and shall submit an application as required for such program.''; and

(C) by adding at the end the following:

''(4) To the maximum extent practicable, the Director shall ensure that not less than 25 percent of the funds appropriated under this section are used to award grants—

''(A) to applicants for grants under this section that are not receiving assistance from the Corporation at the time of such grant award; or

''(B) to applicants from locations where no programs supported under part A, B, or C are in effect at the time of such grant award.

''(5) Notwithstanding paragraph (4), if, for a fiscal year, less than 25 percent of the applicants for grants under this section are applicants described in paragraph (4), the Director may use an amount that is greater than 75 percent of the funds appropriated under this subsection to award grants to applicants that are already receiving assistance from the Corporation at the time of such grant award.'';

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''through education, prevention, treatment, and rehabilitation'' before the period at the end;

(B) by striking paragraph (4) and inserting the following:

''(4) Programs that establish and support mentoring programs for low-income youth, including mentoring programs that match such youth with mentors and match such youth with employment and training programs, including apprenticeship programs.'';

(C) in paragraph (5), by inserting '', including literacy programs that serve youth, and adults, with limited English proficiency'' before the period at the end;

(D) by striking paragraphs (6) and (7) and inserting the following:

''(6) Programs that provide respite care, including care for elderly individuals and for children and individuals with disabilities or chronic illnesses who are living at home.

''(7) Programs that provide before-school and after-school activities, serving children in low-income communities, that may engage participants in mentoring relationships, tutoring, life skills, and study skills programs, service-learning, physical, nutrition, and health education programs, and other activities addressing the needs of the children in the communities, including children of working parents.'';

(E) by striking paragraph (8);

(F) by redesignating paragraphs (9) through (15) as paragraphs (8) through (14), respectively;

(G) in paragraph (10) (as redesignated by subparagraph (F))—

(i) by striking ''educationally disadvantaged children'' and inserting ''students''; and

(ii) by striking ''the basic skills of such children'' and inserting ''the academic achievement of such students'';

(H) by striking paragraph (11) (as redesignated by subparagraph (F)) and inserting the following:

''(11) Programs that engage older individuals with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community, including service relating to conducting energy audits, insulating homes, or conducting other activities to promote energy efficiency.'';

(I) by striking paragraph (14) (as redesignated by subparagraph (F)) and inserting the following:

''(14) Programs in which the grant recipients involved collaborate with criminal justice professionals and organizations in order to provide prevention programs that serve low-income youth or youth reentering society after incarceration and their families, which prevention programs may include mentoring, counseling, or employment counseling.'';

(J) by striking paragraph (16); and

(K) by redesignating paragraphs (17) and (18) as paragraphs (15) and (16), respectively;

(3) in subsection (c)(1), by inserting ''and that such applicant has expertise applicable to implementing the proposed program for which the applicant is requesting the grant'' before the period at the end; and

(4) in subsection (e), by inserting ''widely'' after ''shall''.

(e) ACCEPTANCE OF DONATIONS.—Part D of title II (42 U.S.C. 5021 et seq.) is amended by adding at the end the following:

''SEC. 228. ACCEPTANCE OF DONATIONS.

''(a) IN GENERAL.—Except as provided in subsection (b), an entity receiving assistance under this title may accept donations, including donations in cash or in kind fairly evaluated, including plant, equipment, or services.

''(b) EXCEPTION.—An entity receiving assistance under this title to carry out an activity shall not accept donations from the beneficiaries of the activity.''.

Subtitle C—Administration and Coordination

SEC. 2151. SPECIAL LIMITATIONS.

Section 404(a) (42 U.S.C. 5044(a)) is amended by inserting ''or other volunteers (not including

participants under this Act and the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.)),'' after ''employed workers'' both places such term appears.

SEC. 2152. APPLICATION OF FEDERAL LAW.

Section 415 (42 U.S.C. 5055) is amended—

(1) in subsection (c), by inserting ''(as such part was in effect on the day before the date of enactment of the Serve America Act)'' after ''part B''; and

(2) in subsection (e), by inserting ''(as such part was in effect on the day before the date of enactment of the Serve America Act)'' after ''A, B''.

SEC. 2153. EVALUATION.

Section 416 (42 U.S.C. 5056) is amended—

(1) in subsection (a), in the first sentence, by striking ''(including'' and all that follows through ''3 years)''; and

(2) in subsection (f)(3), by striking ''Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees''.

SEC. 2154. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) in paragraph (2), by inserting '', the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa'';

(2) by striking paragraph (7);

(3) in paragraph (13), by striking ''Volunteer Corps'' and inserting ''Service Corps'';

(4) in paragraph (14), by striking ''Volunteer Corps'' and inserting ''Service Corps'';

(5) by redesignating paragraphs (8) through (20) as paragraphs (7) through (19), respectively;

(6) in paragraph (18) (as redesignated by paragraph (5)), by striking ''and'' after the semicolon at the end;

(7) in paragraph (19) (as redesignated by paragraph (5)), by striking the period at the end and inserting ''; and''; and

(8) by adding at the end the following:

''(20) the term 'authorizing committees' means the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.''.

SEC. 2155. PROTECTION AGAINST IMPROPER USE.

Section 425 (42 U.S.C. 5065) is amended, in the matter following paragraph (2), by striking ''Volunteer Corps'' and inserting ''Service Corps''.

SEC. 2156. PROVISIONS UNDER THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Title IV (42 U.S.C. 5043 et seq.) is amended by adding at the end the following:

''SEC. 426. PROVISIONS UNDER THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

''The Corporation shall carry out this Act in accordance with the provisions of this Act and the relevant provisions of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.), particularly the provisions of section 122 and subtitle F of title I of the National and Community Service Act of 1990 (42 U.S.C. 12572, 12631 et seq.) relating to the national service laws.''.

Subtitle D—Authorization of Appropriations

SEC. 2161. AUTHORIZATIONS OF APPROPRIATIONS.

(a) NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.—Section 501 (42 U.S.C. 5081) is amended—

(1) in subsection (a)—

(A) by striking paragraphs (1) through (4) and inserting the following:

''(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out part A of title I $100,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(2) SPECIAL VOLUNTEER PROGRAMS.—There are authorized to be appropriated to carry out part C of title I such sums as may be necessary for each of fiscal years 2010 through 2014.''; and

(B) by redesignating paragraph (5) as paragraph (3);

(2) in subsection (c), by striking ''part B or C'' and inserting ''part C''; and

(3) by striking subsection (e).

(b) NATIONAL SENIOR SERVICE CORPS.—Section 502 (42 U.S.C. 5082) is amended to read as follows:

''SEC. 502. NATIONAL SENIOR SERVICE CORPS.

''(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $70,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $55,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, such sums as may be necessary for each of the fiscal years 2010 through 2014.''.

(c) ADMINISTRATION AND COORDINATION.—Section 504 (42 U.S.C. 5084) is amended—

(1) in subsection (a), by striking ''fiscal years 1994 through 1996'' and inserting ''fiscal years 2010 through 2014''; and

(2) in subsection (b), by striking ''fiscal years 1994 through 1996'' and inserting ''fiscal years 2010 through 2014''.

TITLE III—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

SEC. 3101. TABLE OF CONTENTS OF THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Section 1(b) of the National and Community Service Act of 1990 is amended to read as follows:

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

''Sec. 1. Short title and table of contents.
''Sec. 2. Findings and purpose.

''TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

''Subtitle A—General Provisions

''Sec. 101. Definitions.
''Sec. 102. Authority to make State grants.

''Subtitle B—School-Based and Community-Based Service-Learning Programs

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS

''Sec. 111. Purpose.
''Sec. 111A. Definitions.
''Sec. 112. Assistance to States, territories, and Indian tribes.
''Sec. 112A. Allotments.
''Sec. 113. Applications.
''Sec. 114. Consideration of applications.
''Sec. 115. Participation of students and teachers from private schools.
''Sec. 116. Federal, State, and local contributions.
''Sec. 117. Limitations on uses of funds.

''PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

''Sec. 118. Higher education innovative programs for community service.
''Sec. 118A. Campuses of Service.

''PART III—INNOVATIVE AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS AND RESEARCH

''Sec. 119. Innovative and community-based service-learning programs and research.

''PART IV—SERVICE-LEARNING IMPACT STUDY

''Sec. 120. Study and report.

''Subtitle C—National Service Trust Program

''PART I—INVESTMENT IN NATIONAL SERVICE

''Sec. 121. Authority to provide assistance and approved national service positions.
''Sec. 122. National service programs eligible for program assistance.
''Sec. 123. Types of national service positions eligible for approval for national service educational awards.
''Sec. 124. Types of program assistance.
''Sec. 126. Other special assistance.

''PART II—APPLICATION AND APPROVAL PROCESS

''Sec. 129. Provision of assistance and approved national service positions.
''Sec. 129A. Educational awards only program.
''Sec. 130. Application for assistance and approved national service positions.
''Sec. 131. National service program assistance requirements.
''Sec. 132. Ineligible service categories.
''Sec. 132A. Prohibited activities and ineligible organizations.
''Sec. 133. Consideration of applications.

''PART III—NATIONAL SERVICE PARTICIPANTS

''Sec. 137. Description of participants.
''Sec. 138. Selection of national service participants.
''Sec. 139. Terms of service.
''Sec. 140. Living allowances for national service participants.
''Sec. 141. National service educational awards.

''Subtitle D—National Service Trust and Provision of Educational Awards

''Sec. 145. Establishment of the National Service Trust.
''Sec. 146. Individuals eligible to receive an educational award from the Trust.
''Sec. 146A. Certifications of successful completion of terms of service.
''Sec. 147. Determination of the amount of the educational award.
''Sec. 148. Disbursement of educational awards.
''Sec. 149. Approval process for approved positions.

''Subtitle E—National Civilian Community Corps

''Sec. 151. Purpose.
''Sec. 152. Establishment of National Civilian Community Corps Program.
''Sec. 153. National service program.
''Sec. 154. Summer national service program.
''Sec. 155. National Civilian Community Corps.
''Sec. 156. Training.
''Sec. 157. Service projects.
''Sec. 158. Authorized benefits for Corps members.
''Sec. 159. Administrative provisions.
''Sec. 160. Status of Corps members and Corps personnel under Federal law.
''Sec. 161. Contract and grant authority.
''Sec. 162. Responsibilities of Department of Defense.
''Sec. 163. Advisory board.
''Sec. 164. Evaluations.
''Sec. 165. Definitions.

''Subtitle F—Administrative Provisions

''Sec. 171. Family and medical leave.
''Sec. 172. Reports.
''Sec. 173. Supplementation.
''Sec. 174. Prohibition on use of funds.
''Sec. 175. Nondiscrimination.
''Sec. 176. Notice, hearing, and grievance procedures.
''Sec. 177. Nonduplication and nondisplacement.
''Sec. 178. State Commissions on National and Community Service.
''Sec. 179. Evaluation.
''Sec. 179A. Civic Health Assessment and volunteering research and evaluation.
''Sec. 180. Engagement of participants.
''Sec. 181. Contingent extension.
''Sec. 182. Partnerships with schools.
''Sec. 183. Rights of access, examination, and copying.

''Sec. 184. Drug-free workplace requirements.
''Sec. 184A. Availability of assistance.
''Sec. 185. Consolidated application and reporting requirements.
''Sec. 186. Sustainability.
''Sec. 187. Grant periods.
''Sec. 188. Generation of volunteers.
''Sec. 189. Limitation on program grant costs.
''Sec. 189A. Matching requirements for severely economically distressed communities.
''Sec. 189B. Audits and reports.
''Sec. 189C. Restrictions on Federal Government and uses of Federal funds.
''Sec. 189D. Criminal history checks.
''Subtitle G—Corporation for National and Community Service
''Sec. 191. Corporation for National and Community Service.
''Sec. 192. Board of Directors.
''Sec. 192A. Authorities and duties of the Board of Directors.
''Sec. 193. Chief Executive Officer.
''Sec. 193A. Authorities and duties of the Chief Executive Officer.
''Sec. 194. Officers.
''Sec. 195. Employees, consultants, and other personnel.
''Sec. 196. Administration.
''Sec. 196A. Corporation State offices.
''Sec. 196B. Assignment to State Commissions.
''Sec. 196C. Study of involvement of veterans.
''Subtitle H—Investment for Quality and Innovation
''PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE
''Sec. 198. Additional corporation activities to support national service.
''Sec. 198A. Presidential awards for service.
''Sec. 198B. ServeAmerica Fellowships.
''Sec. 198C. Silver Scholarships and Encore Fellowships.
''PART II—NATIONAL SERVICE RESERVE CORPS
''Sec. 198H. National Service Reserve Corps.
''PART III—SOCIAL INNOVATION FUNDS PILOT PROGRAM
''Sec. 198K. Funds.
''PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSES; VOLUNTEER GENERATION FUND
''Sec. 198O. National service programs clearinghouses.
''Sec. 198P. Volunteer generation fund.
''''PART V—NONPROFIT CAPACITY BUILDING PROGRAM
''''Sec. 198S. Nonprofit capacity building.
''Subtitle I—American Conservation and Youth Corps
''Sec. 199. Short title.
''Sec. 199A. General authority.
''Sec. 199B. Limitation on purchase of capital equipment.
''Sec. 199C. State application.
''Sec. 199D. Focus of programs.
''Sec. 199E. Related programs.
''Sec. 199F. Public lands or Indian lands.
''Sec. 199G. Training and education services.
''Sec. 199H. Preference for certain projects.
''Sec. 199I. Age and citizenship criteria for enrollment.
''Sec. 199J. Use of volunteers.
''Sec. 199K. Living allowance.
''Sec. 199L. Joint programs.
''Sec. 199M. Federal and State employee status.
''Subtitle J—Training and Technical Assistance
''Sec. 199N. Training and technical assistance.
''TITLE II—MODIFICATIONS OF EXISTING PROGRAMS
''Subtitle A—Publication
''Sec. 201. Information for students.
''Sec. 202. Exit counseling for borrowers.
''Sec. 203. Department information on deferments and cancellations.
''Sec. 204. Data on deferments and cancellations.
''Subtitle B—Youthbuild Projects
''Sec. 211. Youthbuild projects.
''Subtitle C—Amendments to Student Literacy Corps
''Sec. 221. Amendments to Student Literacy Corps.
''TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS
''Sec. 401. Projects.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. Authorization of appropriations.
''TITLE VI—MISCELLANEOUS PROVISIONS
''Sec. 601. Amtrak waste disposal.
''Sec. 602. Exchange program with countries in transition from totalitarianism to democracy.''.

SEC. 3102. TABLE OF CONTENTS OF THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973.

Section 1(b) of the Domestic Volunteer Service Act of 1973 is amended to read as follows:

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

''Sec. 1. Short title; table of contents.
''Sec. 2. Volunteerism policy.
''TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS
''PART A—VOLUNTEERS IN SERVICE TO AMERICA
''Sec. 101. Statement of purpose.
''Sec. 102. Authority to operate VISTA program.
''Sec. 103. Selection and assignment of volunteers.
''Sec. 104. Terms and periods of service.
''Sec. 105. Support service.
''Sec. 106. Participation of beneficiaries.
''Sec. 107. Participation of younger and older persons.
''Sec. 108. Limitation.
''Sec. 109. Applications for assistance.
''PART C—SPECIAL VOLUNTEER PROGRAMS
''Sec. 121. Statement of purpose.
''Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
''Sec. 123. Technical and financial assistance.
''TITLE II—NATIONAL SENIOR SERVICE CORPS
''Sec. 200. Statement of purpose.
''PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM
''Sec. 201. Grants and contracts for volunteer service projects.
''PART B—FOSTER GRANDPARENT PROGRAM
''Sec. 211. Grants and contracts for volunteer service projects.
''PART C—SENIOR COMPANION PROGRAM
''Sec. 213. Grants and contracts for volunteer service projects.
''PART D—GENERAL PROVISIONS
''Sec. 221. Promotion of National Senior Service Corps.
''Sec. 222. Payments.
''Sec. 223. Minority population participation.
''Sec. 224. Use of locally generated contributions in National Senior Service Corps.
''Sec. 225. Programs of national significance.
''Sec. 226. Adjustments to Federal financial assistance.
''Sec. 227. Multiyear grants or contracts.
''Sec. 228. Acceptance of donations.
''PART E—DEMONSTRATION PROGRAMS
''Sec. 231. Authority of Director.
''TITLE IV—ADMINISTRATION AND COORDINATION
''Sec. 403. Political activities.
''Sec. 404. Special limitations.
''Sec. 406. Labor standards.
''Sec. 408. Joint funding.
''Sec. 409. Prohibition of Federal control.
''Sec. 410. Coordination with other programs.
''Sec. 411. Prohibition.
''Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.
''Sec. 414. Distribution of benefits between rural and urban areas.
''Sec. 415. Application of Federal law.
''Sec. 416. Evaluation.
''Sec. 417. Nondiscrimination provisions.
''Sec. 418. Eligibility for other benefits.
''Sec. 419. Legal expenses.
''Sec. 421. Definitions.
''Sec. 422. Audit.
''Sec. 423. Reduction of paperwork.
''Sec. 424. Review of project renewals.
''Sec. 425. Protection against improper use.
''Sec. 426. Provisions under the National and Community Service Act of 1990.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. National volunteer antipoverty programs.
''Sec. 502. National Senior Service Corps.
''Sec. 504. Administration and coordination.
''Sec. 505. Availability of appropriations.
''TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS
''Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.
''Sec. 602. Creditable service for civil service retirement.
''Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
''Sec. 604. Repeal of title VI of the Older Americans Act.''.

TITLE IV—AMENDMENTS TO OTHER LAWS

SEC. 4101. INSPECTOR GENERAL ACT OF 1978.

Section 8F(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''National and Community Service Trust Act of 1993'' and inserting ''National and Community Service Act of 1990''.

TITLE V—VOLUNTEERS FOR PROSPERITY PROGRAM

SEC. 5101. FINDINGS.

Congress makes the following findings:

(1) Americans engaged in international volunteer service, and the organizations deploying them—

(A) play critical roles in responding to the needs of people living throughout the developing world; and

(B) advance the international public diplomacy of the United States.

(2) The Volunteers for Prosperity Program has successfully promoted international volunteer service by skilled American professionals.

(3) In its first 4 years, the VfP Program helped to mobilize 74,000 skilled Americans, including doctors, nurses, engineers, businesspeople, and teachers, through a network of 250 nonprofit organizations and companies in the United States, to carry out development and humanitarian efforts for those affected by great global challenges in health, the environment, poverty, illiteracy, financial literacy, disaster relief, and other challenges.

(4) The VfP Program has undertaken activities, including—

(A) direct outreach to leading nonprofit organizations and companies in the United States;

(B) promotion of the work of skilled Americans and nonprofit organizations and companies in the United States as it relates to international volunteer service;

(C) public recognition of skilled American volunteers;

(D) support for organizations that utilize skilled Americans as volunteers;

(E) participation in the development of special initiatives to further opportunities for skilled Americans; and

(F) leadership of an innovative public-private partnership to provide eligible skilled with financial assistance for volunteer assignments.

SEC. 5102. DEFINITIONS.

In this title:

(1) VFP OFFICE.—The term ''VfP Office'' means the Office of Volunteers for Prosperity of the United States Agency for International Development.

(2) VFP PROGRAM.—The term ''VfP Program'' means the Volunteers for Prosperity Program established through Executive Order 13317.

(3) VFPSERVE.—The term ''VfPServe'' means a program established by the VfP Office, in cooperation with the USA Freedom Corps, to provide eligible skilled professionals with fixed amount stipends to offset the travel and living costs of volunteering abroad.

SEC. 5103. OFFICE OF VOLUNTEERS FOR PROSPERITY.

(a) FUNCTIONS.—The VfP Office shall pursue the objectives of the VfP Program described in subsection (b) by—

(1) implementing the VfPServe Program to provide eligible skilled professionals with matching grants to offset the travel and living expenses of volunteering abroad with nonprofit organizations;

(2) otherwise promoting short- and long-term international volunteer service by skilled American professionals, including connecting such professionals with nonprofit organizations, to achieve such objectives;

(3) helping nonprofit organizations in the United States recruit and effectively manage additional skilled American professionals for volunteer assignments throughout the developing world;

(4) providing recognition for skilled American volunteers and the organizations deploying them;

(5) helping nonprofit organizations and corporations in the United States to identify resources and opportunities in international volunteer service utilizing skilled Americans;

(6) encouraging the establishment of international volunteer programs for employees of United States corporations; and

(7) encouraging international voluntary service by highly skilled Americans to promote health and prosperity throughout the world.

(b) VFP PROGRAM OBJECTIVES.—The objectives of the VfP Program should include—

(1) eliminating extreme poverty;

(2) reducing world hunger and malnutrition;

(3) increasing access to safe potable water;

(4) enacting universal education;

(5) reducing child mortality and childhood diseases;

(6) combating the spread of preventable diseases, including HIV, malaria, and tuberculosis;

(7) providing educational and work skill support for girls and empowering women to achieve independence;

(8) creating sustainable business and entrepreneurial opportunities; and

(9) increasing access to information technology.

(c) VOLUNTEERS FOR PROSPERITY SERVICE INCENTIVE PROGRAM.—

(1) IN GENERAL.—The VfP Office may provide matching grants to offset the travel and living costs of volunteering abroad to any eligible organization that—

(A) has members who possess skills relevant to addressing any objective described in subsection (b); and

(B) provides a dollar-for-dollar match for such grant—

(i) through the organization with which the individual is serving; or

(ii) by raising private funds.

(2) NONDISCRIMINATION REQUIREMENT.—The VfP Office may not provide a stipend to an individual under paragraph (1) unless the nonprofit organization to which the individual is assigned has certified to the VfP Office that it does not discriminate with respect to any project or activity receiving Federal financial assistance, including a stipend under this title, because of race, religion, color, national origin, sex, political affiliation, or beliefs.

(3) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service carried out by a volunteer receiving funds under this section may not provide a direct benefit to any—

(A) business organized for profit;

(B) labor union;

(C) partisan political organization; or

(D) religious or faith-based organization for the purpose of proselytization, worship or any other explicitly religious activity.

(d) FUNDING.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development shall make available the amounts appropriated pursuant to section 5104 to the VfP Office to pursue the objectives described in subsection (b) by carrying out the functions described in subsection (a).

(2) USE OF FUNDS.—Amounts made available under paragraph (1) may be used by the VfP Office to provide personnel and other resources to develop, manage, and expand the VfP Program, under the supervision of the United States Agency for International Development.

(e) COORDINATION.—The VfP Office shall coordinate its efforts with other public and private efforts that aim to send skilled professionals to serve in developing nations.

(f) REPORT.—The VfP Office shall submit an annual report to Congress on the activities of the VfP Office.

SEC. 5104. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title $10,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

(b) ALLOCATION OF FUNDS.—Not more than 10 percent of the amounts appropriated pursuant to subsection (a) may be expended for the administrative costs of the United States Agency for International Development to manage the VfP Program.

TITLE VI—EFFECTIVE DATE

SEC. 6101. EFFECTIVE DATE.

(a) IN GENERAL.—This Act, and the amendments made by this Act, take effect on October 1, 2009.

(b) REGULATIONS.—Effective on the date of enactment of this Act, the Chief Executive Officer of the Corporation for National and Community Service may issue such regulations as may be necessary to carry out this Act and the amendments made by this Act.

SEC. 6102. SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds the following:

(1) President John F. Kennedy said, ''The raising of extraordinarily large sums of money, given voluntarily and freely by millions of our fellow Americans, is a unique American tradition . . . Philanthropy, charity, giving voluntarily and freely . . . call it what you like, but it is truly a jewel of an American tradition''.

(2) Americans gave more than $300,000,000,000 to charitable causes in 2007, an amount equal to roughly 2 percent of the gross domestic product.

(3) The vast majority of those donations, roughly 75 percent or $229,000,000,000, came from individuals.

(4) Studies have shown that Americans give far more to charity than the people of any other industrialized nation—more than twice as much, measured as a share of gross domestic product, than the citizens of Great Britain, and 10 times more than the citizens of France.

(5) 7 out of 10 American households donate to charities to support a wide range of religious, educational, cultural, health care, and environmental goals.

(6) These charities provide innumerable valuable public services to society's most vulnerable citizens during difficult economic times.

(7) Congress has provided incentives through the Internal Revenue Code of 1986 to encourage charitable giving by allowing individuals to deduct contributions made to tax-exempt charities.

(8) 41,000,000 American households, constituting 86 percent of taxpayers who itemize deductions, took advantage of this deduction to give to the charities of their choice.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should preserve the income tax deduction for charitable contributions through the Internal Revenue Code of 1986 and look for additional ways to encourage charitable giving.

Amend the title so as to read: ''Entitled The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws''.

MOTION OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

The text of the motion is as follows:

Mr. GEORGE MILLER of California moves to concur in the Senate amendments.

The SPEAKER pro tempore. Pursuant to House Resolution 296, the motion shall be debatable for 1 hour equally divided and controlled by the Chair and ranking member of the Committee on Education and Labor.

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the matter under consideration.

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

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, we are here today to vote on a bill that proudly bears the name of a champion and true advocate of national service. The bill is aptly named the Edward M. Kennedy Serve America Act, and will provide the most significant expansion of national service since Senator KENNEDY's brother, President John F. Kennedy, issued his call to serve almost 50 years ago.

This bipartisan legislation is needed now more than ever. It will give Americans of all ages, from middle school students through retirement, the chance to be part of the solution to our greatest challenges—health care, education, and energy—and help us emerge from this crisis stronger.

It will put Americans to work in their communities—in classrooms and churches and homeless shelters, and beyond. It will help Americans engage in projects that matter—feeding the hungry, helping seniors live independently, cleaning up trails and building bridges, and providing for the infrastructure of this country and our public lands.

History has shown that in times of crisis, Americans turn to service and

volunteering for healing, for rebuilding, and for hope. The spirit of generosity in the American people is one of the greatest assets of our Nation. We see this every single day.

In the past week, North and South Dakota have been in a state of emergency, with communities facing severe flooding as the snow melts. As they have in so many other times of disaster, Americans showed up to help.

Officials estimate that there are tens of thousands of volunteers who have already been on the ground for days, lining the shores of the river with over 1.5 million sandbags to help stop the flooding. In Fargo, a city with a population of 90,000, 80,000 volunteers showed up to help.

They've driven through treacherous conditions from Minnesota, Michigan, Illinois, and beyond, ready to serve and ready to help. Today, we are acting to help them.

This bill recognizes that service is an American value. It builds upon what Americans are already doing in their communities and across the country.

We all know the urgency of this crisis—workers are losing their jobs, families are losing their income, our public infrastructure is crumbling. Communities are losing revenues and vital services.

Our public needs are growing while our resources for meeting them are disappearing. This bill will help meet some of those very urgent needs. President Obama has recognized this. He has made national service a top priority, in part because he knows it can help meet his three key priorities: Health care, energy, and education. He has asked us to usher in a new era of service, to launch a 21st century generation of volunteers and to structure a new economy for the future and sustainable growth.

He knows that volunteers play many roles. They can teach in our classrooms, they can green our communities and our schools, they can rebuild and weatherize our homes, help the uninsured find treatment in health clinics, and more. All the while, they learn valuable skills that will help them in schools and jobs throughout their lives.

Just 2 weeks ago on the steps of the Capitol I was lucky enough to meet retired Army Captain Scott Quilty, who proudly served our country in Iraq. He told us that the Service had saved his life twice—the first while in Iraq when he suffered an explosion and lost his right arm and right leg. His fellow soldiers carried him to safety and saved his life.

The second time was during his recovery at a military medical center where he relearned how to walk and how to continue on with his life. As he says, his body was shattered but his eagerness to serve remained unshaken.

Service is Captain Scott Quilty. Service is the volunteers in North Dakota and South Dakota. Service is the Americans who volunteered after 9/11, after Katrina, after Rita, and the fires and the earthquakes and the floods of California.

It is the church groups, the retired, the college students, and displaced workers all coming together to respond to the need in this country, no matter what their personal plight is. Service is giving without looking back. It's the American community. It dots our entire landscape. The Edward M. Kennedy Serve America Act is just what this country needs at this pivotal moment in our history.

Just like any volunteer who can't do it alone, this bill could not have happened without the tireless efforts of our staff. With that, I would like to thank Denise Forte, Alex Ceja, Sarah Dyson, Stephanie Moore, Kim Zarish-Becknell, Margaret Young, Adrienne Dunbar, Fred Jones, Rachel Racuhson, Melissa Salmanowitz, and Jessica Kahawneck, and all the people from Mr. MCKEON's staff. I want to thank Amy Jones, Susan Ross, Rob Borden, and James Berjeron.

I also want to thank Mr. MCKEON for all of his support as the senior Republican on this committee. This has been an effort that we've worked on over the last couple of years in a bipartisan fashion.

I would also like to thank Frank Trinity, the General Counsel at the Corporation for National Service, and the staff of Senator KENNEDY, Senator HATCH, and Senator ENZI.

I am so proud that this bill has already received overwhelming bipartisan support in this Chamber and in the Senate. It's because we all recognize that it isn't a Republican or Democratic issue, it's not a black or white or gray or blue or red issue. It's an American issue. I urge my colleagues to stand with me on the right side of history and support this legislation.

The Edward M. Kennedy Serve America Act establishes four new corps, including the Clean Energy Corps, to address key needs in low-income communities. The goal of the Clean Energy Corps is to encourage energy efficiency and conservation through activities such as building energy-efficient housing units in low-income communities; providing clean energy-related services designed to meet the needs of rural communities; and working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment.

The Clean Energy Corps also builds upon Congress' commitment to supporting America's National Parks. The bill allows for projects carried out in partnership with the National Park Service and supports projects to renew and rehabilitate national parks, like the Presidio Trust in San Francisco. Presidio is a former military base that is now a national park and has long been a site for public and community service. The Serve America Act recognizes that national parks, like the Presidio Trust, provide opportunities to not only inspire individuals through community service, but also to preserve natural treasures.

I reserve the balance of my time.

Mr. MCKEON. I rise in support of H.R. 1388, and yield myself such time as I may consume.

Mr. Speaker, this bill is largely the same as the GIVE Act, a bipartisan bill that this Chamber passed overwhelmingly 2 weeks ago. The other Chamber took up our version of the bill and made a few minor changes, including some that significantly improved the bill.

I would like to address a few of the key Republican provisions that were in the House bill and still remain in this bill. Additionally, I will discuss those improvements made by the Senate.

First, this bill still encourages the spirit of volunteerism—that great American trait—by updating decades-old national service programs for the 21st century. We know that national service programs can work. In fact, in the last 3 years, more than 4 million service hours have been spent helping gulf coast communities recover and rebuild after Hurricanes Katrina and Rita. That's 4 million hours of service made possible by the organizations and the individuals who choose to participate in national service.

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But we also know these programs can be made stronger. The House bill started us down the road by ensuring that taxpayer dollars are being used effectively and efficiently. This is important, because national service programs are an investment in America's future.

By design, the service and giving by individuals and organizations over time will be worth much more than the cost of the bill today. However, despite the great returns on this investment, the system must be held accountable, and it will be through regular evaluations and audits.

Another Republican priority reflected in this legislation is the creation of a new Veterans' Corps. This new corps gives former soldiers, sailors, airmen, and marines a chance to serve this Nation once again, and it gives us a chance to serve them.

Of course, Republicans are directly responsible for many of the most critical parts of this legislation before us today. Last week, we offered a motion to recommit to amend this bill. We did it in such a way that would ensure taxpayer dollars would not be used for activities that we and many Americans find objectionable. We won that vote, and as we negotiated with the other chamber we insisted that the heart of these safeguards remain in place. Because of those negotiations, I can say that no Federal money will be used to perform or promote abortions; no money will go to for-profit companies, campaigns, or lobbyists; no money will be used to support voter registration drives; and, no national service participants will replace employed workers or private volunteers working on a particular project.

The Senate also strengthened the motion to recommit from the 110th Congress through an amendment offered by Senator RICHARD BURR. That

motion required criminal background checks for participants in the national service programs. Senator BURR's proposal strengthened this provision by requiring mandatory FBI fingerprinting for certain national service participants.

The MTR approved by the House also prohibited recipients of funding under this act from co-locating with organizations that engage in prohibited activities. This was a thoughtful and well-intentioned provision intended to ensure that organizations that would otherwise be ineligible for funding would not be able to set up dummy nonprofits in order to apply for funding.

Unfortunately, that provision would have had harmful, unintended consequences on small charities and faith-based organizations that rely on larger, unaffiliated entities for office space. Our intent was not to discriminate against small nonprofits, faith-based organizations, or charities. That is why we have revised the language to ensure that funding will never be used for the objectionable activities we have identified; but, at the same time, smaller and faith-based organizations will not be cut out of these programs simply because of where their offices are located.

Finally, the other chamber included one more change. It added a sense of Congress that calls on us to preserve the income tax deduction for charitable contributions. The national service programs depend upon substantial support from the private sector in order to work.

On top of that, if we are trying to inspire a spirit of volunteerism beyond this bill, we must provide incentives for corporations to keep up their charitable giving in these tough economic times.

Mr. Speaker, I support this bill because Americans who step forward and say ''I want to help'' should be given the opportunity to do so. This bill is largely the same as the bill this chamber overwhelmingly supported a few weeks ago. Republican ideas have been adopted in this legislation in both the House and the Senate, and the bill, H.R. 1388, is stronger because of it.

I thank Chairman MILLER for working together on this and making this a good bill we can all be proud of.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Iowa (Mr. LOEBSACK), a member of the committee.

Mr. LOEBSACK. Mr. Speaker, as my colleagues all know, Iowa experienced severe flooding last June. From the day we heard the floodwaters were coming, AmeriCorps, VISTA and thousands of volunteers were there.

I know firsthand the importance of volunteers, which is why I believe this legislation is so important. I am especially glad that the bill maintained my amendment for the Volunteer Generation Fund, which builds capacity and access for millions of new volunteers and will likely leverage billions of dollars in volunteer services to some of the country's neediest citizens.

I especially want to thank Chairman MILLER, Subcommittee Chairwoman MCCARTHY, Ranking Member MCKEON, and Subcommittee Ranking Member PLATTS, and their staffs, for their work on this legislation. I also want to thank in particular Senator KENNEDY and his staff for their work with me on the Volunteer Generation Fund.

I urge my colleagues to support this important legislation.

Mr. MCKEON. Mr. Speaker, I yield to the subcommittee ranking member on the Healthy Families and Communities Subcommittee, the gentleman from Pennsylvania (Mr. PLATTS), such time as he may consume.

Mr. PLATTS. Mr. Speaker, I thank the gentleman for yielding.

I am pleased to rise in support of H.R. 1388, the Edward M. Kennedy Serve America Act, previously known as the Generations Invigorating Volunteering and Education Act, the GIVE Act.

This legislation strengthens and reauthorizes our Nation's national community service programs. I am not only pleased with the bipartisan work that took place to craft this bill, and I certainly want to recognize our full committee chairman, Chairman MILLER, and Ranking Member MCKEON, along with their staffs, and my subcommittee chairwoman, Congresswoman MCCARTHY from New York for her efforts as well, but I am also pleased with the work of our colleagues in the Senate, working with the House Members and negotiating for a very strong final product. It is because of this collective effort, this collaborative effort that we have such a good piece of legislation before us.

I believe this bill makes commonsense improvements to our Nation's national service programs. Not only does it provide increased flexibility for the States, but it also increases accountability and efficiency within the administration of the programs. It also reduces barriers for small and faith-based organizations to participate in these programs.

H.R. 1388 strengthens existing community and national service programs by providing year-round service opportunities for students and elderly alike and further encourages volunteer involvement by disadvantaged youth. This legislation also expands eligibility requirements for senior serving programs, such as foster grandparents, and the senior companion program, ensuring that individuals with an interest in serving have options available to them.

Finally, I am pleased that the legislation reorganizes AmeriCorps activities into several different corps focusing on national areas of need, such as education, health care, clean energy, and veterans.

I believe that the amendments made by the Senate further strengthen this legislation. A provision that was included on behalf of Senator RICHARD BURR would require the FBI to conduct criminal backgrounds checks for grant applicants that work with children, the elderly, or disabled individuals. In addition, the bill now includes a sense of the Senate that Congress should preserve the full income tax deduction for charitable contributions and seeks out additional ways to encourage charitable giving.

The recent floods in Fargo, North Dakota, and Moorhead, Minnesota, have further showcased the importance of AmeriCorps and NCCC volunteers. Over the weekend, 21 such volunteers were deployed through the American Red Cross and have been working to support area shelters. In addition, all Fargo Senior Corps staff and volunteers have been assisting with flood response efforts. In Moorhead, 10 NCCC members are scheduled to arrive this Thursday to help with recovery efforts there.

I am proud to have been part of this effort to strengthen national service programs and ensure that participants can continue to aid disadvantaged and needy populations.

Mr. Speaker, I hope that all of our colleagues will join us in supporting this legislation, the Edward M. Kennedy Serve America Act.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the Speaker, and I thank Mr. MILLER and his committee.

I think it is important to note that this Congress and the leadership of this government has allegedly or in numbers been only in office less than 4 months. And the good that has been done is one that should be recognized.

Alongside of the stimulus package now, as we move forward to frame how taxpayer dollars we spend to help Americans are moving forward in the appropriations process to restore hard-working Americans, now we come to address the passion and the love of America.

I want to thank Mr. MILLER. I would like to thank our good friend on the Senate side, Mr. KENNEDY, my good friend CAROLYN MCCARTHY from New York, and I want to thank them for allowing me to contribute language that allows the outreach to be broad and widespread throughout our historically and Hispanic-serving institutions of higher learning.

I was just a few days ago in an elementary class, and I was talking about what the government does. I was speaking on behalf of Teach for America. It is great fun. I love the work that our teachers do, and I was so honored for them to allow me just a small amount of time to teach those beautiful kids. We should pay tribute to our teachers.

But when I asked the question, how many of them would like to work for their country, serve their country,

clean up, help people who are suffering in the Dakotas, suffering from floods, or help the Katrina victims or Hurricane Ike victims, or be able to help, God forbid, in some tragic incident facing America, and those children raised their hands. That is what America is about.

So I rise to support this legislation, H.R. 1388, that will help improve or expand AmeriCorps, Learn and Serve America, VISTA, National Civilian Community Corps and Senior Corps. It will give the opportunity for green jobs. It will have America feeling good about herself because we will be out serving and improving the conservation of energy and environmental protection.

I am also very pleased that language was added in the Senate to give the opportunity to youngsters in foster care. I have worked for them. I used to be the cochair of foster care in Harris County along with a former Member of Congress, my good friend, Mike Andrews. And our job was to bolster up foster care parents and to be able to give them comfort in the care of young foster care children. Now, again, we add status to them by allowing them to further participate along with those who have disabilities.

This is a critical step for America. Every year more than 70,000 Americans participate in the AmeriCorps program alone, which provides relief to cities during national disasters and reinvigorates communities.

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

Mr. GEORGE MILLER of California. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON-LEE of Texas. I thank the gentleman.

Over 50 million American volunteers build homes, organize food drives, and improve schools through national service programs. The GIVE Act will broaden the opportunities for students and activists.

Mr. Speaker, Mr. MILLER, this is a great day for America. It only gives them the infrastructure of what they have been crying out to do, the very question we raised with the past administration: Where there is benefit, there must be sacrifice, there must be burden. And we now have an opportunity, no matter who we are, what our capabilities, what our intellect, what our physical capabilities are, to give back to America. This is a good thing that is happening in this country, a good thing that is happening today. I rise to support H.R. 1388.

Mr. Speaker, I rise today in strong support of H.R. 1388, the "Generations of Invigorating Volunteerism and Education Act or the 'GIVE Act'." I would like to thank my colleague Congresswoman MCCARTHY for introducing this important legislation, as well as the Chairman of the Committee on Education and Labor, Congressman GEORGE MILLER, for his leadership in bringing this bill to the floor today.

Mr. Speaker, this legislation will expand the already highly successful volunteer programs that empower community activists and improve the education and economic conditions of cities throughout the United States. It supports and increases funding for key community services programs, including AmeriCorps, Learn and Serve America, VISTA, National Civilian Community Corps, and Senior Corps.

The GIVE Act creates opportunities for green jobs that will contribute to energy conservation and environmental protection. It will create critical educational opportunities for disadvantaged youth and will create incentives for students to improve their communities.

Every year, more than 70,000 Americans participate in the AmeriCorps program alone, which provides relief to cities during natural disasters and reinvigorates communities. Over 50 million American volunteers build homes, organize food-drives, and improve schools through national service programs. The GIVE Act will broaden the opportunities for students and activists to participate in national service via education rewards that keep up with soaring costs of universities and Summer Service programs. After Ike and Katrina, thousands of local students worked to help rebuild communities and provide necessary services to distressed families. The GIVE Act is the critical lynchpin in sustaining this civic activism.

The Senate Amendments to the GIVE Act would expand opportunities for youth in foster care; and allow for more participation for persons with disabilities. The GIVE Act will provide job opportunities for Volunteers in Service to America, or VISTA, to re-integrate youth into society, increase literacy in communities through teaching opportunities in before and after-school programs, and to provide health and social services to low-income communities. VISTA is a critical step toward poverty alleviation, and the GIVE Act will equip it with the resources to fulfill its obligations.

The Senate's additions would require the Corporation for National and Community Service, to enter into a contract with an entity that is not a recipient of Learn and Serve funding to conduct a 10-year longitudinal study on the impact of the service-learning activities. The entity would submit a final report to the Corporation containing the results of the study and information on best practices. The Corporation would submit the report to the authorizing committees, and would make the report available to the public on the Corporation's Web site. This provides greater transparency and accountability in the administration of these important programs.

I am pleased to see that the GIVE Act will create 4 new service opportunities including a Clean Energy Corps, an Education Corps, a Healthy Futures Corps, and a Veteran Service Corps. These volunteer opportunities will further improve environmental protection, healthcare access, and services for veterans. These new service corps will address critical concerns in low-income communities. I am very happy that the revised legislation aids veterans in their pursuit of education and professional opportunities, and help veterans with the claims process, and assist rural, disabled, and unemployed veterans with transportation needs. Moreover, the GIVE Act will recognize colleges and universities that are strongly engaged in service through grants and rewards that will in turn improve educational access in the United States.

I am pleased to see the Retention of my Language from the 110th Congress that gives special consideration to historically Black colleges and universities, Hispanic-serving institutions, Tribal universities, and colleges serving predominantly minority populations.

The GIVE Act will create a Campuses of Service Program that will encourage and assist students in pursuing public service careers. It will also focus on recruiting scientists and engineers to keep America competitive for years to come. The Act will expand the Senior Corps as a way to keep Older Americans including seniors engaged in public service, and will create a Youth Engagement Zone to increase the number of young students in volunteer services.

Moreover, it expands the focus of The National Civilian Community Corps to include disaster relief efforts and infrastructure improvement to allow quicker and more effective responses to disasters like Katrina and Ike that devastated numerous communities in the United States. Finally, the GIVE Act will launch a nation-wide Call to Service Campaign that encourages all Americans to engage in national service and to recognize September 11th as a National Day of Service and Remembrance.

I am honored to cosponsor this legislation that will add service before self to America's future leaders. I urge my colleagues to join me in supporting this legislation.

Mr. MCKEON. Mr. Speaker, I yield myself the balance of my time.

Dedicating one's time to helping others is an American trait, and a great one at that. As we said the last time this bill was before us, H.R. 1388 helps people who would like to contribute their time to help others. When these individuals see a problem or injustice, they don't look away, they step forward and say, "I want to help."

As their representatives, we should help these people participate in the national service programs as well, and that is why I am voting for this bill. Once again, I want to thank Chairman MILLER and Chairwoman MCCARTHY for ensuring such an open, bipartisan process in crafting this legislation. I would also like to recognize senior Republican PLATTS of the subcommittee and Representative HOEKSTRA for their leadership. Finally, I want to recognize the hardworking staff on both sides of the aisle.

□ 1415

In particular I would like to thank Amy Jones, Mandy Schaumburg and Susan Ross on my staff for their efforts.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my chairman for yielding.

I would like to congratulate our leadership, both of our chairmen and our senior Republican member on both sides and the staffs on both sides and Mrs. MCCARTHY as well and Mr. PLATTS for their diligent work on this bill. I'm pleased to rise in support of the bill.

The glue that holds our country together is the voluntary efforts of quiet but determined Americans who do the important work of our community and our society. As we meet here this afternoon, there is a senior citizen volunteering to teach a child how to read. There is a high school student who is working in an eldercare facility, perhaps reading books to a senior who cannot see. There are people out cleaning parks. There are people out teaching people a new job skill. There are those who are working with our most at-risk youth to prevent them from self-destructive behavior and instead turning them toward behavior that realizes their full potential. We are fortunate in our country that although we have professionals who perform those services on a paid basis and do so very, very well, but the efforts of those paid individuals are more than supplemented by gifts of time and effort from Americans who volunteer.

The wisdom of this bill is it takes a relatively modest amount of money and leverages countless hours of volunteer service and millions of acts of contributions to our community. The reach of this legislation will go far beyond the pages on which it is written. It will touch the lives of those who are often forgotten about, most vulnerable and most in need of help in our communities. But more important, it will enrich the lives of those who are doing the volunteer work. There are few things in life more satisfying than doing a good job for someone because it is the right thing to do. And I think that this bill will create such an experience for a countless number of Americans.

Finally, this is a means of extending educational opportunity to many Americans who today presently do not have it. It is a commonsense solution that in exchange for doing valuable work for one's own community today, one can earn valuable credit toward paying for one's higher education tomorrow.

Our country's future hinges upon our ability to compete in the global economy. That future is impacted so positively by this bill because of the lives that will be touched by volunteerism and the lives that will be enriched by further education.

I again would like to thank our leadership in both parties. We look forward to the President's prompt signature on this bill. I urge a ''yes'' vote.

Mr. GEORGE MILLER of California. I yield myself the remainder of my time.

I want to again thank all of those who participated in the drafting, the support, the writing and the negotiations for this act.

As my colleagues have said on both sides of the aisle, this is a very important piece of legislation. It is about American values. It is about the spirit of this country. It is about our communities. And it is going to provide, with the expansion that is provided for in this legislation and supported by this administration, it is going to provide a continuum of opportunities to volunteer, to participate in community activities, to support our communities and to help those in need in so many different situations. It is going to provide them that opportunity from middle school all the way to retirement and after retirement where we are encouraging the alumni, people who participated in AmeriCorps in the past and now have picked up a lifetime of skills, talents and experience that they can, once again, turn back into service for America.

It is going to provide an opportunity for young people to not only help those in our communities but to be able to explore the career opportunities in clean energy, in green jobs, in health care, in teaching, in mentoring and social services and all of the various occupations that are available in our community where additional assistance and volunteerism has been a tradition but also needs to be expanded.

So we think this is a very rich expansion of the American values, of the volunteer system in the country. It is as old as the country, and it is as new as the future, as occupations change and opportunities change within our economy. I want to thank Carolyn McCarthy for her leadership in offering this legislation and to all of those who have supported it.

Finally, I just once again would like to say how proud I am that this legislation is named for EDWARD KENNEDY, Senator KENNEDY, not only Senator KENNEDY but a family name that screams out ''service'' across this country, across generations, for the benefit, so many times over and over again, of the citizens of America.

I'm very proud to have participated in the legislative shepherding of this legislation. And I hope that all of our colleagues will join us on both sides of the aisle in support of this legislation.

Mr. GRIJALVA. Mr. Speaker, I rise today to honor Cesar E. Chavez. I have the honor of representing the district where he was born and where he gave his final breath.

I am proud to say I was influenced by the work of Cesar E. Chavez, a man who believed that one should not rest on his laurels. Cesar is best known for co-founding the United Farm Workers union; however, that recognition is just one part of what he accomplished in his lifetime.

Cesar inspired a generation to believe in the impossible (¡Si Se Puede!), to work toward justice and to never stop fighting for the voiceless.

Cesar also influenced, and continues to influence, future generations. He challenged all of us to care, advocate and organize.

It is fitting that today, on what would have been Cesar's 82nd birthday, we passed and sent the GIVE Act to the President, a bill that encourages volunteering and investment in one's community and country.

To pass the GIVE Act is to continue Cesar's vision and inspiration of service to one's community, commitment to a better future for all and leaving this country better than how we inherited it.

Mr. Speaker, I encourage my colleagues and constituents to follow in the footsteps of Cesar E. Chavez and his commitment to service, helping others and selflessness in every day actions. ¡Si se puede!

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I wish to provide further remarks on the Senate Amendments to H.R. 1388, the Generations Invigorating Volunteerism and Education, GIVE, Act. While I support the goal of the underlying legislation, to provide voluntary service opportunities for Americans to give back to their communities, I oppose the Senate's removal of important taxpayer protections which were intentionally included by the House of Representatives.

The Motion to Recommit, which I supported on March 18, 2009 and which passed the House by a vote of 318 to 105, prohibited taxpayer funds being funneled through programs authorized in this legislation to organizations that have been indicted for voter fraud. Additionally, organizations that provide or promote abortion services, including referral for such services or any organizations that co-locate with such organizations would be ineligible to receive funds through this legislation.

Unfortunately, the Senate removed these protections. If this bill were to be signed into law as it is written today, taxpayer dollars could be used to fund organizations like the Association of Community Organizations for Reform Now, ACORN, which has a record of carrying out unethical practices aimed at undermining the legitimacy of democratic elections in our nation.

For these reasons, I oppose the passage of this legislation.

Mrs. BACHMANN. Mr. Speaker, I rise today in opposition to the Senate Amendments to H.R. 1388, the GIVE Act. I cannot vote for a bill that authorizes millions of dollars to programs which the Office of Management and Budget deems as "Not Performing: Results Not Demonstrated" and "Not Performing: Ineffective." But I would like to recognize some of the positive programs that are caught up in this bad mix, especially the Foster Grandparent Program and mentoring programs for foster youth.

The Foster Grandparent Program provides a great service to children who may not have a cohesive family to provide them with reliable mentors. The participants in this program give their time to mentor, tutor, and share experiences with children who need a positive adult figure in their life.

I commend Senator MARY LANDRIEU for drawing attention to a worthy program to mentor foster youth with her amendment. As with the Foster Grandparent Program, it is essential for young people to have a consistent outlet and source of advice in their life.

My husband and I were foster parents for 23 troubled teens. These programs provide a great service to children who may not otherwise have a consistent guide in their lives. I would be amiss to not acknowledge the positive, effective programs included in this bill. Regrettably, the good is far outweighed by the bad and I must oppose this misguided legislation.

Mr. GEORGE MILLER of California. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CUMMINGS). All time for debate has expired.

Pursuant to House Resolution 296, the previous question is ordered.

The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. 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, this 15-minute vote on concurring in the Senate amendments to H.R. 1388 will be followed by 5-minute votes on suspending the rules and passing H.R. 577 and H.R. 1253.

The vote was taken by electronic device, and there were—yeas 275, nays 149, not voting 8, as follows:

[Roll No. 169]

YEAS—275

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Buchanan
Butterfield
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NY)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
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 (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—149

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

NOT VOTING—8

Hare
Hensarling
Israel
Lewis (GA)
Miller, Gary
Moran (VA)
Pascrell
Westmoreland

□ 1448

Messrs. HALL of Texas, YOUNG of Florida, BILIRAKIS, and Ms. GINNY BROWN-WAITE of Florida changed their vote from "yea" to "nay."

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.

Stated for:

Mr. MORAN of Virginia. Mr. Speaker, on rollcall No. 169, I was inadvertently delayed from making the vote. Had I been present, I would have voted "yea."

Mr. LEWIS of Georgia. Mr. Speaker, on rollcall No. 169, had I been present, I would have voted "yea."

VISION CARE FOR KIDS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 577, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 577, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 17, not voting 10, as follows:

[Roll No. 170]

YEAS—404

Abercrombie
Ackerman
Aderholt
Adler (NJ)
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
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
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
Fleming
Forbes
Fortenberry
Foster
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
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
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 (NY)
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
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Rothman (NJ)
Roybal-Allard
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)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—17

Akin
Broun (GA)
Campbell
Chaffetz
Flake
Foxx
Inglis
King (IA)
Kingston
Lummis
McClintock
Paul
Poe (TX)
Royce
Sensenbrenner
Shadegg
Stearns

NOT VOTING—10

Hare
Hensarling
Marchant
Miller, Gary
Obey
Pascrell
Pitts
Ross
Tiahrt
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain.

□ 1455

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. TIAHRT. Mr. Speaker, on rollcall No. 170, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. HARE. Mr. Speaker, today March 31, 2009, I was unavoidably detained in a Water Resources Subcommittee meeting. Had I been present, I would have voted as follows: On rollcall No. 169, On Motion To Concur in the Senate Amendments to the Generations Invigorating Volunteerism and Education (GIVE) Act, I would have voted "yea;" on rollcall No. 170, On Motion to Suspend the Rules and Pass, as Amended the Vision Care for Kids Act of 2009, I would have voted "yea."

HEALTH INSURANCE RESTRICTIONS AND LIMITATIONS CLARIFICATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1253, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1253.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 3, not voting 6, as follows:

[Roll No. 171]

YEAS—422

Abercrombie
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
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
Cooper
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
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
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)
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
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
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
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
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—3

Broun (GA) Kagen Paul

NOT VOTING—6

Hensarling Miller, Gary Rush
Hinojosa Pascrell Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in the vote.

□ 1504

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

AUTHORIZING USE OF CAPITOL ROTUNDA FOR HOLOCAUST COMMEMORATION

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 54) permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 54

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

SECTION 1. USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

The Rotunda of the Capitol is authorized to be used on April 23, 2009, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this concurrent resolution provides for the use of the Capitol Rotunda on April 23, 2009, as part of the commemoration to honor the memory of the victims of the Holocaust. I support the resolution and thank the gentleman from California (Mr. WAXMAN) for sponsoring it.

Mr. Speaker, the Holocaust is one of the most shameful and horrifying events of human history. It is imperative that we honor the memory of those who died so senselessly and provide them their due recognition.

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 54, which would, as the chairman has said, authorize use of the Capitol Rotunda on April 23, 2009, for a ceremony as a part of the commemoration of the Days of Remembrance of victims of the Holocaust.

For descendants of the approximately 6 million Jews who were killed during the Holocaust, the atrocities that their loved ones suffered at the hands of Nazi Germany are with them each day. As a Nation, it's important that all Americans take the time to reflect upon the effects of the horrors inflicted during the Holocaust, one of the darkest days or hours of our humanity. Those who would seek to destroy an entire people based on their religious heritage committed the most heinous acts imaginable upon their brethren. By remembering the victims of these unspeakable acts, we ensure that the flame of life that the forces of evil tried so hard to extinguish will never be forgotten and that we shall never allow this to happen again.

Mr. Speaker, at this time I would like to mention that there is a wonderful statue in our Rotunda of a great American, his name is Dwight D. Eisenhower. He's remembered as President of the United States. He was also the Supreme Allied Commander of all of those allied troops in Europe.

When his troops and he came upon the reality of the Holocaust, when they came upon the concentration camps, then-General Eisenhower commanded that his troops take pictures, see the evidence, gather the proof. He required that German residents, German citizens of the surrounding communities, be brought forward and have to see what had taken place; and then he required those individuals to actually be part of the burial committees that buried the bodies of those who had been destroyed.

When asked why he did this, President Eisenhower, then-General Eisenhower, said, ''I do this to gather this evidence, to get this proof, to get these photos, because some day in the future, some''—and I will use the initials—''some silly SOB will claim this never happened.''

There are some who claim this never happened. Because a remarkable man with tremendous foresight, General Eisenhower, later President Eisenhower, because he required that proof be made, those perpetrators of that fallacy cannot be successful.

In order to make this time of reflection an official event shared by all Americans, Congress established the Days of Remembrance as our Nation's annual commemoration of the victims of the Holocaust and created the United States Holocaust Memorial Museum as a permanent living memorial to these victims. Since 1982, the Holocaust Museum has organized and led the national Days of Remembrance ceremony in the U.S. Capitol Rotunda, a ceremony that includes Holocaust survivors, their families, liberators, and Members of Congress.

So I urge my colleagues to support this bill so that we may continue to use the Capitol Rotunda to pay tribute to those lives that were lost in the Holocaust during this shared time of solemn remembrance throughout the world.

Mr. WAXMAN. Mr. Speaker, it is an honor to be the sponsor of this resolution to authorize the use of the Capitol Rotunda on April 23, 2009 for the annual congressional ceremony to commemorate the Holocaust.

This year marks the 30th anniversary of the United States adoption of a national day for Holocaust commemoration. I take great pride that we are one of the only nations to join the State of Israel in observing Yom Hashoah, Holocaust Heroes and Remembrance Day, on the Hebrew anniversary of the Warsaw Ghetto uprising.

Each year, the ceremony here in Washington serves as a centerpiece for similar events observed in communities throughout the United States to memorialize the millions who perished and honor the courage of those who survived. This year's theme ''Never Again: What You Do Matters'' highlights the power of individual actions to stand against genocide and our individual responsibility to relay the history of the Holocaust as its last survivors are now passing on.

I would like to thank the Committee on House Administration for its work on this resolution. I encourage all of my colleagues to participate in the ceremony in the Rotunda.

Mr. DANIEL E. LUNGREN of California. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 54.

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.

DANIEL WEBSTER CONGRESSIONAL CLERKSHIP ACT OF 2009

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 151) to establish the Daniel Webster Congressional Clerkship Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 151

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 ''Daniel Webster Congressional Clerkship Act of 2009''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Each year, many of the most talented law school graduates in the country begin their legal careers as judicial law clerks.

(2) The judicial clerkship program has given the judiciary access to a pool of exceptional young lawyers at a relatively low cost.

(3) These same lawyers then go on to become leaders of their profession, where they serve a critical role in helping to educate the public about the judiciary and the judicial process.

(4) The White House, the administrative agencies of the Executive Branch, the Administrative Office of the United States Courts, the Federal Judicial Center, and the United States Sentencing Commission, all operate analogous programs for talented young professionals at the outset of their careers.

(5) The Congress is without a similar program.

(6) At a time when our Nation faces considerable challenges, the Congress and the public would benefit immeasurably from a program, modeled after the judicial clerkship program, that engages the brightest young lawyers in the Nation in the legislative process.

(7) Accordingly, the Congress herein creates the Daniel Webster Congressional Clerkship Program, named after one of the most admired and distinguished lawyer-legislators ever to serve in the Congress, to improve the business of the Congress and increase the understanding of its work by the public.

SEC. 3. DANIEL WEBSTER CONGRESSIONAL CLERKSHIP PROGRAM.

(a) SELECTION COMMITTEES.—As used in this Act, the term ''Selection Committees'' means—

(1) the Committee on Rules and Administration of the Senate; and

(2) the Committee on House Administration of the House of Representatives.

(b) ESTABLISHMENT OF PROGRAM.—There is hereby established the Daniel Webster Congressional Clerkship Program for the appointment of individuals who are graduates of accredited law schools to serve as Congressional Clerks in the Senate or House of Representatives.

(c) SELECTION OF CLERKS.—Subject to the availability of appropriations, the Selection Committees shall select Congressional Clerks in the following manner:

(1) The Committee on Rules and Administration of the Senate shall select not less than 6 Congressional Clerks each year to serve as employees of the Senate for a 1-year period.

(2) The Committee on House Administration of the House of Representatives shall select not less than 6 Congressional Clerks each year to serve as employees of the House of Representatives for a 1-year period.

(d) SELECTION CRITERIA.—In carrying out subsection (c), the Selection Committees shall select Congressional Clerks consistent with the following criteria:

(1) Each Congressional Clerk selected shall be a graduate of an accredited law school as of the starting date of his or her clerkship.

(2) Each Congressional Clerk selected shall possess—

(A) an excellent academic record;

(B) a strong record of achievement in extracurricular activities;

(C) a demonstrated commitment to public service; and

(D) outstanding analytic, writing, and oral communication skills.

(e) PROCESS.—After a Congressional Clerk is selected under this section, such Congressional Clerk shall then interview for a position in an office as follows:

(1) For a Congressional Clerk selected under subsection (c)(1), the Congressional Clerk shall interview for a position with any office of any Committee of the Senate, including any Joint Committee or Select and Special Committee, or any office of any individual member of the Senate.

(2) For a Congressional Clerk selected under subsection (c)(2), the Congressional Clerk shall interview for a position with any office of any Committee of the House of Representatives, including any Joint Committee or Select and Special Committee, or any office of any individual Member of the House of Representatives.

(f) PLACEMENT REQUIREMENTS.—The Selection Committees shall ensure that Congressional Clerks selected under this section are apportioned equally between majority party and minority party offices.

(g) COMPENSATION OF CONGRESSIONAL CLERKS.—Each Congressional Clerk selected under this section shall receive the same compensation as would, and comparable benefits to, an individual who holds the position of a judicial clerkship for the United States District Court for the District of Columbia within 3 months of graduating from law school.

(h) REQUIRED ADHERENCE TO RULES.—Each Congressional Clerk selected under this section shall be subject to all laws, regulations, and rules in the same manner and to the same extent as any other employee of the Senate or House of Representatives.

(i) EXCLUSION FROM LIMIT ON NUMBER OF POSITIONS.—A Congressional Clerk shall be excluded in determining the number of employees of the office that employs the Clerk for purposes of—

(1) in the case of the office of a Member of the House of Representatives, section 104 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 92); or

(2) in the case of any other office, any applicable provision of law or any rule or regulation which imposes a limit on the number of employees of the office.

(j) RULES.—The Selection Committees shall develop and promulgate rules regarding the administration of the Congressional Clerkship program established under this section.

(k) MEMBER DEFINED.—In this section, the term ''Member of the House of Representatives'' includes a Delegate or Resident Commissioner to the Congress.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2010 and each succeeding fiscal year from the applicable accounts of the House of Representatives and the contingent fund of the Senate such sums as necessary to carry out the provisions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on this bill and include extraneous materials.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to support H.R. 151, which would establish the Daniel Webster Congressional Clerkship Program. This program would bring the most talented law school graduates across the country to Washington, D.C., and offer them an opportunity to be employed as congressional clerks in the House of Representatives or the Senate.

This program is modeled after the judicial clerkships offered in the Federal courts. H.R. 151 would offer no fewer than six 1-year clerkships in each Chamber. The clerks would be apportioned equally between majority and minority offices within each Chamber. H.R. 151 would give recent law grads invaluable insight into the functions and operations of the Federal legislature, and I urge my colleagues to support this program.

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 151. For the last several years, I have joined my colleague, Ms. LOFGREN from California, in sponsoring this bill. This is a bill which would create a congressional clerkship program to qualified law school graduates to serve for temporary 1-year terms in offices in the House and the Senate.

The genesis of this actually was the dean of the Stanford Law School, when he came on a visit back here and spoke to Ms. LOFGREN and myself and others and explained that he thought that with the prominence that judicial clerkships are given, that most aspiring outstanding law students look to the judicial branch—and even with the clerkships that are available and fellowships that are available in the executive branch—look to those two branches of government as somehow the epitome of government service. And in a sense, what that does is it confers a sense of importance on those two branches of government, at least in my judgment, to the exclusion of the legislative branch.

The way our system works, many outstanding young people who serve clerkships to judges go on to be judges themselves.

□ 1515

The idea of the dean of Stanford Law School was that if we had a similar-

type program in the legislative branch, perhaps we would have some of those people who are outstanding members of the legal profession who would go on to receive judgeships, but they would have a better understanding of the importance of the legislative branch.

Currently, as I said, both the judicial and executive branches have clerkship programs that attract these highly talented law school graduates. Judicial clerkships, in particular, offer both prestige and practical legal experience for such graduates. Should this bill pass, initially 12 clerks per Congress would be selected to serve in the offices of various committee chairs and ranking members. It would be on a competitive basis. It would be on a bipartisan basis. It would be on a bicameral basis.

Not only would congressional clerks gain invaluable experience and knowledge about the legislative process, but they would then move into other leadership positions, not only with the courts but with the major law firms around the country and in other positions, bringing that understanding of the workings of Congress to bear on those careers.

I thank Chairman BRADY for considering this bill and the expeditious way in which it was handled. I thank the Speaker for scheduling it so quickly, and I believe that this will truly provide an opportunity for some of the most gifted, young, legal minds to serve in Congress and, thereby, increase the understanding of its work by the public.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from California (Ms. ZOE LOFGREN), my colleague.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would like to thank my colleague, fellow attorney, my fellow Californian, the former attorney general for California, Congressman DAN LUNGREN, for joining with me in introducing this bill first in the 109th Congress, then again working to get the bill on the floor in the 110th, and now, once again, in the 111th Congress. And I am grateful to Chairman BRADY for moving this bill so promptly. I think starting this early perhaps we'll get this all the way through the Senate and over to the President and accomplish something that's really quite important for the legislative branch.

As has been mentioned, top law graduates in the top law schools in the Nation seek clerkships in the judicial branch and sometimes in the executive branch, but we don't have that here in the legislative branch, and he's right, we do owe some gratitude to Dean Larry Kramer for proposing this idea.

Here's what Dean Kramer said: ''This bill will serve an important role by educating young lawyers and future leaders of the profession about the legislative process. It will be enormously beneficial for both the profession and the public if some of the Nation's brightest young lawyers begin their careers in the legislature and so develop and can convey to the public an appreciation of Congress and the legislative process equal to that lawyers have shown for courts and the judicial process.''

This really isn't about getting work out of these bright, young lawyers. It's about starting off on the right course and having the respect for Article I that we hope that they will get by working with us here in the Congress.

We believe that this bipartisan bill, that will be bicameral, bipartisan, will make a difference not today, not tomorrow, but 10 years from now, 20 years from now, 30 years from now, to make sure that Article I is elevated as it should be.

I would urge my colleagues to support this legislation. Again, I thank the chairman. I thank Congressman LUNGREN, and I thank the dean of the Stanford Law School, Larry Kramer.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I urge all Members to vote for this, and I would yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I also urge all Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 151.

The question was taken.

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

Mr. BRADY of Pennsylvania. 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.

CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2009

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1299) to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1299

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 ''Capitol Police Administrative Technical Corrections Act of 2009''.

SEC. 2. ADMINISTRATIVE AUTHORITIES OF THE CHIEF OF THE CAPITOL POLICE.

(a) CLARIFICATION OF CERTAIN HIRING AUTHORITIES.—

(1) CHIEF ADMINISTRATIVE OFFICER.—Section 108(a) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903(a)) is amended to read as follows:

''(a) CHIEF ADMINISTRATIVE OFFICER.—

''(1) ESTABLISHMENT.—There shall be within the Capitol Police an Office of Administration, to be headed by the Chief Administrative Officer, who shall report to and serve at the pleasure of the Chief of the Capitol Police.

''(2) APPOINTMENT.—The Chief Administrative Officer shall be appointed by the Chief of the Capitol Police, after consultation with the Capitol Police Board, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

''(3) COMPENSATION.—The annual rate of pay for the Chief Administrative Officer shall be the amount equal to $1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.''.

(2) ADMINISTRATIVE PROVISIONS.—Section 108 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903) is amended by striking subsection (c).

(3) CERTIFYING OFFICERS.—Section 107 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1904) is amended—

(A) in subsection (a), by striking ''the Capitol Police Board'' and inserting ''the Chief of the Capitol Police''; and

(B) in subsection (b)(1), by striking ''the Capitol Police Board'' and inserting ''the Chief of the Capitol Police''.

(4) PERSONNEL ACTIONS OF THE CHIEF OF THE CAPITOL POLICE.—

(A) IN GENERAL.—Section 1018(e) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)) is amended by striking paragraph (1) and inserting the following:

''(1) AUTHORITY.—

''(A) IN GENERAL.—The Chief of the Capitol Police, in carrying out the duties of office, is authorized to appoint, hire, suspend with or without pay, discipline, discharge, and set the terms, conditions, and privileges of employment of employees of the Capitol Police, subject to and in accordance with applicable laws and regulations.

''(B) SPECIAL RULE FOR TERMINATIONS.—The Chief may terminate an officer, member, or employee only after the Chief has provided notice of the termination to the Capitol Police Board (in such manner as the Board may from time to time require) and the Board has approved the termination, except that if the Board has not disapproved the termination prior to the expiration of the 30-day period which begins on the date the Board receives the notice, the Board shall be deemed to have approved the termination.

''(C) NOTICE OR APPROVAL.—The Chief of the Capitol Police shall provide notice or receive approval, as required by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, as each Committee determines appropriate for—

''(i) the exercise of any authority under subparagraph (A); or

''(ii) the establishment of any new position for officers, members, or employees of the Capitol Police, for reclassification of existing positions, for reorganization plans, or for hiring, termination, or promotion for officers, members, or employees of the Capitol Police.''.

(B) TECHNICAL AND CONFORMING AMENDMENTS.—

(i) SUSPENSION AUTHORITY.—Section 1823 of the Revised Statutes of the United States (2 U.S.C. 1928) is repealed.

(ii) PAY OF MEMBERS UNDER SUSPENSION.—The proviso in the Act of Mar. 3, 1875 (ch. 129; 18 Stat. 345), popularly known as the ''Legislature, Executive, and Judicial Appropriation Act, fiscal year 1876'', which is codified

at section 1929 of title 2, United States Code (2000 Editions, Supp. V), is repealed.

(5) CONFORMING APPLICATION OF CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(A) IN GENERAL.—Section 101(9)(D) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(9)(D)) is amended by striking ''the Capitol Police Board,'' and inserting ''the United States Capitol Police,''.

(B) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by subparagraph (A) may be construed to affect any procedure initiated under title IV of the Congressional Accountability Act of 1995 prior to the date of the enactment of this Act.

(6) NO EFFECT ON CURRENT PERSONNEL.—Nothing in the amendments made by this subsection may be construed to affect the status of any individual serving as an officer or employee of the United States Capitol Police as of the date of the enactment of this Act.

(b) DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Section 2802 of the Supplemental Appropriations Act, 2001 (2 U.S.C. 1905) is amended—

(A) in subsection (a)(1), by striking ''Capitol Police Board'' each place it appears and inserting ''United States Capitol Police''; and

(B) in subsection (a)(2), by striking ''Capitol Police Board'' and inserting ''Chief of the United States Capitol Police''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the enactment of the Supplemental Appropriations Act, 2001.

(c) PRIOR NOTICE TO AUTHORIZING COMMITTEES OF DEPLOYMENT OUTSIDE JURISDICTION.—Section 1007(a)(1) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 1978(a)(1)) is amended by striking ''prior notification to'' and inserting the following: ''prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and''.

(d) ADVANCE PAYMENTS FOR SUBSCRIPTION SERVICES.—

(1) IN GENERAL.—Section 1002 of the Legislative Branch Appropriations Act, 2008 (Public Law 110–161; 2 U.S.C. 1981) is amended by inserting ''the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate'' after ''the Senate,''.

(2) EFFECTIVE DATE AND APPLICATION.—The amendment made by this subsection shall take effect 30 days after the date of enactment of this Act and apply to payments made on or after that effective date.

SEC. 3. GENERAL COUNSEL TO THE CHIEF OF POLICE AND THE UNITED STATES CAPITOL POLICE.

(a) APPOINTMENT AND SERVICE.—

(1) IN GENERAL.—There shall be within the United States Capitol Police the General Counsel to the Chief of Police and the United States Capitol Police (in this subsection referred to as the ''General Counsel'').

(2) APPOINTMENT.—The General Counsel shall be appointed by the Chief of the Capitol Police in accordance with section 1018(e)(1) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)(1)) (as amended by section 2(a)(4)), without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

(3) COMPENSATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the annual rate of pay for the General Counsel shall be fixed by the Chief of the Capitol Police.

(B) LIMITATION.—The annual rate of pay for the General Counsel may not exceed an annual rate equal to $1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

(4) TECHNICAL AND CONFORMING AMENDMENT.—House Resolution 661, Ninety-fifth Congress, agreed to July 29, 1977, as enacted into permanent law by section 111 of the Legislative Branch Appropriation Act, 1979 (2 U.S.C. 1901 note) is repealed.

(5) NO EFFECT ON CURRENT GENERAL COUNSEL.—Nothing in this subsection or the amendments made by this subsection may be construed to affect the status of the individual serving as the General Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act.

(b) LEGAL REPRESENTATION AUTHORITY.—

(1) IN GENERAL.—Section 1002(a)(2)(A) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1908(a)(2)(A)) is amended by striking ''the General Counsel for the United States Capitol Police Board and the Chief of the Capitol Police'' and inserting ''the General Counsel to the Chief of Police and the United States Capitol Police''.

(2) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by paragraph (1) may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act.

SEC. 4. EMPLOYMENT COUNSEL TO THE CHIEF OF POLICE AND THE UNITED STATES CAPITOL POLICE.

(a) LEGAL REPRESENTATION AUTHORITY.—

(1) IN GENERAL.—Section 1002(a)(2)(B) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1908(a)(2)(B)) is amended by striking ''the Employment Counsel for the United States Capitol Police Board and the United States Capitol Police'' and inserting ''the Employment Counsel to the Chief of Police and the United States Capitol Police''.

(2) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by paragraph (1) may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act.

(b) NO EFFECT ON CURRENT EMPLOYMENT COUNSEL.—Nothing in this section or the amendments made by this section may be construed to affect the status of the individual serving as the Employment Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act.

SEC. 5. CLARIFICATION OF AUTHORITIES REGARDING CERTAIN PERSONNEL BENEFITS.

(a) NO LUMP-SUM PAYMENT PERMITTED FOR UNUSED COMPENSATORY TIME.—

(1) IN GENERAL.—No officer or employee of the United States Capitol Police whose service with the United States Capitol Police is terminated may receive any lump-sum payment with respect to accrued compensatory time off, except to the extent permitted under section 203(c)(4) of the Congressional Accountability Act of 1995 (2 U.S.C. 1313(c)(4)).

(2) REPEAL OF RELATED OBSOLETE PROVISIONS.—

(A) OVERTIME PAY DISBURSED BY HOUSE.—Section 3 of House Resolution 449, Ninety-second Congress, agreed to June 2, 1971, as enacted into permanent law by chapter IV of the Supplemental Appropriations Act, 1972 (85 Stat. 636) (2 U.S.C. 1924), together with any other provision of law which relates to compensatory time for the Capitol Police which is codified at section 1924 of title 2, United States Code (2000 Editions, Supp. V), is repealed.

(B) OVERTIME PAY DISBURSED BY SENATE.—The last full paragraph under the heading ''Administrative Provisions'' in the appropriation for the Senate in the Legislative Branch Appropriations Act, 1972 (85 Stat. 130) (2 U.S.C. 1925) is repealed.

(b) OVERTIME COMPENSATION FOR OFFICERS AND EMPLOYEES EXEMPT FROM FAIR LABOR STANDARDS ACT OF 1938.—

(1) CRITERIA UNDER WHICH COMPENSATION PERMITTED.—The Chief of the Capitol Police may provide for the compensation of overtime work of exempt individuals which is performed on or after the date of the enactment of this Act, in the form of additional pay or compensatory time off, only if—

(A) the overtime work is carried out in connection with special circumstances, as determined by the Chief;

(B) the Chief has established a monetary value for the overtime work performed by such individual; and

(C) the sum of the total amount of the compensation paid to the individual for the overtime work (as determined on the basis of the monetary value established under subparagraph (B)) and the total regular compensation paid to the individual with respect to the pay period involved may not exceed an amount equal to the cap on the aggregate amount of annual compensation that may be paid to the individual under applicable law during the year in which the pay period occurs, as allocated on a per pay period basis consistent with premium pay regulations of the Capitol Police Board.

(2) EXEMPT INDIVIDUALS DEFINED.—In this subsection, an ''exempt individual'' is an officer or employee of the United States Capitol Police—

(A) who is classified under regulations issued pursuant to section 203 of the Congressional Accountability Act of 1995 (2 U.S.C. 1313) as exempt from the application of the rights and protections established by subsections (a)(1) and (d) of section 6, section 7, and section 12(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 (a)(1) and (d), 207, 212(c)); or

(B) whose annual rate of pay is not established specifically under any law.

(3) CONFORMING AMENDMENT.—

(A) IN GENERAL.—Section 1009 of the Legislative Branch Appropriations Act, 2003 (Public Law 108–7; 117 Stat. 359) is repealed.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003, except that the amendment shall not apply with respect to any overtime work performed prior to the date of the enactment of this Act.

SEC. 6. OTHER MISCELLANEOUS TECHNICAL CORRECTIONS.

(a) REPEAL OF OBSOLETE PROCEDURES FOR INITIAL APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER.—Section 108 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903) is amended by striking subsections (d) through (g).

(b) REPEAL OF REQUIREMENT THAT OFFICERS PURCHASE OWN UNIFORMS.—Section 1825 of the Revised Statutes of the United States (2 U.S.C. 1943) is repealed.

(c) REPEAL OF REFERENCES TO OFFICERS AND PRIVATES IN AUTHORITIES RELATING TO HOUSE AND SENATE OFFICE BUILDINGS.—

(1) HOUSE OFFICE BUILDINGS.—The item relating to ''House of Representatives Office Building'' in the Act entitled ''An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eight, and for other purposes'', approved March 4, 1907 (34 Stat. 1365; 2 U.S.C. 2001), is amended by striking ''other than officers and privates of the Capitol police'' each place it appears

and inserting ''other than the United States Capitol Police''.

(2) SENATE OFFICE BUILDINGS.—The item relating to ''Senate Office Building'' in the Legislative Branch Appropriation Act, 1943 (56 Stat. 343; 2 U.S.C. 2023) is amended by striking ''other than for officers and privates of the Capitol Police'' each place it appears and inserting ''other than for the United States Capitol Police''.

(d) CLARIFICATION OF APPLICABILITY OF U.S. CAPITOL POLICE AND LIBRARY OF CONGRESS POLICE MERGER IMPLEMENTATION ACT OF 2007.—

(1) REPEAL OF DUPLICATE PROVISIONS.—Effective as if included in the enactment of the Legislative Branch Appropriations Act, 2008 (Public Law 110–161), section 1004 of such Act is repealed, and any provision of law amended or repealed by such section is restored or revived to read as if such section had not been enacted into law.

(2) NO EFFECT ON OTHER ACT.—Nothing in paragraph (1) may be construed to prevent the enactment or implementation of any provision of the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007 (Public Law 110–178), including any provision of such Act that amends or repeals a provision of law which is restored or revived pursuant to paragraph (1).

(e) AUTHORITY OF CHIEF OF POLICE.—

(1) REPEAL OF CERTAIN PROVISIONS CODIFIED IN TITLE 2, UNITED STATES CODE.—The provisions appearing in the first paragraph under the heading ''Capitol Police'' in the Act of April 28, 1902 (ch. 594; 32 Stat. 124), and the provisions appearing in the first paragraph under the heading ''Capitol Police'' in title I of the Legislative and Judiciary Appropriation Act, 1944 (ch. 173; 57 Stat. 230), insofar as all of those provisions are related to the sentence ''The captain and lieutenants shall be selected jointly by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives; and one-half of the privates shall be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representatives.'', which appears in 2 U.S.C. 1901 (2000 Edition, Supp. V), are repealed.

(2) RESTORATION OF REPEALED PROVISION.—Section 1018(h)(1) of the Legislative Branch Appropriations Act, 2003 (Public Law 108–7, div. H, title I, 117 Stat. 368) is repealed, and the sentence ''The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board.'', which was repealed by such section, is restored to appear at the end of section 1821 of the Revised Statutes of the United States (2 U.S.C. 1901).

(3) CONFORMING AMENDMENT.—The first sentence of section 1821 of the Revised Statutes of the United States (2 U.S.C. 1901) is amended by striking '', the members of which shall be appointed by the Sergeants-at-Arms of the two Houses and the Architect of the Capitol Extension''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill now under consideration.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

I am pleased to present the Capitol Police Administrative Technical Corrections Act of 2009.

As its title suggests, H.R. 1299 is not intended to make substantive policy changes for the Capitol Police. It corrects drafting errors, modernizes outdated terms, and repeals redundant and inconsistent provisions already on the books. My favorite correction is the long overdue repeal of the 1868 law requiring Capitol Police officers to buy their own uniforms. Congress decided years ago to provide the uniforms but has never repealed the 1868 law.

Chief Phillip Morse requested most of these corrections; the committee found others. The bill has the support of Chief Morse and our House Sergeant-at-Arms Wilson Livingood. The House passed a similar bill last fall, which failed to pass the Senate before final adjournment.

It was a pleasure to work with the gentleman from California (Mr. DANIEL E. LUNGREN) and his staff on this measure, and I urge an ''aye'' vote.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1299, known as the United States Capitol Police Technical Corrections Act.

I am pleased to join Chairman BRADY in sponsoring this bill, which will create a stronger operational framework for the police, allowing them to better accomplish their mission by providing much-needed clarity and eliminating unnecessary or conflicting provisions of existing law.

The technical corrections in this bill provide the chief of the Capitol Police with the appropriate authority and responsibility related to his role as head of the agency. This bill also clarifies important reporting and notification processes for personnel, administrative, and operational actions.

So I am pleased that the chairman has taken up this issue. I am confident that the work of the full committee, in addition to that of the Subcommittee on Capitol Security, will create a stronger law enforcement organization and, therefore, a safer and more secure Capitol complex.

I would urge that all Members support this bill.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, I urge an ''aye'' vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 1299.

The question was taken.

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

Mr. BRADY of Pennsylvania. 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.

DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE FIRST CONGRESSIONAL DISTRICT OF HAWAII

Mr. BRADY of Pennsylvania, from the Committee on House Administration, submitted a privileged report (Rept. No. 111–68) on the resolution (H. Res. 303) dismissing the election contest relating to the office of Representative from the First Congressional District of Hawaii, which was referred to the House Calendar and ordered to be printed.

Mr. BRADY of Pennsylvania. Mr. Speaker, I call up House Resolution 303 and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 303

Resolved, That the election contest relating to the office of Representative from the First Congressional District of Hawaii is dismissed.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTING MEMBERS TO THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. BRADY of Pennsylvania. Mr. Speaker, I send a resolution to the desk and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 304

Resolved,

SECTION 1. ELECTION OF MEMBERS TO JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.

(a) JOINT COMMITTEE ON PRINTING.—The following Members are hereby elected to the

Joint Committee on Printing, to serve with the chair of the Committee on House Administration:

(1) Mr. Capuano.
(2) Mrs. Davis of California.
(3) Mr. Daniel E. Lungren of California.
(4) Mr. McCarthy of California.

(b) JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.—The following Members are hereby elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration:

(1) Ms. Zoe Lofgren of California.
(2) Mr. Daniel E. Lungren of California.
(3) Mr. Harper.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF HOUSE OF REPRESENTATIVES IN 111TH CONGRESS

Mr. BRADY of Pennsylvania. Mr. Speaker, pursuant to House Resolution 294, I call up House Resolution 279 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 294, the amendment in the nature of a substitute printed in the resolution is adopted and the resolution, as amended, is considered read.

The text of the resolution, as amended, is as follows:

H. RES. 279

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED ELEVENTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Eleventh Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in such subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $12,878,997; Committee on Armed Services, $15,842,663; Committee on the Budget, $12,701,442; Committee on Education and Labor, $17,571,062; Committee on Energy and Commerce, $23,589,560; Select Committee on Energy Independence and Global Warming, $4,167,500; Committee on Financial Services, $18,315,034; Committee on Foreign Affairs, $18,847,305; Committee on Homeland Security, $17,776,261; Committee on House Administration, $11,069,489; Permanent Select Committee on Intelligence, $10,850,000; Committee on the Judiciary, $18,837,171; Committee on Natural Resources, $16,567,929; Committee on Oversight and Government Reform, $22,343,273; Committee on Rules, $7,141,021; Committee on Science and Technology, $14,048,942; Committee on Small Business, $7,236,082; Committee on Standards of Official Conduct, $5,577,169; Committee on Transportation and Infrastructure, $20,874,154; Committee on Veterans' Affairs, $7,668,691; and Committee on Ways and Means, $20,634,454.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2009, and ending immediately before noon on January 3, 2010.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $6,316,330; Committee on Armed Services, $7,769,820; Committee on the Budget, $6,350,721; Committee on Education and Labor, $8,617,490; Committee on Energy and Commerce, $11,569,181; Select Committee on Energy Independence and Global Warming, $2,096,900; Committee on Financial Services, $8,982,361; Committee on Foreign Affairs, $9,243,406; Committee on Homeland Security, $8,718,127; Committee on House Administration, $5,428,881; Permanent Select Committee on Intelligence, $5,387,500; Committee on the Judiciary, $9,238,436; Committee on Natural Resources, $8,125,517; Committee on Oversight and Government Reform, $10,957,956; Committee on Rules, $3,538,663; Committee on Science and Technology, $6,890,114; Committee on Small Business, $3,548,839; Committee on Standards of Official Conduct, $2,735,247; Committee on Transportation and Infrastructure, $10,237,447; Committee on Veterans' Affairs, $3,761,006; and Committee on Ways and Means, $10,119,889.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2010, and ending immediately before noon on January 3, 2011.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $6,562,667; Committee on Armed Services, $8,072,843; Committee on the Budget, $6,350,721; Committee on Education and Labor, $8,953,572; Committee on Energy and Commerce, $12,020,379; Select Committee on Energy Independence and Global Warming, $2,070,600; Committee on Financial Services, $9,332,673; Committee on Foreign Affairs, $9,603,899; Committee on Homeland Security, $9,058,134; Committee on House Administration, $5,640,608; Permanent Select Committee on Intelligence, $5,462,500; Committee on the Judiciary, $9,598,735; Committee on Natural Resources, $8,442,412; Committee on Oversight and Government Reform, $11,385,317; Committee on Rules, $3,602,358; Committee on Science and Technology, $7,158,828; Committee on Small Business, $3,687,243; Committee on Standards of Official Conduct, $2,841,922; Committee on Transportation and Infrastructure, $10,636,707; Committee on Veterans' Affairs, $3,907,685; and Committee on Ways and Means, $10,514,565.

(c) REVIEW OF USE OF FUNDS IN FIRST SESSION.—None of the amounts provided for in section 1 for a committee named in subsection (b) may be available for expenses of the committee after February 3, 2010, unless the chair or ranking minority member of the committee appears and presents testimony at a hearing of the Committee on House Administration held prior to such date to review the committee's use of the amounts provided for in section 1 during the first session of the One Hundred Eleventh Congress and to determine whether the amount specified in subsection (b) with respect to the committee should be updated on the basis of the review.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on House Resolution 279.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

House Resolution 279 is the primary expense resolution to fund the standing and select committees of the House for the 111th Congress.

Every 2 years, Congress must decide how much money its committees will spend. The Committee on House Administration holds hearings on the needs of the committees for the entire Congress. We then write a resolution to authorize funding for those committees. During our hearings on February 11 and 25, we heard from all the chairmen and most of the ranking members from other committees.

Let me describe what we have done with this amendment to the funding resolution. Over the last Congress, the committees of the House conducted far more hearings and did far more work than in recent years. They did all this without an increase in funding. Last Congress we were not even able to keep up with inflation. All of the committees have been struggling to operate on limited funds, and they have even more work to do in this Congress because of the challenges of our economic situation and other legislative priorities.

At the same time, we know that the economic status of the Nation means that we must do more with less. So we are not going to be able to give the committees all the funds they have requested, the amounts stated in the resolution as introduced.

In general, this substitute gives each committee for 2009 the lower of either the amount they requested, or an increase of 4.78 percent over their funding in 2008. That percent equals the cost-of-living increase for Federal employees in D.C. for 2009.

There are a few exceptions in this substitute. First, we have provided additional funds to the Judiciary Committee to undertake its mandated inquiry into judicial impeachment, which is not an ordinary cost of that committee. Next, the Energy and Commerce Committee, the Financial Services Committee, and the Small Business Committee have each undertaken extra responsibilities this Congress. These three committees have special legislative duties to deal with our financial situation, our health care, and our energy policy.

The Committee on Standards of Official Conduct will receive additional money as well, reflecting their request and our commitment to ethics oversight.

Finally, we have not increased funding over 2008 for the Oversight and Government Reform Committee. That committee had substantial funds left over in 2008. In addition, we have already expanded the oversight work of all committees in this Congress by amending the House rules in H. Res. 40.

When you add it all up, this keeps the total committee funding for 2009 at just 4.78 percent over the total funding from 2008.

□ 1530

In 2010, the committees will receive an across-the-board increase of 3.9 percent which, in our estimation, an inflationary increase is needed to keep staffs paid in the coming year.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 279. It does provide funding for committees for the 111th Congress so that we might do the work that we're constitutionally required to do.

I'd like to begin by thanking Chairman BRADY and his staff for truly engaging in a collaborative process as we work towards our common goal of providing adequate and appropriate funding for committees. It is my belief the legislation before us today does allow the Congress—the House—to carry out both its legislative and oversight functions while balancing those needs with the responsibility placed on us by the American people to spend their tax dollars wisely.

During these difficult economic times we have a shared interest in making sure we're frugal and wise stewards of the taxpayers' dollars. However, this commitment to tighten our collective fiscal belts cannot come at the expense of our constitutionally mandated role of providing oversight over the Federal coffers.

There's one complaint I've had about the Congress when I served here before—some two decades ago—and while I was gone and when I first returned, was that I think there was not the commitment to oversight that was necessary on both sides of the Congress and both sides of the aisle. I think there are many that have done a good job, but we can always do better.

As we have seen recently with the reports of questionable uses of TARP funds, the potential for waste, fraud, and abuse is real, requiring us to be ever vigilant in performing effective oversight and making sure that that's done in a timely fashion.

Just as these committees have a responsibility to conduct effective oversight over the matters under their jurisdiction, the House Administration Committee must ensure that expenses of the House are being used in a manner that prevents waste, fraud, and abuse as well.

So I was extremely pleased that our committee's majority adopted our proposed amendment to have the chairs and ranking members of all committees appear before our committee after the first session to provide an update regarding the funding requests and operations of each respective committee.

One of the things that we should understand is that the rules that we've adopted for the operation of the House in this Congress require that all authorizing committees take the responsibility to provide the vital oversight for those operations of the executive branch that are under their jurisdiction. I believe that we have made progress on that.

The majority has worked with us to move towards the goal of making monthly committee reports available online. These reports are already required, but we will get them in a timely fashion. We will establish a template so that those committees will report and then we will move to make those available online so that we can in fact in the House of Representatives move further to transparency, as we are requiring transparency in the executive branch.

The public can take a look at our work. It's all out there for them to see. They can see the work that we're doing. They can see the oversight that we're providing. They can see, most importantly, how their dollars are being spent in this, their House of Representatives.

In addition to determining appropriate funding levels and ensuring that transparency in committee operations, one of my chief concerns during the committee funding process was that the precedent of allocating one-third of each committee's resources to the minority party was upheld.

When Republicans assumed the majority in 1995, we started what has been an ongoing tradition of ensuring the minority party receives at least one-third of the committees resources, an amount I believe necessary to carry out the minority's responsibilities as the party of ''loyal opposition.''

I'm therefore pleased, Mr. Speaker, that Chairman BRADY has not only honored this commitment, but has made very strong statements in the committee, on the RECORD, that he will be diligent to address any complaints raised by ranking minority members in this regard. For that, I thank him. I think this sets an excellent precedent for the future for all of us.

I believe that both sides have worked well to improve this committee funding process. As the chairman has said, there were just a couple of exceptions where we did not grant the request made by the chairmen and ranking members for the increases as they came forward. We did give increases, but not in the numbers they talked about.

When I look over the numbers, it looks to me like we cut in half the requests for increases that were asked for. I happen to think that that is a good thing here. We can go through the committees one-by-one. Luckily, my staff has printed it large enough so that I can read it now. When I was here 25 years ago, I did not need this large print. I was able to use smaller notes. That just shows the progress that we have made, Mr. Speaker.

I would thank the chairman for working with me to advance this funding process. I would say that we brought this forward in as expeditious a fashion as we were able to.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. I'd like to just tell my dear friend from California that I don't need glasses either. I just need longer arms.

I'd like to recognize for such time as she may consume the chairwoman of the Standards of Official Conduct Committee, the gentlelady from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Thank you, Chairman BRADY, for yielding. As vice chair of the Committee on House Administration, as well as chair of the Committee on Standards of Official Conduct, I find myself in kind of a unique position of dealing with this funding resolution both as a member of House Administration, where we heard the testimony of every chair and ranking member, read the budgets of every single committee, but also as chair of the Committee on Standards, I, along with the ranking member, Congressman BONNER, gave testimony and made a budget request.

So I am pleased to note that the committee funding resolution today is not just about how much money a committee receives, it's about resources necessary to meet and fulfill duties and obligations.

Now when it comes to the so-called Ethics Committee, obviously, we know—and this is bipartisan—we have a very strong responsibility to ensure that the House adheres to and upholds the highest standards of ethics.

To that end, the Ethics Committee annually produces thousands of written advisory opinions and informal opinions; it educates Members and staff and other employees of the House; it reviews annual financial disclosure filings; and, when necessary, conducts investigations into possible violations of the House rules.

In the last Congress, the House greatly expanded the duties and responsibilities of the Ethics Committee. It has required that the committee conduct mandatory annual ethics training for every officer and employee of the House. That means we must train roughly 10,000 employees each year.

The House also requires that the committee review all staff and Member travel requests that are privately funded, which I can tell you is a voluminous task. In addition, the House voted to establish the Office of Congressional Ethics, which we expect will increase our workload.

As you can see, the committee's mandate has grown significantly. The resolution before us does provide some

additional funding for additional staff and for the adoption of new technologies to allow us to fulfill our expanded mandates.

I very much support the resolution, not only for the Ethics Committee, but for the other committees. This is a tight budget. It's not everything that everyone wanted, but these are tough times as well.

I think the chairman and the ranking member have done a marvelous job. I, for one, would like to thank them for listening to the plea of the Ethics Committee and our increased responsibilities.

Mr. DANIEL E. LUNGREN of California. At this time, I yield 5 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. There's no words that can express how disappointed I was to see that the notable bottom of the funding once again went to Government Oversight and Reform.

When Republicans took over the Congress in 1994, they dramatically reduced the size of Government Oversight. The following Congress, they did a 48 percent increase, which essentially put it back close to where it was. But not quite. After that time, increases under Republicans have been paltry—in some cases, negative.

President Obama told us it was going to be different, Speaker PELOSI told us it was going to be different. They both said oversight was important.

Now I come from a manufacturing background, and I understand what quality control is. Quality control is not in fact asking the worker if they did a good job. It's somebody independently checking, and when they find mistakes, failures, imperfections, design flaws, pointing them out and giving those on the line the opportunity to repair or to change in a way that gives real quality.

There's only one committee in the Congress that has that task. It's not Energy and Commerce—the most-funded committee; it's not Financial Services—one of the other most-funded committees. It's not even the Rules Committee. It is in fact Government Oversight and Reform.

With over 3,200 GAO individuals and hundreds of millions of dollars being spent there; with $800 billion in the stimulus package and one IG with a $450 million budget; with a $7 billion, and soon to be more, TARP, with virtually no rules and real questions about how much has already been lost, the very idea that, after President Obama includes in his inaugural address oversight, accountability, to defund that committee effectively by flatlining once again—something that, I must admit, I can see the record, and it's been done under both types of administrations, under both Congresses—clearly makes the statement that is the antithesis of what was claimed.

There will be not be transparency in the Obama administration if in fact Government Oversight isn't properly funded to do its job.

Now when I came with Chairman TOWNS before the committee, Chairman TOWNS made the request for the dollars. I didn't. Although I felt his request was modest and reasonable. I added while I was there the request for 30 more slots. Not more money, but more personnel. Because I was confident that America's volunteerism would include people wanting to come to our committees for just a stipend if we could give them a slot—an authorized-to-work-here position—and that we would find people within a limited budget. We'd be able to work within the small increase that Chairman TOWNS asked for.

We didn't get those additional slots. And, notably, we are the only committee I can find that effectively asked for more and didn't get it.

I'm sad to see that, because I think it is in fact an accountability of Speaker PELOSI for not keeping President Obama's promise and commitment to the American people.

I appreciate the chairman of this committee doing what he can within the funds, but I realize he does not make the actual decision. He clearly couldn't be making this decision unless he made a decision that oversight was not important. And I don't believe he did.

So someone, somewhere in this Congress has decided that oversight is in fact not important. That accountability of this bureaucracy—not of this President, as some would have you believe—but of the bureaucracy that we, the Congress, have created and maintained and fund at $3.8 trillion, and growing, is in fact what we're charged to do.

The very idea that chairmen of other committees will in fact do their legislation and then check their legislation flies in the face of experience. It takes a second set of eyes and a second set of hands that have no prejudice toward the original creation of the law.

Mr. Speaker, in closing, I would remind people that Oversight has no fundamental jurisdiction that is by any means broad. We don't. We take care of the post offices and we oversee Federal workers. What we do is research into waste, fraud, and abuse in the Federal Government.

We are highly limited by the lack of personnel and the lack of dollars to do it over a $3-plus trillion market and countless billions of dollars that have already been wasted under the last administration and continue to be wasted under this administration.

I join with Chairman TOWNS in believing that you could have done better, you should have done better. It's not too late. Please consider doing better.

Mr. BRADY of Pennsylvania. I yield such time as he may consume to a colleague on the Committee of House Administration, the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Thank you, Mr. Chairman, for yielding. Mr. Speaker, I rise to respond to some of the things that have been said about Oversight and Government Reform. First of all, I want to make it very clear I think they do a great job. I think they've done a great job for years, even though, in my opinion, for a long time with the Bush administration there was virtually no oversight of any significant nature whatsoever, which is, I think, one of the reasons we are in some of the problems we're in now economically.

□ 1545

Be that as it may, people have to understand that, first of all, there is a limited amount of money. We are all trying to cut ends here and there. And in this particular case, this particular committee is still the second largest funded committee in Congress at almost, I think, $11 million or $12 million, if I remember correctly. And that is fine.

On top of that, the committee turned back several hundred thousand dollars last year for reasons that are up to them, I assume it is sufficiency, but it just says that the budget should be sufficient.

The most important thing that I want to comment on is the suggestion that somehow if this money isn't given, if the gun to our head is not answered appropriately, then oversight won't happen in this term. Well, that is patently ludicrous. And it is, because very simply the Speaker of the House, Ms. PELOSI, has specifically asked each and every one of the 20 standing committees to do more oversight on their own. Every one of those committees, to my knowledge, has submitted detailed plans on what they plan on doing this year. I myself am on three of those committees, and I can tell you from personal experience all of those committees are already doing more oversight this term than they have done in the past.

Now, I understand that if there was no other oversight going on, I would be up here advocating the exact same thing. But if you have got 20 other committees stepping up to the plate, doing more work—and I do disagree strongly that those committees somehow aren't capable of overseeing the administration, because that is effectively what we do. We are not overseeing Congress, that is what the Ethics Committee does, we are overseeing the administration. And to suggest that Members of Congress somehow can't read the laws that they are required to write and read and enforce, I find that a little bit insulting and a little bit difficult to believe.

Of course, the Financial Services Committee is the best committee to oversee financial services matters. They understand the issues. They ask the right questions. They know the right people to talk to.

I understand and accept and appreciate the fact that Oversight and Government Reform fills in the holes and does oversight of some of that oversight. I appreciate that, and I agree.

That is why they still have the second largest funding of all the committees; otherwise, we wouldn't need them at all. We could just get rid of them. I don't think we should. I think they have a valuable part to play.

I think the Speaker has an important and thoughtful and rightful approach to have everybody in Congress participate in oversight. I think that is the appropriate way to go.

This particular authorization bill recognizes that, accepts that, and suggests that not just a few Members of Congress can do oversight, but that every Member of Congress is responsible for some degree of oversight. That is why there will be over 200 additional hearings this year by various committees. Again, the committees I am on have already had some that have never had them before. I think the Speaker's approach is correct, and I think in the long run it will prove that every Member of Congress has a role to play, and every Member of Congress will participate, rightfully.

And, I believe that the Committee on Oversight and Government Reform, number one, will continue to do a good job, will continue to fill in the holes that the other committees can't do, do the broader oversight that they have been so good at; and, I think in the final analysis the taxpayers will get more bang for their dollar, and I think they will be better served.

I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ISSA).

Mr. ISSA. There was one thing in the previous statement that I have to take some umbrage over. I only know about the minority of Government Reform. We returned $32,000, slightly less.

Now, we returned it not because we couldn't use it, but because every committee has the reality that you can't spend the last penny. Also, because you are not allowed to go over. So the fact is we fully spent ours.

I don't know if that $700,000 statement that is made includes our $32,000 or not. I don't even know if it is accurate. My understanding is that number can't even be asserted, really, yet, because in fact there is still spending going on.

I would hope that the committee would make available the returns of all the other committees, because I rather doubt that Chairman WAXMAN failed to use his money. I can tell you that Ranking Member TOM DAVIS would have loved to have been able to do more investigation, more independent work than we already did.

In closing, I would just mention that we have added in the last two Congresses over $4 million just for global warming, the junket committee. We clearly have enough money. I ask you to reconsider.

Mr. BRADY of Pennsylvania. I recognize the gentlelady from New York, the chairwoman of the Small Business Committee, Ms. VELÁZQUEZ, for such time as she may consume.

Ms. VELAZQUEZ. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this resolution.

Today, the House is considering a resolution that many consider to be routine business with little effect outside of this Chamber. However, I believe this resolution will provide Congress with the resources we need to do the people's work.

As we get to work, our main concerns need to be creating jobs and turning the economy around. An important component of this will be meeting the needs of small businesses so they can stay afloat, grow, and contribute to economic recovery.

In good times, as well as bad, small businesses are the backbone of our economy. They create 60 to 80 percent of all new jobs. During economic downturns, like the one we are in now, they are even more important. Small firms generate the innovative ideas and new services that spur job growth. For example, following the recession of the mid-1990s, small firms created 3.8 million new jobs. During economic downswings, many Americans venture out and start their own small businesses. For instance, in the 1990s, 25 percent of laid-off managers over the age of 40 went on to start their own firms.

This kind of determination is the hallmark of the American entrepreneurial spirit. It has led us out of previous recessions, and it will lead us out of this one as well. However, for that to happen, we need to make the needs of our small businesses a priority.

The resolution that we are voting on today will provide Congress the resources to undertake important work on behalf of small businesses. One of our first steps needs to be unfreezing the credit market so small firms can access the capital they need to expand, grow, and create jobs. We must also ensure small businesses receive investments that allow them to remain technological pioneers. Startup entrepreneurs often produce the new ideas that spark job growth and can even launch a whole new industry.

Small firms will also play a key role in rebuilding our Nation's infrastructure. The Economic Recovery Act that was enacted earlier this year will mean an explosion of new public work projects. Small businesses are well positioned to do this work, but only if we ensure that they can compete for their fair share of these new contracts.

Finally, a host of kitchen table issues very directly affect small business owners. As our Nation takes up matters like tax policy, health care, and energy, the needs of entrepreneurs must be part of the discussion.

Mr. Speaker, since this economic downturn started, our committee has heard from a flood of small businesses calling for assistance to help them weather the current storm. This resolution will mean that we will have the ability to help as many entrepreneurs as possible. I am confident that, given the right tools, these same entrepreneurs will once again lead our Nation's recovery, creating opportunity in the face of adversity.

For that reason, I urge a ''yes'' vote.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have spoken in support of this resolution, and I continue to do so.

I would just say with respect to the statements made about the Small Business Committee, it received the single largest increase of all the committees of the House of Representatives.

I might say we actually managed for the Budget Committee to come in with no increase whatsoever. We had the Intelligence Committee come in with a 1.5 percent increase below inflation.

I remember when we asked them why they were coming in for such a small request, they said: Well, we had to increase some of our things last year. We were moving into a new SCIF, we had a new meeting place, we had to have new computers. But we made those expenditures last year; we don't need them this year. It was refreshing to actually hear that sort of thing. And there is no indication that, by virtue of the fact that we are giving them but a 1.5 percent increase, that we are trying to short them in any way, form, or fashion.

The Rules Committee also came in below 2 percent. And, again, they talked about the fact that they were trying to keep themselves within those limits.

I would just say, however, with respect to some things that have been said on the floor, I just wish that in the stimulus package we passed it would have had as much in it for small business as we have for the Small Business Committee in this particular resolution relative to other things. I think we could have done far better than that, and particularly with the tax consequences of the President's proposal.

Mr. Speaker, because of some of the questions brought up by Mr. ISSA and others, we and our committee fought and we brought this up on our side of the aisle, it was supported by the chairman, that we would try and increase the transparency of the committees of jurisdiction so that in fact people could make judgments as to whether they were carrying out the oversight function, and we do it in two ways. Let me just underscore that.

One is, there is already an existing requirement that every committee report on a monthly basis as to what they are doing. If you look at those reports now, sometimes they are kind of difficult to decipher. So trying to make it much more clear for both the committee and the public, we are working on a template so that information can be presented and easily accessible. We

also are working then to put that on the committee Web site so that people can see and make judgments for themselves. That is one way in which we are trying to ensure that we in the Congress in our committees do the oversight, as well as the legislative work, that we are supposed to do.

The second way we did it was to request—and it is part of this resolution—that the chairpersons and the ranking members of each committee come back to us at the end of the year. And it's not that we are going to question the subject matter that they are dealing with or question how they handle things, but rather we are going to just have some inquiries, looking at those reports, and seeing how what they are doing matched up with their budget request. One of the areas in which we are required to provide oversight of this House is to make sure that oversight is being done.

So I think we have tried to answer the question of whether or not real oversight is going to be done by the way that we made these changes contained in this resolution. I would hope that people understand that I take oversight responsibility very, very seriously; the chairman has indicated that he does as well; and, this committee will do its work to ensure that the American public can make their judgments. It seems to me that is what we are supposed to be doing. If all we are is a rubber-stamp committee, the public can say we are not doing our job.

Mr. Speaker, I do not think we are a rubber-stamp committee with this chairman, and I am certainly going to work with him to ensure that is not the case. We are going to make sure that we do the people's work and that all the committees do as well. If, at the end of the year we can't prove it to ourselves, we are not going to be able to prove it to the public, and then it is on us. And I would hope that we will step up to the plate, take the responsibility, and do the job that we are sent here to do not only as individual Members but as the collective work of Members in committee.

And if the chairman has no other speakers, I would say that we ought to support this resolution, and I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, this is a tough bill. None of us on either side of the aisle want to tell our colleagues ''no,'' and we also have to have the responsibility of making sure that we can tighten our belt and let the citizens of the United States of America know that we are not out there just spending freely. It is a tough bill to calculate, it is a tough bill to come up with the right, proper figures that we need to make all our committees' work viable and do the job that they need to do. They do a tremendous job, and much more work than they had in the past Congress due to the economy of the United States of America that we are in right now.

But we wouldn't be up here and be able to do this without cooperation, so I would like to thank my ranking member, my friend from California, for all the cooperation that he has given. It wasn't easy. It wasn't an easy fight. We do converse back and forth. We do talk. We don't always agree, but we are not disagreeable, and we made that pact and we are going to keep that pact. And not only with my colleague on the other side of the aisle, the ranking member, Mr. LUNGREN from California, but his staff and our staff.

It is a tough thing to do, tough to crunch these numbers. Every time they show them to me, without a doubt when I am done looking at them I get a headache, and I give them back to them to give them more headaches, on our side of the aisle and on their side of the aisle.

□ 1600

It's a tough bill to do, but we had to do it. And we had to do it by today, or tomorrow it would really be April Fools for all of us because we would be out of business in our committees, which would essentially shut this House down.

So, Mr. Speaker, again, I thank my colleague for his support and his cooperation, and I am looking forward to continued support and cooperation.

I urge all Members to vote in favor of this resolution so the committees can continue to do the essential work of the Congress.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 294, the previous question is ordered on the resolution, as amended.

The question is on the resolution.

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

Mr. DANIEL E. LUNGREN of California. 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 adoption of House Resolution 279 will be followed by 5-minute votes on motions to suspend the rules on H.R. 151 and H.R. 1299.

The vote was taken by electronic device, and there were—yeas 288, nays 136, not voting 7, as follows:

[Roll No. 172]

YEAS—288

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Buyer
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fleming
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Roskam
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
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Woolsey
Yarmuth
Young (AK)
Young (FL)

NAYS—136

Akin
Alexander
Austria
Bachmann
Barrett (SC)
Bartlett
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Campbell
Cantor
Cao
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, M.

Duncan
Emerson
Fallin
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Luetkemeyer
Mack
Manzullo
Marchant
McCaul
McClintock
McHenry
McMorris Rodgers
Mica
Miller (FL)
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Souder
Stearns
Sullivan
Taylor
Thornberry
Tiahrt
Tiberi
Upton
Walden
Wamp
Wilson (SC)
Wittman
Wolf

NOT VOTING—7

Cole
Hastings (WA)
Hensarling
Miller, Gary
Pascrell
Westmoreland
Wu

□ 1625

Mr. SENSENBRENNER, Mrs. MYRICK, Mrs. BACHMANN, Messrs. OLSON, GERLACH, ROGERS of Kentucky, SCHOCK and BILIRAKIS changed their vote from ''yea'' to ''nay.''

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DANIEL WEBSTER CONGRESSIONAL CLERKSHIP ACT OF 2009

The SPEAKER pro tempore (Mr. SERRANO). The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 151, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 151.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 42, not voting 8, as follows:

[Roll No. 173]

YEAS—381

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
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
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
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
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
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)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NAYS—42

Akin
Bartlett
Broun (GA)
Cassidy
Chaffetz
Coble
Conaway
Deal (GA)
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Hoekstra
Hunter
Inglis
Issa
Jones
Jordan (OH)
Kingston
Lamborn
Linder
Lummis
Mack
Manzullo
McClintock
Neugebauer
Nunes
Paul
Poe (TX)
Price (GA)
Rohrabacher
Rooney
Royce
Scalise
Schmidt
Shadegg
Shuster
Stearns
Tiberi
Young (AK)
Young (FL)

NOT VOTING—8

Blackburn
Hastings (WA)
Hensarling
Miller, Gary
Pascrell
Sanchez, Loretta
Simpson
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1634

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.

CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1299, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 1299.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 1, not voting 14, as follows:

[Roll No. 174]

YEAS—416

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
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
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
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)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
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
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
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
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)
Putnam
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.
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
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
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Minnick

NOT VOTING—14

Barrett (SC)
Blackburn
Cardoza
Castor (FL)
Hastings (WA)
Hensarling
Hill
McDermott
Miller, Gary
Pascrell
Sanchez, Loretta
Simpson
Smith (TX)
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. FUDGE) (during the vote). Less than 2 minutes remain in this vote.

□ 1642

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

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.

Stated for:

Mr. SMITH of Texas. Mr. Speaker on rollcall No. 174, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, today, March 31st, I was detained in my district and therefore missed the 9 rollcall votes of the day.

Had I been present I would have voted "yea" on rollcall vote No. 166 on Agreeing to the Resolution H. Res. 296—on Providing for the consideration of the Senate amendments to H.R. 1388.

Had I been present I would have voted "yea" on rollcall vote No. 167 on the Motion to Suspend the Rules and Pass, as Amended H.R. 1259—Dextromethorphan Distribution Act.

Had I been present I would have voted "aye" on rollcall vote No. 168 on the Motion to Suspend the Rules and Pass, as Amended H. Res. 282—Recognizing the 30th anniversary of the peace treaty between Egypt and Israel.

Had I been present I would have voted "yea" on rollcall vote No. 169 on the On Motion To Concur in the Senate Amendments to H.R. 1388—Generations Invigorating Volunteerism and Education (GIVE) Act.

Had I been present I would have voted "yea" on rollcall vote No. 170 on the On Motion to Suspend the Rules and Pass, as Amended H.R. 577—Vision Care for Kids Act of 2009.

Had I been present I would have voted "yea" on rollcall vote No. 171 on the Motion to Suspend the Rules and Pass H.R. 1253—Health Insurance Restrictions and Limitations Clarification Act.

Had I been present I would have voted "yea" on rollcall vote No. 172 On Agreeing to the Resolution H. Res. 279—Providing for the expenses of certain committees of the House of Representatives in the One Hundred Eleventh Congress.

Had I been present I would have voted "yea" on rollcall vote No. 173 on the Motion to Suspend the Rules and Pass H.R. 151—To establish the Daniel Webster Congressional Clerkship Program.

Lastly, had I been present I would have voted "yea" on rollcall vote No. 174 on the Motion to Suspend the Rules and Pass H.R. 1299—Capitol Police Administrative Technical Corrections Act of 2009.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 31, 2009.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to section 13101 of the HITECH Act (P.L. 111–5), I am pleased to appoint Mrs. Gayle Harrell of Stuart, Florida to the HIT Policy Committee.

Mrs. Harrell has expressed interest in serving in this capacity and I am pleased to fulfill her request.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

□ 1645

HONORING FOUR SLAIN OAKLAND POLICE OFFICERS

Mr. CONYERS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 290) honoring the lives, and mourning the loss, of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege, members of the Oakland Police Department in California who were brutally slain in the line of duty.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 290

Whereas, since May 17, 1792, when Deputy Sheriff Isaac Smith of the New York City Sheriffs Office was killed, more than 18,270 Federal, State, and local law enforcement officers have died in the line of duty;

Whereas, on Saturday, March 21, 2009, in Oakland, California, Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Dan Sakai, and Officer John Hege, all of the Oakland Police Department, were killed by gunfire while serving in the line of duty;

Whereas the senseless slaying of Sergeants Dunakin, Romans, and Sakai, and Officer

Hege represents the first multiple-fatality shooting incident of law enforcement officers in the United States in more than a year, and the first time in more than 15 years that 4 law enforcement officers were killed by gunfire in the line of duty in a single incident;

Whereas the killing of Sergeants Dunakin, Romans, and Sakai, and Officer Hege represents the deadliest incident involving California public safety officers since the infamous ''Newhall Incident'' occurred nearly 40 years ago in Los Angeles County on April 6, 1970, when 4 California highway patrolmen were killed in a gun battle with 2 heavily armed suspects, an incident so traumatic and shocking to the Nation that it galvanized the movement to reform police training procedures, firearms use, and arrest techniques;

Whereas the slaying of Sergeants Dunakin, Romans, and Sakai, and Officer Hege serve as a reminder that the risks assumed by police officers daily in serving and protecting their communities continue to be enormous, ever present, and lethal, even as the number of law enforcement officers killed by gunfire in the United States has steadily declined over the last 20 years;

Whereas the bravery, devotion to duty, and love of community of these fallen heroes has forever earned them a place in the hearts and memories of the citizens they willingly risked their lives to protect, an honor that comes at enormous cost to the people who knew them best, loved them most, and remember them simply as husbands, fathers, brothers, sons, and friends;

Whereas Sergeant Mark Dunakin of Tracy, California, was an 18-year veteran of the Oakland Police Department, a graduate of Chabot College in Hayward, California, an experienced homicide investigator, and according to his captain, ''a cop's cop,'' who was ''absolutely committed to anything that he leads'' and absolutely devoted to his wife Angela and their 3 children;

Whereas Sergeant Ervin ''Erv'' Romans of Danville, California, was a 13-year veteran of the Oakland Police Department, one of the most capable members of the Oakland Police SWAT Team, and highly respected for his work in the Narcotics Division of the Department, where he was responsible for solving several major drug cases;

Whereas Sergeant Daniel Sakai of Castro Valley, California, was considered by his peers and supervisors as a rising star on the Oakland Police SWAT Team, where he served as leader of the entry team and was beloved for his dedication to serving others, as evidenced by his previous work as a community service officer at University of California, Berkeley, escorting students around campus at night, and his tenure as an English teacher in Japan, but most of all by his devotion to his wife Jennifer and their young daughter;

Whereas Officer John Hege of Concord, California, was a 10-year veteran of the Oakland Police Department who graduated from St. Mary's College of California, taught at Tennyson High School in Hayward, California, loved both his dog and umpiring high school baseball games, and knew the incredible joy of realizing his cherished dream of becoming a motorcycle cop, and who could always be counted on by his colleagues to be one of the first to respond to requests for assistance or to cheerfully volunteer to help on departmental projects; and

Whereas in the face of this horrible loss, the people of Oakland, California, have come together and rededicated themselves to making Oakland the safe and peaceful community that Sergeants Dunakin, Romans, and Sakai, and Officer Hege sacrificed their lives to preserve and defend: Now, therefore, be it

Resolved, That the House of Representatives extends its condolences to the families and loved ones of Oakland Police Department Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege and stands in solidarity with the people of Oakland, California, their neighbors in the East Bay, and entire Bay Area community, as they celebrate the lives, and mourn the loss, of these 4 remarkable and selfless heroes who represented the best of their community and the future the people of Oakland are determined to create for their children, grandchildren, and generations to come.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. CONYERS. Madam Speaker, I yield myself as much time as I may consume.

This resolution honors the lives and mourns the loss of four Oakland, California, police department officers. These honorable and brave officers were viciously slain by gunfire in the line of duty on Saturday, March 21, 2009. By way of this resolution, the House of Representatives extends its condolences to the families and loved ones of those police officers, and we join with the City of Oakland and the entire Bay Area in grieving the deaths of these exemplary public servants who gave their lives to protect the Oakland community.

I reserve the balance of my time.

Mr. POE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of this resolution, H. Res. 290. This resolution honors the lives of Oakland Police Department's Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege.

Madam Speaker, just a little over 2 weeks ago on March 21, these peace officers were brutally slain while in the line of duty protecting the people of the State of California. These officers were valuable members of their police department, they were community leaders, and they were family men. They risked their lives every day to protect their fellow Californians, and at the end of the day, they were all killed for doing so.

Sergeant Mark Dunakin was an 18-year veteran of the Oakland Police Department and resided in Tracy, California. According to his captain, the experienced homicide investigator was absolutely committed to every investigation he led. He leaves behind his wife Angela and their three small children.

Sergeant Ervin Romans, ''Erv'' to his friends, was from Danville, California. He gave 13 years of service to the Oakland Police Department. He was a member of the police SWAT team and highly regarded for his work with the narcotics division in solving several complex drug cases in California.

Sergeant Daniel Sakai of Castro Valley, California, was also a member of the police SWAT team. While he's remembered for his outstanding work on the SWAT team, he's also remembered and respected for his love of serving other people, most notably during his time as a community officer at the University of California in Berkeley. And he also taught English in Japan.

He was a devoted husband and father to his wife Jennifer and their young daughter.

Officer John Hege of Concord, California, was a 10-year veteran of the Oakland Police Department and was known by his colleagues for his willingness to help out with any department projects. Before joining the force, Officer Hege was a high school teacher and spent his free time umpiring high school baseball games.

Madam Speaker, almost 40 years ago, four California Highway Patrolmen lost their lives in the line of duty in a single incident. Since that time, our Nation's law enforcement officers have made a considerable effort to reform police safety training programs and procedures. And because of that dedicated work over the past 20 years, we've seen a decrease in the number of police officers killed by gunfire.

Although there has been great progress in protecting the safety of these men and women who wear the uniform, the death of these four officers serve as a reminder to the whole country that our Nation's law enforcement officials still face dangerous and potentially deadly situations every day. When a peace officer puts on a uniform in the morning, they represent everything that is good and right about our country.

Today, we honor the lives and the commitment to protecting our community of these four peace officers.

I urge the adoption of this resolution.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am proud now to yield to the author of this resolution, the distinguished gentlelady from Oakland, California, the chair of the Congressional Black Caucus, Ms. BARBARA LEE, for as much time as she may consume.

Ms. LEE of California. First, Chairman CONYERS, let me thank you for your leadership and for helping to expedite the consideration of this resolution before us today. And let me commend the work of our staff—Danielle Brown, Karas Patterson of the Judiciary Committee, and Christos Tsentas and Gregory Berry of my office—for their excellent work on this resolution.

Also, I want to express my gratitude to Speaker PELOSI and Majority Leader HOYER and all of those who were able to make sure that we were able to honor our fallen police officers today.

I must say, the lives of four police officers who we lost were honored and were mourned at a memorial last week, and this memorial was so big—20,000 people—that we had to have the memorial service in the Oracle Arena in Oakland, California.

It's really with a very heavy heart that I introduce this resolution honoring their lives and mourning the losses of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege. All were officers of the Oakland police force. They were brutally slain in the line of duty 10 days ago.

Madam Speaker, the death of any law enforcement officer or first responder in the line of duty is a loss felt by so many people in so many communities. The tragic deaths of the heroes we honor in this resolution is no different. These wonderful men may have served and protected the people of Oakland, California, in my congressional district, but off duty they devoted their lives to improving the neighboring East Bay communities where they lived: Castro Valley, Danville, Tracy, and Concord, California. This resolution is cosponsored by the entire California Congressional Delegation, including Speaker PELOSI.

So I just want to thank them all for their support, especially Congresswoman TAUSCHER and Congressman MCNERNEY, each of whom represented one of the officers we honor today and with whom I worked very closely on this resolution.

As I said earlier, the number of persons seeking to pay their respects to the fallen officers was so great, more than 20,000, that the memorial service was held at Oracle Arena. Among those in attendance were Governor Schwarzenegger, Senator FEINSTEIN, and Senator BOXER, Oakland Mayor Ron Dellums and California Attorney General Jerry Brown. They were joined by thousands of fellow police officers and elected officials from around the country. President Obama also sent his condolences.

This is a small but fitting tribute, Madam Speaker, to four good men who routinely performed great deeds and who gave their lives in service to the people of Oakland, California. Their sacrifice increases by four the number of law enforcement officers who have died in the line of duty since May 17, 1792, when Deputy Sheriff Isaac Smith of the New York City Sheriff's Office was killed.

According to the National Law Enforcement Officer's Memorial Fund—an invaluable source, I might say, of historical and statistical information—that roll of honor now lists more than 18,270 names, each of which is engraved on the National Law Enforcement Officer's Memorial located in Washington, D.C.

In May, 2010, the names of Sergeant Mark Dunakin, Ervin Romans, Daniel Sakai and Officer John Hege will be added to those of their fallen brothers and sisters.

The senseless slayings of these officers represents the first multiple-fatality shooting incident in more than 1 year and the first time in more than 15 years that four law enforcement officers were killed by gunfire in the line of duty in a single incident.

Madam Speaker, this tragedy also represents the deadliest incident involving California public safety officers since the infamous Newhall Incident, which occurred nearly 40 years ago in Los Angeles County on April 6, 1970, when four California Highway Patrolmen were killed in a gun battle with two heavily armed suspects. The Newhall Incident so traumatized and shocked the Nation that it galvanized the movement that led to the reform of police training procedures, firearms use, and arrest techniques.

The slayings of these four officers remind us that the risks assumed by police officers daily in serving and protecting their communities continue to be enormous, ever-present, and, often times, lethal.

Their deaths also challenge us to redouble our efforts to ensure that law enforcement personnel have the training, the resources, and assistance and support needed to make our community safer, not only for the people who live there, but also for the people who serve those communities.

So, Madam Speaker, let me just say that the bravery, the devotion to duty, and the love of community of these fallen heroes has forever earned them a place in the hearts and memories of the citizens they willingly risked their lives to protect.

But that honor comes at an enormous cost to the people who knew them best, who loved them most, and remember them simply as husbands, fathers, brothers, sons, and friends.

Sergeant Dunakin of Tracy, California, was an 18-year veteran of the Oakland Police Department, a graduate of Chabot College in Hayward, an experienced homicide investigator. According to his captain, he was a ''cop's cop,'' one who was ''absolutely committed to anything that he leads'' and absolutely devoted to his wife, Angela, and their three children.

Sergeant Ervin Romans of Danville, California, a decorated former Marine Corps drill sergeant, was a 13-year veteran of the Oakland Police Department. He was also one of the ablest members of the Oakland Police SWAT Team, and was highly respected for his work in the narcotics division, where he was responsible for solving several major drug cases.

In 1999, he was awarded the Oakland Police Department's highest honor, the Medal of Valor, for helping to save residents in a West Oakland fire. Sergeant Romans is survived by his widow and his three children.

Sergeant Sakai of Castro Valley, California, was considered by his peers and supervisors as a rising star on the Oakland Police SWAT Team, where he served as leader of the entry team. He was beloved for his dedication to serving others, as evidenced by his previous work as a community service officer at the University of California, Berkeley, escorting students around campus at night, and by his tenure as an English teacher in Japan. He leaves to cherish his memory a wife and a young daughter.

And then there is Officer John Hege of Concord, California. John was a 10-year veteran of the Oakland Police Department and a graduate of St. Mary's College in California. Before joining the department, he taught at Tennyson High School in Hayward. And how he loved both his dog and umpiring high school baseball teams was remarkable. Those who knew him well knew how happy he was to realize his dream of becoming a motorcycle cop.

Officer Hege could always be counted on by his colleagues to be one of the first to respond to requests for assistance or to cheerfully volunteer to help on departmental projects. He will be greatly missed.

Madam Speaker, in the face of this horrible loss and for the people of Oakland, California, we stand together in our resolve to make our city safer and peaceful, and we resolve that Sergeants Dunakin, Romans, Sakai, and Officer Hege, who sacrificed their lives, will be remembered and honored as those who really loved the community and did protect and defend it. Only by achieving our goals of peace, nonviolence, and resolutions of conflicts by peaceful means will we be able to achieve a truly peaceful community, and then repay the debt that we owe to these four remarkable human beings who made the supreme sacrifice to keep us safe.

Let me close with a passage from President Obama's statement on the tragic loss of our police officers.

□ 1700

He said, ''Our Nation is grateful for the men and women of law enforcement who work tirelessly to ensure the safety of our citizens and our neighborhoods. They risk their lives each day on our behalf and ask little in return. And although the danger of their work is well-known, words still fail to explain the senseless violence that claims so many of them.

''As we honor their memories, I hope each of you will take comfort in knowing that their commitment to their fellow man will never be forgotten. We will always carry them in our hearts, and their legacy of service will inspire us as we work together toward a better Oakland, a better world.''

Thank you, Chairman CONYERS, for your assistance with this resolution.

THE WHITE HOUSE,
Washington, DC, March 27, 2009.

I was deeply saddened to learn of the tragic loss of Sgt. Mark Dunakin, Officer John

Hege, Sgt. Ervin Romans, and Sgt. Daniel Sakai. Michelle and I hold their families and your community in our thoughts and prayers.

Our Nation is grateful for the men and women of law enforcement who work tirelessly to ensure the safety of our citizens and our neighborhoods. They risk their lives each day on our behalf and ask little in return. And although the danger of their work is well known, words still fail to explain the senseless violence that claims so many of them.

Sgt. Dunakin, Officer Hege, Sgt. Romans and Sgt. Sakai were taken from us far too soon, and their loss reminds us that the work to which they dedicated their lives remains undone.

As we honor their memories, I hope each of you will take comfort in knowing that their commitment to their fellow man will never be forgotten. We will always carry them in our hearts, and their legacy of service will inspire us as we work together toward a better Oakland, a better world.

Michelle and I offer our heartfelt sympathy. May their sacrifices be rewarded with eternal peace.

BARACK OBAMA.

Mr. CONYERS. Madam Speaker, I'm honored now to yield 1 minute to the distinguished Speaker of the House, NANCY PELOSI, the gentlewoman from California.

Ms. PELOSI. Madam Speaker, I thank the distinguished chairman for yielding, as I join my colleagues in commemorating and honoring the memory of the Oakland, California, police officers who were senselessly murdered while on duty. I associate myself with the remarks of Congresswoman BARBARA LEE, author of this resolution, and join Congresswoman TAUSCHER and Congressman MCNERNEY in again remembering these brave heroes.

Madam Speaker, our colleague, Congresswoman LEE, spelled it out so very well, the senselessness of these deaths, the heroism of these police officers, and the quality of their lives. As elected officials, our first responsibility is to protect the American people, whether in their homes, their neighborhoods and communities, or to protect our country as a Nation. This is not possible without the heroic courage of our public safety officers in our country.

Every day when they leave for work, they risk not coming home. I hope that their families don't think of that every day, but on a day in March, this fact was driven home very brutally to four families.

Madam Speaker, a giant pall hangs over the Bay Area in California. These deaths have hit people very, very hard, as you would expect, and I think you can feel some of that in this Chamber this afternoon because of these personal losses and individuals who were killed, and also because of the threat that this is to every public safety officer in our country.

I'm so proud to be able to speak about this resolution honoring the lives and mourning the deaths of four Oakland, California, Police Department officers. Their names have been mentioned, but I think they deserve being mentioned over and over again: Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege.

I hope that it's a comfort to their families and to their friends that so many people throughout our country, starting with the President of the United States, the dignitaries that Congresswoman LEE said were at the service, and spoke, some of them, at the service. But probably more important than all of that are all of the people, the everyday people in the country, in Oakland, and the Bay Area, who feel this loss very, very personally.

In our resolution that has been put forth by the committee, we talk about these four brave officers and that ''the senseless slayings of Sergeants Dunakin, Romans, and Sakai, and Officer Hege represents the first multiple-fatality shooting of law enforcement officers in the United States in more than a year.'' And, ''whereas the killing of'' these gentlemen represents the deadliest incident in California public safety since the Newhall Incident, which was referenced by Congresswoman LEE. That was a long time ago, 40 years ago, and these senseless killings ''serve as a reminder that the risks assumed by police officers daily in serving and protecting their communities continues to be enormous.''

It recognizes the bravery, the devotion to duty, and the love of community of these fallen heroes, and that they have forever earned a place in the hearts and memories of the citizens they willingly risked their lives for.

Congresswoman LEE went into the personal stories of Sergeant Dunakin, Sergeant Romans, Sergeant Sakai and Officer Hege. So I won't repeat that except to take pride in their personal lives, as well as their professional execution of their duties.

And whereas, in this resolution, we say, ''in the face of this horrible loss, the people of Oakland, California, have come together and rededicated themselves to making Oakland'' a better place as the Congresswoman referenced, I also want her to know that our entire State feels their pain, prays for the families of those who were lost, and also extends our sympathy to all of them.

I think I can say that without any fear of contradiction that, as Speaker of the House, I speak for all of us here when I say to those families, thank you, we're sorry, we're praying for you, and your loved ones will always have a place in our hearts and in history as heroes for our people.

Mr. POE of Texas. I reserve the balance of my time.

Mr. CONYERS. I'm pleased now to yield as much time as he may consume to the gentleman from California (Mr. MCNERNEY), a cosponsor.

Mr. MCNERNEY. Thank you, Mr. Chairman.

Madam Speaker, I rise in support of H. Res. 290, a resolution honoring the lives, and mourning the loss, of four Oakland police officers who made the ultimate sacrifice in the line of duty.

Madam Speaker, these were men of flesh and blood, with dreams and hopes and families, and their lives were cut short by senseless violence this month. I just want to say a few words about each one of them in honor of their sacrifice.

Sergeant Mark Dunakin lived in my district and served in Oakland for 18 years as a police officer, the last 10 of which as a sergeant in the criminal investigation division. His work investigating homicides made our streets safer and more secure. Sergeant Dunakin, from Tracy, California, leaves behind a wife and three children.

Sergeant Ervin Romans, who was also a resident in my district, was considered one of the most skillful and knowledgeable members of the Oakland Police Department's SWAT team. Sergeant Romans, a former Marine, made a number of high-profile drug arrests during his tenure in the narcotics department. He was known for his dedication and work ethic. Sergeant Romans, a resident of Danville, also leaves behind a wife and three children.

Sergeant Daniel Sakai, only 35 years young, studied forestry at UC Berkeley, where he also served as a campus community service officer. He began his dedication in service to community as a Boy Scout, eventually obtaining the rank of Eagle Scout. He leaves behind a wife and a young daughter who will miss him dearly.

Officer John Hege recently achieved his dream of joining the department's motorcycle unit before that fateful Saturday. Before he joined the force, he was a teacher in Hayward. He continued to work with teens even after he became a police officer, serving as a high school baseball umpire. He was known for his cheerful attitude, friendly nature, and his eagerness to help those in need.

Madam Speaker, these officers represented the best our society has to offer. They will be sorely missed, but their dedication to duty is an example for all of us. I join all of northern California, and the Nation, in mourning their loss and honoring these heroes.

Mr. POE of Texas. I continue to reserve my time.

Mr. CONYERS. Madam Speaker, I'm pleased to yield as much time as he may consume to the gentleman from Michigan (Mr. STUPAK), who represents the Upper Peninsula and is a former law enforcement person himself.

Mr. STUPAK. Madam Speaker, I thank the chairman for yielding to me.

I rise in support of this resolution and to pay tribute to the four Oakland Police Department officers who were fatally shot in the line of duty on March 21.

Sergeants Mark Dunakin, Ervin Romans, Daniel Sakai, and motorcycle officer John Hege were brutally murdered on a Saturday afternoon during the course of what began as a routine traffic stop and resulted in a massive manhunt.

The shootings were the deadliest incident for U.S. law enforcement since 9/11 and the deadliest in California in 40 years. Although these tragic events occurred more than 2,000 miles from my district, the people of northern Michigan join Oakland, California, and the Nation in paying tribute to these true heroes.

Sergeant Ervin Romans, who died of gunshot wounds in the second of the two shooting incidents on that day, was the son of Chester and Sueko Romans of Ironwood Township in Michigan's Upper Peninsula.

Family and friends in Ironwood and across the Upper Peninsula have, in recent days, shared fond memories of Sergeant Romans. Although he was living and working in California as a SWAT team leader for the Oakland Police Department, Sergeant Romans grew up in Ironwood, where he graduated from Luther L. Wright High School in 1983 before leaving to become a decorated Marine.

After his service to our Nation in the Marine Corps and as an Oakland Housing Authority police officer, Romans dreamed of joining the Oakland Police Department. That dream came true in 1996. In 1999, Romans received the department's highest honor, the Medal of Valor, for helping save residents in a West Oakland fire.

He was promoted to sergeant in 2005 and worked narcotics cases and on the crime-reduction team, which was worked to combat street-level narcotics problems and associated violence. Ervin Romans was also a firing range master sergeant.

Sergeant Romans was one of the SWAT steam members who on March 21 stormed the apartment where parolee and suspect Lovelle Mixon was hiding in a closet. Sergeant Romans was shot inside the apartment and died of gunshot wounds later that day.

Ervin, or Erv to his family and friends, was a son, husband and father of three. He lived in Danville, California, with his wife, Laura, and three children, Kristina, Justin and Kayla.

Childhood friends and family remaining in the Ironwood area will pay tribute to Sergeant Romans at a funeral service in Ironwood on April 4.

As a former Escanaba City Police Officer and Michigan State Police Trooper, the loss of a law enforcement officer is especially painful. When I came to Congress, I founded the Law Enforcement Caucus, which exists to advocate for police officers and their families all across our country. This shooting reminds us how men and women in law enforcement face unknown dangers every day to keep us safe and our families safer.

Like so many law enforcement officers across our country, Sergeants Romans, Dunakin, Sakai, and Officer Hege dedicated their lives to our safety. Madam Speaker, I join Congresswoman LEE and all of my colleagues in honoring these men for their service and sacrifice, and in offering the condolences of the U.S. House of Representatives to their families and friends.

I thank the gentleman.

Mr. POE of Texas. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. POE of Texas. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, not a day goes by that law enforcement officers do not face danger in the mission to keep us safe from crime, acts of violence, and even terrorism.

As founder and a co-chairman of the Congressional Victims Rights Caucus, I know unfortunately peace officers are also often victims of criminal conduct. After all, they are the last strand of wire in the fence between the law and the lawless.

Over my years as a prosecutor and a judge, I have known several police officers who gave their lives for the rest of us. Today, we are grateful for the families and to the officers of California who selflessly gave their lives while protecting the rest of us: Sergeant Dunakin, Sergeant Romans, Sergeant Daniel Sakai, and Officer John Hege.

Madam Speaker, on May 15, on the West side of the Capitol grounds, we honor all peace officers that have been killed in the line of duty in the United States. There will be thousands of peace officers from all over the United States, and the families of the slain will be not far from where we are today to honor those. This year we will honor four more from Oakland, California.

I would like to thank my colleague, the gentlewoman from California (Ms. LEE) for introducing this resolution and the chairman for expediting this legislation to the House.

Mr. HONDA. Madam Speaker, today, the House of Representatives considered H. Res. 290, a resolution honoring the lives and mourning the tragic loss of four Oakland police officers who were killed in the line of duty. I commend the valor of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege. These men were not just police officers, but fathers, sons, brothers, husbands, and friends. My heart goes out to those closest to them, that they may find comfort and peace in their friends and families.

Police officers risk their lives every day to keep Americans safe, and their heroic deeds do not go unnoticed by their communities. Candlelight vigils and prayer ceremonies throughout California as well as the huge swell of public emotion at the passing of these four brave police officers show that Americans understand and value the sacrifices made by police officers.

I stand in solidarity with these supporters, and vow that we will not forget these four brave men. We will keep them in our hearts as we strive to make cities and communities safer and bring crime rates down. We will keep them in our minds as we attempt to do a better job of reforming convicts and rehabilitating parolees. As we consider this resolution today, let us rededicate ourselves to the protection of our communities and our law enforcement, so that the deaths of these four men will not have been in vain.

Mr. STARK. Madam Speaker, I rise today in support of H. Res. 290: Honoring the lives and mourning the loss of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege, members of the Oakland, California Police Department.

On March 21, 2009, Sergeants Dunakin, Romans, Sakai, and Officer Hege were shot and killed in the line of duty, giving their lives to protect our community. This tragedy serves as a reminder of the great sacrifices police officers make to protect us, and underscores the need to end violent crime in our nation.

I extend my deepest gratitude for the service of Sergeants Dunakin, Romans, Sakai, and Officer Hege to the Oakland Police Department and my heartfelt condolences to their families, friends, and our community. I ask my colleagues to join me in supporting this resolution.

Mrs. TAUSCHER. Madam Speaker, I want to thank my good friend from Oakland, Ms. BARBARA LEE, for her tireless service and for introducing this resolution.

I rise today to honor the lives of four Oakland Police Officers, who were tragically killed in the line of duty on March 21, 2009. Officer John R. Hege, Sergeant Mark Dunakin, SWAT Sergeant Ervin Romans, and Sergeant Daniel Sakai.

I want to take a few moments to honor Officer Hege, a resident of Concord and California's Tenth Congressional district.

Throughout his life, John nurtured a love of sports and the outdoors. To his friends, he was "outgoing and friendly, an honest and fair-minded man." The Contra Costa Times described him "as a good-natured sports fan with a hearty laugh, nonstop energy and a heart of gold."

John was foremost a public servant. He attended Piedmont schools growing up, achieved the rank of Eagle Scout, and graduated from Saint Mary's College in Moraga in 1990. He began his career as a high school teacher, coaching and officiating basketball and football. He joined the Oakland Police Department Reserves in 1993 and became a full-time officer in 1999.

He continued his passion for teaching as a police cadet instructor. Officer Hege's lifetime of service continued until the final moments of his life. He underwent surgery to donate his organs to save the lives of four others. He is survived by his parents, John and Tamra Hege.

The brazen assault on the Oakland Police Officers is a tragic reminder of the lengths our police officers go to keep our families and communities safe. I ask all Americans to join us in honoring the life and achievements of Officer John R. Hege and his fellow officers.

Mr. POE of Texas. I yield back the remainder of my time and urge the adoption of this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 290.

The question was taken.

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

Mr. CONYERS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1715

FREE FLOW OF INFORMATION ACT OF 2009

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 985) to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 985

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 ''Free Flow of Information Act of 2009''.

SEC. 2. COMPELLED DISCLOSURE FROM COVERED PERSONS.

(a) CONDITIONS FOR COMPELLED DISCLOSURE.—In any matter arising under Federal law, a Federal entity may not compel a covered person to provide testimony or produce any document related to information obtained or created by such covered person as part of engaging in journalism, unless a court determines by a preponderance of the evidence, after providing notice and an opportunity to be heard to such covered person—

(1) that the party seeking to compel production of such testimony or document has exhausted all reasonable alternative sources (other than the covered person) of the testimony or document;

(2) that—

(A) in a criminal investigation or prosecution, based on information obtained from a person other than the covered person—

(i) there are reasonable grounds to believe that a crime has occurred; and

(ii) the testimony or document sought is critical to the investigation or prosecution or to the defense against the prosecution; or

(B) in a matter other than a criminal investigation or prosecution, based on information obtained from a person other than the covered person, the testimony or document sought is critical to the successful completion of the matter;

(3) in the case that the testimony or document sought could reveal the identity of a source of information or include any information that could reasonably be expected to lead to the discovery of the identity of such a source, that—

(A) disclosure of the identity of such a source is necessary to prevent, or to identify any perpetrator of, an act of terrorism against the United States or its allies or other significant and specified harm to national security with the objective to prevent such harm;

(B) disclosure of the identity of such a source is necessary to prevent imminent death or significant bodily harm with the objective to prevent such death or harm, respectively;

(C) disclosure of the identity of such a source is necessary to identify a person who has disclosed—

(i) a trade secret, actionable under section 1831 or 1832 of title 18, United States Code;

(ii) individually identifiable health information, as such term is defined in section 1171(6) of the Social Security Act (42 U.S.C. 1320d(6)), actionable under Federal law; or

(iii) nonpublic personal information, as such term is defined in section 509(4) of the Gramm-Leach-Biley Act (15 U.S.C. 6809(4)), of any consumer actionable under Federal law; or

(D)(i) disclosure of the identity of such a source is essential to identify in a criminal investigation or prosecution a person who without authorization disclosed properly classified information and who at the time of such disclosure had authorized access to such information; and

(ii) such unauthorized disclosure has caused or will cause significant and articulable harm to the national security; and

(4) that the public interest in compelling disclosure of the information or document involved outweighs the public interest in gathering or disseminating news or information.

(b) AUTHORITY TO CONSIDER NATIONAL SECURITY INTEREST.—For purposes of making a determination under subsection (a)(4), a court may consider the extent of any harm to national security.

(c) LIMITATIONS ON CONTENT OF INFORMATION.—The content of any testimony or document that is compelled under subsection (a) shall—

(1) not be overbroad, unreasonable, or oppressive and, as appropriate, be limited to the purpose of verifying published information or describing any surrounding circumstances relevant to the accuracy of such published information; and

(2) be narrowly tailored in subject matter and period of time covered so as to avoid compelling production of peripheral, nonessential, or speculative information.

(d) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed as applying to civil defamation, slander, or libel claims or defenses under State law, regardless of whether or not such claims or defenses, respectively, are raised in a State or Federal court.

(e) EXCEPTION RELATING TO CRIMINAL OR TORTIOUS CONDUCT.—The provisions of this section shall not prohibit or otherwise limit a Federal entity in any matter arising under Federal law from compelling a covered person to disclose any information, record, document, or item obtained as the result of the eyewitness observation by the covered person of alleged criminal conduct or as the result of the commission of alleged criminal or tortious conduct by the covered person, including any physical evidence or visual or audio recording of the conduct, if a Federal court determines that the party seeking to compel such disclosure has exhausted all other reasonable efforts to obtain the information, record, document, or item, respectively, from alternative sources. The previous sentence shall not apply, and subsections (a) and (b) shall apply, in the case that the alleged criminal conduct observed by the covered person or the alleged criminal or tortious conduct committed by the covered person is the act of transmitting or communicating the information, record, document, or item sought for disclosure.

SEC. 3. COMPELLED DISCLOSURE FROM COMMUNICATIONS SERVICE PROVIDERS.

(a) CONDITIONS FOR COMPELLED DISCLOSURE.—With respect to testimony or any document consisting of any record, information, or other communication that relates to a business transaction between a communications service provider and a covered person, section 2 shall apply to such testimony or document if sought from the communications service provider in the same manner that such section applies to any testimony or document sought from a covered person.

(b) NOTICE AND OPPORTUNITY PROVIDED TO COVERED PERSONS.—A court may compel the testimony or disclosure of a document under this section only after the party seeking such a document provides the covered person who is a party to the business transaction described in subsection (a)—

(1) notice of the subpoena or other compulsory request for such testimony or disclosure from the communications service provider not later than the time at which such subpoena or request is issued to the communications service provider; and

(2) an opportunity to be heard before the court before the time at which the testimony or disclosure is compelled.

(c) EXCEPTION TO NOTICE REQUIREMENT.—Notice under subsection (b)(1) may be delayed only if the court involved determines by clear and convincing evidence that such notice would pose a substantial threat to the integrity of a criminal investigation.

SEC. 4. DEFINITIONS.

In this Act:

(1) COMMUNICATIONS SERVICE PROVIDER.—The term ''communications service provider''—

(A) means any person that transmits information of the customer's choosing by electronic means; and

(B) includes a telecommunications carrier, an information service provider, an interactive computer service provider, and an information content provider (as such terms are defined in sections 3 and 230 of the Communications Act of 1934 (47 U.S.C. 153, 230)).

(2) COVERED PERSON.—The term ''covered person'' means a person who regularly gathers, prepares, collects, photographs, records, writes, edits, reports, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public for a substantial portion of the person's livelihood or for substantial financial gain and includes a supervisor, employer, parent, subsidiary, or affiliate of such covered person. Such term shall not include—

(A) any person who is a foreign power or an agent of a foreign power, as such terms are defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

(B) any organization designated by the Secretary of State as a foreign terrorist organization in accordance with section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(C) any person included on the Annex to Executive Order No. 13224, of September 23, 2001, and any other person identified under section 1 of that Executive order whose property and interests in property are blocked by that section;

(D) any person who is a specially designated terrorist, as that term is defined in section 595.311 of title 31, Code of Federal Regulations (or any successor thereto); or

(E) any terrorist organization, as that term is defined in section 212(a)(3)(B)(vi)(II) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)(II)).

(3) DOCUMENT.—The term ''document'' means writings, recordings, and photographs, as those terms are defined by Federal Rule of Evidence 1001 (28 U.S.C. App.).

(4) FEDERAL ENTITY.—The term ''Federal entity'' means an entity or employee of the judicial or executive branch or an administrative agency of the Federal Government with the power to issue a subpoena or issue other compulsory process.

(5) JOURNALISM.—The term ''journalism'' means the gathering, preparing, collecting,

photographing, recording, writing, editing, reporting, or publishing of news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. I ask unanimous consent to revise and extend my remarks and that all Members have 5 legislative days to revise and extend their remarks as well and include extraneous material on the bill under consideration.

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

There was no objection.

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

Members of the House, the Free Flow of Information Act creates a qualified privilege to protect journalists from being compelled to disclose confidential sources or other than nonpublic information that they have collected in the course of their reporting.

This is a very important and sensitive matter. I want to point out that the gentleman from Virginia, a senior member of the Judiciary Committee, has worked on and authored this bill for a number of years. It has been modified and brought before us. I think that it's of critical importance and continues to deserve the overwhelming support of this body, which it has received.

Right at this moment, a Pulitzer Prize-winning reporter from the Detroit Free Press, David Ashenfelter, faces possible contempt charges for refusing to disclose sources who exposed serious prosecutorial misconduct. The bill has been carefully tailored, as will be explained.

There's one other person I would like to single out for their excellent testimony in the last Congress, and that is Pulitzer Prize winner William Safire, who gave some very important insights into the scope and significance of this bill.

We think that this is critical. It's supported by editorial boards, media companies, organizations, associations, News Corp, and all broadcast networks. We urge that this measure be given the careful consideration that it is due.

I would also like to single out the gentleman from Indiana, MIKE PENCE, a distinguished member of the committee, and BOB GOODLATTE of Virginia, whose efforts were vitally important in strengthening the bill and ensuring that it is a truly bipartisan measure that comes before the House today.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the United States has enjoyed a free press for over 200 years because it is guaranteed to us in the Constitution. Our Founders understood that a free press protects and perpetuates our democracy.

There has been no Federal media shield law to protect journalists' sources because there has been no evidence of a need. No more than 17 journalists during the past 25 years have been jailed for refusing to testify before a grand jury. They were not singled out for punishment. Every American called to testify before a grand jury must cooperate or face this very same consequence.

Nor is there any evidence that potential sources have withheld critical information from reporters because of a fear of being identified. Just look at the scandals that are regularly uncovered—from Watergate to the recent mistreatment of soldiers at Walter Reed Medical Center.

In the 37 years since the Supreme Court ruled that the first amendment does not shield a reporter from testifying in a grand jury proceeding, the media have had no problem exposing corruption and injustice.

Unfortunately, this bill raises serious law enforcement and national security concerns. However well-intentioned, H.R. 985 will compromise the work of the Justice Department and other Federal agencies charged with crime-fighting, intelligence-gathering, and national security matters.

The bill we are considering today creates a press ''privilege'' under which courts cannot compel reporters to provide information they need to fight crime.

Protecting anonymous sources should never be more important than protecting the American people or solving crimes that can save lives. While confidentiality is vital to the work of a reporter, national security is essential to the preservation of a free nation.

For example, the exception to the privilege in this bill—to prevent a terrorist attack or imminent bodily harm—will not help in investigations after the attack has already occurred.

Under the bill, law enforcement officials could have obtained information identifying a reporter's source on September 10, 2001, for example, to prevent the terrorist attacks, but could not have acquired that same information on September 12 to track down the terrorists.

Similarly, officials could acquire information regarding a reporter's source to prevent the molestation of a child, but they could not get that same information to bring a sexual predator to justice after the assault.

Concerning classified information leaks, former Attorney General Michael Mukasey wrote in an editorial following the House vote in 2007: ''Leaking classified information is itself a crime, but in order for the government to get source information from a journalist in a leak investigation, it must show that the leak caused significant articulable harm to national security, that the information was properly classified, and the person who leaked it was authorized to have it.

''Thus, a would-be leaker of classified information could simply give it to someone not authorized to have it, urge that person to leak it, and thereby prevent the government from investigating the crime.

''This bill effectively cripples the government's ability to identify and prosecute leakers of classified information. Ironically, a bill styled as a 'reporter's shield' would have the perverse effect of shielding would-be leakers.''

Look at the range of crimes where a reporter would be able to hide his source: Corporate and financial crimes—very relevant these days; human trafficking, gun and drug trafficking; gang activity; and other criminal activity that might not result in a direct risk of imminent death or significant bodily harm, even though we all have a strong interest in preventing such crimes.

H.R. 985 creates a privilege that allows reporters to avoid a civic duty. The bill goes beyond promoting a free press. It confers on the press a privileged position. It exempts journalists from the same responsibilities that all others have in a criminal investigation. This new privilege has no precedent in American legal history.

This bill is not about protecting the public's right to know about corruption or malfeasance that already exists. It's about giving a reporter a special privilege at the expense of our national crime-fighting efforts.

To quote a high-ranking official from the Office of the Director of National Security during last Congress' debate, the media shield bill ''makes it very difficult to enforce criminal laws involving the unauthorized disclosure of classified information and could seriously impede other national security investigations and prosecutions, including terrorism prosecutions.''

As a former reporter, I sympathize with journalists not wanting to reveal their sources. But as a Member of Congress I have a responsibility to see that law enforcement and intelligence officials who keep us safe can do their jobs. This bill creates serious law enforcement and national security problems without sufficient justification.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Virginia will control the time of the gentleman from Michigan.

There was no objection.

Mr. BOUCHER. Madam Speaker, I yield myself 6 minutes.

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

Mr. BOUCHER. I want to begin by extending my personal appreciation to

the chairman of the House Judiciary Committee, the gentleman from Michigan (Mr. CONYERS) for his determined effort to bring the Free Flow of Information Act to the floor of the House today and for the strong support in the last Congress and again in this Congress that he and his outstanding staff are providing to protect the public's right to know.

The bill that is before the House today is identical to the bill that passed the House in the last Congress by a vote of 398–21. It is a bipartisan measure which, this year, as in the previous Congress, I was pleased to introduce and partner with our Republican colleague, the gentleman from Indiana (Mr. PENCE), and 49 other cosponsors in the House.

I want to acknowledge Mr. PENCE's leadership and his deep commitment to protecting freedom of the press. It has been a tremendous privilege to have this opportunity to work with him toward the passage of this needed measure.

I also want to thank our Virginia colleague, BOB GOODLATTE, for his leadership and his strong support of the bill in this Congress. Mr. GOODLATTE and I have worked together to promote a range of national policies. We cochair, for example, the Congressional Internet Caucus. It is also a pleasure to work with him in this Congress in order to promote passage of the Free Flow of Information Act.

I want to comment for a moment today on the fact that in 2007 on this floor this bill received the outstanding vote of 398–21. That sweeping majority occurred by virtue of the careful work that was done by the House Judiciary Committee 2 years ago when the committee considered this legislation.

Members on both sides of the aisle participated. They offered good suggestions for improving the legislation—for the addition of circumstances when disclosure of information could be compelled, including numerous provisions of compelled disclosure for the purpose of protecting the national security. Those national security protections are deeply embedded in the bill that we are considering today.

It was an excellent committee process, rewarded on this House floor by a vote of 398–21 in favor. The measure was not considered on the Senate floor in the last Congress and so we begin the process again today with House consideration.

The Free Flow of Information Act protects the public's right to know. This is really not about protecting journalists, as my friend from Texas would suggest. The privilege is conferred upon journalists, but it is for the purpose of protecting the public's right to know.

The bill promotes the flow of information to the public about matters of large public interest where public disclosure is needed so that corrective action can be taken in order to prevent or correct a deep harm to society, so that legislation can be introduced to correct that harm, so that a lawsuit can be filed or a criminal prosecution be launched once the public is apprised of what in fact is happening that constitutes a harm to society.

□ 1730

Journalists serve as public watchdogs, bringing sensitive matters to light, and the bill before us enables them to do a better job of it.

Often, the best information that can be obtained about matters of large public interest that involve corruption in government or misdeeds in a large organization like a corporation or a large public charity will come from a person on the inside of that organization who knows what is happening, who knows about the harm to the public interest that is occurring, and feels a public responsibility to pick up a telephone and call a reporter and bring that critical information to public scrutiny. But that person has a lot of lose.

If his or her identity becomes known, that person can become punished, often by the individual who is responsible for the wrongdoing inside that organization. And so, in the absence of the ability of reporters to extend a pledge of confidentiality to protect the identity of that person on the inside, that information will never come to public light, and there will never be an opportunity for the public to take corrective action.

This is why we call our bill the Free Flow of Information Act. Passing this measure, conferring upon journalists a limited privilege to refrain from revealing confidential source information, will ensure that that vital information flows freely to the public so that corrective action in this Congress or in other legislative forums or in the courts can thereafter be taken.

The measure extends in Federal court proceedings a qualified privilege for reporters to refrain from testifying or producing documents, and a qualified privilege to refrain from revealing the identity of confidential sources.

Throughout the bill, there are provisions protecting the national security; and where it is appropriate to protect national security, disclosure of information can be compelled, disclosure of source information can be required, and reporters can in fact be required to testify in Federal court proceedings. The bill very carefully balances the need to protect the national security with the need to assure the free flow of information.

Madam Speaker, it is a carefully written measure which strengthens freedom of the press and protects the public's right to know. I strongly urge its approval today by the House.

I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. KING), a member of the Judiciary Committee.

Mr. KING of Iowa. Madam Speaker, I thank the gentleman for yielding and for his leadership on this issue.

This is one of those issues that has a lot of support across the country because there are a lot of reporters across the country that are interested in making sure they have the last full measure of protection they can possibly have for their particular profession. And all of us, in whatever profession we are, see ourselves as the consummate professionals without regard to competing professions.

I would ask the question, what are we trying to fix here? What is the problem that this legislation seeks to address? And one of those is the lack of conformity between the States; I recognize that. But we only have, in the last 25 years, 17 incidents of reporters that have been incarcerated for their refusal to divulge their sources. The most public of those would be the case of Judith Miller in the Scooter Libby investigations that were conducted by the Special Prosecutor, Patrick Fitzgerald, Madam Speaker. And I asked myself during that entire investigation, why didn't they just ask Robert Novak? That would have answered the question.

And if I ask the question today, what was truth and what was fiction in all that? That may be a matter of record, but it is not a matter of public knowledge, even among us here. So it turned out it was Richard Armitage and not Scooter Libby. Scooter Libby was still prosecuted and convicted. I think that Judith Miller's 85 days in jail, if she had that to do over again, she still testified and she still had her agreement with her source.

This goes on and on, 200-plus years, and now we have journalists that have to have special protection without having at least a breadth of statistical data that would support this advocacy that is part of this bill.

And I will tell you, as one who has been in the public eye for some time today, Madam Speaker, that I don't think I am treated objectively by all of the media. I don't think I need to bring a law to this Congress and ask that, for example, to give a Member of Congress a cause of action to bring litigation against a journalist if they happen to be unethical or inaccurate or untruthful. We just go ahead and take that, because that is part of being in the public eye.

The protections are there. There is already sufficient judicial restraint on moving to bring to cause these journalists who speak. Their sources are protected substantially by the tradition and the effects of the court.

And I will submit also another argument, Madam Speaker, and that is that special professional protection is preserved by the States for certain professions. Priests and pastors, for example. They are considered to have a certain privilege with the people that they counsel and minister to, and we try not to crack into that source. And there will be other examples.

For example, a medical doctor or any type of a doctor who has patients. The

patient and the doctor relationship is protected in confidentiality. And we have attorney-client relations, too, that we are very well familiar with in this Congress. All of those are professional relationships. All of those are relationships with people who are skilled.

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

Mr. SMITH of Texas. I yield the gentleman an additional 2 minutes.

Mr. KING of Iowa. I thank the gentleman from Texas.

Madam Speaker, all of those professions that I mentioned are professions where we have people that are trained, that are essentially certified, whether it is by their denomination, by their education, or by their licensing, and those privileges are preserved for clear reasons. This is a privilege that is preserved for the sake of protecting the journalist only, and without an abuse of that confidentiality at this point, without a judicial abuse.

Seventeen cases in 25 years, I would make the argument that this is a solution in search of a problem. It is something that I think sends a message out to the journalistic world. And maybe those of us who will stand up against it will be subject to a certain amount of public criticism. I can face that. I have faced a lot of it. It is part of the price of being in the public eye. Part of the price of being a journalist then is to on a rare occasion, out of the thousands of journalists, 17 in a quarter of a century have been brought forward and said it is in the interests of the court that you go ahead and divulge your source, or at least divulge the information.

And I know that there has been an effort made to tighten this legislation up a little bit, and I appreciate the gentleman's work and due diligence on this. One of the words that was added to the definition of a covered person is the word a person who regularly, the word ''regularly'' gathers, prepares, collects, photographs, records, writes, edits, reports, or publishes news or information.

This definition of a covered person is tightened up because they have to be regular rather than irregular in their behavior; but I think this covers about anybody that is a journalist, unless they are listed in the exemptions rather than the definition of the bill, Madam Speaker.

So I will submit that the level of professionalism that has been demonstrated, although there are many high-quality professionals in the journalistic business, has not risen to the level where I am willing to give that kind of professional special protection, especially because we have had national secrets that have been divulged into the national and international media arena, done so out of this posturing of it is a public service to divulge national secrets. And I will submit, Madam Speaker, that that is not in our national interest, and I oppose this bill.

Mr. BOUCHER. Madam Speaker, this is a deeply bipartisan measure with bipartisan participation in the construction, committee consideration and drafting of the legislation.

I am pleased now to recognize for 5 minutes the principal Republican sponsor of the measure, who has long been committed to freedom of the press and promoting the public's right to know, the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the gentleman for yielding.

Madam Speaker, I come to the floor today in support of the Free Flow of Information Act of 2009. I do so with a profound sense of humility and with a sense of privilege about being able to come to the floor today in support of this thoughtful and bipartisan measure that may, may well, be a lasting contribution to the vitality of liberty in this Nation.

The Constitution of the United States provides: Congress shall make no law abridging the freedom of speech or of the press. Not since those words were adopted has this body needed to legislate to ensure the freedom of the press. Not until today. We do so because, sadly, the free and independent press in this country is under fire. In recent years, more than 30 journalists have been subpoenaed, questioned, or held in contempt for failure to reveal their confidential sources.

For a journalist, maintaining the assurance of confidentiality of a source is sometimes the only way to bring forward news of great consequence to the Nation. Being forced to reveal sources chills the reporting of the news and restricts the free flow of information to the public.

As a conservative who believes in limited government, I believe the only check on government power in real-time is a free and independent press. A free press ensures the flow of information to the public. And, let me say, during a time when the role of the government in our lives and in our enterprises seems to grow every day, ensuring the vitality of a free and independent press is more important than ever.

In order to maintain this charge, I coauthored the Free Flow of Information Act with my colleague from Virginia, Congressman RICK BOUCHER. I would like to take a moment to thank my partner in this legislation. He is truly the gentleman from Virginia. For over 4 years, we have worked on this issue in a spirit of bipartisanship. RICK BOUCHER is a champion of the first amendment. It has been my great privilege to work with him.

I also want to commend the chairman of this committee, Chairman CONYERS, Vice Ranking Member BOB GOODLATTE, and Representatives COBLE and BLUNT, without whose efforts in the last Congress the bipartisan compromise in this bill would not have been possible.

The bill is known as the Federal Media Shield. It provides a qualified privilege of confidential sources to journalists, enabling them to shield sources in most instances from disclosure. But the bill is not about protecting journalists; it is about protecting the public's right to know.

It received wide bipartisan support in the last Congress, and I hope in this, because we addressed the very real and legitimate concerns about how a privilege for journalists could impact security at the national level. The Federal Government, we acknowledge, is tasked with the tremendous responsibility of protecting our country, and we must also keep national security concerns in the forefront. I submit, the Free Flow of Information Act does just that.

Many Americans will assume that the fining and imprisonment of journalists is something confined to tyrannical regimes in far corners of the world. They might be surprised to learn that the United States does not have a Federal law on the books that prevents that from occurring. More than three-fourths of State Attorneys General have written Congress in support of this legislation. In fact, 49 States and the District of Columbia had already recognized a journalist's privilege to protect confidential sources.

It is important to emphasize, this bill only provides a qualified privilege; meaning, the disclosure of a source's identity may be required in certain situations, as described by my colleague from Virginia.

With this I close: Long ago, Thomas Jefferson warned, ''Our liberty cannot be guarded but by the freedom of the press nor that limited without danger of losing it.'' Jefferson's words ring into this chamber today.

The passage of the Free Flow of Information Act I believe is necessary and consistent with that charge to not only explicitly and fully provide for the freedom of the press in our Nation but protect the liberty of future generations.

With the bipartisan support of my colleagues and Congress and this new administration, let us seize this opportunity to put a stitch in this tear in the first amendment, freedom of the press, and let us do our part to ensure the vitality of a free and independent press for ourselves and our posterity.

I urge my colleagues to join me and our bipartisan support for the Free Flow of Information Act of 2009.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), who is also a member of the Judiciary Committee and a member of the Crime Subcommittee. And I am yielding him 2 minutes in the hopes that he will reconsider his position.

Mr. POE of Texas. I thank the gentleman for yielding. I have the greatest

respect for the ranking member, my friend, Mr. SMITH from Texas, and I appreciate his legal analysis of this legislation. But I do rise in support of the Free Flow of Information Act.

This act is a Federal shield law that would protect the identities of reporters' confidential sources. By protecting the sources of reporters, we protect the public interest and the free flow of information to the public. Forty-nine States and D.C. have some form of protection for reporters' confidential sources, but there is no Federal standard in place. This lack of consistency actually weakens State shield laws.

Madam Speaker, if reporters back in Texas are worried about reporting the whole story to the public because someone might slap a subpoena in their face, the public suffers. Whistleblowers and other potential sources are more hesitant to come forward with information.

Even though I am a former prosecutor, prosecutors should not make their criminal cases based upon confidential information that is given to reporters by forcing those reporters before grand juries to reveal the names of those sources.

This bill protects the first amendment; in fact, it encourages the first amendment, while making appropriate exceptions for some serious criminal investigations.

□ 1745

I want to thank my colleague from Virginia for introducing this important piece of legislation that supports the first amendment provision of a free press and encourages free speech by citizens. Therefore I urge the adoption of this legislation.

Mr. BOUCHER. Madam Speaker, at this time, I'm pleased to yield 3 minutes to the vice ranking member of the House Judiciary Committee, a distinguished Republican Member of this House and a good friend with whom I'm pleased to serve in the Virginia delegation, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman for yielding.

Madam Speaker, I rise in support of H.R. 985, the Free Flow of Information Act, which will encourage whistleblowers by protecting journalists' confidential sources. This bipartisan bill will bolster the free press as a very important check on government power.

I had concerns with this legislation last year when we considered it in the Judiciary Committee, and I worked with my good friends, Representatives BOUCHER and PENCE, to have many of these items addressed before it reached the House floor.

For example, the bill now requires that in order to receive the protections of the media shield law, a journalist must be engaged in the ''regular'' practice of journalism for ''a substantial portion of the person's livelihood'' or ''for substantial financial gain.'' This will help ensure that an individual who has no journalistic experience cannot attempt to protect himself by creating a blog overnight.

In addition, the bill contains a broader exception that allows compelled disclosure of information when national security is at stake, when there are leaks of classified information, and when the journalist was an eyewitness to a criminal act or tort.

This legislation will enhance the freedom of the press and thus provide for a more informed and engaged citizenry. In addition, the improvements to the bill will help ensure that the interests of justice and national security are protected.

It is for these reasons that I support the Free Flow of Information Act and urge my colleagues to support it as well. I want to thank all those who have worked on this measure on both sides of the issue. I think we have created an improved bill and one that I am very pleased and proud to support.

Mr. SMITH of Texas. Madam Speaker, we just have one more speaker on this side, so I will reserve the balance of my time.

Mr. BOUCHER. Madam Speaker, at this time, I'm pleased to yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Thank you for yielding. And I want to congratulate my friend, Mr. BOUCHER and also Mr. PENCE for this terrific piece of legislation.

Madam Speaker, I rise as a proud member of the Society of Professional Journalists in strong support of the Free Flow of Information Act.

As a former journalist, I have seen the assurance of anonymity put a frightened insider at ease and turn a reluctant source into an eye-opening wealth of information.

In my hometown of Louisville, we witnessed what happens when a source's identity is not protected. There, Jeffrey Wigand, the famous tobacco whistleblower, was victimized by threats and intimidation, ultimately losing his job, his family and his home. His selfless efforts are largely seen as heroic, but for many, the lesson is: If you have sensitive information that would benefit the American public, keep it to yourself.

We also know that if it had not been for the confidence of sources that they wouldn't be revealed that the incident at the Watergate and the more recent scandals at Walter Reed Hospital might never have come to light.

In a time when we have seen how the inner workings of corporations and government can have catastrophic effects on our country as a whole, it is as important as ever to protect this conduit to information, the anonymous source. Until we can guarantee that security, good journalists will be jailed, conscience-driven and law-abiding Americans will be silenced, and information that is critical to all of our lives will be locked away from the American people.

I would like to respond quickly to two things that were said by my colleague from Iowa (Mr. KING). One is that there is no need to give special protection to the media. As Mr. PENCE pointed out, the Founding Fathers decided to give special protection to the media. They granted them freedom of the press. And there is no freedom of the press without the ability to protect your sources. And secondly, there was a question raised as to whether there was an abundance of information that would demonstrate a need. We don't know how many thousands of potential sources have been silenced by fear that they might be revealed in the press. It is kind of like saying ''we haven't been attacked since 9/11.'' We don't know. But we do know, as in the case of Jeffrey Wigand, what happens when a source is revealed.

So once again, as someone who has spent many years as a writer and editor in the United States and who is very grateful for the protections of the first amendment, I strongly urge my colleagues to support this important legislation.

Mr. SMITH of Texas. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, Congress should not legislate in the absence of a problem. And here, there is no problem. The Supreme Court ruled in 1972 that no reporter's privilege is found in the Constitution or the common law.

In the past 37 years, thousands of stories about malfeasance and scandals have been reported by local, national and international news outlets in the United States. These stories have covered a variety of subjects, many with the participation of anonymous sources.

Yet the premise of H.R. 985 is contradicted by the facts. These stories were written despite no Federal shield bill. In fact, let's examine a real-world example illustrating how the media might use this privilege. Supporters of H.R. 985 often cite the so-called ''BALCO case'' as a justification for the bill. But what really happened? BALCO was an organization involved in the illegal distribution of steroids to professional athletes. Reporters for the San Francisco Chronicle wrote more than 100 stories on the case without benefit of illegally leaked grand jury testimony. But an attorney for one of the defendants eventually leaked testimony, which the reporters used in other stories.

During an investigation, the lawyer stated under oath that he had not leaked information. In fact, he claimed the government leaked it, thereby creating a pretext for him to request that the court dismiss the case against his client. He was eventually exposed and prosecuted. Nothing was done to the reporters who refused to identify their source. In other words, the BALCO reporters used illegally-leaked information they didn't need to report on the

case, all the while protecting a disreputable attorney who perjured himself before a Federal Court. Yet this case is cited as a modern-day justification for a shield bill to protect reporters and ''the public's right to know.''

But what happened in BALCO pales in comparison to what may happen to crime-fighting and national security if this bill becomes law. The Justice Department has developed internal guidelines that govern how they interact with reporters during investigations. For example, these guidelines require U.S. Attorneys to obtain information through alternative sources when possible. But the biggest difference between the guidelines and the bill is that the guidelines are administered flexibly. In an age of terrorism when the timely acquisition of information is indispensable to crime-fighting, U.S. Attorneys should not have to spend time satisfying the multipart test of H.R. 985.

The entire structure of the bill inflexibly requires the Department of Justice to meet certain threshold requirements before they can acquire some information. Exceptions in the bill to provide greater access to such information are limited and do not cover a wide range of Federal criminal investigations. And the prospective nature of some of the exceptions, to prevent a terrorist attack or imminent bodily harm, will not help in investigations after an attack has already occurred.

We have seen time and time again in the last few weeks where rushing legislation through without benefit of a hearing or expert testimony has led to unintended consequences. Regarding this bill, we still haven't heard what the Attorney General or the Director of National Intelligence thinks about it. We do know that in the last administration, all these individuals opposed it.

Today, only 20 minutes are allowed in opposition to this bill. Yet it might well lead to heinous crimes that could have been prevented or solved. Terrorism hasn't gone away since the election. Neither has domestic crime. The primary function of government is to protect people. And this bill greatly complicates the ability of the government to prevent and solve crime. The press doesn't need H.R. 985 to do its job. And the public can't afford to have the government make it easier for terrorists and other criminals.

Madam Speaker, I hope my colleagues will oppose this well-intentioned but ultimately misguided piece of legislation.

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

Mr. BOUCHER. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I strongly urge the passage of the Free Flow of Information Act. It is legislation which confers upon reporters a privilege either to refrain from testifying in certain circumstances or to refrain from revealing confidential information sources. But the purpose of our legislation is not to protect reporters. It is to protect the public's right to know, to ensure that sensitive information that can only come from an inside source reporting on something that is happening to the disadvantage of government, because of corruption in a bureau or agency, or a harm to society that is occurring because of misdeeds in a large organization like a corporation or a large public charity can, because of an act of conscience by that inside person, come to public scrutiny in a way that the public can then take corrective action by passing a statute, by initiating a lawsuit, or by initiating a criminal prosecution. And if that inside person is not assured confidentiality, if there is an opportunity for that person's identity to be exposed, that person is going to be very reluctant to share information with a reporter to bring that information to public light. That person has a tremendous amount to lose if his or her identity is revealed. That person can be punished by firing from his or her job or through more subtle means.

So, in the absence of the ability of the reporter to extend the pledge of confidentiality, there is the very real risk that that vital information will never come to public light.

This legislation is carefully balanced. It has protections for the national security which are deeply embedded within the measure. And those were placed there through the careful bipartisan work of the House Judiciary Committee when we had our extensive markup of this measure 2 years ago. The bill before us today is identical to that measure. It passed the House 2 years ago by a vote of 398–21. And it is deserving today of the same strong support by the House of Representatives.

So, Madam Speaker, I strongly encourage the passage of the Free Flow of Information Act. I thank the bipartisan cosponsors and all of those who have participated with us as this measure has been written.

Ms. PELOSI. Madam Speaker, I rise today in strong support of legislation that helps to ensure freedom of the press. This right is a cornerstone of our democracy, and a principle that we cherish and promote around the world.

Arthur Hays Sulzberger once said, ''Freedom of the press . . . belongs to everyone—to the citizen as well as the publisher . . . The crux is not the publisher's 'freedom to print'; it is, rather, the citizen's 'right to know.' ''

The right to know, as provided by a free press, keeps our nation informed and holds those of us in government accountable.

It is appropriate that we debate media shield legislation in the same week that we will debate the federal budget. Because this legislation will make clear to confidential sources that they will be protected in most circumstances when they bring forward public evidence of waste, fraud and abuse in government and in the private sector.

News organizations are facing serious economic challenges across the country. Our policies should enable our news organizations to thrive and engage in the news gathering and analysis the American people expect.

Essential to this effort is the media shield law we debate today.

Nearly all states have recognized the importance of a free press with some form of a press shield protecting the confidentiality of journalists' sources. However, that protection is lacking at the federal level and in federal courts.

This has hampered the essential work of the press. In recent years, more than 40 reporters have been subpoenaed for the identities of confidential sources in nearly a dozen cases.

The federal government's policies and actions should protect and preserve the press's ability to speak truth to power. This legislation does so with appropriate national security safeguards, striking a careful balance between liberty and security.

Freedom of the press has long been an issue of importance to many of us in this body. When I was Ranking Member of the Intelligence Committee, I encouraged President Clinton to veto an Intelligence Authorization bill that would have made it easier to prosecute journalists. We fixed those provisions and passed a bill that both protected our nation and protected our fundamental freedoms.

Madam Speaker, today we have an opportunity to strengthen and protect the freedom of the press that has served our nation so well and to protect all journalists.

As we protect and defend our nation, we must now protect and defend the Constitution by enabling our press to be free, as our Founders envisioned. I urge my colleagues to give this legislation the strong bipartisan vote it deserves.

Mr. WU. Madam Speaker, I rise today in strong support of the Free Flow of Information Act, and I thank the chairman for his work on this important legislation.

Madam Speaker, our nation's founders understood that a free and independent press is the lifeblood of a functioning democracy.

Confidential sources supply journalists with critical information on matters of public importance. The freedom of the press to cultivate relationships with confidential sources facilitates this vital exchange.

These relationships should be protected, because it is fundamentally in the interest of our republic that the free exchange of ideas and information remain unadulterated.

We must never silence those who inform our democracy.

I urge my colleagues to join me in supporting this important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 985.

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.

ALIEN SMUGGLING AND TERRORISM PREVENTION ACT OF 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, I move to suspend the rules

and pass the bill (H.R. 1029) to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1029

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 ''Alien Smuggling and Terrorism Prevention Act of 2009''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Alien smuggling by land, air and sea is a transnational crime that violates the integrity of United States borders, compromises our Nation's sovereignty, places the country at risk of terrorist activity, and contravenes the rule of law.

(2) Aggressive enforcement activity against alien smuggling is needed to protect our borders and ensure the security of our Nation. The border security and anti-smuggling efforts of the men and women on the Nation's front line of defense are to be commended. Special recognition is due the Department of Homeland Security through the United States Border Patrol, United States Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement, and the Department of Justice through the Federal Bureau of Investigation.

(3) The law enforcement community must be given the statutory tools necessary to address this security threat. Only through effective alien smuggling statutes can the Justice Department, through the United States Attorneys' Offices and the Domestic Security Section of the Criminal Division, prosecute these cases successfully.

(4) Alien smuggling has a destabilizing effect on border communities. State and local law enforcement, medical personnel, social service providers, and the faith community play important roles in combating smuggling and responding to its effects.

(5) Existing penalties for alien smuggling are insufficient to provide appropriate punishment for alien smugglers.

(6) Existing alien smuggling laws often fail to reach the conduct of alien smugglers, transporters, recruiters, guides, and boat captains.

(7) Existing laws concerning failure to heave to are insufficient to appropriately punish boat operators and crew who engage in the reckless transportation of aliens on the high seas and seek to evade capture.

(8) Much of the conduct in alien smuggling rings occurs outside of the United States. Extraterritorial jurisdiction is needed to ensure that smuggling rings can be brought to justice for recruiting, sending, and facilitating the movement of those who seek to enter the United States without lawful authority.

(9) Alien smuggling can include unsafe or recklessly dangerous conditions that expose individuals to particularly high risk of injury or death.

SEC. 3. CHECKS AGAINST TERRORIST WATCHLIST.

The Secretary of Homeland Security shall, to the extent practicable, check against all available terrorist watchlists those persons suspected of alien smuggling and smuggled individuals who are interdicted at the land, air, and sea borders of the United States.

SEC. 4. STRENGTHENING PROSECUTION AND PUNISHMENT OF ALIEN SMUGGLERS.

Section 274(a) of the Immigration and Nationality Act (8 U.S.C. 1324(a)) is amended—

(1) by amending the subsection heading to read as follows: ''BRINGING IN, HARBORING, AND SMUGGLING OF UNLAWFUL AND TERRORIST ALIENS.—'';

(2) by amending paragraphs (1) through (2) to read as follows:

''(1)(A) Whoever, knowing or in reckless disregard of the fact that an individual is an alien who lacks lawful authority to come to, enter, or reside in the United States, knowingly—

''(i) brings that individual to the United States in any manner whatsoever regardless of any future official action which may be taken with respect to such individual;

''(ii) recruits, encourages, or induces that individual to come to, enter, or reside in the United States;

''(iii) transports or moves that individual in the United States, in furtherance of their unlawful presence; or

''(iv) harbors, conceals, or shields from detection the individual in any place in the United States, including any building or any means of transportation;

or attempts or conspires to do so, shall be punished as provided in subparagraph (C).

''(B) Whoever, knowing that an individual is an alien, brings that individual to the United States in any manner whatsoever at a place, other than a designated port of entry or place designated by the Secretary of Homeland Security, regardless of whether such individual has received prior official authorization to come to, enter, or reside in the United States and regardless of any future official action which may be taken with respect to such individual, or attempts or conspires to do so, shall be punished as provided in subparagraph (C).

''(C) Whoever commits an offense under this paragraph shall, for each individual in respect to whom such a violation occurs—

''(i) if the offense results in the death of any person, be fined under title 18, United States Code, and subject to the penalty of death or imprisonment for any term of years or for life;

''(ii) if the offense involves kidnapping, an attempt to kidnap, the conduct required for aggravated sexual abuse (as defined in section 2241 of title 18, United States Code, without regard to where it takes place), or an attempt to commit such abuse, or an attempt to kill, be fined under title 18, United States Code, or imprisoned for any term of years or life, or both;

''(iii) if the offense involves an individual who the defendant knew was engaged in or intended to engage in terrorist activity (as defined in section 212(a)(3)(B)), be fined under title 18, United States Code, or imprisoned not more than 30 years, or both;

''(iv) if the offense results in serious bodily injury (as defined in section 1365 of title 18, United States Code) or places in jeopardy the life of any person, be fined under title 18, United States Code, or imprisoned not more than 20 years, or both;

''(v) if the offense is a violation of paragraph (1)(A)(i) and was committed for the purpose of profit, commercial advantage, or private financial gain, or if the offense was committed with the intent or reason to believe that the individual unlawfully brought into the United States will commit an offense against the United States or any State that is punishable by imprisonment for more than 1 year, be fined under title 18, United States Code, and imprisoned, in the case of a first or second violation, not less than 3 nor more than 10 years, and for any other violation, not less than 5 nor more than 15 years;

''(vi) if the offense is a violation of paragraphs (1)(A)(ii), (iii), or (iv), or paragraph (1)(B), and was committed for the purpose of profit, commercial advantage, or private financial gain, be fined under title 18, United States Code, or imprisoned not more than 10 years, or both;

''(vii) if the offense involves the transit of the defendant's spouse, child, sibling, parent, grandparent, or niece or nephew, and the offense is not described in any of clauses (i) through (vi), be fined under title 18, United States Code, or imprisoned not more than 1 year, or both; and

''(viii) in any other case, be fined under title 18, United States Code, or imprisoned not more than 5 years, or both.

''(2)(A) There is extraterritorial jurisdiction over the offenses described in paragraph (1).

''(B) In a prosecution for a violation of, or an attempt or conspiracy to violate, subsection (a)(1)(A)(i), (a)(1)(A)(ii), or (a)(1)(B), that occurs on the high seas, no defense based on necessity can be raised unless the defendant—

''(i) as soon as practicable, reported to the Coast Guard the circumstances of the necessity, and if a rescue is claimed, the name, description, registry number, and location of the vessel engaging in the rescue; and

''(ii) did not bring, attempt to bring, or in any manner intentionally facilitate the entry of any alien into the land territory of the United States without lawful authority, unless exigent circumstances existed that placed the life of that alien in danger, in which case the reporting requirement set forth in clause (i) is satisfied by notifying the Coast Guard as soon as practicable after delivering the alien to emergency medical or law enforcement personnel ashore.

''(C) It is not a violation of, or an attempt or conspiracy to violate, clause (iii) or (iv) of paragraph (1)(A), or paragraph (1)(A)(ii) (except if a person recruits, encourages, or induces an alien to come to or enter the United States), for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officer of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least one year.

''(D) For purposes of this paragraph and paragraph (1)—

''(i) the term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States; and

''(ii) the term 'lawful authority' means permission, authorization, or waiver that is expressly provided for in the immigration laws of the United States or the regulations prescribed under those laws and does not include any such authority secured by fraud or otherwise obtained in violation of law or authority that has been sought but not approved.''.

SEC. 5. MARITIME LAW ENFORCEMENT.

(a) PENALTIES.—Subsection (b) of section 2237 of title 18, United States Code, is amended to read as follows:

''(b) Whoever intentionally violates this section shall—

''(1) if the offense results in death or involves kidnapping, an attempt to kidnap, the conduct required for aggravated sexual abuse (as defined in section 2241 without regard to where it takes place), or an attempt to commit such abuse, or an attempt to kill, be

fined under such title or imprisoned for any term of years or life, or both;

''(2) if the offense results in serious bodily injury (as defined in section 1365 of this title) or transportation under inhumane conditions, be fined under this title, imprisoned not more than 15 years, or both;

''(3) if the offense is committed in the course of a violation of section 274 of the Immigration and Nationality Act (alien smuggling); chapter 77 (peonage, slavery, and trafficking in persons), section 111 (shipping), 111A (interference with vessels), 113 (stolen property), or 117 (transportation for illegal sexual activity) of this title; chapter 705 (maritime drug law enforcement) of title 46, or title II of the Act of June 15, 1917 (Chapter 30; 40 Stat. 220), be fined under this title or imprisoned for not more than 10 years, or both; and

''(4) in any other case, be fined under this title or imprisoned for not more than 5 years, or both.''.

(b) LIMITATION ON NECESSITY DEFENSE.—Section 2237(c) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(c)'';

(2) by adding at the end the following:

''(2) In a prosecution for a violation of this section, no defense based on necessity can be raised unless the defendant—

''(A) as soon as practicable upon reaching shore, delivered the person with respect to which the necessity arose to emergency medical or law enforcement personnel;

''(B) as soon as practicable, reported to the Coast Guard the circumstances of the necessity resulting giving rise to the defense; and

''(C) did not bring, attempt to bring, or in any manner intentionally facilitate the entry of any alien, as that term is defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(3)), into the land territory of the United States without lawful authority, unless exigent circumstances existed that placed the life of that alien in danger, in which case the reporting requirement of subparagraph (B) is satisfied by notifying the Coast Guard as soon as practicable after delivering that person to emergency medical or law enforcement personnel ashore.''.

(c) DEFINITION.—Section 2237(e) of title 18, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) the term 'transportation under inhumane conditions' means the transportation of persons in an engine compartment, storage compartment, or other confined space, transportation at an excessive speed, transportation of a number of persons in excess of the rated capacity of the means of transportation, or intentionally grounding a vessel in which persons are being transported.''.

SEC. 6. AMENDMENT TO THE SENTENCING GUIDELINES.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend the sentencing guidelines and policy statements applicable to persons convicted of alien smuggling offenses and criminal failure to heave to or obstruction of boarding.

(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission, shall—

(1) consider providing sentencing enhancements or stiffening existing enhancements for those convicted of offenses described in subsection (a) that—

(A) involve a pattern of continued and flagrant violations;

(B) are part of an ongoing commercial organization or enterprise;

(C) involve aliens who were transported in groups of 10 or more;

(D) involve the transportation or abandonment of aliens in a manner that endangered their lives; or

(E) involve the facilitation of terrorist activity; and

(2) consider cross-references to the guidelines for Criminal Sexual Abuse and Attempted Murder.

(c) EXPEDITED PROCEDURES.—The Commission may promulgate the guidelines or amendments under this section in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

□ 1800

GENERAL LEAVE

Ms. JACKSON-LEE of Texas. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. JACKSON-LEE of Texas. I yield myself such time as I may consume.

Madam Speaker, this legislation, sponsored by BARON HILL of Indiana, is particularly important to Texas, and I want to congratulate the gentleman for his foresight and his leadership. Maybe in his research he knows that just a few short years ago we lost a number of individuals, obviously smuggled for wrong reasons into Texas, who died in an overheated 18-wheeler. And so this is a legislative initiative that is long overdue.

The legislation gives Federal prosecutors and agents stronger enforcement weapons against human smuggling in all its forms, including human trafficking and slavery, smuggling related to terrorism or espionage, and smuggling that involves kidnapping, rape, serious injury or death.

The previous version of this bill passed the House in the last Congress 412–0.

As I noted, in Texas, we see these losses regularly, including in our sister States, individuals dying who have been trafficked or smuggled, dying in the desert out of desperation and thirst. And as I indicated, the particular case that was so egregious in Texas, people smothered to death in an 18-wheeler in the heat of the summer.

Like the previous bill, H.R. 1029 amends the alien smuggling provisions in the Immigration and Nationality Act, as well as the criminal provision for failure to ''heave to,'' to provide for extraterritorial jurisdiction, to increase maximum penalties for serious offenses, and to clarify the necessity defense that applies to legitimate maritime rescues.

The bill also establishes for the first time in Federal law that it is a serious felony to transport persons under inhumane conditions, such as in an engine or storage compartment, or to intentionally run vessels ashore at high speed to escape apprehension. Those kinds of inhumane practices have resulted in death or serious injury to numerous alien passengers.

The bill directs the Department of Homeland Security to check against all available terrorist watch lists those who are suspected of smuggling, as well as smuggled individuals who are interdicted at U.S. land, air and sea borders.

I want to thank the gentleman for his foresight. As a member of the Homeland Security Committee as well, and a member of the committee, the chairperson of the committee that has oversight over the watch list, I know how important an act this is, that it further ensures the security of America.

It provides tough penalties for the kind of serious smuggling offenses I have just described, while distinguishing those offenses from family reunification or humanitarian efforts, for which the penalties are appropriately severe.

While strengthening the current offense language, the bill preserves important case law. For instance, it will remain a violation of Federal law not only to bring illegal aliens to the United States, but to bring any alien across the border through places other than those designated as official entry ports.

This is especially critical as Congress mandates that the Department of Homeland Security institute biometric entry and exit systems. For an orderly and fair immigration system to work, people must come in through the designated sites. And certainly, I agree with the gentleman as we look toward fixing that broken system.

Finally, the bill directs the Sentencing Commission to consider providing sentencing enhancements for particularly egregious offenses, smuggling aliens in a life-threatening manner, abandoning them in the desert or on a spit of land that will be submerged at high tide, or smuggling aliens to facilitate acts of terrorism.

I commend BARON HILL for his leadership and his persistence on this bill. And I commend Chairman JOHN CONYERS and Ranking Member LAMAR SMITH of the Judiciary Committee, and Chairman BENNIE THOMPSON and Ranking Member PETER KING of the Homeland Security Committee for their work in improving this bill and making it a consensus, bipartisan measure.

I would like to include in the RECORD at this point an exchange of letters between our two committees.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 27, 2009.

Hon. JOHN CONYERS, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you regarding H.R. 1029, the ''Alien Smuggling and Terrorism Prevention Act of 2009,'' introduced on February 12, 2009, by Congressman Baron P. Hill. This legislation was initially referred to the Committee on the Judiciary and, in addition, to the Committee on Homeland Security.

I recognize and appreciate your desire to bring this bill before the House in an expeditious manner. Accordingly, I am willing to waive further consideration of H.R. 1029. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over H.R. 1029.

Further, I request your support for the appointment of Committee on Homeland Security conferees during any House-Senate conference convened on this or similar legislation. Finally, I request that a copy of this letter be included in the Congressional Record during floor consideration of H.R. 1029. I look forward to working with you on this legislation and other matters of great importance to this nation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, D.C., March 26, 2008.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 1029, the Alien Smuggling and Terrorism Prevention Act of 2009.

I appreciate your willingness to support expediting floor consideration of this important legislation. I acknowledge that H.R. 1029 contains provisions under the jurisdiction of the Committee on Homeland Security. I understand and agree that your willingness to waive further consideration of the bill is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will include a copy of your letter and this response in the Congressional Record in the debate on the bill. Thank you for your cooperation as we work towards enactment of this legislation.

Sincerely,

JOHN CONYERS, Jr.,
Chairman.

I urge my colleagues to support this important legislation.

Mr. Speaker, this legislation, sponsored by BARON HILL of Indiana, gives Federal prosecutors and agents stronger enforcement weapons against human smuggling in all its forms, including human trafficking and slavery; smuggling related to terrorism or espionage; and smuggling that involves kidnaping, rape, serious injury, or death.

The previous version of this bill passed the House in the last Congress unanimously, 412 to 0.

Like the previous bill, H.R. 1029 amends the alien smuggling provisions in the Immigration and Nationality Act, as well as the criminal provision for failure to ''heave to,'' to provide for extraterritorial jurisdiction, to increase maximum penalties for serious offenses, and to clarify the necessity defense that applies to legitimate maritime rescues.

The bill also establishes for the first time in Federal law that it is a serious felony to transport persons under inhumane conditions, such as in an engine or storage compartment, or to intentionally run vessels ashore at high speed to escape apprehension. Those kinds of inhumane practices have resulted in death or serious injury to numerous alien passengers.

The bill directs the Department of Homeland Security to check against all available terrorist watch lists those who are suspected of smuggling, as well as smuggled individuals, who are interdicted at U.S. land, air, and sea borders.

It provides tough penalties for the kind of serious smuggling offenses I've just described, while distinguishing those offenses from family reunification or humanitarian efforts, for which the penalties are appropriately less severe.

While strengthening the current offense language, the bill preserves important case law. For instance, it will remain a violation of federal law not only to bring illegal aliens to the United States, but to bring any alien across the border through places other than those designated as official entry ports.

This is especially critical as Congress mandates that the Department of Homeland Security institute biometric entry and exit systems. For an orderly and fair immigration system to work, people must come in through the designated sites.

Finally, the bill directs the Sentencing Commission to consider providing sentencing enhancements for particularly egregious offenses—smuggling aliens in a life-threatening manner, abandoning them in the desert or on a spit of land that will be submerged at high tide, or smuggling aliens to facilitate acts of terrorism.

I commend BARON HILL for his leadership and persistence on this bill. And I commend Chairman JOHN CONYERS and Ranking Member LAMAR SMITH of the Judiciary Committee, and Chairman BENNIE THOMPSON and Ranking Member PETER KING of the Homeland Security Committee, for their work in improving this bill and making it a consensus, bipartisan measure.

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

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

Mr. HILL introduced H.R. 1029, the Alien Smuggling and Terrorism Prevention Act of 2009, which improves the Federal Government's ability to combat alien smuggling. I am a cosponsor of this legislation.

But alien smuggling defines a group of crimes that involve the recruiting, transportation or harboring of an alien who does not have the lawful authority to be in the United States of America. This legislation is a direct response to the increasing concern of Federal prosecutors that the current alien smuggling statute is inadequate in the face of rampant alien smuggling and human trafficking by organized criminal syndicates.

The current statute is a patchwork of amendments that does not provide the tough penalties necessary to punish these dangerous criminals and to deter the criminal organizations that dominate the smuggling world today. These organizations are increasingly sophisticated, international, profitable, and their means are ruthless and inhumane.

For example, the recent media reports indicate kidnappings on the rise in Phoenix, Arizona. There were almost 370 reported kidnappings for ransom there last year. However, it is difficult to know how many kidnappings actually occurred because many kidnappings were not reported to law enforcement officials.

Most of the kidnappings involve drug smugglers and human traffickers preying on one another. The kidnap victims are typically drug or alien smugglers or their family members who are taken by fellow criminals and held for ransom. These victims are inviting targets because they often have a lot of money, or can raise large sums of cash on short notice, and are unlikely to go to law enforcement.

It may only be a matter of time before the kidnappers start targeting law-abiding citizens, so we must do more to deter, identify and arrest these alien smugglers.

H.R. 1029 directs the Department of Homeland Security to check the names of alien smuggling suspects who have been interdicted at a land, air or sea border against all available terrorist watch lists.

The bill also creates enhanced penalties for alien smuggling, including tough sentences for smuggling that results in serious bodily injury or death. Any person convicted of kidnapping, aggravated sexual abuse or an attempt to kill as part of an alien smuggling scheme will now face life in prison.

H.R. 1029 imposes a penalty of up to 30 years imprisonment for smugglers who know that the alien they bring to the United States intends to engage in terrorist activities.

Lastly, the bill amends the criminal statutes to add penalties for maritime offenses committed in the course of smuggling, trafficking, shipping, stolen property or drug trafficking.

H.R. 1029 will help Federal law enforcement and prosecutors put alien smugglers behind bars and send a clear message that these criminal syndicates and the violence they pose to innocent civilians will not be tolerated.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is my pleasure to now yield to the distinguished sponsor of the legislation, Mr. BARON HILL of Indiana, for such time as he might consume.

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

Mr. HILL. Mr. Speaker, in the year 2007, I introduced the Alien Smuggling and Terrorism Prevention Act. And as has already been mentioned, it passed

this House without any opposition, and it has bipartisan support.

When I came to Congress, back to Congress, I should say, in the year 2006, immigration was a very hot issue, and so I wanted to look at ways that we could provide Americans some relief. And one of the shocking things that I learned was the fact that if you smuggle an illegal alien in here, either against their will or willfully, it is only a misdemeanor, with a prison term for under 1 year and a small fine; and I didn't think that that was justified.

As has already been mentioned here by Congresswoman JACKSON-LEE, it passed overwhelmingly without opposition, and this year it does have, again, bipartisan support. The bill failed in the Senate. For whatever reason, the Senate did not pass it. That is the reason why I have introduced it again, and have bipartisan support.

I'm glad that Representative CHAFFETZ is on the bill, and also the ranking member of the Judiciary Committee, Representative LAMAR SMITH.

My bill, as has already been said, would significantly increase penalties against human smugglers and traffickers, raising the crime from a misdemeanor to a felony.

Smugglers would see increased prison time if convicted of smuggling persons under inhumane conditions, or for the purpose of criminal exploitation, or in the event that they are smuggling someone into the United States with the intent to carry out acts of terror.

In the case of serious bodily injury, rape or murder, the smuggler or trafficker could face upwards of life in prison.

This bill serves two important goals. First, it holds those who smuggle and traffic persons into the United States responsible for their crimes. It is estimated that over 17,000 people are smuggled into the United States each year. These are people who are forced into awful situations against their will. Those found trafficking for those purposes deserve a fitting punishment, and my bill works to ensure that justice is served.

Second, H.R. 1029 works to stem the flow of illegal immigration. I believe this bill will act as a deterrent for illegal alien smugglers and, therefore, greatly cut down on illegal immigration.

I believe that we need to ensure that our Border Patrol and Coast Guard have the tools they need to keep our borders safe.

This bill is critical in bolstering our economic and national security and, therefore, I strongly urge the passage of H.R. 1029.

Mr. CHAFFETZ. Mr. Speaker, I would just inquire as to how many more speakers.

Ms. JACKSON-LEE of Texas. I have the right to close. I believe there are no more speakers.

Mr. CHAFFETZ. I have no more speakers as well. I yield back the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, again, I'd like to congratulate the gentleman from Indiana (Mr. HILL) for his leadership on this issue. This is a legislative initiative that really is long overdue. And I'd like to respond as well to the point that he made that was very, very succinct but also very, very potent about the need for comprehensive reform. He is right. As he returned to the United States Congress, it was an enormously vigorous debate. I believe some of the satellite hearings might have wound up in Indiana that were held by the U.S. House of Representatives.

If we are to complement this legislation, we also need to engage in comprehensive immigration reform so there are laws that will govern the ingress and egress of individuals here in the United States. That is a very important statement and challenge that we have. And, therefore, as we move this legislation along and give a firm response of intolerance to those who would human traffic or engage in trafficking slaves, or to cause the loss of life or the dastardly treatment of individuals, we are making the statement that we will take it seriously and that they will be punished.

In addition, I think it's very important that we complement this legislation with strong response to the violence at the border that has occurred due to drug cartels. I look forward to having the opportunity to present to our Judiciary Committee legislation that I will introduce on this issue of providing more resources for the, if you will, inhibiting and prohibiting the kind of dastardly violence that is occurring and providing the resources for DEA and ATF that I think are so very necessary.

Mr. Speaker, again I want to congratulate Mr. HILL on this legislation, and I would enthusiastically urge my colleagues to support this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1029, "Alien Smuggling and Terrorism Prevention Act of 2009." I want to thank my colleague Congressman BARON HILL of Indiana for introducing this resolution.

Mr. Speaker, as a Member of the Committee on Homeland Security, and as a Member of the Subcommittee on Immigration, I have long been an outspoken leader on this issue. Alien smuggling is not only a threat to our national security, but it also diminishes the value of human lives, and as the world's moral leader we must take a tough stance against these horrific practices. In fact as part of the Save America Act, immigration legislation that I introduced, I address this very issue. My legislation would create a special class of aliens who act as informants to assist U.S. authorities in the prosecution and apprehension of alien smugglers. In special cases these individuals would receive permanent resident status if the information substantially led to a successful prosecution and apprehension of those involved in alien smuggling.

A few years ago in Texas, prosecutors indicted 14 people who allegedly organized or facilitated the smuggling incident when a crowded trailer was found abandoned at a truck stop in Victoria, 100 miles southwest of Houston, Texas. The 14 were charged with various counts of conspiracy to conceal or transport immigrants. Twelve could face the death penalty if prosecutors decide to pursue it. More than 70 immigrants from Mexico, Central America, and the Dominican Republic were crammed into the tractor-trailer. Among the dead was a 5-year-old boy from Mexico. Seventeen immigrants died at the scene, and 2 others died later.

My preference is to provide the Border Patrol with the additional agents, equipment, and resources it needs to secure the border. I have introduced legislation that would meet these needs by providing critical resources and support for the men and women who enforce our immigration, customs, and other laws. This would include adding 15,000 Border Patrol agents over the next five years, increasing the number of agents from 11,000 to 26,000. It would require the Secretary of Homeland Security to respond rapidly to border crises by deploying up to 1,000 additional Border Patrol agents to a State when a border security emergency is declared by the Governor. It would add 100,000 more detention beds to ensure that those who are apprehended entering the United States unlawfully are sent home instead of being released into our communities. And, it would provide critical equipment and infrastructure improvements, including additional helicopters, power boats, police-type vehicles, portable computers, reliable radio communications, hand-held GPS devices, body armor, and night-vision equipment.

Mr. Speaker, I rise in strong support of this legislation for the following reasons. This bill makes a strong statement against alien smuggling while maintaining core Democratic principles. It is a tough yet fair approach to border security. It is a holistic anti-smuggling regime that reaches those who recruit aliens in their home countries, smuggle aliens across the land borders, or transport or harbor aliens in the United States.

This legislation ensures border security. It recognizes the contribution of the Border Patrol, Coast Guard, Customs & Border Protection, Immigration & Customs Enforcement, FBI, Assistant United States Attorneys, and Department of Justice prosecutors who are on the front lines of interdiction and investigation of alien smugglers. It gives agents and prosecutors tools to address alien smuggling and terrorism by re-structuring the Alien Smuggling statutes.

This legislation is tough on crime. It brings in new penalties of up to life in prison for rape, kidnapping, or attempted murder in the course of alien smuggling. H.R. 1029 revises the current statutes to provide stiff sentences for those who commit alien smuggling that facilitates terrorist activity, or those whose smuggling results in serious bodily injury or placing the life of another in jeopardy. It creates the first federal crime that recognizes transportation in inhumane conditions as a ground for an increased sentence.

The Act recognizes the needs of the Coast Guard for effective maritime anti-smuggling tools, including tough penalties for those who do not heave to, and risk their passengers' lives by intentionally beaching their vessels at high speed in an attempt to discharge their

human cargo. It directs the Sentencing Guidelines Commission to put "teeth" into the statute by adopting sentencing enhancements for terrorism, moving large groups of aliens, or abandoning aliens in harsh conditions such as the desert or at sea. It maintains the current sentencing structure in which smuggling for profit or to facilitate a crime results in mandatory minimum sentences, and maintains the current sentencing structure in capital cases.

Alien smuggling will not stop until we establish an immigration policy that substantially reduces the need for illegal entry into the United States.

I urge my colleagues to support this legislation.

I yield back my time.

The SPEAKER pro tempore (Mr. LUJÁN). The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and pass the bill, H.R. 1029, as amended.

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

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. CON. RES. 85, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–70) on the resolution (H. Res. 305) providing for consideration of the concurrent resolution (H. Con. Res. 85) setting forth the congressional budget for the United States Government for fiscal year 2010 and including the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1664, PAY FOR PERFORMANCE ACT

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–71) on the resolution (H. Res. 306) providing for consideration of the bill (H.R. 1664) to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1256, FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–72) on the resolution (H. Res. 307) providing for consideration of the bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, which was referred to the House Calendar and ordered to be printed.

□ 1815

MIAMI DADE COLLEGE LAND CONVEYANCE ACT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 838) to provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 838

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 "Miami Dade College Land Conveyance Act".

SEC. 2. CONVEYANCE OF BUREAU OF PRISONS LAND TO MIAMI DADE COUNTY, FLORIDA.

(a) CONVEYANCE REQUIRED.—The Attorney General shall convey to Miami Dade College of Miami Dade County, Florida (in this section referred to as the "College"), all right, title, and interest of the United States in and to a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, consisting of a parking lot approximately 47,500 square feet and located at 35 NE 2 Street, for the purpose of permitting the College to use the parcel as a site for a new educational building that includes a parking area, of which not less than 118 secure parking spaces shall be designated for use by the Bureau of Prisons of the Department of Justice.

(b) REVERSIONARY INTEREST.—If the Attorney General determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Attorney General, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Attorney General under this subsection shall be made on the record after an opportunity for a hearing.

(c) SURVEY.—If the Attorney General considers it necessary, the Attorney General may have the exact acreage or square footage and legal description of the land to be conveyed under subsection (a) determined by a survey satisfactory to the Attorney General. The College shall bear the cost of the survey.

(d) EXEMPTION.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply to the conveyance of land under subsection (a).

The SPEAKER pro tempore (Mr. LUJÁN). Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Ms. JACKSON-LEE of Texas. I yield myself such time as I may consume.

Mr. Speaker, H.R. 838, the Miami Dade College Land Conveyance Act, introduced by Representative ILEANA ROS-LEHTINEN, will authorize the Department of Justice's Bureau of Prisons to convey a parcel of land to Miami Dade College in Miami, Florida.

Currently, the BOP's Miami Federal Detention Center's satellite parking lot occupies the land. Miami Dade College plans on building an educational facility on this land, which will include covered and secured ground floor parking for BOP employees at no cost to the agency.

The Bureau of Prisons does not have the authority to transfer this parcel of land to the college. However, this bill, which the agency supports, would permit the transfer to take place.

The college will make good use of the 47,500-square-foot area of land while also providing as many as 118 Bureau of Prisons parking spaces. This, obviously, is a good, collegiate way to work with an institution of higher education and our need for detention facilities, and this legislation allows that decision and that action to go forward. I urge all of my colleagues to support this helpful legislation.

H.R. 838, the Miami Dade College Land Conveyance Act, introduced by Representative ILEANA ROS-LEHTINEN, will authorize the Department of Justice's Bureau of Prisons to convey a parcel of land to Miami Dade College in Miami, Florida.

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The Bureau of Prisons does not have the authority to transfer this parcel of land to the college. However, this bill, which the agency supports, would permit the transfer to take place.

The college will make good use of the 47,500 square foot area of land, while also providing as many as 118 BOP parking spaces.

I urge all of my colleagues to support this helpful legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 838, the Miami Dade College Land Conveyance Act. This bill was introduced

by the gentlewoman from Florida (Ms. ROS-LEHTINEN). The act would convey a parcel of land held by the Bureau of Prisons to the Miami Dade College, which is adjacent to the Bureau of Prisons facility. The parcel of land is now used as a parking lot by the Bureau of Prisons facility.

As a result of this act, the college will be permitted to use the parcel as a site for the new building that will include a garage parking area. That parking area will contain 118 secured parking spaces that will be designated for use by the Bureau of Prisons.

This conveyance outlined in this bill will benefit both the Bureau of Prisons and the Miami Dade College. The Department of Justice has reviewed the bill, and does not oppose its enactment. I urge my colleagues to support H.R. 838.

I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I would like to yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to see that the Miami Dade College Land Conveyance Act is before the House today. This is a great example of Federal-local partnerships truly benefiting both Miami Dade College and the Bureau of Prisons. This bill will facilitate the construction of a new educational facility in downtown Miami as well as provide secured parking for the Bureau of Prisons.

Miami Dade College has been an essential institution in South Florida for over half a century. It was born of the idea that anyone with a desire to get a college degree should be given that opportunity.

By 1967, the college was the largest institution of higher education in our great State of Florida. Today, it has built upon that position, and is now the largest institution of higher education in the United States, serving over 160,000 students last year, all the while maintaining an affordable and exceptional course of study.

Miami Dade College has been instrumental in the development and success of thousands of students, and I am proud to say that my father, my brother and I are all graduates of this fine institution. It serves our community with fine distinction. In fact, 96 percent of the students enrolled at Miami Dade College are residents from our local area. Just 2 years ago, the college reached a truly incredible milestone. It welcomed its 1.5 millionth student. We are only a community of 2.3 million, so the sheer amount of lives that the college has influenced is astonishing.

When I say that Miami Dade College is central to the educational, social and cultural fabric of South Florida, know that this is no exaggeration. The college also embodies the essence of diversity. Almost 80 percent of its students come from a minority background. It enrolls more minorities than any other college or university in the United States, and in Florida, 33 percent of all minority students attending community colleges are attending Miami Dade College.

This bill will allow for the much needed expansion of the facilities in downtown Miami, and it will allow the college to offer more courses to more students. All this has been made possible by the stellar performance, leadership and guidance of the college president, Dr. Eduardo J. Padron, himself an alum of Miami Dade College. He is a man of unyielding strength and a passion for education. He has spent his entire career making sure that all students have the tools and the opportunities to succeed. His time at Miami Dade College has been defined by growth and greater academic accreditation. He has truly made a positive difference in the lives of countless individuals, and I commend him for all that he continues to do in support of our college.

I thank the Speaker; I thank the Members who have given me this opportunity, and I urge all Members to vote in favor of this legislation, supporting a fine institution of higher learning and the many wonderful students who will benefit from this expansion.

I thank the gentleman for his time, and I thank my good friend from Texas (Ms. JACKSON-LEE) for her time as well.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me congratulate the gentlewoman for not only providing this facilitation for this institution of higher learning but for helping out the Bureau of Prisons, which is the Judiciary Committee's jurisdiction.

As I close, let me just acknowledge the legislation, H. Res. 290, that Congresswoman BARBARA LEE offered today and add my sympathy to the people of California. I thank Congresswoman LEE for bringing forward legislation that honors the lives that were lost—Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege, who were members of the Oakland Police Department in California.

In the month of May, we will be honoring law enforcement officers who have fallen across America. We have done that every year since I have been in the United States Congress. Tragically and sadly, we will do it again, even honoring those who have come from Texas and Houston. So H. Res. 290 has my sympathy as well. Before I closed, I wanted to acknowledge that.

Let me now close on this legislation, H.R. 838, and indicate my support and ask my colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and pass the bill, H.R. 838, as amended.

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

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO UNITED STATES NAVAL ACADEMY

The SPEAKER pro tempore. Pursuant to 10 U.S.C. 6968(a), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Naval Academy:

Mr. RUPPERSBERGER, Maryland
Mr. CUMMINGS, Maryland
Mr. KLINE, Minnesota
Mr. FRELINGHUYSEN, New Jersey

THE ECONOMIC CRISIS

(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. Mr. Speaker, tomorrow and for the rest of the week, this body will engage in a very important, principled debate that really responds to the calamity that we have been facing over the last 6 to 8 months, and that is the economic crisis.

The administration has put forward its initiative that addresses the principles of a budget. This Congress, along with several caucuses, has offered budgets to be able to address the pain of the American people.

What I am so proud of and the reason I am standing here today is that Democrats have come together around principles that will help to heal the economy: the infusion of dollars into education, into health care, a continued commitment to energy reform, and the review of energy opportunities across, if you will, the spectrum of resources. Certainly, we recognize the needs of our veterans and of our soldiers across the land.

I hope we will have a vigorous debate on behalf of the American people.

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.)

HONORING THE LIFE, SERVICE AND HEROISM OF ARMY SERGEANT SCOTT B. STREAM

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

Mr. GUTHRIE. Mr. Speaker, while recent weeks have brought about serious challenges here at home, we must not allow them to distract our thoughts and prayers from the brave men and women fighting the war on terrorism around the world. These men and women are proudly serving our country, and are facing challenges far greater than most of us could ever imagine.

I rise today to pay tribute to Sergeant Scott B. Stream, 39. Sergeant Stream was killed on February 24, 2009, in Kandahar, Afghanistan, in support of Operation Enduring Freedom.

I had the honor of attending the funeral for Sergeant Stream. As I walked in, they handed me a program of events for the funeral. Inside was an insert of an e-mail that Sergeant Stream had sent home to his family on December 31, 2008.

As I sat there, waiting for the funeral to begin, I read it over and over, and I decided that I needed to share this with our grateful Nation because it says a lot about Sergeant Stream. Also, I think it says a lot about the men and women we have serving us overseas. I would like to read this e-mail and enter it into the RECORD.

This is Sergeant Stream's e-mail:

''When I think about what surrounds me—the institutional corruption, the random violence, the fear and desperation—I feel the reasons why I'm here more and more sharply.

''As we grow in our soldier skills, surviving by finding the hidden dangers, seeing the secret motives in the shifting politics, we grow a set of skills that is unique and powerful in this situation.

''We also see what you cannot see in the States. You are surrounded by the love of Christ and faith in freedom and humanity. Like a fish, you think water is a 'puff of air' because it is always there. You do not notice it. We who are out of water look back and see the world we love surrounded by enemies, poison and envy, that wants to fall on you like a storm of ruin. We who joined with vague notions of protecting our country see how desperate the peril, how hungry the enemy and how frail the security we have for you.

''The more I love and long for home the more right I feel here on the front lines standing between you and the seething madness that wants to suck the life and love out of our land. Does that mean I cannot go home? I hope not, because I want this just to be the postponement of the joy of life, not the sacrifice of mine. If it costs me my life to protect our land and people then that is a small thing. I just hope that fate lets me return to the promised land and remind people just how great our land is.

''War is a young man's game, and I am getting an old man's head. It's a strange thing. I just hope that I am not changed so that I cannot take joy in the land inside the wire when I make it home. I want to be with you all again and let my gun sit in the rack and float on my back in a tube down a lazy river.''

Sergeant Stream didn't make it home, but he left behind a family. And I would like to read their names and let him know that we're all praying for him: His wife Rasa, his daughters Megan and Laura, his parents Sherman and Gayle Stream, his siblings and their mates, Shawn and Michelle Stream, and Shannon and Michael Pape and his grandmother Vera.

When I read that e-mail, it so reminded me of the dedication and the love that these young men and women had for this country. Their willingness to fight, their willingness to sacrifice. And what struck me the most he says, ''If this cost me my life, that is a small gift.'' That is someone of maturity. That is someone of patriotism. And that is a hero.

□ 1830

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ELMO D. ROEBUCK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

Mrs. CHRISTENSEN. Mr. Speaker, this week in my district, the U.S. Virgin Islands, the people are gathering to bid farewell to one of our native sons, the honorable Elmo D. Roebuck. After having lived a life of public service, community activism, and cultural promotion, Roebuck passed away last week at the age of 74.

A political mover and shaker, Roebuck was one of the men who led and molded the U.S. Virgin Islands in its formative years. He, along with others, was responsible for the early successes of the territory on its road to self-governance. He was a mentor, a strategist, and a fervent fighter for the cause of the people of the Virgin Islands.

He was born in 1934 to Ector and Nathalia Roebuck and graduated valedictorian of the class of 1952 at the Charlotte Amalie High School in St. Thomas, U.S. Virgin Islands. In 1956, he graduated from what is now Hampton University in Virginia with a bachelor of arts degree in business administration. Returning to the Virgin Islands, Roebuck taught at the Charlotte Amalie High School and held several government posts before becoming the youngest Virgin Islander to hold a Cabinet-level post in 1964, when he was named by the late Governor Ralph Paiewonsky to head the Department of Housing and Community Renewal.

He later joined the Unity Party and then became one of the organizers of the new Democratic Party of the Virgin Islands in the 1970s, running as a candidate for Lieutenant Governor with the late Alexander Farrelly. The team lost that election, but he entered politics once again in 1972, becoming the highest vote-getter in the St. Thomas-St. John district in the race for a seat in the Virgin Islands Legislature.

Roebuck went on to serve six consecutive terms in that body, becoming chair of the finance committee in the 10th and 14th legislatures, and the President of that body in the 11th, 12th and 15th legislaures.

Mr. Roebuck is most remembered for his leadership in transforming housing in the territory. As commissioner of Housing Community Renewal, he was responsible for the formulation of an aggressive plan that provided a safe, decent home for every Virgin Islander. He oversaw the clearance of blighted, slum areas and the creation of modern neighborhoods across the Virgin Islands.

In 2005 in an interview with the online newspaper the VI Source, Mr. Roebuck recounted that his biggest accomplishment was the ''shepherding through of the Coastal Zone Management Commission,'' the body that oversees the development and preservation of one of the Virgin Islands most treasured resources, its coastal areas.

During his tenure in the VI Legislature, he was responsible for the creation of the Post Audit Division, which improved that body's ability to track government finances and advise senators on critical issues before that body.

Roebuck was also a Virgin Islands tradition bearer. Having learned the art of telling folktales with music and humor from his father Ector, he would share them with schoolchildren and anyone who wanted to enjoy the rich history and culture of the Virgin Islands people.

Mr. Speaker, the people of the U.S. Virgin Islands are saddened by the loss of Elmo Roebuck, whose community spirit was well noted in his legislative and administrative accomplishments; his service to his church and service organizations; and his sharing of Virgin Islands stories with young and old.

During his lifetime, he was knighted by the Queen of Denmark and honored by the Virgin Islands Legislature in 2003. This week he is being remembered for his cultural contributions with a storytelling wake at the Virgin Islands Legislature, and on Thursday, he will be laid to rest in a final goodbye by the people who served and loved him well.

I would like to express my condolences to his wife and his children and grandchildren. May they be comforted at this difficult time with the knowledge that his life was a life well lived.

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

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

THE DEBT ON OUR CHILDREN'S GENERATION

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

Mr. GUTHRIE. Mr. Speaker, last year when I began deciding whether or not I wanted to serve in Congress or run for Congress, my wife and I were talking quite a bit about it, and our big concern was our children. I have a 15, 13, and 11-year-old girl/boy/girl, and our biggest concern was, what would campaigning and being in Washington and commuting do to our children? And as my wife and I began discussing that even further, it wasn't even what this was going to do to our children but what could our service or my service do here in Washington for our children and our children's generation.

And that has been the concern as we go into this week, and we are beginning to look at the budget that's being proposed, the debt that we're going to put on our children. That's what drove me to run for office. And I was really concerned about the debt that was going to be moving forward, the debt that we had and here we are increasing and increasing the debt and the burden on our children. And that is a concern that I have.

I have a great love for my children and their generation. I believe that we need to be very careful about any debt that we put on our children or their generation.

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

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

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

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

OUR AUTO INDUSTRY NEEDS HELP

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

Ms. KAPTUR. Mr. Speaker, these are daunting times for communities in the Great Lake States. Our region's communities have served as production platforms for our Nation for generations—for the generations when America built a solid middle class. Our region did not simply trade wealth, as do Wall Street and other mega-banking centers. We made it.

Our Nation's economy and, frankly, our defense industrial base depend on production platforms such as the motor vehicle industry for jobs, for industrial might, and for real wealth creation for the Republic. One of every seven jobs in our country is tied to the motor vehicle industry. Over half of semiconductors are used in auto production, nearly half of the carpeting, as well as plastics, glass, metals, electric wiring, machine tools, and the list goes on.

In my district and throughout the industrial Midwest, the Big Three and their suppliers still form the bedrock of our economy. And although elite opinion makers try to deny it, the reality remains that as the motor vehicle and auto industry go, so goes the economy of the United States. And that economy isn't looking too good these days.

President Obama is correct in saying that we cannot and must not and will not let our auto industry vanish. Those of us in our Nation's heartland have always known that. America cannot lead the global economy unless it leads in the global auto and truck center. No modern industrial power has ever survived without a thriving domestic motor vehicle industry whose capabilities undergird its defense industrial base. Japan understands that. China understands that. India understands that. Germany understands that. Do we understand that?

Now, we can take a look at the severe challenges facing this industry today. The most important reason that this industry is facing difficulties at the moment is because of the credit crunch and the inability of Wall Street to reach Main Street despite billions, hundreds of billions of dollars put into the TARP that isn't working. Any sales-dependent industry, like the automotive industry, must have credit lines open to the dealerships and to consumers who want to buy those cars.

So that TARP bailout overrides everything else happening. We need to see it. Straightening out what is being done by the U.S. Treasury, aided and abetted by the somnambulant Federal Deposit Insurance Corporation and the Securities Exchange Commission, is essential to righting our economic ship of state. And the failure of those agencies to monitor, let alone regulate, has created today's financial wreckage.

Mark-to-market accounting is killing more value inside this economy than the bailout can possibly replace. And as Treasury and Wall Street still fiddle, Main Streets across this country implode, including those where the automotive sector is predominant.

I am glad the President talked about the pain that is felt across our auto industry. Let me just say, look at the hands and the faces and the legs of autoworkers. They know their work is hard. The predicament we're in isn't their fault. It is a crisis of leadership, as the President has said, starting right here in this city.

Thomas Friedman, a writer, is wrong. He says the world is flat. Well, it's not. It has mountains and has huge valleys, and our auto industry has had to compete on a very unlevel playing field. Take this fact: over half the vehicles sold in this country actually come from other places in the world. In Japan's market, the second largest market in the world, only 3 percent of their cars come from any place else in the world.

Whose market is open? Whose market is closed?

Mr. Speaker, tax policy operates against this industry, and if we look at the number of cars, including the new Buick LaCrosse that was rated No. 1 by J.D. Power, we have an industry ready to compete. Let's give it a chance.

MOM, APPLE PIE, AND HYUNDAI?

THE AUTO INDUSTRY HAS BEEN A BULWARK OF THE AMERICAN MIDDLE CLASS. IF WALL STREET WARRANTS A BAILOUT, WHY NOT DETROIT?

(By Pat Choate)

In those happy days of the 1950s, my friends and I anxiously awaited the moment when the local auto dealers began displaying their new car models. My uncle was a Chrysler-Plymouth dealer, and we always began our tours there. Then we would go from one showroom to another, collecting the brochures, sitting behind the wheels of the new Corvettes, Chrysler 300s, Plymouth Sport Furies, and Thunderbirds, opening the hoods and admiring the powerful engines. Rare was the teenager of that era who did not know the specifications of virtually every model produced by General Motors, Ford, and Chrysler.

''Car people'' such as Lee Iacocca, then at Ford, were in charge of America's Big Three automakers. They loved their cars as much as their customers did. The carmakers and their suppliers produced an ever changing set of engines, transmissions, accessories, and gadgets that made buying a car a family treat unlike any other. So many different types of hubcaps were produced that there were hubcap stores in all the major cities. In Texas, stealing them was a state pastime for teenaged boys.

The differentiated line of cars produced by General Motors was also a measure of social and economic status. A Chevrolet was for those starting out. A Cadillac was for those who had arrived. Pontiacs, Oldsmobiles, and Buicks were stop-offs for those on the way up or down. A jump from a Chevrolet to a Buick was an event noticed and commented upon by neighbors as a measure of success—or of someone acting above himself.

In that postwar period, Americans were on the go, and though Charlie Wilson was ridiculed for commenting, ''What's good for General Motors is good for America,'' he was right. The Great Depression and World War II were memories, people had well-paying jobs, credit was easy, and a new car could be bought with a small downpayment. GM and the auto industry were a major part of the economy and an important contributor to that prosperity.

The Big Three autos, coupled with the construction of the 42,500 mile Interstate Highway System and the establisment of a vast network of safe and inexpensive motels such as Holiday Inns, opened the continent for inexpensive family vacations. Dinah Shore's perky signature song captures the essence of America's love affair with its cars: ''See the USA in your Chevrolet. America is asking you to call. America is the greatest land of all.''

But success bred complacency and hubris in the industry. By the mid-1960s and early 1970s, management of the Big Three had shifted from the car people to ''numbers guys,'' who were more interested in squeezing every possible penny of profit from the vehicles. To avoid costly worker strikes, Big Three management made major concessions to labor on pensions, healthcare, and vacations, costs it then passed on to consumers. Meanwhile, quality slipped. Designs were unimaginative. Buyers would ask whether a car was produced on a Monday or Friday, fearing that either the workers were too exhausted and hungover after the weekends to do a good job or too anxious to leave on Friday to care.

By the late 1960s, the Big Three had become an easy target for Japanese and European competitors. In 1980, Chrysler faced bankruptcy, and General Motors' management seriously considered exiting the auto business altogether. As part of that strategy, GM bought Hughes Electronics and Ross Perot's EDS.

Perot and the GM management quickly soured on each other. He wanted to manufacture the best cars in the world, and they wanted to enter into businesses in which they were inexperienced. One of the more interesting business lectures captured by the Harvard Business School in its case studies is Perot's speech to the GM board on the day he concluded his sale of stock back to the company. He ticked off what he thought was wrong with GM and what it needed to do to assure its prosperity in the auto industry. The essence of his message was to treat workers well, be innovative, settle for nothing less than making the best cars in the world, and sell them at the lowest possible price. His advice was ignored, of course, and GM continued to lose position in its domestic market.

Eventually, GM, Ford, and Chrysler's plodding efforts to build better vehicles began to pay off in the early and mid-1990s. Quality improved, styling began to matter once again, and the Big Three produced the kinds of vehicles Americans wanted—big, comfortable, powerful, and safe. Easy credit and cheap gas made owning the behemoths inexpensive, and Detroit seized control of the market for full-size pickups, vans, and SUVs.

A key moment for the Big Three and UAW came after their signing of the 1996 labor contract. GM thought it had bought three years of labor peace. But the union unexpectedly staged a series of local strikes in facilities that produced strategic parts, the shortage of which could stop all GM production. These snap strikes closed GM for part of 1997 and cost the company billions of dollars. For whatever advantage the union may have gotten, its actions enraged GM management, which accelerated its investment in duplicative plants in other parts of the world, staffed with nonunion workers.

In 1999, GM spun Delphi, its parts division, into a new corporation that entered Chapter 11 reorganization in 2005. The UAW contract was broken, and the workers were left with $14 per hour jobs, no healthcare, and no defined-benefit pensions. President Lyndon Johnson was once asked if half a loaf of bread was better than none. He replied, ''A slice is better than none.'' The Delphi workers got a slice.

Over the past two decades, each of the Big Three has been through extensive management changes, downsizing, and layoffs. Chrysler even became part of the German company Daimler, which could not make the acquisition profitable and eventually sold 80 percent of its interest to Cerberus, a private investment fund.

It is difficult to teach an elephant to waltz, but it can be done. While the Big Three have been slow to change, they have adapted well enough that they still hold half the U.S. market share. It is an amazing turnaround.

Consider quality. In 2007, Ford won 102 quality awards, including AutoPacific's Best in Class for three models and Germany's largest auto magazine's Auto 1 of Europe Award for its S-MAX. Forbes awarded the 2008 Chrysler 300 ''the highest-quality car in the near-luxury category'' over the Audi A4, BMW 3 Series, Lexus IS, and Mercedes-Benz C Class. Of the 15 global finalists for the 2008 Motor Trend Car of the Year Award, the Big Three manufactured nine, the Japanese four, and the Europeans two. The 2008 winner was GM's Cadillac CTS, which Motor Trend described as ''proof that Detroit can still build a world-class sedan.''

As for innovation, General Motors, Ford, and Chrysler invest almost $12 billion annually on R&D, making them a major source of technology development. In 2007, the U.S. Patent and Trademark Office granted these three corporations 1,030 patents.

James E. Malackowski, CEO of Ocean Tomo LLC, a merchant bank that specializes in intellectual property products and services, recently compared four of the green, clean, and energy efficient patent portfolios held by the Top 15 global automakers—emission control, catalytic converters, and related chemistry; fuel cells; hybrid/electric vehicles, mostly motor and battery innovation; and emerging related technologies, including solar, wind, and other green inventions.

GM has higher average quality and newer green technology and patents than the other 14 auto manufacturers combined. Together with Ford it holds approximately one-third of all green-technology patents and the related value. Moreover, GM has 70 percent of the patents in the emerging-technology category. This domestic share increases to 85 percent if Ford is added. Finally, Ford owns 30 percent of all patents with a similar related-value measure in emission-control innovation. These Big Three technologies have great potential for stimulating overall U.S. economic and job growth and creating a greener and more fuel-efficient world.

There is much of value to be saved in this vital industry, but relief has been slow in coming. When Wall Street recklessly gambled with borrowed monies and lost, federal aid was characterized as a ''bailout.'' The present auto crisis was created by powerful economic forces, many beyond Detroit's control. Federal efforts to save the U.S. auto industry would constitute a ''rescue.''

The primary causes of the current U.S. auto-industry crisis are threefold: a financial freeze in which even well-qualified borrowers are denied credit to buy vehicles; fluctuating oil prices that have driven the price of gasoline from less than $2 per gallon to more than $4 and then back to $2, all in less than 10 months; and a consumer panic that has cut retail sales to 15-year lows.

The failure of the U.S. Treasury Department and Securities and Exchange Commission to monitor, let alone regulate, Wall Street has created today's financial wreckage and the resulting consumer panic. And despite the obvious need for a far-sighted energy policy, the last four presidents and Congress have done little but encourage more drilling.

The longer-term inability of America's auto industry to export competitive products has its origins in U.S. trade policies that accept closed foreign auto markets and the payments of massive export rebates by other governments to their automakers. How can U.S. automakers be expected to compete in a world where German producers get a 19 percent export subsidy on every vehicle sold in the United States, China undervalues its currency by up to 50 percent, Japan keeps its auto market tightly closed, and the U.S. government allows South Korean automakers to sell more than 700,000 subsidized vehicles in this market annually, but tolerates Korea's restriction of U.S. imports so tightly that fewer than 7,000 American-made vehicles are sold there each year? The Big Three and the UAW are not at fault for these distortions of competition.

The three overarching questions that President-elect Obama and the 111th Congress face are: what will happen if the Big Three are not saved, how much will it cost, and what is the best way to execute the rescue?

As to the first question, federal inaction would be costly and destructive in ways America has not experienced since the Great Depression. The Center for Automotive Research—appropriately, CAR—projects that a 100 percent closedown of the Big Three auto producers would result in the loss of almost 3 million U.S. jobs in the first year. The majority of those losses would be Main Street jobs distributed across the country that depend on spending by the Big Three—steel, glass, and rubber producers and the 20,000 dealers, who are major purchasers of advertising in local newspapers, radio, television, and other small business services provided by lawyers, accountants, real estate contractors, and landscapers.

A 50 percent reduction in the Big Three's operations would be almost as costly. CAR estimates that 2.47 million jobs would be lost in the first year, 1.5 would still be unfilled in year two, and slightly more than 1 million in year three. The lost revenues from either scenario would devastate federal, state, and local budgets, creating further economic upheavals. CAR estimates that a 100 percent shutdown would cost $156 billion in lost tax receipts and increased transfer payments. A 50 percent shutdown would cost $108 billion.

Job loss is only part of the risk. The U.S. defense industrial base would be greatly weakened if the Big Three failed. The collection of machine tools, robots, production lines, and skilled workers of the auto industry gives the United States the capacity to shift quickly from domestic production to the manufacture of tanks, airplanes, and other war materiel as happened in World Wars I and II. The foreign auto transplants are not a substitute, for they are mostly facilities for putting together kits manufactured abroad.

As for the cost of the auto rescue, it is impossible to estimate the final number. Certainly, $38 billion for an operational bridge loan is too little and will require supplements. GM alone has a cash-burn rate of $2 billion per month, and will use its portion of the first loans within months. Yet the earliest that GM says that it can produce its new line of vehicles is 2010. Inevitably, the automakers will be back for more, much like the banks and insurance companies.

As CAR has documented, however, the costs of inaction will also be great. Its estimates of a collapse, moreover, do not include the costs of shifting more than $100 billion of Big Three pension liabilities to the Pension Benefit Guaranty Corporation, which is currently operating with a $10 billion deficit. Only about a quarter to a third of the Obama administration's proposed stimulus of massive investment infrastructure expenditures will be felt in 2009, half in 2010, and the remainder thereafter. As presently defined, it will have little effect on the Big Three.

They need more sales now. The fastest and surest way to stimulate such activity is for the federal government to give a massive one-to-three-year tax deduction for sales of U.S. vehicles with a high U.S. or North American content, such as 70 percent. This

would help clear the dealer backlog and immediately put people to work. It also would allow taxpayers to get great bargains on new vehicles.

Some have suggested that Chapter 11 is the only viable option for the Big Three. But it would create an economic avalanche in which dozens, if not hundreds, of suppliers and dealers would be forced into bankruptcy. No institution other than the federal government is now able to provide the billions of dollars necessary for the industry to operate during reorganization. And at the very moment that these auto giants need to act quickly and be flexible, they would be constrained by a federal judge and trustees to get approval for even the most basic decisions. Those who advocate bankruptcy need only look at the cumbersome and costly Delphi experience, which is now in its fourth year.

But rescuing the American auto industry will require more than vast sums of public monies. Basic policy changes in trade and tax laws are essential. One of the most difficult, but unavoidable, challenges will be to end the Value Added Tax discrimination faced by the Big Three in both their domestic and foreign markets. Soon after World War II ended, U.S. trade negotiators agreed to allow the rebate of Value Added Taxes on their exports and the imposition of VAT equivalents on their imports of U.S. goods and services. Europe was rebuilt decades ago, but 153 nations now have a VAT, and its average rate is 15.5 percent. Japan has a 5 percent VAT, China's is 17 percent, Germany's is 19 percent, and France imposes 19.6 percent. The economic consequences to the Big Three and other U.S.-based manufacturers have been devastating.

When a German automaker exports a vehicle into the U.S. that costs $50,000, for instance, it receives from the German government a 19 percent VAT export rebate, worth about $9,500. But when one of the Big Three exports a $50,000 vehicle to Germany, it must pay the German government a 19 percent, $9,500 VAT-equivalent tax at the dock. Thus the Big Three products are price disadvantaged in both markets. Moreover, these discriminatory VAT rules provide a powerful incentive to outsource production from the United States. In the Tokyo, Uruguay, and Doha trade negotiations, the U.S. Congress instructed American trade negotiators to eliminate this tax disadvantage, but other governments refused to discuss the issue.

In addition to pressing for the adoption of new global trade rules to end VAT discrimination against U.S. manufacturers, the incoming administration should focus on eliminating the many protectionist national tariff and non-tariff trade barriers crippling the Big Three. India, for example, imposes a 100 percent tariff on imported U.S. vehicles. China's tariff rate is 25 percent. Korea has long-run national anti-import campaigns that include targeting for tax audits anyone who buys a foreign car. Unless foreign economic protectionism is confronted immediately and at the highest levels of the U.S. government, the American auto industry cannot survive.

Three other principles are essential to the rescue. First, taxpayers should receive substantial equity in these ventures, plus long-term warrants, whose purchase price is set at today's stock values. After all, we are taking the risk. When any public loans are repaid, the terms and conditions should require a sale of those stocks, hopefully at a substantial public profit. Taxpayers made almost a 30 percent profit on the Chrysler loans three decades ago.

Second, demands for a reduction in worker pay should be eschewed. The UAW and its members have already made massive wage and benefit concessions in recent negotiations. Delphi is only one example. Almost a century ago, Henry Ford paid his workers a then unheard of $5 per day so they could buy the products they were making, and the auto industry led the way in creating an American middle class. This rescue should not undermine broader efforts to provide secure jobs and benefits, nor should it allow the pitting of well-paid American workers against the penny-wage labor of other countries.

Without question, the UAW has often been smug, arrogant, and inflexible. But rather than punishing it by requiring reduction in its members' pay, we should expect the union to contribute to the rescue. It should enter into a no-strike agreement until the federal loans are paid and invest its $1 billion ''rainy day'' reserve, commonly called its ''strike fund,'' in the preferred stock of the Big Three until the loans are satisfied. The rainy day has come, and if taxpayers are putting up money to save UAW jobs, so should the union.

While U.S. antitrust laws allowed the UAW to target one company at a time, those same laws prevented the Big Three from negotiating together on an industry-wide contract. Any rescue should permit the Big Three and UAW to negotiate an industry wage and benefit package.

Third, executive pay at the Big Three should be capped at some simple multiple of the average annual pay of Big Three workers, such as 10 or 15 to 1, with any bonuses being provided in corporate stock, at least until any federal loans are paid off. Also, the Big Three executive pension funds should be required to have at least a majority of its capital invested in Big Three stock. The goal, of course, is to create a common incentive for labor and management to work together.

As of mid-November 2008, the U.S. Treasury and the Federal Reserve had advanced $2 trillion to salvage the financial wreck created by Wall Street. In late November, the FDIC announced that it was ready to loan another $1.4 trillion to stabilize the banks. The Bush administration and Congress seem to have no limits to their concern about Wall Street.

The Big Three automakers, their suppliers, and dealers are on Main Street. They employ millions of workers and provide essential goods for American consumers. If the Big Three fail, an economic tsunami will quickly roll across the United States, destroying jobs, incomes, and national confidence at historic levels. The challenges faced by the new administration at that point would be similar not to those faced by Franklin Roosevelt, but to those that confronted Herbert Hoover in the first years of the Great Depression.

In this instance, what is good for General Motors is good for America.

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

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

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

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

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

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

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

THE ECONOMIC SITUATION WE NOW FACE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Mr. Speaker, I come here this evening to the floor to talk about a subject that is arresting the attention of Americans everywhere. It arrests their attention because it very much involves their futures, their future hopes, and the hopes of their children and grandchildren: that is, the economics and the economic situation that we now face.

Over the past, we have, over the past 6 and 7 years, heard repeatedly in our media the tremendous cost, particularly of the war in Iraq. We were told every day not only of people that were dying there but also of how it's just draining and siphoning money from the American economy.

And so, we come today in a curious situation. If you were to add all of the money that was spent in Iraq in the war there, add it all up for 6 years, and then take the money that was spent in the war in Afghanistan, add it up for 7 years, and you put those two sums of money together, you would come up with less money than this U.S. Congress spent in the first 5 weeks that we

were in session when we passed the supposedly stimulus bill.

That, perhaps, casts a certain amount of light and helps to put in perspective what $840 billion in taxes that we actually don't have, but $840 billion dollars in spending that we approved here on this House floor.

□ 1845

What has happened since that time is we have spent other money, and there have been other large chunks of change, and I think it gets a little bit confusing in people's minds exactly how much is the Congress spending.

And so I have here immediately to my left a chart that talks a little bit about some of the money that we have spent in the past, and we do this on the eve of the fact that we have the new budget coming up which will be discussed and debated tomorrow. That budget is a whopper of a budget, but first, let's put it into context.

First of all, in the fall of last year, as Wall Street was becoming weaker and as there were demands for money to bail out Wall Street, the Congress approved $700 billion for the Wall Street bailout. The first $350 billion were spent last year, with an additional $350 billion this year.

Theoretically, this money was supposedly offered with transparency, so we could know what it was going to be used for and how we were getting something good from it. However, in spite of the fact that we spent the first $350 billion, we saw the stock market sliding and sliding. Then we spent the second $350 billion, and people continued to ask whether this money was really an effective tool.

As we asked many questions, even last fall on this subject, what we found was that particularly some people that worked on the savings and loan crisis some more than 10 years ago said that there was a way to help deal with our financial crisis, and particularly the toxic mortgage and bad loans that had been made, there was a way to deal with that without spending a lot of money. In fact, during the savings and loan crisis, we did not spend any of this kind of money, even though the situation was not dissimilar. That involved things like mark-to-market and other accounting kinds of principles that could have been followed rather than going into the American taxpayers' pocket for $700 billion.

Well, this year we spent $350 billion of that. Moving forward to this economic stimulus—I call it the porkulus bill—we spent another $787 billion. Let's put that into perspective. In an area that I work, which is on the sea force committee, sea power committee, and one of the big ticket items that we deal with are aircraft carriers. People that know something about the Navy know that aircraft carriers are expensive, and we protect them by putting other ships around them. We only have 11 of them currently in service, and they average about $3 billion historically. That's what we paid for them.

And so if you were to divide the $3 billion into this $787 billion, what you'd find out is that you have got, you know, over 200 aircraft carriers. Picture 200 aircraft carriers tied end-to-end. That's a whole lot of money that we're spending that we don't have. Or if you want to put it another way, just the interest and the debt service on this money that we don't have that we're spending would be enough to buy nine new aircraft carriers every single year.

And what is there in this economic stimulus package that's so important? Well, as it turns out, it isn't even the good old Keynesian, the good old FDR, ''government spend its way out of trouble'' kind of package. It doesn't have those kinds of things in it. You'd think it would have in there hard manufacturing kinds of jobs, building ships, pouring concrete to make hydroelectric plants or nuclear power plants. You would think it might have a lot of money for roads, something for small businesses to get them going. It turns out it's not. It turns out what it is, it's a whole lot of spending on items that are just budgetary items of the Federal Government. It's just a whole lot of spending on social programs.

It does include some money to protect an endangered mouse in Speaker PELOSI's district. It contains things about education for HIV. It has some money for ACORN and things like that. These are regular old social government programs, but nothing that's really stimulative particularly.

And so this tremendous amount of money added to the debt is something that has very much captured people's attention, but we haven't stopped there unfortunately. We have seen no sign in the economy or in the stock market that this money is doing any particular good. In fact, all of the evidence economically would suggest that it won't. In fact, when you take a good look at the people that came up with this whole idea of stimulating the economy by government spending money, it doesn't even make much common sense.

Think about your average American family. Hey, we've got hard trouble with the budget this year, what are we going to do? Oh, let's go buy a brand new car and spend a whole lot of money. Nobody's that dumb in our country except for the Federal Government, and of course, we want to spend a lot of money. There isn't any economic justification. In fact, Henry Morgenthau, who was the Secretary of the Treasury under FDR, after they did this lovely theory of spending tons and tons of money—and this is all through the 1930s and 1939—Secretary Morgenthau comes before the House Ways and Means Committee. He said, We have tried spending a whole lot of money and it doesn't work. He's pretty straightforward. It doesn't work. Our unemployment is as bad as it's ever been, and we have a tremendous amount of debt to boot.

So, so much for little Lord Keynes' theory. It was tried by the Japanese back in the 1990s, and the Japanese economy was sick because they just kept spending more and more government money, and it didn't help their economy at all.

So, so much for the theory of a whole lot of government spending is going to make the economy go well. Actually, considering the number of trillion dollars in debt, if the government spending was what made things went well, why we would all be millionaires ourselves if that theory worked. Of course, it doesn't work, and this of course, does not work.

Then we have the appropriations for 2009 which was another $410 billion, and you start putting this together, and it starts to add up to real money. And now we have the new budget that has been proposed, a $3.6 trillion budget, and that includes some different, interesting items.

One that I think is of significance, the President promised us while he was in this very Chamber, he promised us that if you were making under $250,000 you didn't need to worry about taxes because he wasn't going to raise your taxes any. I thought, I'm glad because I don't make $250,000 a year, so I don't need to worry about tax increases.

Well, you better hang on to your wallet in Washington, D.C., because what is this cap-and-tax? This is a tax on electricity and heating fuel, propane, natural gas, things like that. And what's that going to mean? Well, some economists took a look at what that was going to cost, and this is a very credible organization. I believe it was MIT. I forget which university it was. Their estimate was $3,100 for every household in America. So, so much for the $250,000. Sure, we're going to tax those guys that own small businesses, but we're going to tax every household in America on an average of $3,100 every year.

I see a good friend of mine from Indiana, a very respected statesman on this floor, and I would yield to my good friend, Congressman BURTON.

Mr. BURTON of Indiana. Well, I really appreciate you saying that, and I just hope everybody in my district in Indiana heard you say that because I want to make sure they appreciate me. So thank you very much for saying those nice things.

The thing that I wanted to mention is you're absolutely right. The amount of money that this is going to cost the average homeowner is just unbelievable, and it's going to be a tax increase that's going to be borne by every single person in this country.

But in addition to that, the inflationary pressure that's going to be created by all this printing of all this money is unbelievable. They're talking about something like over the next decade 7, 8, 9 trillion dollars in spending, and that's going to result in a tremendous amount of printing presses being run over at the Treasury Department. And when that money gets into

circulation, it's going to cause a tremendous amount of pressure as far as inflation is concerned.

As a matter of fact, I know my colleague knows this, but just in the last couple of weeks we found out that the money supply in this country has been almost tripled in the last couple of years. And because of that, we already have a built-in inflationary pressure that will be taking place I think in the next couple of years. So I think there's going to be a spike in inflation.

But I'd just like to add one more thing.

Mr. AKIN. If I could reclaim my time, you talk pretty fancy words about how this is going to create all this inflation and stuff. I want to just see if that connects to what I'm saying.

Back in my district, the poor people are investing in lead, and the more well-to-do people are investing in gold. The poor one, it's the lead shells for different types of rifles, pistols and shotguns; the other one is gold coins. Maybe they're thinking along the same lines as you are, with inflation, you have got to do something to protect yourself, and the government is just running the printing presses.

Mr. BURTON of Indiana. If the gentleman will yield, there's no question that the inflationary pressure is very real, and the taxation that people are going to face is very real, and it's not something that we're just making up for political purposes. It's going to happen, and it's going to happen very quickly on the tax issue, and the inflation issue is going to come in just the next couple of years, in my opinion.

But one of the things I wanted to mention—and I appreciate my colleague taking this time—and that is, that there's a book out called ''The Forgotten Man,'' and it's a book that I hope everybody who's interested in what happened during the Great Depression and how that correlates to what's happening today, if they're interested in that, they really ought to read it because there's tremendous parallels between what happened between 1929 and 1941 with what's going on here today. And that depression that we went through in this country lasted for over 10 years, and that's something that we don't want to see happen in the United States.

Mr. AKIN. Reclaiming my time, I have heard great things about that book. My own father read it, and he just said it's something you can read on an airplane. It's fascinating.

Mr. BURTON of Indiana. Well, I do read it on the airplane.

Mr. AKIN. Fascinating. So I appreciate you mentioning it. ''The Forgotten Man''?

Mr. BURTON of Indiana. Yeah, but the thing about it that's important is we're making the same basic mistakes we've made in the past during the 1920s and the 1930s that led to the Great Depression and caused a tremendous amount of unemployment and heartache for the people of this country.

And the thing that really bothers me is that we went through a very large recession back in the late 1970s. When Ronald Reagan, your hero and my hero, came into office in 1980, he immediately moved to cut taxes across the board, and because of that, even though that economic problem we faced back then was worse than it is now, we came out of that and had the longest period of economic growth that we've had in my memory, and that's because he cut taxes. He didn't raise spending like this. He cut taxes so people and businesses had disposable income that they could use to invest and buy things. That's what we need to be doing today.

Mr. AKIN. Just reclaiming my time, what you're talking about, Ronald Reagan, a lot of times people say that Republicans, well, all we do is say ''no,'' we don't have any answers. But the fact of the matter is that this idea that Keynes had and Morgenthau had about the government spending lots of money to fix the economy, it doesn't work, it's never worked. So we vote ''no'' on what doesn't work.

But what does work? Well, what you're saying is, one, you want the government to spend less money, but the other thing is certain types of tax cuts, not every tax cut, but certain types, particularly the tax cuts that put liquidity into the pocket of those small businessmen—that's 70 percent of the jobs in this country are created by these entrepreneurs, these investors, the small businessmen that get their things going. So that's what Ronald Reagan did, and boy, did it work. He wasn't the only one that did it. JFK did it, didn't he?

Mr. BURTON of Indiana. That's right. He did it, and Reagan did it. Reagan cut taxes for business, as well as for individuals, and today, if we cut the capital gains tax in half or cut it out all together for maybe a year and if we cut the income tax out for just two or three months, that would cost a great deal less than we're spending, and I have no doubt that it would stimulate a real rapid growth in the economy of this country.

So I'd just like to say to my colleague and my other colleague that just showed up on the floor, I want to thank you both for taking this Special Order. The American people really ought to appreciate what you're doing by explaining what in the Dickens is going on around this place, and I'm very happy that you're doing that.

Mr. AKIN. Just reclaiming my time for a minute, let me ask you: on this chart this is the historic budget in balance. Everything below this line, we spent more money than we had. Anything above the line, we spent less than we had. Every single bar is a year going back to the 1980s and 1990s. You come across here. Does it strike you as being a little bit odd that in 2009 we have this tremendous level of spending? Does that look like a good sign to you? You know something about economics. I yield.

Mr. BURTON of Indiana. There's just no question in my mind that the tremendous amount of spending that we're doing right now is going to be very bad, not only for us but for the future generations. The kids and the grandkids that we're going to be having are going to be bearing the burden of higher taxes and inflation, and it's not necessary if we did the right thing today by cutting taxes across the board.

And I see both my colleagues are here, and I really appreciate. And I'd just like to say one more thing before I yield the floor to my colleague, and that is, everybody ought to take a hard look at what happened in the Great Depression and what happened in the 1970s and the 1980s with Ronald Reagan. And you will see a real contrast between trying to spend our way out of a problem instead of cutting taxes and let the American people spend the money the way they want to spend it and the way business wants to spend it. Because if the American people have more money to spend and if business has more money to invest, then they're going to start doing the things that will stimulate economic growth and make the economy work; whereas, government trying to control everything and trying to spend our way out of these problems we're facing, it only leads to disaster.

It did in the 1920s. It did in the 1970s, and they will do it again right now if we don't get real and start cutting taxes instead of increasing spending across the board.

□ 1900

With that, let me yield to my colleague, and I really appreciate you taking the time tonight to do this.

Mr. AKIN. I sure appreciate my colleague from Indiana and his wisdom. He's been in the Chamber for some number of years, keeps an eye on these things, and Congressman BURTON is a great leader down here.

Mr. Speaker, Congressman SCALISE is somebody who hasn't been here as long but is readily and rapidly earning the respect of his colleagues on the floor, particularly for the fact that he is paying immediate attention to the number one top priority, which is what's going on fiscally.

Mr. Speaker, I'm going to yield the remaining time for this hour and would hope that Congressman SCALISE could then pick that up.

The SPEAKER pro tempore. Without objection, the gentleman from Louisiana will control the balance of the time.

There was no objection.

Mr. SCALISE. Thank you, Mr. Speaker. I thank my friend from Missouri for participating in helping lead this hour-long debate on the issue that is right now most important facing our country, and that is not only how to get out of this economic crisis that we're in, but how to sustain and get our country back on footing in terms of budget policy.

In many ways, we've got problems in our financial systems, but we've got big problems here in Washington as it relates to spending and borrowing and taxing.

This week, we're going to be voting on the President's budget. His budget resolution is on the floor later this week. It's a budget that causes us great concern because of its record levels of spending, record levels of borrowing, and record levels of taxing not only small businesses but every family in this country that uses energy on the energy cap-and-trade plan that just got filed yesterday—the President's cap-and-trade policy that adds a $646 billion tax increase which will fall on the backs of every American family.

So when we talk about all of these policies, let's look graphically at just what this means in terms of spending as it's relating to the past decades in our current national debt.

Right now, if you look at the trend over the last few years, the budget deficit was actually going down. It was still too high. For those of us who do not support deficit spending, it was still too high, but at least it was trending down towards getting back to a balanced budget.

Unfortunately, the first budget that President Obama filed increases deficit spending—actually, record levels. Next year would be a $1.9 trillion national deficit added to a record level of debt.

When we talk about the level of debt—and I think you're seeing across the country this budget has got a lot of people concerned, not only for what it does in the first year of spending, but this comes on top of the stimulus bill, that massive spending bill, over $800 billion of deficit spending that the President signed in his first few weeks in office. But then this budget thrown on top of that, when we look at what this means to future generations, this is where the real concern comes in.

This is a chart that actually shows since the history of our country since 1789, when George Washington took the oath of office, through the period of time that George W. Bush left the White House in January of this year. This country accumulated $10 trillion of national debt.

Now it's a level that I'm not comfortable with and many people are not comfortable with. But when you compare that with President Obama's budget, he mushrooms the national debt from $10 trillion, which is the national debt he inherited, to $23 trillion, when his budget that is going to be voted on late this week is taking effect.

Now, obviously you see graphically why so many of us oppose this record level of spending and borrowing. The fact that one President in just one budget resolution can double the national debt to do what it took 43 other Presidents to do in 220 years of our country's history, this President will double that number, to go from $100 trillion in national debt that all 43 previous President's accumulated, to going up to $23 trillion when President Obama's budget is fully implemented—if it's fully implemented.

That's what brings us here tonight—the fact that this budget resolution has not passed yet. It's a proposal. It's a proposal by the President that I don't support, that many of us don't support, and I'm not sure that a majority of us don't support it, because we will have a vote and there is a chance that this budget will pass. That's why we're trying to lay out these facts.

These are facts. These haven't been disputed. These are verified by the Office of Management and Budget, the Congressional Budget Office. Everybody that's looked at this has confirmed that the President's budget will more than double the national debt. Yet, we are presented with this vote later this week.

Those of us on the Republican side have presented an alternative budget. In fact, we've laid out a plan to get us back to surpluses; a plan that pays down, goes down on deficits—brings our deficits back down to where we're only spending as much money as we're taking in.

Just like American families across the country during these tough economic times—they are cutting back, they are making do with what they have—this Congress should do the same. This President should do the same. The Republican budget that we have laid out now will do just that.

It doesn't add new taxes. In fact, it cuts taxes so that small businesses can go out and hire more people. But then it responsibly spends to a level where we will finally have a balanced budget, something that is critical—for our country to spend within our means.

So my friend from Missouri I know has been talking about this same thing. I want to yield back to him some time so that he can further expound on it.

Mr. AKIN. I appreciate the gentleman yielding. There are a couple of things. In spite of how deadly serious this is and the tremendous impact it's having in terms of lost jobs and just hammering people's pensions and people struggling with their payments, one of the things that is so odd about what we do in the government sector is we pass these laws and they have unintended consequences.

I'm just thinking about, Here we go again. We're just about to pass another silly law. And I'm thinking about how are my people in the great State of Missouri going to react.

We've got this cap-and-tax tax increase that you're talking about. That tax increase is going to be not on people over $250,000, but what this is going to be is a tax increase on the use of energy—of electricity, natural gas, propane, or whatever you're heating your house with.

So just think about it a minute. This has been estimated to be $3,100 per family in America per year. That is a pretty big tax increase. That is like my entire property taxes on the house that I have now.

So I'm picturing, Congressman, if you think about it a little bit, and all of a sudden your energy is going up at such a tremendous rate and you're having to pay $3,000 more in taxes, what in the world are you going to do?

Well, people in my State are going to get that steel chain saw out, they're going to be cutting up firewood, they're going to get themselves a wood-burning stove, and they're going to start burning firewood instead of natural gas. What's the effect of that going to be? Well, not as complete and clean a combustion.

So we're going to put more CO_2 and other types of gasses in the air by passing this bill and it's going to have the exact opposite effect of what it's supposed to do.

It's like when some brilliant genius put this MTBE in our gasoline to make the air cleaner and people figured out that it was ruining the water and the water table because it was washing out of gasoline that was spilled and poisoning the water. So we do something that is supposed to be making the environment better—and we make it worse.

Here we go. We're going to tax everybody's use of home energy. And what's going to happen? They're just going to get wood-burning stoves. It's going to smell nice like a barbecue going on all the time. But this is just another really bad idea, particularly in these hard times, to be laying one more heavy tax burden.

Now we heard a lot about President Bush spending too much money. As a Republican, I voted against some of those proposals. But let's do a comparison here of exactly where we are because you talk about trillions and billions of dollars, it makes my head spin. But I can do a simple comparison.

Here the average annual deficit under President Bush is $300 billion, and what is being proposed by the current President is $600 billion. I can understand the difference. There's twice as much spending going on here as there was under Bush.

Here's the highest deficit. George W. Bush, when the Democrats ran the House, that was when there was the most spending going through—$459 billion. Under President Obama, he's looking at $1.2 trillion. That's two times more deficit spending.

Increase in the national debt. Under all of the years of President Bush, $2.5 trillion. Well, that's not good. Again, President Obama has got him beat two to one.

So I think it's helpful to try and put numbers in perspective. What we are talking about is unprecedented spending—and guess what the result of that is going to be? You guessed it. Something that none of us like. Jobs lost. That's what's happening.

When you start spending too much money, taxing too much, borrowing too much, you start to lose jobs. Small

businesses shrink down. The guy that made $250,000, now he's getting taxed and not putting that money back in his business.

It's making all Americans across our country hurt. This is something we can talk about numbers. But we're also talking about people, Congressman.

I appreciate your yielding some time here because this isn't the way we should be going. What we should be doing is tightening the belt in government like everybody else is tightening their belt.

Understand that this is not government money, this is hard-earned dollars not of ours, not of our children. It's our grandchildren's hard-earned dollars that are being spent. We just can't allow this to go on.

I'm going to stand here, I know you're going to stand here, and we're going to fight until every American understands what is at stake. I believe when America wakes up to what's happening here, they're going to say: No more spending, no more taxes. Back off, Washington, D.C., and let us do what we have always done so well and that is let America free enterprise and the American Dream pull us out of this mess.

I yield back.

Mr. SCALISE. Reclaiming my time, I want to thank my colleague and friend from Missouri for laying out not only the stark realities but the optimistic tone that this is not something that has happened yet. This is an issue that the American people are recognizing when they see the concerns that they have, which are the same concerns that we have, that the President's budget spend too much, taxes too much, and borrows from our children and grandchildren—money that we don't have.

So why is this bad? Because the numbers that you showed, the numbers that we show right here on this chart, the fact that President Obama is doubling the national debt, something that took over 220 years and 43 Presidents to accumulate. He is more than doubling that with his record level of spending.

What's interesting is right now, just today, they started a summit in Europe. The President went to Europe today and he is going to be meeting with other world leaders in Europe.

Just last week, European leaders—now we're seeing American people all across the country speaking out against this record level of spending, recognizing the problems and dangers that it's going to pose not only to them in terms of higher interest rates, lost jobs, inflation, but also in terms of what we will be leaving to our children and grandchildren. All of this debt that would be saddled on the backs of future generations.

So Europe is actually taking notice. In fact, the Czech prime minister and the current European Union President, Mirek Topolanek, said last week that ''the biggest success of last week's EU summit was its refusal to copy the U.S. example. We need to read the history books and the lessons of history. And the biggest success of the EU is the refusal to go this way.''

You had the head of the European Union telling the President that he's spending too much money and that he's concerned about President Obama's spending. It's almost like when Otis, the town drunk, tells you he's concerned about your drinking problem.

I think you need to take notice when leaders in Europe are telling the United States that this President is spending too much money. I think that's very riveting. In fact, it's a major concern that a lot of us have.

That's why those of us on the Republican side and we invite our Democrats to join us in a bipartisan way to join with our budget resolution, not a budget that spends too much, borrows too much, and taxes too much, but a budget that actually balances the Federal budget, that does not raise taxes that will actually create jobs.

We filed this bill in a bipartisan way. We're reaching out to our Democratic colleagues to reject the path of doubling the national debt. So, hopefully, they'll join with us.

Somebody that is joining with us is my friend from Ohio, Mr. JORDAN, who's on the Budget Committee and has been participating in some of these discussions and helping draft this alternative plan. So I yield time.

□ 1915

Mr. JORDAN of Ohio. I thank the gentleman from Louisiana and our colleague from Missouri for this Special Order hour, and appreciate the chance to be with you.

You know, you hear ''tax and spend'' politicians. I would argue it is actually the opposite, it is spend and tax. Spending always drives the equation. Spending requires the increase in taxes. Spending requires the increase in borrowing. Spending is what hurts the future of our kids and our grandkids. And I know this has been pointed out because I see the chart that the gentleman from Louisiana has displayed.

This budget, the Obama Democratic budget in the next 6 years adds more to the national debt than it took the previous 43 Presidents to accumulate. So, from George to George, from Washington to Bush, we didn't pile up as much debt as this administration is going to do in the next 6 years. And I would argue this: When you pile up that much debt, when you borrow and spend and spend and borrow and spend and tax that much, it is actually an attack on freedom.

When you tax that much, it is obviously an attack on the freedom of taxpayers today, because we no longer have as much money, as much purchasing power, as much of our income to use on the goals and dreams and those objectives that we have as individuals and families. But probably more importantly, when you spend and tax and spend and borrow as much as this budget does, it is an attack on the future freedom, the freedom of future generations of Americans.

And I read this in Budget Committee last week, Congressman, and it I think captures what is at stake here and why this is actually a moral question, in my mind. About 2 weeks ago in our district, Andrew and Emily Beck from Carey, Ohio gave birth to their first child, their son, Olen, nine pounds, three ounces, 19½ inches long, named after his grandfather. Little does Baby Olen know, but he already owes more than $30,000 in debt; and, if this majority's budget is passed, that debt will go to $70,000 by the time he is able to write his name. I mean, Baby Olen already with that kind of debt, and in just a few years it will reach $70,000 that every single person in this country is going to owe when you think about the amount of spending, the amount of taxing, the amount of borrowing that takes place in the majority's budget.

Americans get it. I know the gentleman from Louisiana, my friend and colleague, was talking about the optimism that we heard from our friend from Missouri as well. Americans get it. It is why you are seeing all across the country these taxpayer tea parties, where people are showing up and expressing their outrage at this kind of spending, this kind of behavior from their government, their Congress.

In fact, we had just 3 weeks ago in Ohio, on the first nice spring Sunday afternoon in Cincinnati, Ohio, we had over 4,000 people show up in Cincinnati to say: Enough is enough. Stop the craziness, stop the insanity, stop this ridiculous level of spending. Exercise a little discipline, exercise a little fiscal restraint. Make those tough decisions that we sent you to Washington to make.

And it is always easy, I think I related this story another time on the floor. I had a coach in high school who talked about discipline every single day in practice. He talked about it in the classroom, he taught chemistry and physics, he would talk about it in the wrestling room, he talked about it every day: Self-discipline is the key. You have got to have self-discipline. He would talk about it all the time. And he had a great definition. I got sick of hearing him talk about it, as many teenagers would, but I am glad he did. He had a great definition. He said: Discipline is doing what you don't want do when you don't want to do it. Basically, that meant doing things his way when you would rather do them your own way. It meant doing things the right way when you would rather do them the convenient way.

And that is what we need around here. The easiest thing in the world for politicians to do is to get ahold of the taxpayer wallet and spend the money. The tough thing to do is usually the right thing to do, and that is to say, you know what, we are going to have

to prioritize. We can't spend and spend and spend. We are going to have to slow down this spending, quit borrowing, quit mortgaging the future of Baby Olen and other kids around this country and say we are going to do the right thing, which is get spending under control.

That is why this budget is wrong. That is why we will have an alternative that will have some fiscal restraint, will lower taxes on the American families that are already overtaxed, and do those things that we think will help improve the future economic situation of this country.

With that, I yield back to my colleague. And I appreciate, again, his hard work on this Special Order hour and this hard work in the Congress, along with our colleague from Missouri.

Mr. SCALISE. I want to thank my friend from Ohio. And when he talks about the hard work and doing the hard work, doing the right thing even when the easy way out might be more appealing, he has got a little bit of humility but he did that hard work and was a two-time national champion wrestler. So, somebody who has been wrestling with the budget. But he has got some good experience, and he speaks I think some very poignant words.

And when my friend from Ohio talked about those tea parties that are going on, when we talk about tea parties nowadays, it is not a couple people sitting around in sun dresses drinking hot tea; it is something that hearkens back to the days of our Revolution, the founding of our country when the Boston Tea Party was that symbol, that tipping point that many people had where they said enough is enough. And then they revolted against taxation.

What we are seeing today in the country is a similar revolt against the spending, not just the taxing, but the spending and the borrowing, where thousands of people—and these are events that are organized not by community organizers, not by government institutions. It is just regular citizens on their own, in many cases without much media attention, that are saying: We want to speak out against this spending. And thousands of people show up at these rallies.

In fact, on April 15, on tax day, which for many of us is not our most pleasant day we look forward to, but on that day we have got two of those tea parties in my district, in Covington, Louisiana, and in Metairie, Louisiana, because citizen activists said we want to speak out against this spending that is being proposed in Washington, D.C.

And I think the real sign of encouragement that they have is that since much of this hasn't happened, some of it has happened but much of this debt hasn't been added yet to the rolls; and before it does, they want to speak out so that we here in these halls in Congress hear those voices.

And we are hearing them here, and we are proposing an alternative. It is not just a matter of being opposed to something that we think is bad; we proposed an alternative and a balanced budget, a budget resolution that, unlike the President's, brings us down a road to increased national debt, doubling of the national debt, higher taxes. We actually have a budget that has no taxes, that actually cuts taxes for small businesses to create good middle-class jobs at a time when we need to be creating jobs, and actually gets spending under control, brings us to a balanced budget. That is something that we should all support, Democrats and Republicans.

And this is what the two proposals look like right here. President Obama's budget is in red, and you can see the graph continuing to go up in record spending and debt that is going to be increasing. And then you can see the Republican Budget, actually getting the spending under control and bringing it back down, bringing us to a balanced budget.

With that, I yield back to my friend from Missouri (Mr. AKIN).

Mr. AKIN. I appreciate the gentleman yielding. It has been such a beautiful day here, we have got the cherry blossoms in full bloom in Washington, D.C., and yet we are talking about a very, very serious and very difficult problem with a government that is really out of control in spending. And I appreciate the gentleman from Ohio, Congressman JORDAN, talking about the discipline. We don't have the discipline.

But, you know, part of it is that we have forgotten some of the lessons that the founders that came to this country understood. And I have thought back a little bit, how is it that we got off track? And if you will allow me to just wax a little bit philosophical.

This country was put together, and unlike any other country in the world America is a Nation that was founded on a creed. There are many things that are distinctive about America. We have the oldest Constitution. We have won a number of wars and ceded no territory. We have named no emperors, crowned no kings. And what we did was we taxed ourselves to rebuild.

America is a very unique place, and there are many reasons why Americans could be proud of this country. But America also is a Nation that has, if you will, a political or religious creed, and that is stated in our own Declaration of Independence, why we went to war. And the sentence says: We hold these truths to be self-evident that all men are endowed by their Creator with certain inalienable rights. And it goes on to say: Among these is life, liberty, and the pursuit of happiness. Earlier versions of Jefferson's documents were life, liberty, and property.

And then it goes on to say: Governments are instituted among men, deriving their just powers essentially to do, what? To protect life, liberty, property; life, liberty, pursuit of happiness.

So if you take a look at that formula, what it is saying in simple terms is, there is a God. God grants all human beings certain basic rights, and the job of the government is to protect those rights now.

Now, fast forward from 1776 to 1944, to the inaugural address by FDR. He said, well, that first Bill of Rights—which wasn't a Bill of Rights; it was a Declaration of Independence, life, liberty, pursuit of happiness—was okay for a while. But it wouldn't be any good if Americans are hungry or if an American needs a coat, or if some American is not secure. So we propose a second Bill of Rights, and that is that the government should give you jobs and education and health care and things like that.

You note the clever twist here. The first rights are things that naturally occur to all people under God, the right to free speech, the right not to be killed, the right to own some property. These other kinds of things we are talking about now have a strange, strange parallel.

We laughed some years ago in my past when we watched the Berlin Wall fall down and we said, we knew those commies or the USSR, that system would never work, communism, socialism. It won't work. Why was that? Well, because the government is going to give you your health care, the government is going to give you your food and your housing, the government is going to provide a job, the government is going to provide an education. And don't talk about God, because if you talk about God then you know you have natural rights from God, not rights that come from a government.

So what we are doing in America with this kind of budget? What we are doing in America is the government is going to give you health care, the government is going to give you a job, the government is going to give you food and a place to live. The government is going to give you an education. How are we so different from the system we just watched fail?

That is why the Europeans are laughing in their beers, looking at us and saying, has America been smoking those funny cigarettes or what? What are we doing? And I think that is the question we are trying to raise.

I don't mean to be too philosophical, but where did we got off track? We got off track on the road to socialism, to the idea that the government is going to be all things to all people. And it does a lousy job of doing that.

What we should be doing, quite simply, is protecting life and protecting people's basic liberties. And what are we talking about doing? We are talking about saying we are going to have a bureaucrat in D.C. to monitor what you put on your radio program. We are going to call that The Fairness Doctrine.

We are going to take away your right to be able to vote without being compelled or feeling pressure, because we are going to get rid of the secret ballot election when it comes to joining a union or not.

We are talking about taking away people's freedom to own a piece of property because some local government wants to take it and turn it into a strip mall so you don't have any private property rights.

I mean, what is going on? How come we are giving up freedom? I don't think we are on the right track.

I appreciate the gentleman with this hour, and I just felt like it was important to get back to what is basic in America, which is limited government that provides and protects our life, our liberty, and our property, instead of doing this institutionalized theft.

Mr. SCALISE. Again, I thank my friend from Missouri. And when you talk about the Founding Fathers and that great document, the U.S. Constitution, which I would argue is the second most important document ever written, next to the Bible. And when the Founding Fathers really talked about and articulated the foundation of our country when they were forming it, they really did believe in those things, and they sacrificed tremendously for that liberty, for that freedom, to create what has been the greatest experiment in democracy in the history of the world. And we still are that great democracy. And the reason we are here tonight is because we want to preserve that democracy, not just for ourselves, but for our children and for our grandchildren.

Every generation in this country has a fine tradition of passing on a better Nation than the one that they inherited. And many of us feel that if we go down this road, we would be in jeopardy of leaving a worse Nation behind. And so it is well worth fighting for those principles that our Founding Fathers talked about are critically important. It is why we were elected. It is why we took the oath of office here in this Chamber in January, to uphold the principles that that document articulates.

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And when you look at this budget, when you look at the contrast, go back to World War II, and you will see this massive spike in public debt held as a percentage of GDP. And of course we were fighting a world war. We won World War II. And it was expensive. And as soon as World War II was over, we came out of it, and we got back to a regular level of spending. Then you see this massive spike, this red spike, which is representative of President Obama's budget contrasted by this green line, which is the Republican alternative.

This bill, this is an alternative budget resolution that we filed. Too often we hear, and some of our friends on the other side like to reinvent history and they say, ''the Republicans have no alternatives. They are just against the President's budget.'' I guess they don't know how to read this document. We have copies right here on the House floor, and we are distributing to them to anybody who wants to see it. In fact, it is on the Internet. You can go and look it up on the Internet and read the details of what we propose. And that is a budget that is balanced. That is an interesting concept here in Washington, D.C. these days. But it is a budget that we actually balance.

We don't raise taxes. In fact, we cut taxes for middle-class families and for small businesses to create jobs, to get our economy back on track, and so we can get control again on this runaway spending that so many people are speaking out about.

One of the other points that this budget does that concerns many of us is it borrows from Social Security. So what do these policies, what does ''deficit spending'' really mean? Well, first of all, last week when the Treasury Department went out to sell debt—on occasion, a few times a week, the Treasury Department actually goes out and sells debt. And last week they had a hiccup. There was a problem because some people weren't buying the debt at the levels they were expecting. And you saw the stock market tank that day. Unfortunately these days, we see a lot of tanks in the stock market as reactions to some of the things happening here where you have the Federal Government, literally the government trying to tell private companies like GM whom to hire as their corporate CEO. These are not healthy signs for our country. But that debt had a cost.

Another cost to that borrowing and deficit spending is that in just the first 4 years, in President Obama's first term, he will actually raid the Social Security trust fund of $910 billion taken away from Social Security. That is a cost of this deficit spending. That is why so many of us are speaking up against this deficit spending, because senior citizens out there who are on fixed incomes expect that obligation to be met by the Federal Government. Young people that are working today are paying in, paying those Social Security taxes. Some may be cynical and think they are not going to get anything for it. But it is an obligation that is made to them because they pay taxes into that system for that system to be there for them. And how is that system going to be there for them if this President in just 4 years raids the Social Security trust fund of $910 billion? These are real consequences to this runaway spending.

So as we talk about these things, I'm going to yield back to my friend from Ohio to share his thoughts.

Mr. JORDAN of Ohio. I appreciate the gentleman yielding.

Mr. Speaker I wanted to talk about the point we were on earlier, the greatness of this country and the freedom that we have enjoyed for over two centuries. My friend from Louisiana made the point about one of the things that makes us special, that makes us the greatest nation in history, is this idea that parents make sacrifices for their kids so they can have life a little better than they did. And then that generation in turn, when they become parents, does the same thing for the next. And it has been that continuation that has led to the amazing standard of living we enjoy in this country and prosperity and wealth over the years. It is a fascinating principle that parents make the sacrifices to help their next generation. Unfortunately, what you see in this budget is exactly the opposite. We are taxing and spending and borrowing and mortgaging the future of our children and our grandchildren in exactly the wrong direction that we need to proceed.

Our colleague from Missouri talked about the loss of freedom. And if you think about this budget, I want to just talk about four things. There is an attack on liberty. There's an assault on freedom, as our friend from Missouri pointed out. The tax increases contained in this budget, when you tax people more and take more of their money, you are taking away their ability to go after their goals and dreams, to pursue those objectives and those initiatives that have meaning and significance to them and to their kids and their family and their small business. When you increase spending at this rate, we talked about this before, when you have this kind of spending and this kind of debt piled up, you limit the liberty and freedom of future generations of Americans. And when you impose in this budget, which is in the document, this tax on energy that we have called the cap and trade or cap and tax, this cap-and-trade concept which places a tax on all the energy in our economy, when you do that, you limit the freedom of the entrepreneur and the small business owner out there to get the energy he or she needs to grow their business and help our economy improve. It is a direct attack on freedom for small businesses owners.

Probably the one that gets Americans the most is this idea that in this budget we are going to create this national health board which is going to be in the business of determining what kind of health care you and your family get. Instead of you and your doctor and your family sitting down and figuring out what kind of health care treatment you're going to get, we are going to have this national board. Money is set aside in this budget to pursue this advancement of nationalized health care. I think, just what we need, the Federal Government determining how we get our health care. That is a direct attack on freedom for families across this country.

One of the things I know about Americans for sure, it is just part of who we are as a people, we hate being told what to do. We hate this concept. Our colleague from Missouri was talking about the folks who settled this place. They came here because they wanted to practice their faith in the way they felt was most appropriate. They didn't like the idea they were

told what they were going to be taxed and what they were going to do and didn't have representation. Americans hate being told what to do. My friend from Louisiana may have heard the old line, for most Americans when they are traveling down the highway and they see the sign that says ''55,'' for most Americans that is not the limit. That is the challenge. That is just the way we are. It is part of being an American. And this budget tells so many Americans, ''we are going to take away your freedom. We are going to tell you how things are going to be. We are going to take more of your money. We are going to mortgage your kids' future. We are going to impose a cap and trade on this economy which is going to hurt the ability of our economy to recover and make it tougher for business owners to get the energy they need to grow their business and improve and create jobs. And we are going to tell you and your family what kind of health care treatment you're going to get.''

Americans aren't going to stand for it. Again, we keep coming back to this. But consistent with the American tradition, it is great to see families and Americans and taxpayers all over this country, and they are all going to do it again on April 15 at these taxpayer tea parties, they are going to stand up and say ''do you know what? We are not going to take it.'' Just like we have done for over 200 years, we are going to tell our elected officials, we are going to tell the government, we are going to tell the Congress that we don't want our liberties attacked, and we want things done right. And it is great to see that again.

I appreciate the leadership of our colleague and friend from Louisiana and our friend and colleague from Missouri for making these points and letting me join them this evening. I yield back to our friend from Louisiana.

Mr. SCALISE. I thank my friend from Ohio for joining us tonight. And the things he said are so true, that great entrepreneurial spirit that makes this the greatest country in the world where people literally envision the American Dream, where industrialists like Henry Ford revolutionized the auto industry and the manufacturing industry with the assembly line and changed the way Americans can get around and can see the country, people like Bill Gates who dropped out of college to pursue a dream and change the way all of us communicate, literally, our day-to-day lives. That entrepreneurial spirit is still out there. But people don't want it taken away by government literally coming in and trying to control all of these areas of our life with this cap-and-trade energy tax which would put a $600 billion tax on the production of energy in the United States, which would equate, by most estimates, to more than $3,000 per American family in higher energy costs.

That is part of this budget that we are talking about that spends too much, taxes too much and borrows too much. It is why we are opposing it. It is why we are proposing an alternative budget, a budget that actually balances the Federal budget, that cuts taxes and that gets Americans back to work. We actually have this online. It is at gop.gov. We put it out there so that people can go see the details and compare it to what President Obama has proposed, which is a doubling of the national debt.

We have just a few minutes left. I want to have a final word shared with us by my friend from Missouri.

Mr. AKIN. Well, I thank you very much. And I appreciate your calling attention to the fact that we are on the wrong track financially here. It is true that doing the wrong thing financially impacts our freedom in America. And particularly it impacts something that is precious to every red-blooded American, and that is the American Dream. If you think back in the beginning of our country there were all these crazy people that came to America, starting with a group called the Pilgrims. They came to this land, and they had the idea of building an entirely new civilization on a different set of principles. And after they had been here about a month, half of them died. And the captain of the Mayflower comes to them and says, ''Things haven't gone too well. Maybe it is time for you to go back to jolly old England with me.'' So he gives the commands. The boatswain squares the yardarms, the anchor cable is wound up from Plymouth Harbor, at first large and then small, that Mayflower sails out and beyond sight. And here on the shore, with the wind blowing across the pine trees, is a little group of 50-plus people that had a dream of a new country based on new principles.

It has been that way all the way along. There have been these crazy people that came to America with some crazy idea, and then it became maybe a vague possibility. And then they wrote something down, and eventually it became actually reality. And it happened so often that we gave it the name the ''American Dream.'' But it happened because there was a rarified environment of freedom in America where people could succeed. But they could also fail. They understood that there was a discipline that the gentleman from Ohio was talking about. Congressman JORDAN understands discipline. There is a discipline. If you want to have freedom, you also have to have responsibility. And that is part of the American Dream. And that is being stomped out by this budget.

We won't take it. And I appreciate your taking the leadership and scheduling this hour and particularly your leadership financially here on this floor, Congressman. Thank you.

Mr. SCALISE. Thank you, again. I appreciate my friend from Missouri joining us in this hour debating and talking about what is at stake with this budget, the President's budget, that will be voted on here in this House Chamber later this week. The fact that one President with one budget, one 10-year budget proposal, can double the national debt what it took 43 Presidents in over 220 years in our country's history to rack up $10 trillion in debt, this President, one President with one budget proposal will more than double that. That is what is at stake here. That is why we are joining in this debate. That is why American people all across the country are going to these rallies, these tea parties, to speak up.

We all understand that there is a role government must play. But it has to be a limited role. It has to be a role that is based in fiscal responsibility, not just for us, but for future generations, for our children and grandchildren who want the same things, who want a better life. And that is why people come to this great country.

Again, when we talk about what is happening in Europe right now, the President is over there, it is very ironic that the Czech leader, the head of the European Union last week was lashing out, lashing out at the President on his spending proposal, expressing concern. And it must say a lot when leaders in Europe are concerned about the spending that is going on here.

But it is not just leaders in Europe. It is people all across this country. And some people have talked about the fiscal irresponsibility of Congresses past, both Republicans and Democrats, those of us who weren't there back then, those of us who didn't vote for those budgets. A lot of us came up here to fix those problems because we don't think it is responsible to spend money we don't have.

That is why I am the cosponsor of a balanced budget amendment to our Constitution so that we can force fiscal discipline in a place where unfortunately it doesn't exist right now. But it is not too late because this budget resolution hasn't passed yet. The vote will occur on this House floor later this week. And everybody will have to take a position. I know I will be voting against that budget because of what it does, not only to our generation, to our freedoms, but to future generations. And that is why I'm supporting the alternative, which is a budget that is balanced, a budget that actually cuts taxes to help get our economy back on track. These are proven principles. These are things that have not been tried and failed before. The only thing that we know that has been tried and failed in the past is massive spending. And you can go back to the Great Depression in the 1940s when the Federal Government spent and spent and spent. And even the Treasury Secretary under FDR said the spending didn't work, 8 years of spending, and there was higher unemployment.

Ultimately, we can fix this problem. But it starts with this vote on this budget resolution that we are trying to defeat later this week.

I yield back. Thank you, Mr. Speaker.

THE POPULIST CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. BRALEY) is recognized for 60 minutes as the designee of the majority leader.

Mr. BRALEY of Iowa. Mr. Speaker, I'm excited to be here tonight to talk about the Populist Caucus and to spend some time with members of that caucus talking about issues that are important to the people of America.

One of the things that I think is important to talk about is why we decided to start this caucus and what it is going to do. So it is important for people to understand that populism is not a bunch of people walking around with pitchforks. It is people who care about middle-class economic values and how those values are translated into public policy that is set here in Congress and at the White House.

And to give a brief history lesson, this is not the first Populist Caucus that has ever been organized in Congress. In fact, the very first Populist Caucus that we have been able to identify was formed in February of 1983. And I think it is striking because of some of the members who were part of that first Populist Caucus. Most of these members were Midwest Democrats. They included my Senator from Iowa who was a representative at the time, TOM HARKIN. It also included Berkley Bedell, an entrepreneur from Spirit Lake, Iowa, my friend Lane Evans from Rock Island, Illinois, former Senate majority leader Tom Daschle, former Vice President Al Gore, Senator BYRON DORGAN from North Dakota, our good friend JIM OBERSTAR from Minnesota, who is Chair of the House Transportation and Infrastructure Committee, and the current Governor of New Mexico, Bill Richardson.

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Now, one of the things that drew these members together, back in 1983, was an economic crisis that was having a profound impact in farm country out in the Midwest. And the first Chair of the Populist Caucus was TOM HARKIN. And the caucus was organized to fight for economic goals like fairer tax structures, lower interest rates and cheaper energy, because we were experiencing an energy crisis in 1983. And one of the first things that that Populist Caucus did was ask constituents from their districts to mail them their gas receipts to show the rising price of gas and how it was affecting their ability to take care of their families.

Even though the new Populist Caucus is organized on a very broad coalition, with members from all over the country, with representatives of the Blue Dogs, the New Democrats, and the Progressive Caucus, with members from the Congressional Black Caucus, the Congressional Asian Caucus and the Congressional Hispanic Caucus, we wanted to bring a laser beam focus to the types of economic issues that affect middle class Americans and people struggling to get into the middle class. And one of the reasons we chose to do that is because we know that this country has been strongest when it is focused on promoting values through public policy that are going to protect and expand the middle class. And that's why we were very excited when we formed the caucus this year.

I'm going to be introducing some of my friends tonight who are members of the caucus, including some of the vice chairs. But let's talk about why now is the time and now is the place for this caucus.

We know that the middle class is the economic engine that drives America's growth. We know that when policies in Washington reflect middle class values, it does more to expand economic opportunity throughout this country. And we know that when there are gross disparities in income between the middle class and the upper class, which we've seen played out over and over in this current economic crisis, it creates conflict that divides us as a country, rather than bring us together.

And so what we're going to be talking about tonight is some of the values that we think are critical for the American people to be focused on in this economic crisis, values that our members reflect every day back in their district, values that their constituents live every day back in their districts.

And one of the things that I want to do is talk briefly about how we take this philosophy of strengthening and expanding the middle class, and translate it into action.

One of the first things we did as a caucus was talk about what our founding principles were going to be. And again, we wanted to go back to these shared values that reflect the entire diversity of our Democratic Caucus and how that is translated into the people we represent in diverse districts all over America. And some common themes kept coming back to us, and those themes are, good jobs, middle class tax cuts, affordable health care, quality education, fair trade agreements, and consumer protection and corporate accountability.

Now, we've heard a lot lately about corporate accountability. We're going to be spending some time talking tonight about how corporate accountability isn't just a restriction on how corporations operate, but it's part of their fundamental compact they make with the American people to be responsible stewards of their investors' assets and to provide value to all Americans, not just to their shareholders, in the way they conduct their business, the way they hold themselves out, and the way they lived responsibly under the protections and legal opportunities that they are allowed to operate under in each State of the United States.

So I'm going to start now by introducing one of the vice chairs of the caucus, my good friend from the State of New York, and his name is MIKE ARCURI. And MIKE is going to talk a little bit about what motivated him to be one of the founding members of the Populist Caucus, and where he sees this caucus moving in the future as we focus with a laser beam on these economic values to help our constituents.

Mr. ARCURI. I want to thank my good friend for yielding, and I want to thank him for having the idea and for bringing this to fruition. It's taken, certainly, a lot of work and a lot of effort, not only on your part, but on the part of your staff, to bring this together, and I want to thank you for that, because, I thank you on behalf of, not just my constituents in New York State, but for constituents and middle class throughout the country.

The things that I think the Populist Caucus stands for are the issues that are important to middle class. And also, I think it's critically important that there is a grain of truth that the middle class gets. They need to have someone out there defending them, looking out for their interests and, most importantly, telling them the truth.

And you know, I was listening with interest, as I know you were, just a couple of moments ago to my colleagues on the other side of the aisle talk about some of the budget proposals of President Obama, and some of the points that I think we'll probably end up talking about at some point during the evening. But they talk about the fact that the numbers in the budget are the largest that they've seen, that there has been in years.

The thing that they don't tell you about that, however, is the fact that, for the first time in our history, the cost of the war is actually put on the books so that the American people get the truth. They actually know how much is being spent. In past administrations that was never on there. We just borrowed the money as we went along and, as we say it, funded the wars off the books. So the American people never knew actually how much it was costing for our war, how much all of these things were costing. This is an honest, this is a true budget.

But the thing about it, and I think the thing that's most important is this is really not just a budget. This is a long-term plan for the future of America, for the future of America's middle class.

And I listen to my colleagues, and I hear them talk, and I hear them criticize, but I did not hear a single alternative proposal with respect to what they were proposing to make the life of the middle class, to make the life of Americans better, to help Americans find jobs, to help Americans improve their quality of life. That's what we're looking for. That's what we, I think, as populists, look for and try to promote.

During the height of the Depression, Franklin Roosevelt once said some words that now adorn the monument to

him that's located just a short distance from where we are right now. And those words are as powerful today as they were when he said them so many years ago. ''The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.'' Very profound words then, and very profound words today.

However, over the past 8 years, the Republican White House and Congress have largely ignored the fundamental truth in favor of the policies that focused on a top-down economic and social policies that benefit, frankly, big business, the wealthy and the well-connected, and don't look out for America's middle class. And that's why we're here.

As a result, the middle class families that have always been the true engines for our national economy, the center of our culture, and the foundation for our national security, have been left behind with the devastating results of our entire Nation. And now we're all paying the price.

The mission of the Populist Caucus is to re-establish the core middle class American values that made this country great as the guiding principles of our political discourse and our government here in Washington.

As history has repeatedly demonstrated, a prosperous middle class means a more prosperous America. A vibrant growing middle class has been the hallmark of our strength as a Nation over the past 70 years.

The Populist Caucus will aggressively fight for the passage of commonsense legislation focusing on the expansion and prosperity of the American middle class.

You mentioned just a little earlier, of late we've been hearing a lot in the media of the so-called populist rage and the anger of the middle class at the AIGs of the world.

Now, we are not here to incite or stir this populist rage, nor to promote class warfare in any way, shape, fashion or form. But we are here to see to it that the issues and interests of the middle class are protected and promoted at all costs.

Specifically, the caucus will focus on legislation that invests in working Americans, improves access to quality education for our children, creates jobs for the middle class that will bolster our economy, increase access to health care for all Americans, ensure that trade is not just free trade, but is fair trade, that the food you eat and the toys that your children play with are safe, and that we promote fiscal responsibility, accountability and discipline, and create a government that actually works for, not just the richest Americans, but for all Americans.

These are the fundamental building blocks that will create a strong foundation for sustained long-term economic recovery and growth in this country. In fact, these priorities are the only proven and time-tested blueprint for long-term economic growth in America. Enacting these reforms represent our best chance at restoring the American Dream here at home, as well as continuing our role as the beacon of freedom and hope for the rest of the world.

I'd again like to thank you for inviting me to be here tonight, for organizing this, and I look forward to a very enjoyable discussion this evening.

Mr. BRALEY of Iowa. I thank my friend for those profound and insightful comments. And I just want to respond to one of the comments you made before I yield to my friend from Ohio.

You talked about how important it is to the populist values and middle class values to be open and candid with the American people. And I think that's one of the things about the President's budget proposal and the proposal we're voting on here that is lost in all of this chatter you hear on cable TV and on talk radio; is that, for the first 2 years that the three of us served in the House, all of these costs associated with the war in Iraq, the war in Afghanistan, were put into supplemental appropriations bills that were outside the normal budget process, and they were enormously expensive. And yet they were never part of the total numbers associated with President Bush's budget proposal to Congress. And the American people were being misled to believe that the budget numbers in the President's budget were an accurate reflection of their tax burden to support those ongoing efforts.

In fact, I introduced an amendment to the Defense Authorization bill that went even beyond that and said, we need to be truthful in disclosing to the American people the true cost of the war in Iraq and Afghanistan.

And all of us had prior professional experiences where we dealt with people who would place a long-term economic calculation on someone's loss of life, what their cost was for restitution, if you're prosecuting someone for committing a crime for the injury they caused to somebody. And you can hire economists that take the life expectancy of an individual, what their medical needs are going to be, especially if you consider the signature injuries in Iraq, which are post-traumatic stress disorder, traumatic brain injury and amputations.

And yet, we were getting nothing from the Department of Defense and the Bush administration about those defined, long-term costs that we owe to the veterans of this country who sacrificed honorably to protect and defend us. And yet, that is a huge component of the cost of the war that we have been prosecuting.

So I think you made an excellent point about what's really in this budget message is we're going to be honest with you; we're in a difficult time economically, but it's time for the American people to hear the plain truth about what it costs to run this government and put us back on a positive track. And I thank you for that.

And with that, I'm going to yield to my good friend from Ohio, BETTY SUTTON, who's been a strong advocate for middle class values, for populist messages and for the working trade group. And I would like you to share with us some of the reasons why you decided to join the Populist Caucus, and where you see this adventure going in the future.

Ms. SUTTON. Well, I thank my friend. And I too want to just extend our appreciation for your vision in organizing, not only this evening and all that we're here to do by way of introducing the Populist Caucus, but for forming the caucus in the first instance, because it is so critical that the people across this country know that their voices matter. And we are going to be a part of expressing those voices within the halls of this Congress, putting a face on the statistics that we so often rely on here. And sometimes it kind of gets away from some that those statistics actually refer to people and to families and what is happening to them.

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So I am very, very proud to be a member of the Populist Caucus and to be a part of bringing Members together who believe in investing in the middle class as well as in those who aspire to being middle class, because we know that that is what is vital for the strength of America.

As a caucus, we are committed to restoring, as my friend from New York has said and as you have said, Mr. Chairman, the core middle class values that made this country great, and we are committed to ensuring that our government's policies are in line with those values. A vibrant, growing middle class has been the hallmark of the strength of this country. It was the middle class that built this great Nation. A strong America depends on a strong middle class. Without a strong middle class, our country does not achieve as much as we all know it is worthy of. The middle class is the heart of this Nation. It is the engine that drives productivity.

Reflecting back on my youth, I grew up in a blue-collar community in Ohio, a community by the name of Barberton. I was the youngest of six kids—the proud daughter of a man who worked in a boilermaker factory. My mom worked at the city library. Because of their hard work, our family of eight had a good chance; we had food on the table, and we had the promise of the middle class before us and of all the opportunity that it delivered, and we took advantage of it, but that was a time when people could depend upon a good job. Oftentimes, those good jobs were manufacturing jobs, and you could rely upon them and sometimes work, as my dad did, in the same place for many years.

Now it is much more difficult. With health care costs rising, with insurance not available to all, with pensions a little shaky out there, to say the least,

and with many things that we, as young people, had the benefit of that are now at risk in this country, the promise of the middle class is slipping away from far too many. After 8 years of failed Bush policies, the middle class, frankly, and the country have been sorely hit.

They pushed through economic policies that benefited the wealthy and the well-connected. It is not just that. They did so at the expense of the rest of us. They allowed the banks and Wall Street to have seats at the table, often leaving working families left outside. They watched as millions lost their jobs, lost their health care, lost their homes, and sadly, lost their dreams.

The national unemployment rate has risen to a staggering 8.1 percent. In Ohio, it is at 9.4 percent. These are statistics that I'm talking about, but attached to those statistics are families, families who are going without even though all they want is a chance to make a living. They don't want things handed to them. They just want to have the opportunity in this great country to have a job where they can go to work, and they want to provide the things that we all had the great benefit of having as young people. The economic recession continues to challenge the resolve of the middle class as they strive to pay for life's basic necessities.

Now, here with this caucus and with our colleagues in this Congress, we are called on to chart a new path, one that is in line with the needs of the middle class, one that is in line with the hopes and the dreams of those who aspire to get there. That is the reason I was proud to join this caucus—to help find the road back to middle class values and to ensure that that dream becomes a reality again.

The needs of the middle class have been ignored for far too long, and it just has to end. We, the members of the Populist Caucus, will focus on the policies, as you have laid out here, that strengthen and improve the lives of American families, not policies that leave them behind. We must make the promise of the middle class in the 21st century what it once was—the moral and economic backbone of our Nation.

I think that the comments that you and Representative ARCURI have made, Representative BRALEY, are so on point, because, when we talk about the moral and economic backbone of our Nation, frankly, nothing reflects that any more than the budget. So your points about the budget, about what is contained in the budget and about the honesty of the budget are all critical to our government operating in a way that is worthy of the people whom we represent.

With that, I will yield back.

Mr. BRALEY of Iowa. Well, I think you've made some excellent points.

You know, one of the things that happens every day to every Member of Congress is we have constituents from our districts who come out and visit us. Many times these constituents will say to me, ''Congressman, what can we do to help you deal with this important issue that we have come here, all the way to Washington, D.C., to share with you?''

My answer is always the same: ''By helping put a human face on the public policies we are setting, you give me the best arguments to make on why this policy is worthwhile.''

I think you made a very good point when you talked about the fact that we have 25 members of our Populist Caucus now, and I think every one of us grew up in a middle class home, and every one of us has our own, unique life story that explains why these values are so important to us. I just want to share a story from my own family experience.

When I was 2 years old, my father was working at a grain elevator in my small Iowa town, Brooklyn—a small town of 1,500 people, a little farming community. There were four kids in my family at the time, and my mom had left her teaching career to raise a family. My father was taking a lid up to the top of this grain bin, and he was about 30–35 feet in the air when he fell and shattered his leg. It changed his life. He was fortunate there was a safety net in place to help take care of our family needs because, without it, we would not have survived as a family, but he had to completely change his career and do something else with his life.

Without affordable health care, people placed in that situation fall between the cracks. The statistics show us that more and more bankruptcies every year are due to the fact that middle class families can no longer afford to pay their medical bills or their insurance premiums.

Then, as a result of that injury, my mother ended up going back to school to get her 4-year teaching degree because she had had a 2-year teaching certificate. She drove 26,000 miles. Without that education she was able to get, she would not have been able to have been a valuable breadwinner for our family during that period of time.

When we were much younger, many of us worked from an early age to help pay for our college educations, and we had the benefit of very low interest, federally insured student loans and work study programs. We know, because this is based on pure economic theory and analysis, that the more educational opportunities you have, the higher your standard of living is going to be over your lifetime. There is a direct relationship. So all of these things that are up here are reflected in our own life histories and in the people whom we represent, and that is why they are so important to us.

So I am going to yield back to my friend from New York so he can talk a little bit about his life experiences, the people he represents and about some of these individual values that bring us here tonight.

Mr. ARCURI. Well, thank you for yielding.

There are a couple of points that I would like to make and just touch on. I think you touched upon health care, and I think health care is so important.

One of the things that the President talks about and what I think our budget will reflect—I even hesitate calling it a ''budget'' because I feel like it is more of a blueprint, again, as to the future of how we see the country moving forward over the next several years. One of the things about it is, for the first time, we actually have a budget. It is taking into consideration funding for health care for all Americans. I mean think about that—and I think you did. I certainly did when I ran for office the first time. One of the main reasons that I decided to run was the fact that I could not understand why there were 47 million Americans who did not have health care in this, the richest country in the world, one of only two industrialized countries that does not have any form of universal health care, and we do not have health care.

This proposal, this budget, will have in it for the first time—how shall I say?—a sketch, an outline, of how we will go forward and of how we will pay for health care for all Americans. That is critical. In contrast to what my colleagues said earlier, it is not about dictating to Americans what they need to do, what they have to do. It is about giving them the tools, about giving them access to quality, affordable health care just like the rest of the world has. One of the bills that I have been working on and that I hope to introduce in the near future deals with that, and that has a lot to do with where I'm from.

One of the things that I have found that people do not understand is, when someone's children go to a 4-year college or to a 2-year college, they generally are covered under their parents' health care. However, there is a gap, and there are millions of children who go to technical schools to get certifications who are not covered under their parents' plans. There is no coverage for health care. That is very unfortunate. I mean those are middle class families who have children who want to go, who maybe are not going to go to college to be engineers or who are not going to go to college to be teachers but who are going to go to college to get a very important degree, a very important certification in a technical trade. We need to do that. We need to promote that. That is a middle class value. That is something that we should be helping families do, not hindering it by not giving them insurance. That is one of the things that, I think, populists do. They ensure that all Americans have the ability not only to get health care but to improve their stations.

As my colleague from Ohio said, the ability to aspire to the middle class—to

make better of themselves, to do better for themselves than their parents were able to do—is what, I think, we as populists advocate and work for on behalf of the middle class. So I am really proud to be able to be a part of that.

I look back over what working people have accomplished in their lives, and I see it a lot in my district in Upstate New York—in the Mohawk Valley—in the Utica-Rome area and in Auburn. One of the things that I find most interesting is when looking at the productivity of our workers. I tour plants and facilities all over my district, as I know you do. What is the thing that you always hear from the people who own the plants? ''The productivity of our workers is great.'' The productivity of American workers has dramatically, dramatically increased over the past 20 years. Yet, in that 20-year period when the productivity has gone through the roof for American workers—in fact, they are one of the most productive workforces in the world—the real wages of that workforce have decreased. So we have individuals who are doing more for the people for whom they work, who actually are far more productive and who are allowing the people who own their factories and who own their small businesses to do better, to produce more, which is a good thing. However, they are not earning more than they earned 10 or 20 years ago.

You know, we sometimes hear people say, ''Oh, the problem with the American people is that they charge too much.'' Well, the fact of the matter is you don't charge too much because you want to. When your son or your daughter comes home from school and says, ''Mom and Dad, I need a new pair of sneakers. I'm trying out for basketball tomorrow, and my sneakers don't fit me, and the coach says I need a new pair of sneakers,'' if you don't have the money, you go and you charge it because that is something you do as a parent, but if you're making less than you made 10 years ago or 20 years ago, you don't have that money. That's the kind of thing that, I think, we stand for as populists, the kinds of things that we want to make sure of.

Hey, if the productivity of American workers goes up, then the salaries and the wages that American workers earn should go up as well. It is the fair thing. It is the right thing. It is the American thing. It is what has made America great. Those are things that, to me, are most important in our caucus, and they are the things that, I think, are most important for me as a populist.

Again, I am so pleased to be able to be here to talk about these issues and to bring them to the forefront and to let the American people know that there are many of us here in Congress who are working hard to see to it that the middle class prospers, continues to prosper and achieves all that they can possibly achieve.

Thank you. I yield back.

Mr. BRALEY of Iowa. Thank you, my friend.

Also, I just want to point out how the description you just provided us is a perfect example of why having good jobs is a core populist, middle class value. Think back to the way things were. Some of our friends in the preceding hour were talking about Franklin Delano Roosevelt and about how his policies drove us towards, as they described it, socialism. Think about it:

Before Franklin Delano Roosevelt, a college education was a rare thing for anyone in this country to have, and it was not until World War II when men and women from all over this country, but primarily from middle class families, met together and served their country with honor and distinction in the Pacific theater, in the European theater, in Africa, and in Asia. It was a great melting pot experience, introducing people from different regions, people who never thought they had anything in common but who learned they really did have a lot of common values. When they came home, we did something remarkable, an incredible populist piece of legislation. It was called the GI Bill.

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And we saw an explosion in admissions to colleges all across the country. And the GI Bill wasn't just an educational bill, it was also a home-buying program, because low-interest loans were provided to veterans, and it exploded, the homeownership and the house building market in this country. It put people to work, it created something called suburbs, which now are a prevalent thing in every district in this country.

But those are examples of what we're talking about here, which is how the Federal Government reflecting populist values can be a motivating factor in driving economic policy in a positive way that benefits all Americans.

And I want to come back and talk about some of these other issues.

Mr. ARCURI. Would the gentleman yield for just a minute?

Mr. BRALEY of Iowa. Absolutely.

Mr. ARCURI. I am glad you mentioned that, and I didn't want to let the moment go by without commenting on it.

I consider myself a direct recipient of the GI Bill—of the World War II GI Bill because my dad was a poor kid from the east side of Utica who would never have had an opportunity to attend college, but he served his country in the military, came back, and he was able to go to Cornell University, and as a result of which, he insisted that—my sisters and myself—that we attend college.

So it isn't just a single generation but multigenerational. It is really, as you say, probably the greatest populist piece of legislation that this country ever passed.

And I thank you for bringing that forward and for yielding to me.

Mr. BRALEY of Iowa. That is a perfect example of the human drama that every one of us has as part of our life experience that is a reflection of these values.

And now I want to introduce one of our other new Members of Congress, a rising star from the Old Dominion of Virginia, TOM PERRIELLO. And TOM is going to talk about some of the reasons that motivated him to join the Populist Caucus and some of these core values that are reflected in the people that he represents in Virginia.

And with that, I will yield to my friend from Virginia.

Mr. PERRIELLO. Thank you.

This is, indeed, a desperately needed caucus because we have not had enough of a voice from either party standing up for the middle class and these basic values.

I spent the weekend meeting with workers who had recently been laid off as another factory had closed down and gone overseas. These are people who worked for 20, 30 years at a time. I talk constantly, also, to people who have just recently gone through college, everything we're supposed to be encouraging right now in our society in order to compete in this global economy, but they come out shackled with so much debt with the cost of college that they can't serve their community in the way that they had hoped to, people that wanted to become teachers and come back to rural communities, like the ones in my district, but simply cannot afford to do it.

And we have gone from investing in a future middle class to crushing the current middle class because we started a cycle of debt. Instead of coming out of college with that opportunity in the world before you, you come out already in that kind of debt from college. And instead of those years that we used to spend saving money for a down payment to buy that first home, that next great step for middle class families, you spend those years, instead, spending all of your savings to get out of those loans. So by the time you go to purchase that home, you may have zero down on that house, and we all know how that story ends.

We aren't giving people that opportunity to do the very things we need them to do: to save, to invest, to educate, to prepare themselves to compete in the global workforce. And the cycle of debt continues.

Then we have credit card companies and predatory lenders coming out so that people continue to try to eke by month by month living from debt cycle to debt cycle. This is the new story of yesterday's middle class.

It is time, once again, to have the kind of values in this country that reward work and good behavior, reward the people who are saving and doing everything right to play by the rules instead of investing—instead of shifting our priorities too often away from the very people that are at the backbone of this country.

So I believe this is a much-needed effort to restore the middle class. And one great place to begin is by making college affordable. And I am proud that we have already put forward a $2,500 tuition tax credit to help middle class families afford that dream. But we know that's not enough to go forward to make college affordable.

But it's also something that is helping our displaced workers be able to go back and maybe pick up a community college course, move into the health care sector or another field where they can earn a living wage to support their family. But they say to me, ''That's a 2-year program. What am I going to do during those 2 years when I have just lost my job?''

We are not in an economy that reflects—we are not supporting policies that reflect the economy we now face. We no longer have an economy where people have one job for 30 years and that company takes care of them.

And last of all, I just want to mention, why is it that through this recent economic crisis our community banks have remained rock solid in most of our communities, good Main Street values, Main Street capitalism that has continued to make good loans to good people that still believe in the honesty of a handshake and looking somebody in the eye. This has remained solid while the speculators and others have played poker with our pension funds and our future. It's time to start getting support back to those people who are the bedrock of our community, Main Street and the middle class. And I look forward to working with you on that.

Mr. BRALEY of Iowa. I thank the gentleman for those important observations, and it brought to mind some of the issues that we have been talking about in our Populist Caucus meetings.

And one of the things that we frequently talk about is the whole issue of corporate accountability. And one of the things that has come to light in recent years is how corporations have gone away from an employment philosophy that many of us, when we entered the workforce, were very proud of. And that was there was a sense that if you come and work for a company, there will be job security. In fact, employers marketed this. When they tried to hire employees, they would show the number of long-term employees who had worked for them, and they said, ''If you come and work for us, you're going to have these types of benefits. We will take care of you. When you complete your employment career with us, you're going to have a retirement savings build-up that's going to allow you to enjoy your life and be a proper reflection as a reward for the sacrifice you have made to help us and make us a profitable company.''

And in the last 20 years, we have seen that whole concept of job security disappear from the workforce. And it is a rare employer now that rewards longevity and even promotes that concept. And we see a lot of transfer among employment as people move from job to job. And if you ask most employers in the workforce, employees in the workforce today, what their understanding of their job security was, they would say there is none.

So one of the things that we've talked about tonight is how the policies that you implement are reflected in the values that American consumers have, that American homeowners have, that American employers have, and that's why one of the things we need to do a better job of in this Congress is acknowledging the people who do it right and who are responsible corporate citizens and use that as a motivation to get others to aspire to behave like them.

And a good example of that came out last week during our food safety hearings in the Energy and Commerce Committee. And we heard a lot about the peanut butter hazard coming out of the Georgia peanut butter plant. And one of the things that came out in those hearings is that some companies were using an independent inspection group that was giving them certifications that their product was not contaminated even though they had tests that showed it was contaminated.

I happened to be fortunate enough to have a company, Nestle Corporation, that has a plant in my district in Waverly, Iowa. And when Nestle was faced with that very same choice, they decided to send one of their own independent auditors there to give them the straight scoop on what was going on in that plant. And their auditor came back and said, ''We should not be a part of this deal,'' and they refused to participate.

So one of the things we're trying to do by promoting these middle class values is get back to a point where people are responsible to each other, both as employees and employers, and to create that type of environment where they both benefit from the increased productivity that my friend from New York was talking about earlier.

And with that, I am going to yield back to my friend from New York, and I would like to talk a little bit about some of the things that we have been dealing with recently in terms of corporate accountability.

Obviously, the whole issue with AIG has been a paramount issue, but it's much deeper than just AIG and the way it conducted its affairs. It's part of this whole culture that we have seen on Wall Street that does not reflect the values on Main Street that most of us grew up with.

Mr. ARCURI. I thank the gentleman for yielding.

I would like to talk a little bit about the corporate accountability and also a little bit about consumer protection.

But first, with respect to corporate accountability, as you know, I am on the Rules Committee, and today we had a hearing with respect to the bill which I anticipate will be on the floor tomorrow with respect to—and you and I discussed it a little bit earlier—with respect to putting limitations on the amount of compensation that executives can get for companies that receive TARP funding.

And I guess I look at it this way. And I listened to the argument and the debate today in detail. And, you know, there is a great deal of dissatisfaction with AIG, and certainly I can understand that. We all can understand that people are critical of what happened at AIG. I am. We all are. And I listen to my colleagues on the other side of the aisle, and I can understand that some of them are critical with the legislation that we will be considering tomorrow which puts limitations on compensations for executives.

The thing I can't understand is how people can be critical of both of those because if you are unhappy with what happened at AIG, then you really have to support the legislation, if you're a Member of Congress, that we're putting forward tomorrow because that legislation will enable Congress to help put the kind of limitations on and do the kind of oversight that we were all sent to Congress to do.

So I think that if there is dissatisfaction within this House with respect to AIG and what happened there, then we should support and we should vote for the bill that will be on the floor tomorrow because that does give Congress the ability to, again, do what Congress is supposed to do. And that is regulate.

You know, you look back at how it is that we have been and how we are put in this place that we are, and the common denominator, the answer that you keep getting is the lack of regulation.

And I tell the story this way. It was funny because when all of these things were happening with the stock market, with the banks, my daughter called me from home and she said—she plays soccer, and she was telling me about her soccer game, and as most children do, she was complaining about the referees. They lost the game, and she was blaming the referees.

And I listened to her, as most parents do, and it came to me—and I said goodnight to her, goodbye. And it came to me later on that night. And I said to her the next day, I said, ''I know that you feel that you didn't get a fair shake from the referees, but can you imagine what that game would have been like if the referees were off the field?''

Well, that is what has happened over the past 10 years. We have taken the referees off the field. We have done away with the kind of regulation that is necessary. The SEC has fallen on its face and has not done the kinds of things—and we end up with scandals like the Madoff scandal. Those are the kinds of things that we need to put back in. We need to put the regulation back in.

People talk about regulation like it is a bad thing. They don't understand that that's exactly what people elect

us to Congress to do, and this is to ensure that the referees stay on the field and they keep an eye on things, and they keep the playing field level.

With that, I yield back.

Mr. BRALEY of Iowa. I think you have raised a very important point, and that is the populist values do not reflect that more regulation should be just burying people in red tape, because I don't know anybody on either side of the aisle who thinks that burying people in mindless paperwork and keeping people occupied processing paper is effective regulation. But there is a big difference between that and completely giving up the regulatory field, as we did with the credit default swaps when we had a chance to place them under some type of regulatory oversight in 2000 and failed to do it. And that led to a $55–63 trillion problem that nobody can get a handle on now.

So we have learned some lessons, and part of our responsibility to the American public is to apply these values in effective, meaningful, minimal oversight that accomplishes the results that we want to see happen.

I want to yield now to my friend from Virginia because he was the one who had the brilliant idea to add this corporate accountability value to our Populus Caucus themes.

And I would like you to talk a little bit about why this is such an important value and how it reflects on the middle class and their ability to go ahead and to have a productive and meaningful life.

Mr. PERRIELLO. I thank the gentleman for yielding.

I want to pick up on the point that you just raised which is the idea that accountability is anti-Wall Street.

The money managers that I know are looking for certainty. One of the worst things we can say to the market is to introduce the uncertainty of not knowing what the rules are, because the fact is one of the middle class values you discussed is basic responsibility. When we reward responsibility, that is a good thing for the middle class. There were many, many investment firms and others on Wall Street who knew the mortgage-backed securities were out there who could have taken—had much better quarters in the short-term, but they chose not to engage in these very high-risk speculative investments.

□ 2030

What we did instead was we have now bailed out some of the least responsible, most speculative agencies, and not rewarded the responsible ones, and we see the same things on Main Street.

And you talked about no extra paperwork. It is so important that we draw a distinction between our community banks, who have been responsible through all this, and the megabanks, who have been driving the problem, so that we don't respond by punishing the responsible actors in our community who have really held things together when we've been right on the brink of a depression.

Mr. BRALEY of Iowa. Just a personal observation, this is one of the things that drives me crazy about how our policy shifts back and forth, depending upon a boom or bust economy.

But I have a very clear memory of buying my second house. It was probably about 1992, and I had bought my first house in 1984. I had completely renovated it myself with my wife. We sold it for a small profit and moved to another neighborhood where we bought a house that was less expensive than the one we were selling, and this is right after the savings and loan debacle that led to a tightening of credit restrictions in the lending market.

I will never forget when I was applying for this loan, the bank officer said, you have to fill out an affidavit explaining to us why you're buying a home that's less expensive than the one you're selling. And I thought to myself, what is wrong with this picture? Because growing up in a small Iowa town, with parents who grew up in the Depression, I was always taught that you don't spend beyond your means; you're supposed to be out there trying to be good stewards of what you have and share it with other people. And yet you're having to justify making a responsible purchasing decision.

We've gone from that era to one where you're getting zero percent interest, no money down, take as much as you want, and I think one of the things we want to see is we want to come back to some commonsense lending values and commonsense purchasing values, and these values are a two-way street. Let's be honest. We want to promote responsible decision-making across the board, and that's why I think that your point was so on target.

And I yield back.

Mr. PERRIELLO. I would say Madoff wasn't the only one running a Ponzi scheme. In many of these lending institutions it was the same thing. When you start getting debt equity ratios of 10:1, 30:1, 100:1, that is not an accountable system. And we found people who are trying to find every loophole they can push through with huge amounts of capital to do high risk. And they want all the upsides during the good years, and then they don't want to have to face the downsides in a bad cycle.

Now, we're all in this together. The President's been very clear about that, and he's right to speak to that. But the fact is, part of how we're in this together is to make sure that those people who made horrible mistakes are held accountable.

I think we need to look seriously at issues of fraud, fraud in many of these institutions and elsewhere, and even continuing to see the way that some of the markets are fluctuating based on reporting in January and February versus March as we head to the end of the quarter.

We need to have basic accountability so that the average middle class investor has some guarantee that when they are looking at the market they're getting accurate information; if they're being responsible enough to save and have a 401(k), that they're not going to see that disappear just because of Ponzi schemes being run on Wall Street.

And our job is to make sure that the common good is protected, and when we put basic rules in place, not paperwork, but basic rules of accountability that reflect these middle class values, then the market flourishes. We have entrepreneurship that is unmatched anywhere else in the world. We have capital in this country, and we have workers ready to work. We can and must still out-compete the rest of the world. We do that by creating a system that allows people to have a certainty to make those investments, to start that business, and we need to make sure that we are encouraging that kind of innovation.

I come from a part of the country that has been hit hard by global trade over recent years. We've been devastated as furniture factories, textile mills, and tobacco jobs have all gone overseas. We have an opportunity now to turn yesterday's tobacco area into tomorrow's green energy area, but part of how we do that is get private capital moving investing in these areas and creating the kind of small businesses and middle class jobs of the next generation. But we can only do that if we have a system of accountability in place that can give people the certainty that they need.

You talked about the importance of deferred gratification as a middle class value, not spending the money that you haven't yet saved. Well, we have instead seen a culture of instant gratification, whether it's the greed is good mentality that we've seen by some on Wall Street, to the get rich or die trying attitude that you see in hip-hop. This goes from pop culture to the elites and across the board.

What we need to do is get back to that idea of basic personal responsibility and rewarding responsibility, and that's an environment I think in which entrepreneurship and hard work will flourish.

Mr. BRALEY of Iowa. I want to thank you for making an important connection between a couple of the middle class values that we've been talking about all night, and that is, corporate accountability and how it affects fair trade. And one of the things that we know is that there are still some lingering so-called free trade agreements that have been negotiated by the Bush administration that are still on the table and are going to be considered in some way, shape or form in the future.

And one of the trade agreements that's still outstanding is President Bush's Panama Free Trade Agreement, and this is where we get into some of these values issues on corporate accountability because the GAO recently did a study identifying Panama as one

of eight countries, and the only current country and prospective trading partner, that was listed on all of the major tax haven watchdog lists. In fact, Panama has been a key target of the Organization for Economic Cooperation and Development for resisting international norms in combating tax evasion and money laundering.

And now to tie this all into one big bow, we've learned that AIG, arrogance, incompetence, greed, has sued the U.S. Government demanding more than $306 million in taxes it paid, twice the amount of what it paid in the now infamous executive bonuses.

Here is what AIG is claiming. AIG is claiming it overpaid taxes related to the activities of its AIG-linked Panamanian corporation, Star International Company, which is chartered in the tax haven of Panama. And if President Bush's Panama Free Trade Agreement is ratified, AIG's largest shareholder, which is this derivative in Panama and other offshore companies, would have expansive new rights to challenge U.S. tax laws.

In fact, there are currently 350,000 foreign firms that are registered in Panama where there are zero to low regulations and taxing restrictions. So we know that, if this treaty is ratified, these policies will inhibit the ability to protect the American people, crack down on money laundering and tax cheating and shady financial deals.

So one of the things that we've learned is that there is linkage between the important concept of corporate accountability, fair trade policies, and I want to yield to my friend from New York to talk a little bit about how those issues combine and how they affect the people that he represents in upstate New York.

Mr. ARCURI. Well, first off, I would like to say thank you and commend my colleague from Virginia for his well-thought-out and very articulate presentation with respect to corporate accountability. We certainly can use that kind of passion here in Congress, and I thank you for that, what you said, and what you talked about.

You know, one of the things that I'd like to talk about just for a moment is something we haven't touched on yet tonight but is a very important part of the populist values, as articulated by you earlier, and that's with respect to consumer protection.

You and I took a trip down to the Port of Nogales last year to work with and get a firsthand view of some of the things we're seeing with respect to the border patrol. But one of the things we did see is the fact that the Port of Nogales is one of the largest ports for bringing fruits and vegetables into this country, many of which are from Mexico. And one of the things that I think is very important is that we need to ensure that the fruits, the vegetables, the food that we eat, the toys that our children play with are high quality. They need to be safe.

We put these strict standards on domestically produced food, on the kind of fertilizers that our farmers can use, on the kind of pesticides they can use, to ensure that the food that they produce is safe. And yet, we have these free trade agreements and we have the ability of some other countries to bring products into our country that don't follow the same kind of protections and don't have the same kind of laws that we have here, which I think jeopardizes the quality of the food we get and certainly the products that we get.

So that's something that's so important to us, to the people that I represent back home and I think the people all through America.

So it's an important thing, and I know we're running out of time here, but I think it's something that we need to discuss more and we need to spend a great deal of time on here in Congress because there's nothing more important than keeping the food that we eat and the goods that our family uses as safe as possible.

Before I yield back, I would just like to say one last thing. You know, I want to quote another Roosevelt. I started off quoting Franklin Roosevelt. I want to finish by quoting Teddy Roosevelt, and he said, The welfare of each of us is dependent fundamentally upon the welfare of all of us. That sounds an awful lot like what President Obama is saying, that we're all in this together. We can't forget that whether you're a corporate executive or you're a worker on the line, what is good for the executive is good for the worker, and what is good for the worker is good for the executive.

We are all in this together, and as my colleague from Virginia said, it is important that we remember the things that we do affect each and every American, regardless of where you are or where you work.

So, with that, I would again like to thank my friend for organizing this today.

Mr. BRALEY of Iowa. I thank you, and before I yield to my friend from Virginia for a closing comment, I just want to point out that the Populist Caucus is not anti-trade. We are not protectionist, but we want American companies and American employees and American consumers to be on a level playing field with their competitors. And when you have trade agreements that don't have the same level of commitment to enforceability, then you don't have a level playing field, and that's why fair trade agreements are important to protect all interests in the United States.

And with that, I want to yield back to my young friend from Virginia for some closing comments and want to thank him for the important contributions and voice he has added to our caucus.

Mr. PERRIELLO. Thank you for yielding. I just want to take a moment on this issue of trade.

I think there's an attitude among the elites and among the mainstream media that assumes anything other than blind, free trade is somehow idiotic, and there's a concern that this populism is about mob rule. Well, populist values aren't about pitchforks. They're about pragmatic results.

And I think for every model someone can show me on free trade, I can show you reality and empirics. This is not about a theory cooked up in academia about trade. It's about the reality of how the tiger economies and others have competed. It has not been some blind march to trade liberalization. It has been smart, strategic decisions by each of those countries to play to their comparative advantages.

I think that we have been negotiating from a position of weakness in these trade deals instead of negotiating from strength, and I think it's cost the middle class and the working class jobs. I think sometimes there's an incredibly naive attitude by those who would look down their noses at those who would engage in middle class and populist values, when in fact I think the empirics are on our side.

So I think what's important in this, again, is not that we pick up the pitchforks but that we produce results. I think what we're about is looking at pragmatic solutions that take back some of the raw deals that the middle class has gotten for the last 20 years, particularly the last few years, and starts to stand up for those middle-class families and working class families who are getting up every morning and working hard and playing by the rules and suddenly being asked to bear the brunt of everyone else's mistakes.

□ 2045

THE SANCTITY OF HUMAN LIFE

The SPEAKER pro tempore (Mr. KRATOVIL). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized here tonight. Before my colleagues leave the floor, I hope they can hear a little bit of an alternative viewpoint, that being that this news flash, for especially my colleague from Iowa, corporations don't pay taxes, Mr. Speaker. Corporations collect those taxes from end users, consumers, retail people, and then they aggregate the taxes from the consumers and they pass them on to the Federal Government or State government or whatever the tax collecting body might be.

For that reason, no matter what the circumstances are, we are not going to be able to chase these corporations. We're not going to be able to chase these corporations around the world and collect that taxes from them because they will always find another way to pay taxes or, of course, the obligation they have it to pass it onto the consumer.

This is a fundamental principle when it comes to holding this economy together and how we're going to build the

economy in this country and how we're going to compete with the rest the world. If we get that wrong, if we get it wrong and we think that we can somehow squeeze this capital out of these corporations that have lost about 40 percent of their asset value over the last year or so if you just simply look at the Dow, you'll find out that you can drive this free-market economy into oblivion and the free world will not make progress.

So we need to get that fundamental principle correct. We can't simply get corporations to pay taxes without them passing it on to consumers. And that is the bottom line, Mr. Speaker.

I didn't come to talk about that, but as I listened to my colleagues from the Populist Caucus—I discovered a new caucus here in the House of Representatives, Mr. Speaker—I raise another issue, the very vague and undefinable position of being for fair trade.

If someone stands up and says they're for fair trade, that means they're not for free trade. They can be for free trade and for smart trade, but you can't be for fair trade and also be for free trade.

Now that might seem like a little bit of alliteration gobbledegook, Mr. Speaker, but the truth is that there is no such thing as fair. Anyone who has raised more than one child—two or more children, I might further define—understands there's no such thing as fair. A three-year old can figure out that their four-year old brother or sister got an extra benefit along the way. They'll argue: That's not fair. As soon as they argue that, of course its subjective.

There's no such thing as fair when it comes to raising children, there's no such thing as fair when it comes to trade, because another country will have a different view on what is fair trade compared to what we will here in the United States.

Those are the fundamental principles. If we go down this path of this nice feeling rhetoric of fair trade as opposed to having justice and equity and balance and free marketing, if we go down this path of seeking to tax corporations and punish them, then we will continually be frustrated by trying to shape a policy that will never be achieved.

And that would be my comments to the gentleman who I think gave a heartfelt presentation here over the last hour, Mr. Speaker.

I didn't come, as I said, to talk about that. I came here to the floor of the House of Representatives tonight to talk about an issue that has to do with innocent unborn human life and these timeless values of the sacredness of the unborn child and the sacredness of all human life.

I have often made this case, especially to our high school and our middle school students, but also across this country, that we have these rights that come from God, and they are delineated in the Declaration of Independence, Mr. Speaker.

What our Founders drafted in the Declaration of Independence are the right to life and liberty and the pursuit of happiness. That was not a random stream from the quill of Thomas Jefferson, Mr. Speaker. That was very specific, very carefully thought out, very prosaic designed phrase—the right to life, liberty, and the pursuit of happiness. Prioritized rights, Mr. Speaker. That right to life—the right to life is paramount to anyone's liberty. And the right to liberty is paramount to pursuit of happiness.

So let me say that in my pursuit of happiness, if I should encroach upon someone's liberty, my pursuit of happiness loses its right out of deference to a higher priority right of liberty trumps pursuit of happiness. In pursuit of liberty, if I were to choose a pursuit of liberty that would violate someone's right to life, the right to life trumps anyone's pursuit of liberty.

So our Founders understood these are prioritized rights. There's a right to life. That human life is sacred in all of its forms and we have to choose a time, we have to choose an instant when life begins because we simply cannot err. So I choose that instant at conception. Today, it's conception/fertilization. When that happens, we have the biological beginning of life.

I believe that's the moment that God puts the soul in that little child. From that instant on, they're a unique individual. There will never be another one identical to that unique individual. And they are all the solutions to the problems in the world, aside from those that come from above, come from those little children that are coming into this world.

They have a right to life. We need to guarantee that right to life. That right to life trumps anyone's right to liberty, as much as the right to liberty trumps anyone else's pursuit of happiness.

I can continue to give these examples, Mr. Speaker, but I think where we are at this point is, having laid the foundation, I recognize I have the gentleman here from New Jersey, who has, I think, put together a very strong and compelling case here in this Congress; someone who I can count on every time to be with us every day as we stand up for the innocent unborn human life. He's someone who brings a passion to the scholarship, the conviction, the faith, the core principles to this cause, an individual I get to count as a friend and a colleague and someone who it's an honor for me to be serve with.

I'd yield to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend and colleague, Mr. KING, for his leadership, for his consistency in promoting human rights, and for bringing to this floor tonight another opportunity for us to affirm the dignity and the value of all human life, including that of the unborn.

Mr. Speaker, last week, Secretary of State Hillary Clinton visited the Catholic Basilica of Our Lady of Guadalupe in Mexico City, presented bouquet of flowers on behalf of the American people—a very nice gesture—and then went on to Houston, Texas, to receive the Margaret Sanger Award from Planned Parenthood.

In her remarks, Secretary Clinton said she was ''in awe''—I repeat, ''in awe''—of Margaret Sanger, the founder of Planned Parenthood. To our distinguished Secretary of State, I respectfully ask: Are you kidding? In ''awe'' of Margaret Sanger, who said in 1921, ''Eugenics is the most adequate and thorough avenue to the solution of racial, political, and social problems.'' And who also said in 1922, ''The most merciful thing that a family does to one of its infant members is to kill it.''

Later, in 1939, Sanger wrote, ''We should hire three or four colored ministers, preferably with social service backgrounds and with engaging personalities.'' She wrote, ''The most successful educational approach to the Negro is through a religious appeal. We don't want the word to go out that we want to exterminate the Negro population,'' she goes on, ''and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members.''

Secretary Clinton in her speech said that Margaret Sanger's life and leadership was ''one of the most transformational in the entire history of the human race.'' Mr. Speaker, transformational, yes. But not for the better if one happens to be poor, disenfranchised, weak, a person of color, vulnerable, or among the many so-called undesirables who Sanger would exclude and exterminate from the human race.

To me, and to many, including my distinguished colleague in the well, the juxtaposition of the last week's two very public events in Mexico City and in Houston bring into sharp focus two huge and irreconcilable world views.

On the one hand, the miracle of Our Lady of Guadalupe has for five centuries brought a message of hope, faith, peace, reconciliation and protection for the weakest, most vulnerable among us. On the other hand, each year, Margaret Sanger's Planned Parenthood kills approximately 300,000 unborn baby girls and boys in their abortion clinics scattered throughout the United States.

Worldwide, the loss of innocent human life at the hands of Planned Parenthood is in the millions. Planned Parenthood even supports the hideous brain-sucking method of abortion called partial birth abortion.

On a visit to the Basilica in Mexico City in 1999, Pope John Paul II publicly entrusted protection of all at-risk human life, including especially unborn children and their mothers, to Our Lady of Guadalupe because the miracle she wrought 500 years ago resulted in an end to the barbaric practice of human sacrifice to a serpent God that claimed anywhere between 20,000 and 50,000 victims a year.

Indeed, the miraculous story of Our Lady of Guadalupe, known so well especially in Latin America, but really around the world, has been extraordinarily compelling and inspirational for centuries.

In 1531, the Blessed Mother appeared to Juan Diego, a native American at Tepeyac, near Mexico City, and asked that a church be built on the site of the apparition. The Catholic bishop was skeptical and asked for a sign. At the behest of the Blessed Mother, and despite the fact it was winter, Juan Diego gathered roses from the site into his tilma for presentation to the Bishop.

When Juan Diego met with Bishop Juan de Zumarraga with the roses tucked under his apron, a miraculous image suddenly appeared on the cloth. The Bishop was stunned, and he believed. The image of the Blessed Mother wasn't painted. There are no brush strokes. To this day, the image defies all scientific explanation as to its origin.

Within a few years of the miracle, more than 9 million Aztecs converted to Christianity and a strong devotion to Our Lady of Guadalupe began that continues to this day. Each year, some 18 million to 20 million pilgrims visit the miraculous image in Mexico City.

Last Thursday, Hillary Clinton visited the shrine. On Friday, she paid homage to Planned Parenthood and to Margaret Sanger.

Margaret Sanger is the founder of Planned Parenthood. She was a self-described pro-abortionist eugenist and a racist who considered charity care for impoverished, disenfranchised women, including women of color, especially pregnant women, to be ''cruel.''

In her book, ''The Pivot of Civilization,'' Margaret Sanger devoted an entire chapter that she entitled: ''The Cruelty of Charity,'' to her inhumane case for not helping—and I repeat that—not helping poor pregnant women with prenatal and maternal care.

Sanger said in the book—and I read her book—''We are paying for and even submitting to the dictates of an ever increasing, unceasingly spawning class of human beings who never should have been born at all.''

In chapter 5—again, chapter 5 is called: ''The Cruelty of Charity''—she writes, ''Organized charity itself is the symptom of a malignant social disease.'' Sanger writes, ''Those vast, complex, interrelated organizations aiming to control and diminish the spread of misery and destruction and all the menacing evils that spring out of this sinisterly fertile soil are the surest sign that our civilization has bred, is breeding, and is perpetuating constantly increasing numbers of defectives, delinquents, and dependents.'' That's Margaret Sanger, founder of Planned Parenthood.

She continues, ''My criticism therefore is not directed at the failure of philanthropy but rather at its success.'' Sanger goes on to say, ''There's a special type of philanthropy or benevolence now widely advertised and advocated both as a Federal program and as worthy of private endowment, which strikes me,'' that is to say Sanger, ''as being more insidiously injurious than any other. This concerns itself directly with the function of maternity and aims to supply gratis medical and nursing facilities to slum mothers.

''Such women are to be visited by nurses and receive instruction in the hygiene of pregnancy, to be guided in making arrangements for confinement, to be invited to come to the doctors' clinics for examination and supervision. They are, we are informed, to receive adequate care during pregnancy, at confinement, and for 1 month afterwards. Thus, are mothers and babies to be saved, childbearing is to be made safe.''

Construing to demean the generosity of pregnancy care centers, Margaret Sanger goes on to say, ''The work of the maternity centers in the various American cities, which they have already been established and in which they are supported by private contributions and endowment, it is hardly necessary to point out is carried out among the poor and the most docile section of the city, among mothers least able, through poverty and ignorance, to afford the care and attention necessary for successful maternity.

''The effect of maternity endowments of maternity centers supported by private philanthropy would have perhaps already have had exactly the most dysgenic tendency. The new government program would facilitate the function of maternity among the very classes in which the absolute necessity is to discourage it.

''Such benevolence,'' she goes on to say, ''is not merely superficial and nearsighted.'' Sanger continues, ''It conceals a stupid cruelty. Aside from the question of the unfitness of many women to become mothers, aside from the very definite deterioration in the human stock that such programs would inevitably hasten, we may question its value even through the unfortunate mother.

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Simon concludes, ''The most serious charge that can be brought against modern benevolence is that it encourages''—and I say this again—''the perpetuation of defectives, delinquents, and dependents.'' Such audacity, such an inhumane view of human life.

Mr. Speaker, in her speech at the Planned Parenthood gala accepting the Margaret Sanger award—and I have many other quotes from Sanger that I will put into the RECORD, and I invite Members and the American people to look at those quotes, and there is so much more.

But in her speech last Friday, Secretary Clinton said she admired Sanger for her vision, was in awe of her, and that Margaret Sanger's work here and in the United States and certainly across the globe is not done.

Translated, ''not done'' means more abortions here in the United States, in Latin America, Africa, and Asia, the world. Planned Parenthood's mission statement, documents, and work in the field make it absolutely clear that they seek a global unfettered right to commit violence against unborn children at all stages of development. Planned Parenthood seeks integration of all health care with abortion, with no conscience rights whatsoever for medical practitioners, no parental consent or notification whatsoever for minors. And all of this paid for by the United States taxpayer.

Which begs the question, Mr. Speaker. Is our Secretary of State unaware of Margaret Sanger's inhumane beliefs? Was she not briefed on Margaret Sanger's cruel and reckless disregard for poor, pregnant women? Respectfully, Secretary Clinton should at a minimum return the Sanger award.

More importantly, Congress and the White House must at long last take a long, hard, second look at the multimillion, almost billion, dollar corporation called Planned Parenthood, Child Abuse Incorporated.

Let's be honest, Mr. Speaker. Abortion is violence against children. It dismembers and chemically poisons a child to death. It hurts women physically, psychologically, and spiritually. There is nothing whatsoever compassionate, benevolent, ennobling, benign, or empowering about abortion. It is a violation of a child's fundamental human rights.

Rather than partnering with Planned Parenthood and like-minded NGOs to promote abortion worldwide with hundreds of millions of taxpayer dollars, the United States should affirm the inherent value, dignity, worth of both victims of abortion, mother and child. We need to promote nonviolent, life-affirming solutions to women both here as well as abroad. Women deserve better than abortion. We should always and in every way affirm the precious lives of both. And on that score, Margaret Sanger and far too many others would disagree.

I strongly urge my colleagues to take that second look at Planned Parenthood. It is time to respect the value and the dignity of all human life.

Mr. Speaker, last week, Secretary of State Hillary Clinton visited the Catholic Basilica of Our Lady of Guadalupe in Mexico City, presented a bouquet of flowers on behalf of the American people—a nice gesture—and then went on to Houston, Texas to receive the Margaret Sanger Award from Planned Parenthood.

In her remarks, Secretary Clinton said she was ''in awe'' of Margaret Sanger, the founder of Planned Parenthood. To our distinguished Secretary of State, I respectfully ask, are you kidding? In ''awe'' of Margaret Sanger who said in 1921 ''Eugenics is . . . the most adequate and thorough avenue to the solution of racial, political and social problems'' and in 1922 said, ''The most merciful thing that a

family does to one of its infant members is to kill it.''

Later in 1939 Sanger wrote ''We should hire three or four colored ministers, preferably with social-service backgrounds, and with engaging personalities. The most successful educational approach to the Negro is through a religious appeal. We don't want the word to go out that we want to exterminate the Negro population and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members.''

Secretary Clinton said in her speech that Margaret Sanger's ''life and leadership'' was ''one of the most transformational in the entire history of the human race.'' Mr. Speaker, transformational yes, but not for the better if one happens to be poor, disenfranchised, weak, disabled, vulnerable, or among the many so called undesirables who Sanger would exclude and exterminate from the human race.

To me—to many—the juxtaposition of last weeks two very public events—in Mexico City and in Houston—bring into sharp focus, two huge and irreconcilable world views.

On the one hand, the miracle of Our Lady of Guadalupe has for 5 centuries brought a message of hope, faith, love and protection for the weakest, most vulnerable among us. On the other hand, each year Margaret Sanger's Planned Parenthood kills approximately 300,000 unborn children in their abortion clinics throughout the United States. Worldwide the loss of innocent human life at the hands of Planned Parenthood is in the millions. Planned Parenthood even supports the hideous brain sucking method of abortion called partial birth abortion.

On a visit to the Basilica in Mexico City in 1999, Pope John Paul II publicly entrusted protection of all at risk innocent human life, including and especially unborn children and their mothers, to Our Lady of Guadalupe because the miracle she wrought 500 years ago resulted in an end to the barbaric practice of human sacrifice to a serpent god that claimed 20,000 to 50,000 victims a year.

Indeed, the miraculous story of Our Lady of Guadalupe has been extraordinarly compelling and inspirational for centuries.

In 1531, the Blessed Mother appeared to Juan Diego, a Native American at Tepeyac, near Mexico City, and asked that a church be built on the site of the apparition.

The Catholic Bishop was skeptical and asked for a sign.

At the behest of the Blessed Mother, and despite the fact that it was winter, Juan Diego gathered roses from the site into his tilma for presentation to the Bishop.

When Juan Diego met with Bishop Juan de Zumarraga with the roses tucked in his apron, a miraculous image suddenly appeared on the cloth.

The Bishop was stunned, and believed. The image of the Blessed Mother wasn't painted—there are no brush strokes—and to this day the image defies all scientific explanation as to its origin.

Within a few years of the miracle, more than 9 million Aztecs converted to Christianity and strong devotion to Our Lady of Guadalupe began, that continues to this day. Each year some 18–20 million pilgrims visit the miraculous image in Mexico City.

Last Thursday, Hillary Clinton visited the Shrine. Then on Friday she paid homage to Planned Parenthood and Margaret Sanger.

Margaret Sanger, the founder of Planned Parenthood was a self-described pro-abortion eugenist and racist who considered charity care for impoverished, disenfranchised women, including women of color, especially pregnant women, to be ''cruel.'' In her book, the Pivot of Civilization, Margaret Sanger devoted an entire chapter entitled ''The Cruelty of Charity'' to her inhumane case of not helping—I repeat not helping—poor, pregnant women with prenatal and maternal care.

Sanger said in the book, ''We are paying for and even submitting to the dictates of an ever increasing, unceasingly spawning class of human beings who never should have been born at all.'' In Chapter 5 of that book Sanger writes:

'' . . . Organized charity itself is the symptom of a malignant social disease.

''Those vast, complex, interrelated organizations aiming to control and to diminish the spread of misery and destitution and all the menacing evils that spring out of this sinisterly fertile soil, are the surest sign that our civilization has bred, is breeding and is perpetuating constantly increasing numbers of defectives, delinquents and dependents.''

Sanger continues, ''My criticism, therefore, is not directed at the 'failure' of philanthropy, but rather at its success. . . .''

Sanger goes on to say, ''there is a special type of philanthropy or benevolence, now widely advertised and advocated, both as a federal program and as worthy of private endowment, which strikes me (Sanger) as being more insidiously injurious than any other. This concerns itself directly with the function of maternity, and aims to supply gratis medical and nursing facilities to slum mothers. Such women are to be visited by nurses and to receive instruction in the ''hygiene of pregnancy''; to be guided in making arrangements for confinements; to be invited to come to the doctors' clinics for examination and supervision. They are, we are informed, to ''receive adequate care during pregnancy, at confinement, and for one month afterward. Thus are mothers and babies to be saved, 'Childbearing is to be made safe.' ''

Construing to demean the generosity of pregnancy centers Sanger continues, ''the work of the maternity centers in the various American cities in which they have already been established and in which they are supported by private contributions and endowment, it is hardly necessary to point out, is carried on among the poor and more docile sections of the city, among mothers least able, through poverty and ignorance, to afford the care and attention necessary for successful maternity. . . . The effect of maternity endowments and maternity centers supported by private philanthropy would have, perhaps already have had, exactly the most dysgenic tendency. The new government program would facilitate the function of maternity among the very classes in which the absolute necessity is to discourage it.''

Such ''benevolence'' is not merely superficial and nearsighted.

Sanger continues to write: ''it conceals a stupid cruelty . . . Aside from the question of the unfitness of many women to become mothers, aside from the very definite deterioration in the human stock that such programs would inevitable hasten, we may question its value even to the normal though unfortunate mother.''

Sanger concludes, ''the most serious charge that can be brought against modern 'benevolence' is that it encourages the perpetuation of defectives, delinquents and dependents.''

Sanger also said:

''The most merciful thing that a family does to one of its infant members is to kill it.''

''Birth control must lead ultimately to a cleaner race.''

Margaret Sanger, Woman, Morality, and Birth Control. New York: New York Publishing Company, 1922. Page 12.

''We should hire three or four colored ministers, preferably with social-service backgrounds, and with engaging personalities. The most successful education approach to the Negro is through a religious appeal. We don't want the word to go out that we want to exterminate the Negro population and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members.''

Margaret Sanger's December 19, 1939 letter to Dr. Clarence Gamble, 255 Adams Street, Milton, Massachusetts. Original source: Sophia Smith Collection, Smith College, North Hampton, Massachusetts. Also described in Linda Gordon's Woman's Body, Woman's Right: A Social History of Birth Control in America. New York: Grossman Publishers, 1976.

''Eugenic sterilization is an urgent need . . . We must prevent multiplication of this bad stock.''

Margaret Sanger, April 1933 Birth Control Review.

''Eugenics is . . . the most adequate and thorough avenue to the solution of racial, political and social problems.

Margaret Sanger. ''The Eugenic Value of Birth Control Propaganda.'' Birth Control Review, October 1921, page 5.

''As an advocate of birth control I wish . . . to point out that the unbalance between the birth rate of the 'unfit' and the 'fit,' admittedly the greatest present menace to civilization, can never be rectified by the inauguration of a cradle competition between these two classes. In this matter, the example of the inferior classes, the fertility of the feeble-minded, the mentally defective, the poverty-stricken classes, should not be held up for emulation . . .

''On the contrary, the most urgent problem today is how to limit and discourage the overfertility of the mentally and physically defective.''

Margaret Sanger. ''The Eugenic Value of Birth Control Propaganda.'' Birth Control Review, October 1921, page 5.

''The campaign for birth control is not merely of eugenic value, but is practically identical with the final aims of eugenics.''

Margaret Sanger. ''The Eugenic Value of Birth Control Propaganda.'' Birth Control Review, October 1921, page 5.

''Our failure to segregate morons who are increasing and multiplying . . . demonstrates our foolhardy and extravagant sentimentalism . . . [Philanthropists] encourage the healthier and more normal sections of the world to shoulder the burden of unthinking and indiscriminate fecundity of others; which brings with it, as I think the reader must agree, a dead weight of human waste. Instead of decreasing and aiming to eliminate the stocks that are most detrimental to the future of the race and the world, it tends to render them to a menacing degree dominant . . . We are paying

for, and even submitting to, the dictates of an ever-increasing, unceasingly spawning class of human beings who never should have been born at all.''

Margaret Sanger. The Pivot of Civilization, 1922. Chapter on ''The Cruelty of Charity,'' pages 116, 122, and 189. Swarthmore College Library edition.

''The undeniably feeble-minded should, indeed, not only be discouraged but prevented from propagating their kind.''

Margaret Sanger, quoted in Charles Valenza. ''Was Margaret Sanger a Racist?'' Family Planning Perspectives, January–February 1985, page 44.

''The third group [of society] are those irresponsible and reckless ones having little regard for the consequences of their acts, or whose religious scruples prevent their exercising control over their numbers. Many of this group are diseased, feeble-minded, and are of the pauper element dependent upon the normal and fit members of society for their support. There is no doubt in the minds of all thinking people that the procreation of this group should be stopped.''

Margaret Sanger. Speech quoted in Birth Control: What It Is, How It Works, What It Will Do. The Proceedings of the First American Birth Control Conference. Held at the Hotel Plaza, New York City, November 11–12, 1921. Published by the Birth Control Review, Gothic Press, pages 172 and 174.

''The marriage bed is the most degenerative influence in the social order . . .''

Margaret Sanger (editor). The Woman Rebel, Volume I, Number 1. Reprinted in Woman and the New Race. New York: Brentanos Publishers, 1922.

''[Our objective is] unlimited sexual gratification without the burden of unwanted children . . .''

Margaret Sanger (editor). The Woman Rebel, Volume I, Number 1. Reprinted in Woman and the New Race. New York: Brentanos Publishers, 1922.

''Give dysgenic groups [people with 'bad genes'] in our population their choice of segregation or [compulsory] sterilization.''

Margaret Sanger, April 1932 Birth Control Review.

In her speech at the Planned Parenthood Gala, accepting the Margaret Sanger award, Secretary Clinton said she admired Sanger for her ''vision,'' was in ''awe of her'' and that ''Margaret Sanger's work here in the United States and certainly across the globe is not done.''

Translated, ''not done'' means more abortions here in the United States, in Latin America, Africa, Asia—the world. Planned Parenthood's mission statement, documents, and work in the field make it absolutely clear that they seek a global unfettered right to commit violence against unborn children at all stages of development. Planned Parenthood seeks integration of all health care with abortion, with no conscience rights whatsoever for medical practitioners, no parental consent or notification for minors, and all paid for by the taxpayers.

Which begs the question: is our Secretary of State unaware of Margaret Sanger's unhumane beliefs? Was she not briefed on Margaret Sanger's cruel and reckless disregard for poor pregnant women? Respectfully, Secretary Clinton should at a minimum return the Sanger award. More importantly, Congress and the White House must, at long last take a long hard second look at the multimillion corporation Planned Parenthood—Child Abuse Inc.

Let's be honest, Mr. Speaker. Abortion is violence against children. It dismembers and chemically poisons a child to death. It hurts women physically and psychologically and spiritually. There is nothing whatsoever compassionate, benevolent, ennobling, benign or empowering about abortion. It is a violation of a child's fundamental human rights.

Rather than partnering with Planned Parenthood and like minded NGOs to promote abortion worldwide, with hundreds of millions of taxpayer dollars, the United States should affirm the inherent value, dignity and worth of both victims of abortion—mother and child. We need to promote both at home and abroad. We should always and in every way affirm the precious lives of both. On that score, Margaret Sanger and far too many others would disagree.

I thank my good friend and yield back to him.

Mr. KING of Iowa. I thank the gentleman from New Jersey. And I appreciate the privilege to stand here and hear those words, the nonviolent, life-affirming philosophy that we are here and that we join together in, and the question that was presented, that is this question: Did Hillary Clinton understand? Did the Secretary of State understand the cruel, racist, elitist philosophy of Margaret Sanger in whose name she accepted the award? Did she understand the implications that come with such an award?

And I don't know the answer to that, Mr. Speaker. But I have to believe that someone who has been engaged in public policy all of her life, even as an undergraduate at Yale, this is not something that has not crossed her mind. I cannot believe that the Secretary of State would be ignorant of the philosophy of Margaret Sanger. I cannot believe that. If that were the case, then I would suspect that she is ignorant of many other things, and I don't buy that. I think this is a well-educated, very astute lady, a smart lady.

And as I listened to the gentleman from New Jersey's presentation, I think about something that takes us even to another level here, and this is a statement where we have an individual that has been nominated into this administration in a confirmation, a Senate confirmation position, Office of Legal Counsel, who actually is even more of an advocate of abortion and someone who even takes the position of Margaret Sanger to another level, and that is Dawn Johnsen, Office of Legal Counsel. And I have a quote.

Now, Dawn Johnsen has been appointed, Mr. Speaker, to head up the Office of Legal Counsel. This is the most influential, most powerful position that you have never heard of if you are an average, regular person in America.

The Office of Legal Counsel provides opinions on the constitutionality of the activities of the entire administration, and gives advice to the President of the United States.

The Office of Legal Counsel, the person who heads that up, this would be Dawn Johnsen, should she be confirmed by the United States Senate, has the opportunity to whisper into the President's ear over and over again Constitutional recommendations, which are actually considered to be binding precedent unless it happens to be overturned by the courts, so very seriously taken, and the opportunity to advocate for policy.

This is Dawn Johnsen, who says that: Abortion should not be rare. And actually went so far as to take issue with Hillary Clinton whom, in the presidential campaign, who said abortion should be safe, legal, and rare. At least rare is the right direction to go, and legal is another question. But here is Dawn Johnsen's statement:

The notion of legal restrictions as some kind of reasonable compromise, perhaps to help make abortion safe, legal, and rare, thus proves nonsensical.

In other words, she even took issue with Hillary Clinton's position that abortion should at least be rare. I will give Hillary Clinton that, Mr. Speaker, that she has at least made the statement, whether she has followed through on it or not. And she has accepted the Margaret Sanger award, which would actually contradict this statement about abortion being rare.

Margaret Sanger's philosophy was very elitist, very racist, very much focused on the idea of eugenics, and that we could perfect the species of Homo sapiens by selective breeding processes and by selective abortions. And data shows that in the African American community, as much as 50 percent of the African American babies conceived in the United States of America meet their death by abortion. Half of the population that would be here, that could laugh, live, love, play, contribute to this society, be part of this whole America, could enjoy a right to life and the right to fulfillment of that life lose that right to life in the abortion clinics.

And if I listened right to the gentleman from New Jersey, 300,000 altogether meet their end annually here in the United States of America at the hands of Planned Parenthood and their abortion clinics, 300,000 out of perhaps a number that is around 4,000 a day, multiplied across every day here in the United States. And this is just the United States of America.

Then we have the Advocacy for International Abortion, which comes continually here. Every year we deal with that debate.

Mr. Speaker, I remember this debate that we had on the floor here where we stand. It was the first debate on the Mexico City policy that took place in the 110th Congress, the first debate on Mexico City policy that fell underneath the gavel of Speaker PELOSI.

And I remember those of us who stand up for innocent, unborn human life lost that debate and lost that vote

here. And I will never forget looking across over on this side, Mr. Speaker, where I saw the advocates that thought that they wanted to compel American taxpayers to fund abortions in foreign lands clapping, cheering, jumping up and down, hugging each other, maybe even in tears of joy, for compelling Americans to fund abortions in foreign lands, something that is abhorrent to I believe a majority of Americans. And yet, the cheer came up over here, Mr. Speaker. Nearly impossible to understand.

I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I thank the gentleman for bringing that up.

Back in 1984, when President Reagan first announced the Mexico City policy, it was designed to separate abortion from family planning. It got its name, as I know the gentleman knows, Mexico City policy because it was at a U.N. conference that the venue was in Mexico City; hence, its name. But it was a very well calibrated, very thoughtful policy which said that there ought to be a very bright line of demarcation between family planning and abortion, and that we would only fund those foreign nongovernmental organizations that divested themselves of lobbying, promoting, and performing abortions as a method of family planning.

It was a policy that worked. NGOs got funding. We are the largest provider of family planning in the world. But now, the organizations that will receive those funds, and we are talking about over one-half billion dollars per year of taxpayer funding, will be used to promote abortions in Africa, in Latin America, in Asia, Europe, everywhere where the law still protects and safeguards the sanctity of human life.

Most of the African countries, most of the countries in Latin America protect the lives of their innocent unborn children as a matter of human rights. Now, abortion organizations, backed with huge subsidies from the Federal Government—and President Obama was the one who signed the executive order that reversed the Mexico City policy. And, as the gentleman said, and I offered the amendment on the floor that he was talking about that regrettably failed, the misguided cheers and happiness about giving money to an organization that completely targets innocent babies in the womb for destruction.

We live in 2009. As the gentleman knows, ultrasound technology, prenatal surgeries have shattered the myth that an unborn child is human and alive. Of course they are. A child in utero may need a blood transfusion or microsurgery or some other intervention, medically speaking, to abate or mitigate some anomaly before birth. I chair the Spina Bifida Caucus. Some of the early interventions for spina bifida children can have a marvelous quality of life impact later on, from birth on. But you do it before birth.

Bernard Nathanson, as my distinguished colleague knows, was the leading abortionist in the seventies. He founded, along with Betty Friedan and Lawrence Lader, NARAL, one of the biggest pro-abortion organizations in this country. He changed positions after he was doing surgeries and looking at the unborn child as a patient at St. Luke's Hospital in New York. He ran an abortion clinic, was a big activist for years, and then became a prolifer. And he wrote in the New England Journal of Medicine, and I quote, ''I have come to the agonizing conclusion that I have presided over 60,000 deaths.'' And then he became a prolifer. And now he has spoken out for many years on behalf of the human rights of the unborn, and that the women are injured, the babies are victimized and killed, and that this death and destruction to our offspring and to our women and to mothers must cease.

We now are exporting. We don't export enough. We certainly don't export enough commodities. Our economy has been hurting for a number of months now and even years. What we are exporting, tragically, is abortion, and the taxpayers of America are the ones who are subsidizing that, enabling that promotion of abortion in Africa and Latin America and elsewhere.

There was a famous movie years ago, and my friend and colleague from Iowa probably saw it, The Ugly American. You know, I love what we can do foreign policy-wise to help and to ennoble and to make healthier people around the world, whether it be on AIDS treatments and all the other things that occur internationally, hunger alleviation, clean water, safe blood.

□ 2115

But abortion takes all that. It tells people in the developing world, just like the vision of Margaret Sanger that we don't want you. That your children are not—are dehumanized and are expendable. As the great Henry Hyde used to say, liable to extermination. You can terminate the innocent and inconvenient with such ease. Who is to speak out for them? They can't speak for themselves because of their immaturity and their dependency.

So I congratulate the gentleman because the time has come, the time has truly come for America to begin a great awakening when it comes to the value, the dignity and the sanctity of human life. Abortion is violence against children. Despite all of the platitudes, all of the cheap sophistry that routinely is employed to cover up abortion, it is violence. Dismembering a child, chemically poisoning a child, inducing a miscarriage whereby the child then dies very early because of the inability to cope after being separated from the mother, all of these methods of abortion have one goal in mind, the killing of the unborn child.

Recently I watched and read a statement that Father Pavone, a priest for life actually put together. And he talked about Dr. Haskell, who is the man who came up with the partial-birth abortion method. And one of the main reasons why, and maybe the primary reason why that method was crafted, where a baby is half born, his or her brain is pierced in the back of the head and the brains are literally sucked out, was to ensure that the abortion didn't produce a live birth. Years ago, the Philadelphia Inquirer, which is just south of my district, had a big story called ''The Dreaded Complication'' and spoke about the fact that every year something on the order of 500 children survived later-term abortions only to die maybe a day later, several hours later, but some went on to be adopted. For the abortionist, this was a complication, a dreaded one. So Haskell and others decided to do away with that possibility by completely collapsing the brain cavity and sucking the brains out of a child. We get accused of inflammatory rhetoric by the pro-abortion side when we describe what it is that they do in abortion clinics. It is violence. It hurts women.

And finally, as Dr. Elvita King has said so eloquently—the niece of Dr. Martin Luther King, a woman who used to be on the other side of this issue, who had two abortions herself, and has spoken out on behalf of the unborn child and his or her mother—abortion is the ultimate civil rights movement of our day. She is the niece of Martin Luther King. She knows a thing or two about human rights and civil rights. And she says that as a society, it is time to look carefully, get rid of the platitudes, get rid of the euphemisms that have stifled true debate, words like ''choice.'' Choice to do what? To destroy an unborn child in a very vicious way. We need to protect both.

One of the most beautiful things of the group that she is a part of called ''Silent No More,'' made up exclusively of women who have had abortions, is that they reach out to women who are in crisis, who have the post-traumatic stress disorder, have grave misgivings, not right away, but maybe a couple years later, maybe several years later, and say there is a path to reconciliation and peace. That is what the prolife movement is all about. We have never been about judgment. We have always been about enfranchisement. Protect the baby. Protect the mother in the first place. And for those who have already had abortions, who like Martin Luther King's niece, Elvita King in Silent No More and other women who have bravely spoken out on behalf of the unborn and their mothers, there are two victims, one is killed, one is injured. They need our help, our love and our compassion.

Unfortunately, they don't get that from the other side. It is called ''empowerment.'' There is nothing empowering about destroying an unborn child. And it is time—and I would hope, as the gentleman would hope, that there would be a campaign that men and women in America, Members of

Congress, who have for a long time voted the pro-abortion side, would take a second look, look at Planned Parenthood this second time. To look at, as you pointed out, what Dawn Johnson has said when she says ''Women are not fetal containers,'' that degrades the beauty and the magnificence of procreation and of life and the way we all came into this world.

So I thank the gentleman for this time and hope that there will be a new, a re-evaluation, a new reappraisal of what the culture of death has done. Fifty million unborn children have been killed since 1973, a staggering loss of human life. And as you have pointed out previously, Mr. KING, there has been a very suspicious disproportionality when it comes to how many African Americans have been killed. And many, including Dr. King and others, are more than suspicious, especially given Margaret Sanger's and others' viewpoint about who is desirable and who is undesirable. So I strongly urge this re-evaluation. It needs to take place now.

Finally, and I said ''finally'' before, but this will be final, President Obama sadly and tragically, with the enormous support and the wellspring of goodwill that is being afforded him, is the abortion President. Every move he has made, whether it be the reversal of Mexico City, his embrace of the Freedom of Choice Act, which may come up on this floor some time, we don't know when, the move to get rid of conscience protections that men and women in the medical profession absolutely need so they are not complicit in killing innocent human life, taxpayer funding for abortion, the embrace of embryonic stem-cell research at a time when induced pluripotent stem cells, which are embryo like but do not require the killing of an embryo and can come right off your skin and mine and be manipulated in a way that will be lifesaving, cord blood, all the adult stem cells, the alternatives to embryonic work, embryonic has not worked, and yet with great fanfare he has embraced that at every turn. And the one that the gentleman brings to the floor tonight, Dawn Johnson, in what is truly an outrageous view, an inhumane view, a tragic view towards the sanctity of life, people of her kind and people with her perspective are embedded all over the Obama administration and will daily be promoting and proffering policies, very often in a stealthy way, that will promote the culture of death.

And to our friends in Africa, Latin America and elsewhere, watch out. The abortionists are coming. And they are coming from the Obama administration. I thank my friend.

Mr. KING of Iowa. I thank the gentleman from New Jersey. And I would hope that he can stand by. I have a couple of questions I would like to present that way and first make a statement. And that is, Mr. Speaker, with regard to partial-birth abortion, it has occurred to me that if an abortionist can go in and turn that child around so the baby is born breech, that being feet first, and bring that baby to delivery for everything but the head and in fact, part of the head, and then, hold the baby there so that the baby isn't fully born and then take a scalpel and insert that into the back of the skull and put some scissors in there and open up the hole and suck the brains out of that child while that child struggles for life and struggles for mercy, it occurs to me as I picked up the film, ''Silent Scream'' years ago when our children were about 10 or 12 years old and showed that to them one time, and one time was enough, that silent scream, the word of that movie that showed the violence of abortion, it occurs to me that this society can't abide the screams of the innocent. And so they had to devise a means of abortion that would stop the life of that innocent child an inch before that child could fill its lungs full of free air and scream for its own mercy. That, I think, is the psychology behind this. Even the abortionists couldn't stand the sound of the scream of the child screaming for its own mercy. And I think that is how partial-birth abortion was devised.

I would pose this question to the gentleman from New Jersey, and having been the individual that offered the amendment to preserve the Mexico City policy and having lost that debate and lost that vote on this floor, and having seen the display of glee and joy and hugging and clapping and cheering and perhaps even tears of joy on this side of the aisle, Mr. Speaker, the joy that they were going to compel the American taxpayers to fund abortions in foreign lands, what kind of a person, the sons and daughters, the grandsons and granddaughters of Margaret Sanger, the mother of abortion, the mother of ''family planning'' in quotes, the eugenic idea of producing a more perfect race, Hitlerian idea, what could cause a person to be so full of joy about compelling you or me or the people who agree with us to fund abortions in foreign lands? I can't understand that, Mr. SMITH. And I would be very interested in your analysis.

Mr. SMITH of New Jersey. I say to my good friend, Mr. KING, I have been offering the Mexico City Policy since 1984. I have been here for 29 years, and I offered it the first time. And I remember members on the other side of the aisle saying that none of the family planning NGOs will take the money with that kind of conditionality. They were so focused and filled with their wanting to provide abortions.

That didn't happen. NGOs lined up. The money went out the door. And we had that line of demarcation between abortion and family planning for years. Bill Clinton reversed it, and during the course of his presidency, we fought hard to restore it. And in the end, for the last 2 years of the Clinton administration, we had first a modified and then the full Mexico City Policy back. President Bush, by executive order, re-established it, and family planning moneys flowed, but without abortion promotion or performance.

And then, President Obama, like I said, just a couple of days after being sworn in, re-established, or reversed I should say, the Mexico City Policy with more money now flowing to those organizations. Why the joy and the happiness on the side of those who promote abortion? It is bewildering in the extreme. Father Pavone's Web site, and I encourage people to check it out, he talks about a meeting when this Dr. Haskell, the man who devised this child-abuse method called partial-birth abortion, as you pointed out where the baby's brains are literally sucked out, he presented that method, as Father Pavone points out in one of his speeches, it actually has much about what happened in this conference, and the conference was filled with abortionists. And when the baby actually died, it was being killed, because he had it all on film, they broke into applause at the demise, at the death of that child.

That is pathetic. It is beyond tragic. I said during the debate, and remember Bill Clinton vetoed partial-birth abortion not once but twice, that when my young girls, and we have two girls, four children totally, but when they were young, if they were to play ''doctor,'' the girls, and take their dolls as they had when they were 5 and 6, turn them around and pierce the back of their skulls and then suck their brains out, we would seek, as would any parent, immediate counseling. Something would be wrong. When someone embraces the death of a child, something is very, very dangerously wrong.

I have seen on this floor time and again—and I would say we won the debate, I would say to my friend, but lost the vote on Mexico City Policy. And when we have lost fights on partial-birth abortion, for example, not in vote count, but in vetoes by the previous administration, it never ceases to amaze me that one could be joyous over allowing, facilitating and enabling more death to children and more wounding of their mothers.

That is what this is all about. I believe passionately, and I have been in Congress 29 years, and I spend much of my time working on human rights issues, humanitarian issues around the world, whether it be in Africa working on human trafficking or on trying to mitigate and stop terrible things like torture. I wrote four torture victims relief acts—laws—they are not bills, they are laws, and many, many other laws, microcredit financing for the developing world, three human trafficking laws beginning with the Trafficking Victims Protection Act of 2000, I believe passionately in human rights. But birth is not the beginning of a person's life. We need to see it as an event that happens to each and every one of us, and that those children in utero are no less human and alive than you and me. They are definitely dependent.

They are immature, as is a newborn, as is a 1 year old. And a compassionate and sane society would seek to enfranchise, not disenfranchise.

So when they expressed on the other side, and a few on our side of the aisle, happiness over the loss of the Mexico City policy, it was very clear to me. I had nothing but sorrow because there is one predictable consequence, more dead babies and more wounded mothers.

I yield back.

□ 2130

Mr. KING of Iowa. I thank the gentleman from New Jersey. And as I listened to that description of the audience breaking into applause at a video of a baby who has been a victim of partial birth abortion, had its brain sucked out and stopped struggling, it became apparent that the baby was dead, that they would cheer, break into applause, that indexes to the cheer and the applause and the hugging that went on here when the Mexico City Policy was defeated on the floor of the House of Representatives, Mr. Speaker.

And I understood it differently. And I think it was because of a gap in the knowledge and experience that's been filled in by Mr. SMITH from New Jersey. I explained that emotion over here as not being a rational, logical emotion, but an emotion that simply divorced itself from the sacred nature of human life, and was simply cheering because they had scored a victory over our side.

And how could anyone go through life and think they had accomplished something by compelling others to fund abortions in foreign lands? That's a psychology that I cannot connect with, Mr. Speaker. And so I could only rationalize it on the part that they know we hold innocent life dear. We hold all human life dear. And we believe that it's sacred in all of its forms, from the instant at conception and fertilization to natural death.

And Mr. SMITH, among others, have been one of the stalwarts in leading and defending innocent human life, especially in this Congress. And I thought that that cheer was for having scored points against the value system, the core value system of those of us on this side.

Mr. Speaker, I'm not sure of that, because the people sitting inside that room who were watching that film of that partial birth abortion, the struggling child who ceased to struggle when it's obvious that the baby was dead, that broke into a cheer, they didn't do that because they scored points on the other side. That doesn't relate over here to a political contest which should always transcend our fundamental, timeless values. However I might try to rationalize their emotions, when you tie the two of them together, it's almost unexplainable. I can't explain an emotion or thought process that would want to end innocent human life and consider it to be a right, a fundamental right.

So I ask this question, and I ask this question continually in our public schools and our parochial schools across the land when I have the chance. And I say, especially to young people, you'll be called upon to make a profound moral decision in this society and this civilization; if you're 14, 15, 16, 18 years old, 19, 20 years old, you will, or you will be among those who will have to make that profound decision, the moral decision.

And you ask only two questions. It's very simple, and it's this simple. The first question is, do you believe in the sanctity of human life? Is human life sacred in all of its forms? Is your life sacred? Is the person next to you, is their life sacred, people on either side, are their lives sacred? And it becomes almost a universal yes. I've actually never had a student say, no, I don't think so. I don't think my life is sacred and I shouldn't be treated in a sacred fashion. I've never had that happen. They nod their heads. It's universal that we believe that life, human life is sacred in all of its forms.

So once we establish the answer, yes, to the first question, is human life sacred, the only question to follow that up with is, then at what instant does life begin? You have to choose an instant. And I describe it this way. You can't guess at it. What if somebody came by the gymnasium or the auditorium and stuck a gun in the door and turned their head the other way and pulled the trigger and ran down the hallway without looking back. If they were captured outside the building, you could ask them, did you kill somebody or didn't you? And their answer might be, I don't know. But we know that if the gymnasium emptied and there's someone in there who's dead, with a bullet hole in them, yes, the answer is, he did kill somebody.

And if it results in a dead baby, someone was killed. And you cannot guess when it comes to life. You can't err when it comes to life. You must choose that instant that life begins. It can't be a first trimester, a second trimester, a third trimester; it can't be viability outside the womb. We know it goes up beyond 24 weeks or below 24 weeks for viability today. There's no baby that's born, now, 9 months, full-term that really is viable without being nurtured by its mother and by its parents. And they've got to be nurtured. And so whether it's the instant before they're born or the instant after, when does life begin?

I remember asking that question when this first little miracle, that firstborn of our family, was put into my hands. And I looked at that child and I was struck by the awe of the miracle. And I don't remember that I thought this through on that day, but I remember going to work the next day and I was sitting there thinking this through. And I still believe there's a certain aura about that firstborn child.

And I asked myself, here's this miracle that's been in my arms within the last hours. This little child, this miracle, could someone take his life today? And of course the answer is no. Could they have taken his life yesterday, the day he was born? No. Could they do so the minute after he was born? No. The minute before he was born? No. What about 10 minutes before or 2 hours before or a day or a week or a month before he was born? The answer is no, no and no, Mr. Speaker. And so if you can't do that, if it's abhorrent to us to think about the idea of ending the life of our unborn child a day, a week or a month before they're born, just as we couldn't think of that a day a week or a month after they're born, then we've got to take this back to an instant, an instant that their life begins. And it's that simple.

And this has become a political argument that's destroyed the lives of 50 million babies, to the point where we argue that this civilization has a hole in it, in the generation.

I remember standing down on the Mall, this would be, I believe, a year ago, January 22, on the March for Life. And if you looked out across that Mall, there were over 100,000 there that day. This year there was a far bigger number in the March for Life, many, many young people.

And I made the point that if you are under 30 years old, and you're standing next to somebody that's under 30 years old, look at each other. And the ghost of one-third of your generation stands between you. That's the aborted generation, the generation that didn't have that opportunity for life, the generation that are the victims of Margaret Sanger, the victims of a political agenda, the victims of a lack of belief in the sanctity of human life, the people that would argue that babies are inconvenient, that an abortion should never be rare, the people like Dawn Johnsen who would argue that mothers are fetal containers. My mother a fetal container? CHRIS SMITH's mother a fetal container? That the only emotion you feel—this is Dawn Johnsen again—the only emotion you feel when you have an abortion is relief, not trauma; that it never comes back to you; that it's simply off one's conscience.

We know that that has motivated—that women deserve better—the organization that CHRIS SMITH talked about.

Dawn Johnsen spoke that women who get pregnant are simply the losers in the contraceptive lottery, and that they no more consent to pregnancy than pedestrians consent to being struck by drunk drivers.

And yet, I'm standing in my kitchen on Sunday, talking with my daughter-in-law, who's the mother of our third grandchild. And I told her that I'm jealous because I'll never get to be a mom. And yet, no matter what she wants to do with her career, some of that career is going to be slowed down because she's busy being a mom.

And she looked at me and she said, I know you're jealous. You've told me that before. You'll never be a mom.

And I think being a mom is worth the tradeoff of slowing down my career because I think it's great being a mom.

And that's the love that flows. That lady is not a fetal container. She's a mother, a mother that's brought love to each of the children that God's gifted this family with, just like the millions and millions of mothers across the planet who have done so, done so out of love, out of faith, out of conviction.

And I can't understand the people that would cheer and celebrate the tax dollars of American people going to any place that provides abortion services and counseling.

That is what happens, Mr. Speaker. And I know the gentleman from New Jersey has a few more words.

Mr. SMITH of New Jersey. Just a couple of final comments. And I again thank my friend and colleague for his leadership on this fundamental human rights issue of protecting the unborn child.

You know, the most persecuted minority in the world today are unborn children. The acceptable bias today is abortion. To be prejudiced against unborn children is somehow acceptable. It's certainly legal in this country. And that is a very significant tragedy for our society.

It is time we called it for what it is. It is child abuse, abortion. It is violence against children. It is prejudice. And I would hope that Members—you know, I've heard some of our finest leaders in the pro-life movement say over the years that Americans won't stop abortion until they see it. We have to push away the euphemisms that have cloaked this for the last three decades and figure it out, not figure it out, just simply spend some time focusing on what it is that the abortionist does. It is violence against children. It actually engenders pain for the unborn child.

My friend and colleague will know that 3 years ago, 4 years ago I offered legislation on this floor called the Unborn Child Pain Awareness Act. We got 250 votes, bipartisan votes for at least advising a woman that, from at least the 20th week on, her child might feel significant pain. The evidence clearly suggests that a child who is killed by dismemberment or some other hideous method of abortion, feels pain that is up to four times more excruciating than a newborn or an older child because the nerve endings are so close to the skin, and the ability of the body to dampen pain has not matured sufficiently.

There's a method of abortion known as the D&E. The method literally involves hacking off the arms and the legs of an unborn child, decapitation, takes upwards of 30 minutes for that method to effectuate its kill. And at least in the beginning moments of that abortion, the child feels excruciating pain.

Today, because of the great work of people like Dr. Anand and others, when prenatal surgeries are performed and the child needs to be surgically opened up to do some procedure that is benign and life-affirming, he or she gets anesthesia. An unborn child gets no such consideration. We treat animals with more benevolence and in a more caring way in terms of pain mitigation than we do unborn children.

That legislation should be on this floor. A child should not only not suffer the cruelty of being killed, but also the pain that goes along with it. Most Americans are woefully unaware. Some of my colleagues, our colleagues are probably woefully unaware as well that pain is real for these children as they die a death due to abortion.

I yield back.

Mr. KING of Iowa. And I very much thank the gentleman from New Jersey. And it brings to mind an image that many of us have seen of an in-utero surgery where that—not only does that little unborn child feel the pain, but that little child reached up out of the incision and grasped the finger of the surgeon. I'll never forget that image. And it was something that floated around the Internet for a long time, and I think it would be worth bringing to this floor. Very, very human.

And as I listened to Mr. SMITH, the gentleman from New Jersey, I have to reflect back on our dear departed friend and colleague, Henry Hyde, who was a stalwart on the life issue. And I wrote this down from the back of the program at his funeral in Chicago that day. His last day on this Earth was November 29, 2007. And I think it's a good place, Mr. Speaker, to close this special order with a quote from Henry Hyde. And he said this:

''When the time comes, as it surely will, when we face that awesome moment, the final judgment, I've often thought, as Fulton Sheen wrote, that it's a terrible moment of loneliness. You have no advocates. You are there alone, standing before God. And a terror will rip through your soul like nothing you can imagine. But I really think that those in the pro-life movement will not be alone. I think there will be a chorus of voices that are not heard in this world that will be heard in the next, beautifully and clearly. And they will plead for everyone who has been in this movement, they will say to God, spare him because he loved us, and God will look at you and say not did you succeed, but did you try.''

Mr. Speaker, I will yield back.

□ 2145

THE CONCERN OF AMERICA'S FUTURE DIRECTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Utah (Mr. CHAFFETZ) is recognized for 60 minutes.

Mr. CHAFFETZ. Thank you. I appreciate the impassioned gentlemen and their commitment to a pro-life agenda. I truly do.

I stand tonight and rise because of my concern about the direction of this country. I was elected here as a freshman. I did not create this problem in Washington, D.C., but I am here to help clean it up. We have the greatest opportunities ahead of us. The United States of America is the single greatest country on the face of the planet, and every time we are faced with a challenge, we overcome the obstacles that are thrown ahead of us. I would like to see our government get out of the way and stop being an impediment. I want to make sure that it is the American entrepreneur who is emboldened. It has always been the American entrepreneur who has driven this country forward.

As I rise today, my concern is that often what we hear and see in Washington, D.C., is not a reflection of the reality. The rhetoric has been very strong, but with all due respect to our President, of whom I have the greatest admiration—he is a great success story—what I hear and what I see tend to be two different things. There has been some good work done by Phil Kerpen of the Americans for Prosperity. I appreciate the work that he has done. I want to touch on a few points that I have great concern about.

We were promised by this administration and by the Speaker of the House, Mr. Speaker, that we would have this sunlight before signing things. In this body right here, the House Republicans and Democrats unanimously passed a resolution that said we would have 48 hours to review a bill before we would sign it. Yet, shortly thereafter, the single largest spending bill in the history of the United States passed out of the Rules Committee. It was just around midnight when we got the final copy of the bill, the so-called ''stimulus bill.'' Just over 13 hours later, we had to vote on it. That is absolutely the wrong direction.

Then candidate Barack Obama said, ''Too often, bills are rushed through Congress and to the President before the public has the opportunity to review them. As President, Obama will not sign any nonemergency bill without giving the American public an opportunity to review and comment on the White House Web site for 5 days.'' That does not happen on a regular basis, and it is wrong. It needs to change. We need to live up to those campaign commitments. They are not happening now.

The American people were promised that lobbyists would not be participants in this administration. On the Barack Obama Web site, it says, ''No political appointees in an Obama-Biden administration will be permitted to work on regulations or contracts directly and substantially related to their prior employer for 2 years, and no political appointee will be able to lobby the executive branch after leaving government service during the remainder of the administration.'' That

is not happening. That is not happening.

During the campaign, we talked about there being no tax hikes on the poor. On September 12, 2008, in Dover, New Hampshire, the President said, ''I can make a firm pledge. Under my plan, no family making less than $250,000 a year will see any form of tax increase—not your income tax, not your payroll tax, not your capital gains tax, not any of your taxes.'' What was one of the first bills that the President signed? A tax increase. It was the SCHIP bill. It was under the disguise that we were going to help children with their health care insurance. He raised the taxes on cigarettes. That affects a host of Americans. Now, I don't smoke; I don't advocate smoking, but the reality is there are a whole lot of smokers who make less than $250,000 a year. That was a tax increase. That was in opposition to what the President said he would do. There are other examples.

We were encouraged by the President to pass in this body legislation free of earmarks. We were promised earmark reform. The statement on earmarks that came out on March 10: ''The system is broken. We can no longer accept a process that doles out earmarks based on a Member of Congress' seniority rather than the merit of the project. We can no longer accept an earmarks process that has become so complicated to navigate that a municipality or nonprofit group has to hire high-priced D.C. lobbyists to do it, and we can no longer accept an earmarks process in which many of the projects being funded fail to address the real needs of our country.''

When the President addressed the joint session of Congress, I was sitting right there in the seventh row. The President said he wanted no earmarks. The very next day, the United States Congress, despite a lot of us who voted ''no'' against it, passed a $410 billion appropriation with no less than 8,500 earmarks. The President signed it.

Big government: In the joint address to Congress, the President said, ''Not because I believe in bigger government—I don't.'' Now, I want to believe the President when he says he doesn't believe in big government, but we have the single largest expansion of government in the history of the United States happening, one of the largest tax increases in the history of the United States of America.

So, when I look at the President's budget, when I look at what NANCY PELOSI is proposing as the Speaker of the House, Mr. Speaker, I have serious questions and reservations because I believe that this budget that I am looking at and that we are going to be asked to vote on very soon spends far too much money; it taxes us on too much money, and it borrows too much money. We are fundamentally compromising our future.

You know, I have worked for big companies. I have worked for small companies. I have owned my own company. I have spent 16-plus years in the local business community. I have hired people in the past, and there is a fundamental thing that I look for. I just want to hire people who will do what they say they are going to do. I think the American people should demand that with regard to what is happening in Washington, D.C. I think we should demand that at every level of government.

Earlier today, we saw the next nominee for the Secretary of Health and Human Services admitting that she had failed to pay taxes. Shouldn't there be a standard, a level, that says, ''You know what? If you can't figure out how to pay your taxes accurately or if you can't hire the right person to get your taxes done properly, then you're probably disqualified for being a secretary-level person in this United States Government''? It is so disappointing. It is so disappointing.

We have great hurdles, great opportunities ahead of us. There is probably nothing stronger in this country and more fundamental to what we should be doing in this government than our national security. I am joined today by somebody who is passionate about national defense, about the great work that men and women are doing all across the world to help us, to protect us.

During my campaign, I had an opportunity to meet a number of soldiers who did not come home to this same kind of welcoming that they thought they would. They were injured. They came back to families who were so concerned because the breadwinners in their families could no longer win the bread. These were brave men and women, soldiers, who fought and sacrificed for our country. I fundamentally do not believe we are taking as good of care of them as we should be. These are people who are giving so much. It is not welfare. It is not a handout for us to take care of the men and women who are taking care of us.

So, as I look at all of these broken promises, at all of these things that we are supposed to be doing—basic, fundamental things within our government—I find that one of the true, proper roles of government and that one of the things we really should be doing is making sure we are taking care of our military.

So I would like to take a moment, if I could, and yield for a time to my friend, the gentleman from California, Mr. DUNCAN HUNTER.

Mr. HUNTER. I thank the gentleman from Utah. Thank you for your leadership and for your courage in telling the American people and in telling the Members of Congress what is really going on and what the money is being spent on that the President is asking for and that the Democrats are asking for. Thank you for your kind words as well.

I have been to Iraq twice as a United States marine, and I have been to Afghanistan once. We are probably at the biggest tipping point that we have ever seen since World War II when it comes to national defense and to national security. We have more violence along our border region than we have ever had in this country. Right now, with those two, large, pressing issues, we are spending a pittance on those two issues—the national security issues that involve the border and that involve Iraq and Afghanistan and China and North Korea and Russia—compared to what we are spending in giving money to the failed companies run into the ground by their executives who have been ruled by greed. I would like to go over some of those shortfalls in the President's defense budget coming up.

First off, in fiscal year 2010, the President's budget is $30 billion less than what the Joint Chiefs of Staff asked for. The Joint Chiefs of Staff are the ones who are the experts on the military and on what the American military needs to sustain itself and to fight future threats and future enemies. We are $30 billion short. They asked for $584 billion for fiscal year 2010. The President is only going to give them $533 billion. This is a 10 percent decrease over what the joint chiefs asked for over 10 years. That is a $1.3 trillion deficit for the U.S. military at a time when we are fighting in Iraq and Afghanistan and when we are prosecuting terrorists around the world for our security here at home.

We have veterans returning home, and we have people coming home who have given that ultimate sacrifice, those who have paid that ultimate price, who have given that final measure of devotion. We are going to cut spending for them. We are going to cut their benefits here at home. We are going to cut the money that goes towards their armor and their bullets and their food and their medicine. We are going to cut that right now. In this time of gluttonous spending, we are going to choose to cut spending for our U.S. military.

Our Navy fleet has declined from 568 ships in the late 1980s to 276 ships now. We need over 300. The average age of the airplanes in the Air Force has risen from 9 years in 1973 to 24 years old. I mean the average age of each of the Air Force's airplanes is over 27 years old. They used to have 37 fighter wing equivalents in the '80s. Now they have only 20. This past year alone, ship maintenance funding is $417 million short. That is not what I would call putting America's security first. That is putting America's security last.

When I hear the President talking about national security or when I hear the Democrats giving a moment of silence in this room for our military, it seems insincere to me that they would do that on one hand and tell the American people that they are helping out and that they are doing everything that they can do for national security's sake while, at the same time, they are

going to cut defense spending. JFK spent more on defense than we are spending now. Ronald Reagan spent more on defense than we are spending now. While in the middle of two wars, we need to increase, if anything, defense spending and keep it at 4 percent of our GDP to keep America safe. We have more threats now than we have ever had.

I would like to yield back to the gentleman from Utah.

Mr. CHAFFETZ. Well, thank you, and thank you for your personal service to this country. I know that you have served and have served with honor, and I know that your father has served in this body. He was a great inspiration to me and to a lot of Americans, and I appreciate your commitment to making sure that our United States military is taken care of.

You know, when we passed the stimulus bill, I did not vote for it. In fact, 100 percent of the Republicans did not vote for it. It took $1 trillion and sprinkled it over 106 Federal programs and grew government. The loser in this budget, in addition to the American people with the debt that they are saddled with and the overspending that is there and the borrowing that has to happen, is the military. We are in the middle of armed conflicts, and the United States of America can never, ever be second. It can never, ever be close to somebody else.

We have to have the very best intelligence. We have to have the very best equipment. We have the best men and women, but we are not taking care of those men and women. I wish this budget that we are looking at would take care of those men and women and would take care of the weapons systems and things that we need to do to keep this country safe and to keep the world safe. The sacrifice that those men and women give and that the families give is just unparalleled. It is absolutely amazing.

I want to tell a quick story here—a little perspective if I could—of a man who served in Vietnam. He happens to be my brother Alex's father-in-law. His father-in-law is named Bob Johnson. You know, when I think about this budget and about what is happening, I think about Bob. I think: What about Bob? You know, what about Bob? Because Bob is just a great American. He is working hard. He is doing exactly what we want him to do. Yet this budget and this administration seem to want to punish success and reward failure.

□ 2200

It is exactly the opposite of what I think we ought to be doing.

And on March 16 of 2009, the President said—I want to read a quote from an address he gave related to small business, and I am extracting one paragraph, but I would encourage everybody to go back and read it for themselves.

In one paragraph, he said, ''Small businesses are the heart of the American economy. They are responsible for half of all private sector jobs—and they create roughly 70 percent of all new jobs in the past decade. So small businesses are not only job generators, they are also the heart of the American dream. After all, these are businesses born in family meetings around kitchen tables. They're born when a worker takes a chance on her desire to be her own boss. They are born when a part-time inventor becomes a full-time entrepreneur, or when somebody sees a product that could be better or a service that could be smarter, and they think, 'Well, why not me? Let me try it. Let me take a shot.' ''

The President delivers it a little bit better than I do. I understand that. He's the President of the United States.

I agree with everything that he said in that paragraph. But as I look at this budget, it fundamentally does not help the small businessman. Because it extends spending, it increases taxes, and puts borrowing at record levels. Literally double.

Let me tell a really quick brief story here about Bob Johnson, what about Bob, in Topeka, Kansas.

Bob has lived his whole life in Kansas. He was raised on a farm with six brothers and sisters. After high school, Bob joined the Marines. He wanted a better life for himself. He served in Vietnam and was honorably discharged.

He went back home to Kansas, married his high school sweetheart, Janet. Together they raised a daughter, Christy. Bob spent his days and nights learning a trade, and when he mastered that trade, he opened up his own transmission shop in Topeka, Kansas. And for the past 30 years, Bob Johnson has worked his tail off to make sure that the Topeka Transmission Service is the most successful, most disciplined, cleanest-run shop in town. People who know Bob know they are going to get good service, and a lot of people in town know Bob. He's using the skills he learned as a farmer and a marine to teach his employees that character, skill, and hard work are the formula for success. And Bob has undoubtedly been successful.

His daughter was the first in their family to graduate from college, the University of Kansas, the Jayhawks. His business has been successful. His employees have earned their paychecks. Bob cares about their success and his customers being happy. And Bob's business pays their taxes so this Congress has resources to spend.

So I ask what have we done to support Bob lately? Bob is the heart and engine of the United States. He's the heart and soul of the dream. It's what drives this country forward.

Well, lately he's probably seen his savings get obliterated like the rest of the hardworking Americans. As a small business owner, he appears to be the target for a tax increase. That's Bob's reward. Work hard for 30 years, do everything right, and now suddenly we're going to tax him more, we're going to spend more and we're going to leave his family and his grandkids, Jake and Taylor, a legacy of debt.

So what do you think Bob's choices will be? Do you think he will be in a position to give his employees a raise? Do you think he will be in a position to hire more people? Or do you think Bob Johnson will get more protective of what he has and worry more about how he's going to meet his payroll and how he's going to keep the employees he has and the savings he's worked so hard for over the last 30 years?

I don't think we're doing him any favors with this budget. There is nothing in the stimulus, there is nothing in the bailouts, there is nothing in our tax policy that rewards Bob Johnson. And yet Bob Johnson—I agree with the President—he's the heart and soul of what is going to drive this country forward representing 70 percent of the new jobs.

The Obama budget spends at record levels, it taxes at record levels and doubles our national debt by spending, taxing and borrowing too much. That's what we're doing to destroy the American dream.

I have another colleague here who is also a freshman. He didn't create any challenges, but like me, he's here to help clean it up.

I would like to yield some time to my friend from Ohio, Mr. AUSTRIA.

Mr. AUSTRIA. I thank the gentleman from Utah. I thank you for the great work you are doing for the State of Utah and our country as a freshman. Thank you for putting this on today.

I want to thank my other colleague from California. Thank you for your service to our country. Thank you for putting things in perspective for our military.

And I want to add one thing. We had an opportunity to change some of this budget, and another freshman—it seems like the freshmen now are taking the lead role on some of this stuff, which is good—Congressman HARPER from Mississippi and myself cosponsored an amendment in the budget that would put the troops' increase, their pay increase where it should be at 3.4 percent where it has been lowered and marked down in this budget to 2.9, which is the minimal amount required by statute.

When we have troops that are now fighting in two wars, we're increasing the number of troops in Afghanistan—I have had an opportunity, I represent the largest single site employer in the State of Ohio Wright Patterson Air Force Base. I have four military facilities in my district. I have had an opportunity to attend a number of deployments for men and women in the military. And I have to say, they are the greatest people I have had an opportunity to meet, and I would go so far as to say it's the next greatest generation that's serving our country today.

And when these—we're asking these men and women to serve and the deployments are lengthier than what was expected, more often than what was expected. There are tremendous sacrifices that are being made by their families, by our troops. I think that the least we can do in this budget is not cut what was expected as far as their pay but give them the increase that they deserve, and in my opinion earned. They are doing a spectacular job in protecting us, and we thank them for their sacrifices to protect our freedom.

But unfortunately, that amendment was shot down and was voted down in Budget by the other side of the aisle. And so we had an opportunity to try to fix some of that, and we didn't do that in the Budget Committee, and I hope that we can get our priorities straight on that.

Let me build off of my colleague from Utah. Let me talk about Ohio because you two are out west and some of the things that you talked about—the difficult times that small businesses are going through, families are going through out west—we are experiencing these things in the midwest.

I represent the State of Ohio, the heart of the midwest. And I can tell you we have over 900,000 small businesses in the State of Ohio. And within the last few weeks, in particular, our phones in the district offices have been ringing. Business have been calling us, families have been calling us. They are going through very difficult times right now. They are making sacrifices for our country. Small businesses are calling us, and they are having difficulty getting the financing, the credit that they need to be able to meet their payroll, to be able to save the jobs that are out there, much less create new jobs and sustain those jobs in the long term.

The Bob Johnsons that you just talked about. We have a lot of Bob Johnsons, those types of businesses in Ohio, and they are the economic engine of our State and this country. As you mentioned, they create 60 to 80 percent of the jobs across this country. And I think here in Congress we can do better.

As freshmen, we've been in Congress now for less than 100 days, and we have been faced with a $700 billion TARP financial market bailout that has not worked, in my opinion. It has been a disaster because there's been no—there hasn't been the accountability needed, there hasn't been the transparency as to how that money has been in place. There is no plan in place.

The Treasury Department did not have a plan in place. We had Secretary Geithner come into the Budget Committee, and we asked him about the financial bailout, the market bailout. And he could not give us specific answers as to how the money that has been spent has been spent and how their plans on the future dollars on how they were going to be spent.

And then we had the stimulus package, $791 billion spending package, I call it, $1.1 trillion over the next 10 years of taxpayers' dollars. In that stimulus package was a paragraph in there on a bill that not one Member of Congress had an opportunity to read completely before we voted on that, said, You know what? We can now take your tax dollars, we can use it as a bailout, give it to a company like AIG, and they can pay out $165 million in bonuses, 73 of those being over $1-million bonuses. One lucky guy got a $1.64 million bonus, and twelve of them don't even work for the company.

These are hardworking American taxpayers' dollars that are paying out these bonuses. As the public begins to understand what is happening here in D.C., they are outraged. They are outraged by this stuff, and it shouldn't be happening. We can do better than that.

Now we have a $3.9 trillion budget before us. And guess what is in this budget? We're now going to tell you how we're going to pay for the historical amount of debt that we just built up. We're going to start taxing the American people.

In this bill, there is nearly a $2 trillion tax hike over the next decade: $2 trillion of taxes. That's going to further weaken America's prospects with sustained economic growth and job creation well into the future. And let me tell you who's going to be paying for this. It is going to be many of our small business owners that are struggling to make paycheck to paycheck, that are struggling to not just save jobs but create jobs and be able to sustain those jobs. Now they know they have a tax increase coming at them. I mean, is that how we're going to expand and create new jobs?

American families, 95 to 100 percent of the American families across this country, we're now going to hit you with higher costs on energy, taxes. This little thing that's stuck in the budget—and I appreciate your chart up there because I think it helps put things in perspective as to how we're paying for this debt. We're going to stick this proposal in there that's cap-and-trade. It sounds harmless. It is not harmless. We're talking about $629 billion of tax increases on families, families that are making sacrifices right now that are struggling to make it paycheck to paycheck.

Anyone who uses natural gas, who turns on your light switch, who uses electricity, heats their home, fills up their gasoline tank, you know what we're going to do now in this budget we're going to raise the cost of energy on you for the average American family of about $1,600 per household.

So everybody's electricity rates—anybody that uses any type of CO_2 or carbon, your energy costs are now going up.

And then this tax is also—this is what worries me in Ohio because we have a lot of manufacturing in Ohio. It's the number one industry with agriculture. It's going to further erode the job growth in the U.S. manufacturing sector. It's going to put American companies at an even greater competitive disadvantage with China and other companies—or other countries. I apologize. It's late tonight.

And this is what is supposed to be turning our economy around creating jobs, this cap-and-trade proposal, which should be called a cap-and-tax proposal. We can do better. We should be doing better. And let me tell you, the reality is that all of this infusion of spending in government and expanding government, the reality is we are serving our constituents in our district, and we have constituents that are out there that are asking for our help right now. They don't know where to go. This is not good for them. They can't get the financing, they can't get the credit to help save and create new jobs. And we can do better. We should be targeted on our small businesses, on those families that are struggling.

And I know both in your States, Utah and California, and across this country, they are going through the same thing.

So I thank the gentleman for yielding. I will yield back. I know you've been wanting to jump in on this.

Mr. CHAFFETZ. Thank you. The people in Ohio, so much like what is happening in California and which is what is happening in Utah.

I look at the State budget in the State of Utah for the entire State. Everything they need to do is roughly $11 billion. And here this Federal budget is going to be nearly $4 trillion. It's a number so big we can't even fathom how big it is.

I heard this great stat that is just mind boggling. It says if you spend $1 million a day every day, it would take you nearly 3,000 years to get to $1 trillion. And we're going to spend 4? The numbers are so astronomical.

I really believe the heart and soul of what we've got to do is get back to the proper role of government. The former Secretary of Agriculture wrote a great talk that's turned into this pamphlet. It talks about the proper role of government. And the essence of it is we can't be all things to all people. The government is there to provide some very basic needs and services to protect the community.

But it is not there to be all things to all people. We vote on a regular basis in the United States Congress for things we, as a Federal Government, have no business doing. And when we have men and women, businesses that are struggling, how can we look at a budget and look at this chart here, where based on the President's own numbers, his scenario, that we will double the debt? How can you look at—look. We cannot run this government on a credit card. We've been doing it. Too many people in the United States have been doing it. But it just gets you further and further into trouble.

I feel a duty and obligation to leave this country better than how we found

it. When you have a budget that spends this much and taxes to the degree it does and it borrows at these record levels, I just don't think that we can sustain that. And certainly for my kids it is not going to leave the world a better place.

Nearly 30 cents in this budget, nearly 30 cents of every dollar. Think about that. Nearly 30 percent, 30 cents of every dollar will be spent by the Federal Government.

What about Bob? Who do you think is better to run Bob's transmission shop? Bob or Washington, D.C.? The Federal Government? It's Bob. And that's fundamentally what I have challenges with.

I would like to yield some time to the gentleman from California, DUNCAN HUNTER.

□ 2215

Mr. HUNTER. I thank the gentleman.

You know, as freshmen, we can honestly say that we're not responsible for what's going on right now, but we are trying to fix it.

We came into this Congress in January with President Obama; and, frankly, I believe what he said when he was campaigning. When he talked about making tough choices, when he talked about not spending so much, when he talked about tax cuts for the middle class, when he talked about our foreign debt and the money that we owe China and money that we owe the rest of the world, I believed him, along with majority of the American people.

But it turns out that those tax cuts and that spending reduction and that reduction in debt and that reduction in borrowing were simply campaign talking points because they don't exist in the administration's budget as it exists now.

I would like to know where those tough choices are. Where are those cuts? Where is Bob's tax cut? First, how are we going to pay for all of this spending? For that chart that shows that debt, how are we going to pay for it?

As my colleague from Ohio mentioned, we're going to raise taxes on people who use electricity. I have news for the administration; this is everybody. Everybody uses electricity. We're going to put a $640 billion tax on Americans who use electricity. For every small business that uses electricity, that has carbon emissions, this cap-and-trade tax is going to kill American business. We're going to raise taxes on small businesses. We're going to raise taxes on the middle class. Bob's tax cut isn't there.

You know, we talk about energy right now. I would encourage my colleagues to be extremely skeptical over any talking points that talk about energy in this country and becoming self-sufficient on energy when it doesn't mention nuclear. If you don't mention nuclear, then it is not a real alternative to using oil that we get from foreign countries, especially when we are going to tax the American people for using electricity.

It's hard to trust the administration when they talk about fixing the economy, but they want to tax small businesses and the middle class, and we maintain record trade deficits with countries around the world.

We're not talking about trade right now. No one is talking about fixing our trade relations with China so that American companies and American manufacturing firms are punished right now for making American goods and trying to ship them overseas. They're being punished, but we're not talking about helping them out. We're going to tax them more.

When we talk about national security, the administration wants us to think that they're going to be good on national security while at the same time cutting defense. Where are these hard choices?

Right now, every man, woman, and child in this country owes $35,000 in debt that you show on that chart. With the President's plan, that's going to increase to $70,000 in 8 years. Every man, woman, and child is going to owe $70,000. I have three children, too. Each one of them is going to owe $70,000 in 8 years if the administration budget goes through.

I would like to say to my colleagues and to the President; we don't need anymore stimulus. We don't need any more TARP, no energy tax, no small business tax raise, no tax raise on the middle class. The President is spending, taxing, and borrowing into oblivion. It is time that he put the checkbook down.

Mr. CHAFFETZ. I thank the gentleman from California. You're exactly right. I mean, just look at this chart. You look at the spending, and yet, didn't we all hear in the campaign from the President that we were going to rein in spending? How many times did we hear during the campaign, ''a debt we inherited''?

Well, I ran against it. I ran against the Republicans. I'm a Republican and I ran against it. I said, look, they had the House and Senate and the Presidency and they blew it, they overspent, but somehow we were going to change. That change under this budget represents a doubling of the debt and all-time record-high expenditures.

No matter which financial statistic you want to do, this is the biggest, especially if you look at it as a percentage of the gross domestic product, nearly 30 cents of every dollar.

Mr. AUSTRIA. If the gentleman would yield for just a moment, because I think what these tax hikes are doing, they're giving the illusion that they're not really increasing the deficit or the debt as much as they really are. And the fact is, without any spending restraints—and you have got your chart up there—that this illusion is only going to last so long, because even with all these tax increases, the budget's spending growth is so explosive that it outpaces the revenue for the entire budget. I mean, the entire budget period, you know, the spending outpaces the revenue that even these huge tax hikes can bring in.

And I think it's a feel-good thing. I think it's one of those where the Federal Government right now thinks that they can just spend all they want for as long as they want, just continue to borrow, and now they're going to start taxing families and all so that they can keep this feel-good spending going on. And I think the Americans, as they begin to realize what's going on here in D.C., are becoming more and more outraged, and businesses are already very concerned on how they're going to be able to continue to survive.

I thank you for yielding.

Mr. CHAFFETZ. Again, September 12, 2008, in Dover, New Hampshire, Barack Obama said, ''I can make a firm pledge. Under my plan, no family making less than $250,000 a year will see any form of tax increase. Not your income tax, not your payroll tax, not your capital gains tax, not any of your taxes.''

One of the very first bills he signed, tax increase on cigarettes. That affects Americans across the board. This energy tax, the so-called cap-and-trade, will affect 100 percent of Americans. Every single American's going to have to pay this tax because those energy needs affect every single industry, every single product, and every single household.

This is not the time to be raising taxes, and I think there's something to be said about self-restraint, self-responsibility, personal responsibility.

You know, you look at Wall Street and you look at some of these big fat cats, and you see this greed and it makes you mad. It makes you mad, especially when you know that the government went into everybody's pockets—I mean, this is what I try to tell my staff, my kids, myself. When we have an expenditure before the United States Congress, what you really need to ask yourself is, is it right for the government to reach into the people's pockets, everybody's pockets, and pull out money and give it to somebody else over here? Is that right? I mean, that's the prism by which I think we should be asking are these expenditures proper, are they right, and is this what we should be doing.

And yet, as I look at that, I just think, my goodness, we cannot keep pulling money out of people's pockets. We just can't keep doing that. There's no way for the American entrepreneur to thrive if you continue to do that. What about the Bobs of the world? How are they going to grow their business?

So I look at that, and I get so infuriated because we have such great opportunities. We're the greatest country on the face of the planet, but as I look at this idea of personal responsibility, you know, cable television in this country is not a right. It's not a right. You have to get out there and earn it.

You've got to go take care of it, take care of yourself, take care of your family. We're turning into this nanny State.

People get all uppity when I say we're turning into this socialist Nation. How can you look at the definition of that and say, no, that we're going in the opposite—we're just not going in the right direction. We seem to have this socialist mentality that we've got to take care of everyone and everything, and yet this country was founded on the idea of the right to life, liberty, the pursuit of happiness.

Remember when President Kennedy said those famous words, probably some of the most famous words ever uttered by a President of the United States: Ask not what your country can do for you but what you can do for your country? And yet look at where we are today. Everybody's got their hand out, and it just feels so wrong and so wrong that our government just wants to pull more out. They want to spend more, and if they don't have the revenue, well, they just keep borrowing more.

So we have to have I think a gut-check and a realization in this country that we can't be all things to all people. We're going to have to make some hard decisions. The President campaigned on that. I campaigned on it. I think you gentlemen campaigned on that. We've got to make some hard decisions around here. We can't be all things to all people.

With that, I'd like to yield a moment to my friend, DUNCAN HUNTER from California.

Mr. HUNTER. I thank the gentleman from Utah for yielding, and you're absolutely right.

Whoever thinks that we can spur this economy back into action by taking money out of the American people's pockets is delusional. Whoever thinks that we can bring this economy, the greatest economy in the world still, put it back on its feet by taxing people for using electricity is delusional. Whoever thinks that by increasing the per capita debt for each man, woman, and child in this country from $35,000 to $70,000 in 8 years, that that's going to help the country out, they're delusional.

I'd like to read a letter here from a small business owner in my district in eastern San Diego: ''President Obama has unleashed his massive grassroots army in an attempt to sway Members of Congress to support his bloated $3.55 trillion budget.'' I think it's actually higher now. It was 3.55 when this letter was written.

''I urge you to resist such attempts, and oppose his irresponsible budget plan that would usher in massive tax hikes, including the imposition of a global warming carbon tax, a doubling of the publicly held national debt, and a permanent expansion of the Federal Government.

''There is no measure of fiscal responsibility and accountability with this budget. Instead we are merely breaking the backs of hardworking taxpayers and passing the buck on to our children.

''Any budget that doesn't have the best interests of the American people at heart must be opposed.''

And that's the key to this budget. It does not have the best interests of the American people at heart. What it has at heart is the biggest government Federal grab of power that this country has ever seen. From our founding—the gentleman from Utah is absolutely right—it's been about rugged individualism and individual responsibility, people taking responsibility for their actions.

Right now, we're punishing those people that take responsibility for their actions, punishing those people that pay their mortgages, punishing those people that actually can get out there and start businesses and hire people. And we're doing it so we can help out those who maybe don't want to help themselves, who look to us here in this Congress as their savior.

When this stimulus bill was passed, one of our Democrat colleagues from Florida actually said that this stimulus bill will heal the sick, feed the hungry, and house the homeless. The stimulus bill was not the Messiah. I have news for him: it was not the Messiah. It will not do any of those things.

What it will make happen is make the American people more dependent on a failing Federal bureaucracy that's growing at an unprecedented rate.

I thank the gentleman from Utah and the gentleman from Ohio for their leadership in this and for pointing out to our colleagues in Congress and to the American people the evils that are about to befall us in this country if we have unrestrained spending, unrestrained taxing, and unrestrained borrowing, which is exactly what the President's budget gives us.

Mr. CHAFFETZ. Thank you. I think you're exactly right. Somebody has to pay the bill. You know, you can't just take and take and take and not actually produce things.

I worry that this country has this mentality that manufacturing's bad. Manufacturing's good. We have to remember in this country, we succeeded when we created things, and that manufacturing is so critical and important to our future. We actually have to create and invent and get up out of our seats. When the going gets tough, we ought to get going.

And I would expect that people take on their own personal responsibility, that they set greed aside, that they remember the words of John F. Kennedy: Ask not what your country can do for you but what you can do for your country? Great words. The reason we learned them in school is because they're so profound and they withstand the test of time.

And so I still have the greatest optimism about the United States of America. The reason we spend time away, all of us, from our families night after night to serve in the United States Congress—it's a great honor, it's a great privilege—but the reason I think we fight and have that passion and we're fired up about the United States of America is we want it to go the right direction.

□ 2230

I, too, was elected. I think if we can get back to those core principles of fiscal discipline, limited government, and a strong national defense, that will empower the Bob Johnsons of the world to be that entrepreneur, be the best they can be, provide for their family, get up off their tush and actually get out there and make things happen.

I know that the gentleman from Ohio shares those same values. I want to yield my time.

Mr. AUSTRIA. Let me tell you, it has been an honor tonight to stand up here with my colleagues, all of us being new Members here. Congressman CHAFFETZ from Utah, you are doing an outstanding job in representing your great State; to have a Member who's served in our military, and we thank you for your service, Congressman DUNCAN from California; two of my outstanding colleagues that I have had the honor to come in with in this class. There's 22, I think, Republicans, and 34 Democrats, if I'm not mistaken. Just outstanding talent. And to join the two of you.

I also have a family at home. I have three sons. When I came to Congress, I came to Congress because I thought I could make a positive change. I thought we had opportunities to change the direction this country was going and to really move in the right direction to help our small businesses, to help strengthen our economy, to help those families that were out there that are suffering right now going through difficult times.

Let me tell you, I did not come up here to run up the deficit, to create historic amounts of debt for my three sons at home, for our children and our grandchildren that will have to pay for this in years to come.

We have a budget that we will be debating this week and voting on this week that's now going to, all of a sudden, start taxing. This is how we are going to all of a sudden start paying down some of this debt and start taxes American families, as we have talked about tonight, by hitting them at home where it hurts most, we know, with heating their homes, filling their cars with gasoline, and electricity, as we mentioned multiple times.

It's not the way to go. I think we can do better. I think the American people expected better last November. They expected us to work in a bipartisan manner to move good public policy forward. Quite frankly, I haven't seen that in my first 100 days. What I've seen is business as usual here in Washington, D.C. It's been partisan politics, it has been legislation decided by a small group on one side of the aisle

only that has been pushing this stuff through.

I think the American people know, as they are beginning to realize what is going on—and many of them have gotten their quarterly statements. Their retirement accounts are down significantly. Their children's education funds are down significantly. Their savings accounts are down significantly.

It's starting to sink in what is really happening here. The concern is tremendous. We have a responsibility to be accountable for those hardworking Americans tax dollars. That's our responsibility in Congress, is to ensure that there's accountability, there's transparency, and that we do have a plan to turn this country around.

So, again, I thank my two colleagues for allowing me to join them tonight. Every day I walk into my office, I take off my coat, roll up my sleeves. I've got a wonderful intern by the name of Louis who comes in and says, Congressman, what fight do we have today?

I can tell you, we're not going to give up that fight. We're going to keep fighting and fighting for the hardworking Americans out there and hardworking taxpayers out there and being accountable for their tax dollars. Thank you for yielding.

Mr. CHAFFETZ. Thank you. It really is about personal accountability, about getting up, whatever your situation in life is and, believe me, people are hurting. We know that. The question is how do we best move forward. There's some that would argue that only government, only government, can solve these problems. I don't think so. I beg to differ.

I think it's the American entrepreneur, it's the American families, it's the strength of the individuals collectively within this country that, given the right set of freedoms, the right set of liberties, that can pursue their own happiness. That's what makes this country great. That's what makes this country so strong.

It's also the right and the opportunity to vote and participate. I've got concerns about another big initiative that's being slammed down the Americans peoples throats, and that is card check. I recognize the right of people if they want to gather together and join a union. But how we do that—if we don't get the process right, we can't ever get good results.

I look at the way we look at things in the United States Congress. When the single-largest single spending bill in the history of the United States came before this body and we just over 13 hours to review it, there was not one Member of the United States Congress able to read it. It's physically impossible to go through the 1,400 pages of a $1 trillion bill, the single largest bill in the history of the United States, and actually try to consume that.

So if you don't get the process right, it's really hard to get a good result.

Mr. GOHMERT's here with us from Texas. I'd appreciate it if he would join us. I'd like to yield to him because I'm really concerned about this card check and what it's going to do to the American way of life.

Mr. GOHMERT. I appreciate my friend for yielding. He knows about scoring points—going back to school—but this is outrageous.

Here, the economy is hurting. And, as my friend so eloquently put it, the government doesn't do things better than business. Business always does a better job than government. Yet, here we are. We are piling on.

I don't know if most people are aware, but virtually every week we are putting more of our energy resources off limits. So we are going to run up the price of energy as we approach the summer—and the prices are already going up on their own. And then you have got this ridiculous spending that's going crazy. Begging the Chinese to keep loaning us money. We're going to print money. Inflation is going to hit it.

On top of that, we're going to really hammer free enterprise by saying, in effect—you guys wouldn't know this, but my elementary school teachers, who I think were all Democrats, were liars. Because they told me growing up in school that you cannot have a free society, a Democratic country, if you don't have a secret ballot. That's what they told me. And I believed them. I still believe them.

Yet, here is this bill, they call it card check, but it's the anti-secret ballot initiative by the Democratic leaders. Obviously, it's being pushed by the people they owe a great deal to.

But Fox News had a story on about the Dana Corporation Auto Parts in Albion, Indiana, and they said that the card check process has nearly torn the 50-person plant apart after harassment and intimidation from the United Auto Workers Union forced them to a secret ballot vote.

The union organizer, they said, came to the plant 2 years ago, asking employees to join the UAW because the company had signed a neutrality agreement with the union. The meeting didn't go well.

One of the people interviewed, Larry Guest, said, ''He was using real rough language—cursing. It didn't go over well with the women at all. There were a couple that just got up and left.

So employees said the union representatives approached them in the break room, at the plant doors, and even followed them to their cars and just harassed them and even followed them home—and the employees verified this—and they said, ''We're in a little town. We're in a plant of 50 some people. The last thing you need is to have a union come to your door saying: I want your name.''

But that's all it took under the card check process. They didn't get a secret ballot. All they needed was their name. So if it meant following them home, following them to their car, going to their kids' baseball games, whatever it took until they finally got them to sign just to get them off their backs.

As one employee said, Jamie Oliver, ''When they approach you every day, every day, every day, after a while it's like 'Okay. Fine. I'll sign the card.' ''

The UAW collected the necessary signatures but plant employees appealed to the NLRB—the employees appealed. Then they finally got it overturned. The card check didn't make their life better, it made it more miserable. So here you have got companies struggling to stay afloat.

Now I have had private businesses in my district say: I'm barely staying afloat. If this card check bill passes, I'm going to have to let everybody go. I'm too old to keep putting up with it. I've heard this from a number of people. We're going to let them go. And the card check will put a bunch more people out of business.

Here, at a time when the economy is already struggling, and I think my friend is so right—my friend from Utah nailed it—the American people are what makes this country great.

I was visiting with some students here from the Big Twelve. We have A&M, Baylor. They're still here, but the House rules say you can't acknowledge people in the gallery, so I won't. But we have some from Missouri, from Texas Tech. From around the Big Twelve. They get it. They know that the American people are the real strength of this country. And for the government to try to cram this stuff down on them and say, We do it better, is really outrageous.

So I appreciate all of my friends here today making that point to the American people.

Mr. CHAFFETZ. Thank you. Thank you for your service. It's an honor to serve with you. We're on a committee together.

I want to talk about another bill that recently passed the United States Congress—something that I voted against. It's the so-called GIVE Act. Now think about this. Again, I think the way we ought to be looking at whether we ought to be spending money is to say: Is it right, is it proper to put the government's hand in everybody's pockets and pull money out and give it to somebody else. If the answer is yes, so be it.

National defense? Absolutely. It's in the Constitution, it's in all of our best interests. We have to have it in order to survive. Yet, that is the place that the President is trying to cut the budget. That's a proper role of government.

The so-called GIVE Act was going to be a program for paid volunteers. Now, to me, that is an oxymoron. It doesn't seem right. We are going to pay and compensate volunteers. It's just amazing to me.

PETE ROSKAM pulled out these quotes—a colleague of ours here in the House—the President said, ''The question we ask today is not whether our government is too big or too small, but whether it works.'' Moments later, he

said, ''Where the answer is yes, we intend to move forward. Where the answer is no, the programs will end.''

I also remember the President said ''we go line-by-line through the budget.'' Line-by-line. Have you heard anything that we're going to cut, other than national defense, one of the key cornerstones of things that has to happen in this country? I haven't heard that.

Where is that middle-class tax cut. I haven't seen it. To think you're going to get an extra $10. You can barely get through Quiznos to do that.

Yet, they pass this GIVE Act—over $5 billion in new money. There's a great Web site out there called ExpectMore.gov. It's put out by the Office of Management and Budget. There are over 1,100 Federal programs. Go to that Web site—ExpectMore.gov. You can look it up for yourself.

One of the things that was funded in the GIVE Act was Learn and Serve. According to the Office of Management and Budget, it is described as, ''not performing; results not demonstrated.''

It also funds AmeriCorps, the National Civilian Community Corps, which the OMB described as, ''not performing. Ineffective.'' Yet, they just got a huge funding increase. And the President promised us, ''Where the answer is yes, we intend to move forward. Where the answer is no, the programs will end.''

I hope partly what I can do, Mr. Speaker, in my career, leaving at whatever point I do, that I can leave some mark at some point to say that we shrunk the size and scope of government, because we can no longer be all things to all people. We cannot take 30 cents of every dollar in this economy and spend it through the Federal Government. That is not the way to prosperity, that is not the way to pursue life, liberty, and the pursuit of happiness.

It's the American entrepreneur, it's the American family, it's the American businesswoman, it's my 16-year-old son who's getting ready to go in the world. And look at the debt. Governments going to do everything. No, it's not. And until the American people get fed up, they stand up, they call their representatives. There are a good number of people here on both sides of the aisle.

But we cannot be all things to all people. We have to say ''no.'' You do it in your life, business does it every day. And this government and this President fails to do it every day.

Get fired up. Get all a hold of your representatives. We cannot have a budget that spends this much, that taxes this much, and that borrows this much. You're going to double your debt. Would you let that happen in your family? No. Would you let that happen to your business? No. Your government's doing it right now.

Please, stand up and get involved. Mr. AUSTRIA from Ohio, Mr. HUNTER from California, a host of other people, they are passionate about this. We can't do it ourselves.

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 Mrs. CHRISTENSEN) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

(The following Members (at the request of Mr. GUTHRIE) to revise and extend their remarks and include extraneous material:)

Mr. FLAKE, for 5 minutes, today.

Mr. SMITH of New Jersey, for 5 minutes, today and April 1.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 681. An act to provide for special rules relating to assistance concerning the Greensburg, Kansas tornado, to the Committee on Education and Labor.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 1, 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:

1099. A letter from the Undersecretary for Personnel and Readiness, Department of Defense, transmitting the Department's report on the demonstration project notices, amendments, and changes requested by the Science and Technology Reinvention Laboratories during calendar year 2008, pursuant to Public Law 110-181, section 1107(d); to the Committee on Armed Services.

1100. A letter from the Principal Deputy, Department of Defense, transmitting authorization of 2 officers to wear the authorized insignia of the grade of major general, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

1101. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's Office of Justice Programs' Office of Juvenile Justice and Delinquency Prevention Annual Report for 2008, pursuant to 42 U.S.C. 5617, section 207; to the Committee on Education and Labor.

1102. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Immunology and Microbiology Devices; Classification of Enterovirus Nucleic Acid Assay [Docket No. FDA-2008-N-0517] received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1103. A letter from the Acting Chairman, Federal Energy Regulatory Commission, transmitting the Commission's 88th Annual Report covering the fiscal year from October 1, 2007 through September 30, 2008; to the Committee on Energy and Commerce.

1104. A letter from the Secretary, Department of Defense, transmitting the Department's fifteenth report, pursuant to Public Law 110-252, section 9204; to the Committee on Foreign Affairs.

1105. A letter from the Secretary General, Inter-Parliamentary Union, transmitting notification that the Parliamentary Conference on the Global Economic Crisis will take place in Geneva at the United Nations European Headquarters — the Palais des Nations — on May 7 and 8, 2009; to the Committee on Foreign Affairs.

1106. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-37, ''Records Access Temporary Amendment Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1107. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-36, ''SOME, Inc. Tax Exemption Temporary Amendment Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1108. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-35, ''Randall School Development Project Tax Exemption Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1109. A letter from the Acting Chairman, Consumer Product Safety Commission, transmitting the Commission's Notification and Federal Employees Antidiscrimination and Retaliation Act of 2002 Annual Report for fiscal year 2008; to the Committee on Oversight and Government Reform.

1110. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1111. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's fourth Annual No FEAR Report to Congress for Fiscal Year 2008, pursuant to Public Law 107-174, section 203; to the Committee on Oversight and Government Reform.

1112. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Fiscal Year 2008 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1113. A letter from the Chairman, Merit Systems Protection Board, transmitting draft legislation to reauthorize the U.S. Merit Systems Protection Board for a period of five years; to the Committee on Oversight and Government Reform.

1114. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2008-

0271; Directorate Identifier 2007-NM-267-AD; Amendment 39-15784; AD 2009-01-05] (RIN: 2120-AA64) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1115. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Net Operating Loss Carryback Election Under Section 1211 of American Recovery and Reinvestment Tax Act of 2009 (Rev. Proc. 2009-19) received March 19, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Pennsylvania: Committee on House Administration. House Resolution 303. Resolution dismissing the election contest relating to the office of Representative from the First Congressional Ditrict of Hawaii (Rept. 111–68). Referred to the House Calendar.

Mr. TOWNS: Committee on Oversight and Government Reform. Oversight Plans for All House Committees (Rept. 111–69). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 305. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 85) setting forth the congressional budget for the United States Government for fiscal year 2010 and including the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014 (Rept. 111–70). Referred to the House Calendar.

Mr. PERLMUTTER: Committee on Rules. House Resolution 306. Resolution providing for consideration of the bill (H.R. 1664) to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards (Rept. 111–71). Referred to the House Calendar.

Mr. POLIS: Committee on Rules. House Resolution 307. Resolution providing for consideration of the bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products (Rept. 111–72). 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. NYE:

H.R. 1803. A bill to amend the Small Business Act to establish a Veterans Business Center program, and for other purposes; to the Committee on Small Business.

By Mr. TOWNS (for himself, Mr. SKELTON, Mr. WAXMAN, Mr. LYNCH, and Mrs. DAVIS of California):

H.R. 1804. A bill to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAMP:

H.R. 1805. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for State and local sales tax, the deduction for qualified tuition and related expenses, and the deduction for mortgage interest premiums, and to modify to the homebuyer credit; to the Committee on Ways and Means.

By Mr. MEEK of Florida:

H.R. 1806. A bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity; to the Committee on Ways and Means.

By Mr. THOMPSON of Pennsylvania:

H.R. 1807. A bill to provide distance learning to potential and existing entrepreneurs, and for other purposes; to the Committee on Small Business.

By Ms. SPEIER (for herself and Mr. THOMPSON of California):

H.R. 1808. A bill to amend the Internal Revenue Code of 1986 to provide for consumer rebates for purchases of certain new passenger motor vehicles; to the Committee on Ways and Means.

By Mr. PIERLUISI (for himself and Ms. BORDALLO):

H.R. 1809. A bill to amend title 10, United States Code, to expand the geographical coverage of TRICARE Prime to include Puerto Rico and Guam; to the Committee on Armed Services.

By Mrs. BACHMANN:

H.R. 1810. A bill to open Federal Bureau of Land Management and National Forest lands to leasing for exploration, development, and production of oil shale resources, and for other purposes; to the Committee on Natural Resources.

By Mrs. BACHMANN:

H.R. 1811. A bill to authorize the President to review and approve oil and gas exploration, development, and production projects under existing Federal oil and gas leases, both onshore and offshore, and to limit administrative and judicial proceedings with respect to such projects, upon finding that such a project complies with all applicable Federal laws, and for other purposes; to the Committee on Natural Resources.

By Mrs. BACHMANN (for herself, Mr. PAUL, and Mrs. SCHMIDT):

H.R. 1812. A bill to amend the Internal Revenue Code of 1986 to reduce the recovery periods for certain energy production and distribution facilities; to the Committee on Ways and Means.

By Mrs. BACHMANN (for herself and Mr. MCHENRY):

H.R. 1813. A bill to terminate or provide for suspension of the application of Federal laws that restrict exploration, development, or production of oil, gas, or oil shale, to facilitate the construction of new crude oil refineries, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Agriculture, 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. BARRETT of South Carolina (for himself, Mr. INGLIS, Mr. PAUL, Mr. WESTMORELAND, Mr. AKIN, and Mrs. BACHMANN):

H.R. 1814. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits through fiscal year 2014, to extend paygo for direct spending, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, 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. BARTON of Texas (for himself, Mr. RADANOVICH, Mr. ROGERS of Michigan, Mrs. BLACKBURN, Mr. SESSIONS, Mr. WHITFIELD, Mrs. MYRICK, Mr. BLUNT, Mr. GALLEGLY, Mr. GINGREY of Georgia, Mr. SULLIVAN, Mr. BARTLETT, Mr. PUTNAM, Mr. TERRY, Mr. STEARNS, Mr. PITTS, and Mr. THORNBERRY):

H.R. 1815. A bill to clarify the applicability of certain provisions in the Consumer Product Safety Improvement Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BERMAN (for himself, Mr. HALL of Texas, Ms. BORDALLO, Ms. LEE of California, Mr. VAN HOLLEN, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. BOUCHER, Mr. KING of New York, Mr. GENE GREEN of Texas, Mr. WOLF, Ms. KILROY, Mr. BURTON of Indiana, Mr. ISRAEL, Mr. HINCHEY, Mr. SESTAK, Ms. DELAURO, Ms. SHEA-PORTER, Mrs. MALONEY, Mr. MCMAHON, Ms. WASSERMAN SCHULTZ, Mrs. CAPPS, Mr. SERRANO, Mr. FARR, and Ms. EDWARDS of Maryland):

H.R. 1816. A bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN (for herself, Mr. COHEN, and Mr. DAVIS of Tennessee):

H.R. 1817. A bill to designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the ''John S. Wilder Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. BURTON of Indiana (for himself, Mrs. MILLER of Michigan, Mr. LOBIONDO, Mr. ROHRABACHER, Mr. COURTNEY, Mr. RODRIGUEZ, Mr. LATTA, and Mrs. MCMORRIS RODGERS):

H.R. 1818. A bill to amend title 10, United States Code, to extend military commissary and exchange store privileges to veterans with a compensable service-connected disability and to their dependents; to the Committee on Armed Services.

By Mr. CAO:

H.R. 1819. A bill to amend the Digital Television Transition and Public Safety Act of 2005 to extend the interoperable emergency communications grant program through fiscal year 2012; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California (for herself, Mr. WAXMAN, Mr. BERMAN, Mr. FILNER, Mr. COSTA, Ms. ZOE LOFGREN of California, Ms. WOOLSEY, Ms. MATSUI, Mr. BECERRA, Mrs. TAUSCHER, Mr. BACA, Mr. MCNERNEY, Mr. HONDA, and Mr. STARK):

H.R. 1820. A bill to redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the ''Cesar E. Chavez Post Office''; to the Committee on Oversight and Government Reform.

By Mr. FILNER:

H.R. 1821. A bill to amend chapter 31 of title 38, United States Code, to increase vocational rehabilitation and employment assistance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRANKS of Arizona (for himself, Mr. ADERHOLT, Mr. AKIN, Mrs. BACHMANN, Mr. BARRETT of South Carolina, Mr. BOOZMAN, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr.

COLE, Mr. CONAWAY, Mr. FORBES, Mr. FORTENBERRY, Mr. GARRETT of New Jersey, Mr. HUNTER, Mr. KING of Iowa, Mr. LAMBORN, Mr. LATTA, Mr. LINDER, Mr. LIPINSKI, Mr. MCCOTTER, Mr. MCHENRY, Mr. PENCE, Mr. SCALISE, Mrs. SCHMIDT, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOUDER, Mr. TAYLOR, and Mr. WILSON of South Carolina):

H.R. 1822. A bill to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 1823. A bill to amend the Immigration and Nationality Act to improve communication between the Secretary of Homeland Security and State and local law enforcement officials regarding the treatment of aliens who have been ordered removed and also charged with an aggravated felony under State law; to the Committee on the Judiciary.

By Mr. HOYER (for himself and Mr. BLUNT):

H.R. 1824. A bill to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Education and Labor.

By Mr. JORDAN of Ohio (for himself and Mr. ELLSWORTH):

H.R. 1825. A bill to amend title 18, United States Code, to deter public corruption; to the Committee on the Judiciary.

By Mr. LARSON of Connecticut (for himself, Mr. NADLER of New York, Ms. PINGREE of Maine, Mr. JONES, Mr. PLATTS, Mr. COOPER, Mr. HOLT, Mr. COHEN, Mr. HEINRICH, Mr. POLIS of Colorado, Ms. EDWARDS of Maryland, Mr. CAPUANO, and Mr. DOYLE):

H.R. 1826. A bill to reform the financing of House elections, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Energy and Commerce, and 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. MATSUI:

H.R. 1827. A bill to amend title 49, United States Code, to provide for the establishment of a flexibility incentive grant program; to the Committee on Transportation and Infrastructure.

By Mr. POLIS of Colorado (for himself, Mr. PERLMUTTER, Ms. DEGETTE, Mr. SALAZAR, and Mr. COFFMAN of Colorado):

H.R. 1828. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to expand the category of individuals eligible for compensation, to improve the procedures for providing compensation, and to improve transparency, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMEROY (for himself, Mr. TIM MURPHY of Pennsylvania, Ms. BALDWIN, Ms. DELAURO, Mr. RUPPERSBERGER, Mr. ROSS, Mr. OLVER, Mr. TURNER, Mr. FARR, Mr. KIRK, Mr. PITTS, Mr. GERLACH, Mr. HIGGINS, Mr. CHANDLER, Mr. MORAN of Kansas, Mr. ROGERS of Kentucky, Mr. INSLEE, Mr. GRAVES, Mr. SHUSTER, Mr. CONAWAY, Mr. MICHAUD, Mr. PAUL, Mr. LANGEVIN, Mr. HINCHEY, Mr. BISHOP of Utah, Mr. PLATTS, Mrs. EMERSON, Mr. BLUMENAUER, Mr. MEEK of Florida, Mr. SESTAK, Mr. NEAL of Massachusetts, Mr. SHIMKUS, Mr. WILSON of South Carolina, Mr. PUTNAM, Mr. MCGOVERN, Mr. BUTTERFIELD, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DEFAZIO, Mr. ISRAEL, Mr. BISHOP of Georgia, Mr. TIERNEY, Mr. ROHRABACHER, Mrs. CAPPS, Mr. LOEBSACK, Mr. GRIJALVA, Mr. ROGERS of Alabama, Mr. ELLISON, Mr. OBERSTAR, Mr. WU, Mr. FRANKS of Arizona, Mrs. MALONEY, Mr. JONES, Mr. GARY G. MILLER of California, Mr. YOUNG of Alaska, Mr. GENE GREEN of Texas, Mr. KILDEE, and Mr. ALTMIRE):

H.R. 1829. A bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat Medicare beneficiaries without a requirement for a physician referral, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TAUSCHER (for herself and Mr. SPRATT):

H.R. 1830. A bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; to the Committee on Armed Services.

By Mr. THOMPSON of California (for himself, Mr. CANTOR, Mr. BLUMENAUER, Mr. BRADY of Texas, Mr. DAVIS of Alabama, Mr. DOGGETT, Mr. ETHERIDGE, Mr. HIGGINS, Mr. KIND, Mr. LARSON of Connecticut, Mr. ROSKAM, Ms. SCHWARTZ, Mr. YARMUTH, Mr. ALTMIRE, Mr. BACHUS, Ms. BALDWIN, Mr. BISHOP of New York, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. BURTON of Indiana, Mrs. CAPPS, Mr. CARDOZA, Mr. CARNAHAN, Mr. CARNEY, Mr. CHANDLER, Mr. CONAWAY, Mr. CONNOLLY of Virginia, Mr. COSTA, Mr. COURTNEY, Mrs. DAHLKEMPER, Mr. DELAHUNT, Ms. DELAURO, Mr. DENT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DINGELL, Mr. EHLERS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FORTENBERRY, Mr. FRELINGHUYSEN, Mr. GERLACH, Ms. GIFFORDS, Mr. GOODLATTE, Mr. HALL of New York, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. KAGEN, Mr. KENNEDY, Mr. KILDEE, Mr. KING of New York, Mr. KISSELL, Mr. KRATOVIL, Mr. LANGEVIN, Mrs. LOWEY, Mrs. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mrs. MALONEY, Ms. MARKEY of Colorado, Mr. MCCOTTER, Mr. MCINTYRE, Mr. MCNERNEY, Mr. MICHAUD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MITCHELL, Mr. MURPHY of Connecticut, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. OLVER, Mr. PAULSEN, Mr. PERRIELLO, Ms. PINGREE of Maine, Mr. PITTS, Mr. POLIS of Colorado, Mr. PRICE of North Carolina, Mr. PUTNAM, Mr. PAUL, Mr. ROSS, Mr. SALAZAR, Mr. SCHAUER, Mr. SCHIFF, Mr. SESTAK, Mr. SHULER, Mrs. TAUSCHER, Mr. THORNBERRY, Mr. WAXMAN, Mr. WEINER, Mr. WITTMAN, Mr. WOLF, and Ms. WOOLSEY):

H.R. 1831. A bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions; to the Committee on Ways and Means.

By Mr. WEXLER (for himself and Ms. KAPTUR):

H.R. 1832. A bill to amend part D of title XVIII of the Social Security Act to limit the increase in premium costs for beneficiaries under the Medicare prescription drug program to no more than the Social Security cost-of-living adjustment, and to direct the Secretary of Health and Human Services to negotiate lower prescription drug prices on behalf of Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEKSTRA (for himself, Mr. WOLF, Mr. AKIN, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BOEHNER, Mr. BOOZMAN, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Mr. BUCHANAN, Mr. BURTON of Indiana, Mr. CAMP, Mr. CAMPBELL, Mr. CANTOR, Mr. CARTER, Mr. COLE, Mr. CONAWAY, Mr. DAVIS of Kentucky, Mr. DEAL of Georgia, Ms. FALLIN, Mr. FLEMING, Mr. FORTENBERRY, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GUTHRIE, Mr. HARPER, Mr. HELLER, Mr. HENSARLING, Mr. HERGER, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Mr. JORDAN of Ohio, Mr. KINGSTON, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LATTA, Mr. LUCAS, Mrs. LUMMIS, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCCOTTER, Mr. MCHENRY, Mr. MCKEON, Mr. MORAN of Kansas, Mr. NEUGEBAUER, Mr. PENCE, Mr. PITTS, Mr. PLATTS, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. ROE of Tennessee, Mrs. SCHMIDT, Mr. SESSIONS, Mr. SHADEGG, Mr. SHIMKUS, Mr. SOUDER, Mr. SULLIVAN, Mr. TERRY, Mr. TIAHRT, Mr. WAMP, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WILSON of South Carolina, and Mr. WITTMAN):

H.J. Res. 42. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H. Con. Res. 90. Concurrent resolution expressing the sense of the Congress regarding the removal from the United States of aliens charged under State law with aggravated felonies; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Mr. HASTINGS of Florida, Mr. SULLIVAN, Ms. FUDGE, Mr. WATT, Mr. SCOTT of Virginia, Mr. PAYNE, Mrs. CHRISTENSEN, Mr. ELLISON, Mr. BUTTERFIELD, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Ms. WATSON, Ms. WATERS, Ms. JACKSON-LEE of Texas, Mr. MEEK of Florida, Mr. RANGEL, Mr. JOHNSON of Georgia, Mr. CUMMINGS, Mr. SPRATT, Mr. CLYBURN, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Alabama, Mr. FATTAH, Ms. CORRINE BROWN of Florida, Ms. KILPATRICK of Michigan, Ms. MOORE of Wisconsin, Mr. CARSON of Indiana, Ms. NORTON, Mr. RUSH, Mr. CONYERS, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. CLEAVER, Ms. EDWARDS of Maryland, Mr. LEWIS of Georgia, Mr. BISHOP of Georgia, Ms. CLARKE, Mr. CLAY, Ms. RICHARDSON, and Mr. SCOTT of Georgia):

H. Res. 302. A resolution honoring and recognizing the life and achievements of John Hope Franklin, one of the Nation's most distinguished scholars; to the Committee on Oversight and Government Reform.

By Mr. BRADY of Pennsylvania:

H. Res. 303. A resolution dismissing the election contest relating to the office of Representative from the First Congressional District of Hawaii; considered and agreed to. considered and agreed to.

By Mr. BRADY of Pennsylvania (for himself and Mr. DANIEL E. LUNGREN of California):

H. Res. 304. A resolution electing Members to the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to. considered and agreed to.

By Mr. HASTINGS of Florida (for himself, Ms. ROS-LEHTINEN, Mr. FRANK of Massachusetts, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. MEEKS of New York, Mr. POLIS of Colorado, Ms. WATSON, Mrs. CAPPS, Ms. BALDWIN, Ms. MOORE of Wisconsin, Ms. SCHAKOWSKY, Ms. CORRINE BROWN of Florida, and Ms. LEE of California):

H. Res. 308. A resolution honoring the life, legacy, and memory of Pedro Pablo Zamora y Diaz, an extraordinary educator and activist, and a pioneer in the battle against the HIV/AIDS epidemic; to the Committee on Energy and Commerce.

By Mr. KING of New York (for himself, Mr. MEEKS of New York, Ms. ROS-LEHTINEN, Ms. BORDALLO, Mr. BURTON of Indiana, Mr. TOWNS, Mr. GARRETT of New Jersey, Mr. COURTNEY, and Ms. WATSON):

H. Res. 309. A resolution expressing the sense of the House of Representatives that North Korea should immediately stop any hostile rhetoric and activity towards the Republic of Korea and engage in mutual dialogue to enhance inter-Korean relations; to the Committee on Foreign Affairs.

By Mr. SHULER (for himself, Mr. BUTTERFIELD, Mr. COBLE, Mr. ETHERIDGE, Ms. FOXX, Mr. JONES, Mr. KISSELL, Mr. MCHENRY, Mr. MCINTYRE, Mr. MILLER of North Carolina, Mrs. MYRICK, Mr. PRICE of North Carolina, and Mr. WATT):

H. Res. 310. A resolution honoring the life of Coach Kay Yow in remembrance of her passing, and recognizing her dedication to the sport of basketball, her commitment to women and women's health, and her contributions to the State of North Carolina; to the Committee on Education and Labor.

By Ms. WATSON (for herself, Mr. MICHAUD, Ms. BORDALLO, Ms. LORETTA SANCHEZ of California, Ms. MATSUI, Mr. CAO, Mrs. MCMORRIS RODGERS, Ms. KILPATRICK of Michigan, Ms. JACKSON-LEE of Texas, Mr. STUPAK, and Mr. BISHOP of Georgia):

H. Res. 311. A resolution expressing the support of the House of Representatives for the goals and ideals of Red Cross Month; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. DELAHUNT and Mr. BISHOP of Georgia.

H.R. 23: Ms. SUTTON, Mr. KANJORSKI, Ms. BERKLEY, Mr. YOUNG of Alaska, Mr. GUTIERREZ, Mr. ROHRABACHER, Ms. SHEA-PORTER, and Mrs. MALONEY.

H.R. 179: Mr. COHEN.

H.R. 182: Mr. ACKERMAN.

H.R. 197: Mr. PERRIELLO, Mr. LATTA, and Mr. BARRETT of South Carolina.

H.R. 211: Mr. YOUNG of Florida, Mr. HASTINGS of Florida, and Ms. WATSON.

H.R. 233: Mr. ELLISON and Mr. FLEMING.

H.R. 235: Mr. BOCCIERI, Mr. HINOJOSA, Mr. MITCHELL, Mr. CLEAVER, Ms. LEE of California, Mr. LARSEN of Washington, and Mr. POLIS of Colorado.

H.R. 391: Mr. BROUN of Georgia.

H.R. 444: Mr. GORDON of Tennessee.

H.R. 509: Mr. SESTAK.

H.R. 510: Mr. BRIGHT and Mr. BROWN of South Carolina.

H.R. 557: Mr. BONNER and Mr. SCALISE.

H.R. 564: Mr. DICKS and Ms. VELÁZQUEZ.

H.R. 574: Mr. PITTS and Mr. PAUL.

H.R. 673: Mr. KING of New York and Mr. HUNTER.

H.R. 676: Mr. TOWNS.

H.R. 678: Mr. ISSA, Mr. MORAN of Virginia, and Mr. CONNOLLY of Virginia.

H.R. 690: Mr. SESSIONS.

H.R. 731: Mr. MARSHALL.

H.R. 745: Mr. SNYDER.

H.R. 775: Mrs. EMERSON, Mr. CANTOR, Mr. BISHOP of Utah, Mr. POLIS, Mr. WEXLER, Mr. ETHERIDGE, and Mr. HEINRICH.

H.R. 847: Mr. CONYERS.

H.R. 873: Mr. FRANK of Massachusetts.

H.R. 879: Mr. THORNBERRY.

H.R. 919: Mr. FILNER and Mr. KAGEN.

H.R. 949: Ms. BERKLEY.

H.R. 982: Mr. BUYER, Ms. FALLIN, Mr. MORAN of Kansas, Mr. MARIO DIAZ-BALART of Florida, and Mr. SMITH of New Jersey.

H.R. 1016: Mr. LUJÁN, Mr. TIAHRT, Mr. CONNOLLY of Virginia, Mr. PETERS, and Mr. SCHAUER.

H.R. 1029: Mr. CHAFFETZ.

H.R. 1050: Ms. JENKINS.

H.R. 1151: Mr. SIRES.

H.R. 1152: Mr. SIRES.

H.R. 1153: Mr. SIRES.

H.R. 1154: Mr. SIRES.

H.R. 1157: Mr. ROTHMAN of New Jersey.

H.R. 1158: Mr. HARE.

H.R. 1182: Mr. BURGESS, Mrs. MCMORRIS RODGERS, Ms. BORDALLO, Mr. MOORE of Kansas, Mr. WILSON of South Carolina, Mr. BACHUS, Mr. ALTMIRE, Mr. LATTA, Mr. SPRATT, and Mr. GOODLATTE.

H.R. 1189: Mr. WALDEN, Mr. WITTMAN, and Mr. FRANK of Massachusetts.

H.R. 1196: Mr. CONNOLLY of Virginia.

H.R. 1204: Mr. THORNBERRY.

H.R. 1206: Mr. TIAHRT.

H.R. 1207: Mr. CARTER.

H.R. 1208: Mr. SHADEGG, Mr. SESSIONS, and Mr. YOUNG of Florida.

H.R. 1209: Mr. DEAL of Georgia, Mr. PAULSEN, and Mr. TIBERI.

H.R. 1210: Mr. ROGERS of Alabama.

H.R. 1211: Mr. GORDON of Tennessee and Mr. FILNER.

H.R. 1214: Mr. COSTA, Mr. STARK, Mr. WALZ, Mr. POLIS of Colorado, and Ms. KILPATRICK of Michigan.

H.R. 1220: Mr. COLE, Mr. SMITH of Nebraska, Mr. SULLIVAN, Mr. WESTMORELAND, Mr. ROSS, and Mr. PLATTS.

H.R. 1261: Mr. TURNER, and Ms. GRANGER.

H.R. 1277: Mr. BOEHNER, and Mr. ADERHOLT.

H.R. 1302: Ms. TITUS.

H.R. 1330: Mr. BISHOP of Georgia.

H.R. 1382: Mr. ABERCROMBIE.

H.R. 1386: Mr. BILBRAY.

H.R. 1425: Mr. MEEKS of New York and Mr. ROSKAM.

H.R. 1428: Mr. Luján and Mr. RODRIGUEZ.

H.R. 1449: Mr. KISSELL.

H.R. 1454: Mr. SABLAN.

H.R. 1519: Ms. FOXX.

H.R. 1521: Mr. CARTER, Mr. SESSIONS, Mr. MCCAUL, Mr. MCMAHON, Mr. PALLONE, Mrs. BACHMANN, and Mr. UPTON.

H.R. 1547: Mr. COURTNEY and Mr. SESTAK.

H.R. 1549: Mr. CUMMINGS.

H.R. 1550: Mr. CARNAHAN, Mr. SARBANES, and Mr. SCHAUER.

H.R. 1587: Mr. TIAHRT, Mr. SOUDER, Mr. SKELTON, Mr. WESTMORELAND, and Mr. LINDER.

H.R. 1616: Mrs. MALONEY, Ms. CASTOR of Florida, Mr. PAYNE, Mr. MCDERMOTT, and Mr. LEWIS of Georgia.

H.R. 1623: Mr. LATOURETTE.

H.R. 1624: Mr. LATTA.

H.R. 1625: Mr. LEE of New York, Ms. HIRONO, Ms. WASSERMAN SCHULTZ, and Mr. CHAFFETZ.

H.R. 1640: Mr. STARK, Mr. POLIS and Mr. HONDA.

H.R. 1670: Mr. KENNEDY, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. GERLACH, and Mr. MASSA.

H.R. 1705: Ms. SCHAKOWSKY, Mr. ELLISON, Mr. TIERNEY, Mr. GEORGE MILLER of California, and Mr. WELCH.

H.R. 1708: Mr. ABERCROMBIE, Ms. KILPATRICK of Michigan, Ms. BALDWIN, Mr. KAGEN, Mr. TIERNEY, Mr. VAN HOLLEN, Mr. YARMUTH, Mr. CASTLE, Mr. MURPHY of Connecticut, Mr. PLATTS, Mr. BOUCHER, Mr. BRALEY of Iowa, Mr. ENGEL, and Mr. FRANK of Massachusetts.

H.R. 1712: Mr. CHAFFETZ and Mr. LAMBORN.

H.R. 1717: Mrs. MYRICK and Mr. OLSON.

H.R. 1740: Mr. MCGOVERN, Mr. MCHENRY, Mr. LARSEN of Washington, Mr. ADLER of New Jersey, Mr. HOLDEN, and Mr. CARDOZA.

H.R. 1751: Mrs. CAPPS, Mr. GRIJALVA, Mr. HINOJOSA, Ms. LINDA T. SÁNCHEZ of California, Mr. FARR, Mr. GONZALEZ, Mr. ACKERMAN, Mr. CAPUANO, Mr. ENGEL, Mr. FILNER, and Mrs. MCCARTHY of New York.

H.R. 1760: Mr. CARNAHAN and Ms. MCCOLLUM.

H.R. 1770: Mr. GERLACH.

H.R. 1786: Mr. ROGERS of Michigan.

H.R. 1788: Ms. LINDA T. SÁNCHEZ of California.

H. Con. Res. 28: Ms. GIFFORDS.

H. Con. Res. 50: Mr. CLAY.

H. Con. Res. 78: Mr. SOUDER, Mr. CONAWAY, and Mr. WESTMORELAND.

H. Con. Res. 81: Mr. BERMAN, Mr. ISSA, Mr. FLAKE, Mr. ROTHMAN of New Jersey, Mrs. EMERSON, Mr. YOUNG of Alaska, Mr. GRAVES, Mr. DELAHUNT, Mr. KUCINICH, Mr. GINGREY of Georgia, Mr. YOUNG of Florida, Mr. FRELINGHUYSEN, Mr. OBEY, Mr. PETRI, Mr. ANDREWS, Mr. CAPUANO, Mr. ROHRABACHER, Mr. SKELTON, Mr. MINNICK, Mr. MORAN of Virginia, Mrs. MALONEY, Mr. DEFAZIO, Mr. BARROW, Mr. KILDEE, Mr. KAGEN, Mr. HONDA, Mr. HASTINGS of Florida, Mr. SPRATT, Mr. DINGELL, and Mr. HILL.

H. Con. Res. 83: Mrs. KIRKPATRICK of Arizona.

H. Res. 20: Mr. PITTS.

H. Res. 22: Mr. WHITFIELD.

H. Res. 42: Mr. LANCE, Mr. NEUGEBAUER, Mr. BUYER, Mr. FRANKS of Arizona, and Mr. MCCAUL.

H. Res. 191: Mr. MCNERNEY, Ms. BORDALLO, and Mr. FRANK of Massachusetts.

H. Res. 230: Mr. SIRES, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BURTON of Indiana.

H. Res. 236: Mr. PAYNE and Mr. ROSKAM.

H. Res. 260: Mr. SERRANO, Mr. CONYERS, Mr. MOORE of Kansas, and Mr. YARMUTH.

H. Res. 267: Mr. CARSON of Indiana.

H. Res. 290: Mr. GARY G. MILLER of California.

H. Res. 301: Mr. CLEAVER, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. TOWNS, Mr. MORAN of Virginia, Mr. TIERNEY, Mr. SNYDER, Mr. JACKSON of Illinois, Ms. DELAURO, Mrs. MALONEY, Mr. PAYNE, Mr. RUSH, Mr. CLYBURN, Mr. OLVER, Mr. LEVIN, Mr. SCOTT of Virginia, Mr. ROSS, Mr. SERRANO, Ms. MOORE of Wisconsin, Ms. CASTOR of Florida, Mr. BLUMENAUER, Mr. SCHIFF, Mr. FRANK of Massachusetts, Mr. WELCH, Mr.

KIRK, Ms. DEGETTE, Mr. OBERSTAR, Mr. POMEROY, Mrs. CAPPS, Ms. MATSUI, Mr. HOYER, Mr. COOPER, Ms. BALDWIN, Mr. Perriello, Mr. CARSON of Indiana, Ms. FUDGE, Ms. CLARKE, Ms. WATSON, Mr. JOHNSON of Georgia, Mr. BECERRA, Ms. ROYBAL-ALLARD, Ms. LEE of California, Ms. CORRINE BROWN of Florida, Mr. LEWIS of Georgia, Mr. MEEK of Florida, Mr. FATTAH, Mr. WEXLER, Mr. DELAHUNT, Mr. ROTHMAN of New Jersey, Mr. ELLISON, Ms. EDWARDS of Maryland, Ms. RICHARDSON, Mr. DAVIS of Illinois, Mr. CLAY, Ms. JACKSON-LEE of Texas, Mr. EDWARDS of Texas, and Mrs. NAPOLITANO.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative FRANK of Massachusetts, or a designee, to H.R. 1664, to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, MARCH 31, 2009 No. 54

Senate

The Senate met at 10 a.m. and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, in whom we live and move and have our being, make our Senators aware of Your presence as they look to You for guidance and strength. Lord, refresh them with Your Spirit by energizing their thoughts and reinforcing their judgment. Show them what is noble in our heritage, that they may conserve and strengthen it. Teach them what needs to be changed and give them the courage and wisdom to do it. In all their labors, empower them to yield themselves to Your will, that this legislative body may fulfill Your purposes for our Nation and world.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK BEGICH 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 31, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BEGICH thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of S. Con. Res. 13, the concurrent resolution on the budget. Under an agreement reached last night, 40 hours of the statutory time remains, with the time equally divided between the majority and the Republicans. Under the agreement, when the Senate resumes consideration of the budget resolution, Senator MURRAY will be recognized to speak for up to 15 minutes. Following her remarks, Senator GREGG or his designee will be recognized to offer an amendment. That amendment will be limited to 1 hour of debate equally divided. Then Senator BOXER will be recognized to offer an amendment in relation to the Thune amendment No. 731. Debate on that amendment will also be limited to 1 hour equally divided. Following debate on the Boxer amendment, Senator CONRAD or his designee will be recognized to offer a side-by-side amendment to the Johanns amendment No. 735.

I will say, Mr. President, we have on this side a number of Senators who want to speak on the budget. They want to talk about the merits of the budget. We will try to the best of our ability to work them in between amendments. We recognize anyone can grab the floor anytime they want. Senator CONRAD and Senator GREGG are going to do their best to try to make this an orderly process, and we will cooperate in any way we can to have that be the case.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2010—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S. Con. Res. 13, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 13) setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

Pending:

Thune amendment No. 731, to amend the deficit-neutral reserve fund for climate change legislation to require that such legislation does not increase electricity or gasoline prices.

Johanns amendment No. 735, to prohibit the use of reconciliation in the Senate for climate change legislation involving a cap-and-trade system.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, let me start this morning by commending Chairman KENT CONRAD for his leadership of our Budget Committee and especially for the hundreds of hours he and his staff have dedicated to getting this budget done and accommodating both the priorities and concerns of so many of us in this body. Putting together a budget is never an easy process, but I believe our chairman has achieved a good balance that will set

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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us on a course to both reducing our deficit and investing in the areas that we know will make us stronger in the future—energy, health care, and education.

I know that in addition to his work on this budget, this is a particularly difficult time for the State of North Dakota and the families and businesses there. I want to say to Chairman KENT CONRAD, who will be on the floor shortly, that all of our hearts go out to him and his State as they struggle with these horrific storms that are going through his area.

A budget is a statement of priorities. Ours is very clear: We put the middle class first, and we get our country back on track by investing in our future.

To be clear, we have inherited some very great challenges. We now face the worst economic crisis in generations. Since December 2007, we have lost 4.4 million jobs, including 2.6 million of those in the past 4 months. So before we consider where we are going, it is important to talk a little bit about where we have been.

For weeks now, my friends on the other side of the aisle have been bemoaning deficits and debt with not a moment of consideration for their own record on those issues. Back in 2001, Republicans controlled the full power of our Government. Under the leadership of President Bush and Republicans in Congress, record surpluses created under President Clinton became record deficits. These Republican deficits grew and grew and now today add up to trillions of dollars in new debt that is going to be shouldered by future generations of Americans.

With this perspective, I hope our Republican friends will start acknowledging and owning up to the fact that we now have two choices. Choice 1 is to continue down the Republican deficit path, no investments in our future, a widening gap between the rich and the middle class, and more massive deficits. Choice 2 is represented in the budget before us today: improve the economy by investing in energy, education, and health reform so that we as a country are stronger in the future; cut taxes for our middle class and address the deficit so that our children do not bear the burden of bad decisions today.

After 8 years of the Bush administration's shortsighted budgets and misplaced priorities, we are now working with President Obama to invest in our needs and to chart a new course for America. We are choosing a new path.

The American people deserve an economic plan that works for everyone in this country. Our budget makes responsible choices that will help get this country's economy rolling again. I came to the floor today to talk about a few of those priorities and choices we have made.

We face pressing transportation needs across our country, and maintaining and creating new infrastructure is key to this country's economic strength.

Just a couple of months ago, the American Society of Civil Engineers issued its annual report card on the condition of America's infrastructure, and the results were very dismal. The leading experts on the state of our Nation's infrastructure have reduced the grade point average of our entire system of roads and bridges and mass transit to a D—that is ''D'' as in dog. Our Nation's roads also got a D-minus since a third of our major roads are considered to be in poor and mediocre condition, and more than a third of our urban highways are congested. American families today spend about 4.2 billion hours a year stuck in traffic, and that is costing our economy almost $80 billion in lost productivity each and every year. These roads are in every one of our States. It is time to fix them.

As we are all aware, the available funding balance in the highway trust fund is falling rapidly. Thankfully, in our budget the transportation reserve fund will provide the mechanism that will allow us to reform our transportation financing system and provide the kinds of spending levels in the upcoming Transportation authorization bill that are going to be necessary to maintain our highways and our transit systems. Fixing our transportation is about getting our economy strong, but it is about safety as well. I think all of us remember when that Minnesota bridge went down. We do not want to see that again. It is time to fix our roads and our transportation. This budget takes a major step forward.

Second, education. We all know and we all say that education is the key to our future strength. In this new global economy we exist in, a good education is no longer just a pathway to opportunity; it is a requirement for success. We will not recover and be strong in the long term unless we both create jobs and make sure America's workers have the education and skills to fill those jobs we create. So this budget invests strongly in education and in ensuring that American students do not fall behind as they make their way into this global marketplace.

This budget helps retrain America's workers for careers in high-growth and emerging industries such as health care or renewable energy or energy-efficient construction so that those workers can stay in the middle class. We increase Pell grants and make tax credits for tuition permanent. We want all students to achieve a postsecondary education, whether it is through a registered apprenticeship or through a community college or university, and this budget helps take us in that direction.

As a nation, we have to change the way we think about preparing young people for careers today, starting with making education work better. This current economic crisis has cost us dearly.

Every weekend I go home to Washington State, I hear about another business closing, another family who has lost their job, another senior citizen who does not know how they are going to make it. So we all know that if we make changes and we make smart investments, that is how we are going to move our country forward again and give confidence back to the American people that we are a strong country. Investing in education is one of those smart investments. We do that in this budget.

Our health care system—something we all talk about—is broken. We know it needs real reform. Today, we have a historic opportunity to finally tackle that challenge. These investments we make in health care are not luxuries; they are essential to our future strength. That is why we need to prioritize the health profession's workforce and access to quality health care in our rural areas, and we have to ensure that preventive measures are given priorities so that American families are not left with giant bills for expensive care down the road.

Some critics of this budget argue that now is not the time to tackle health care reform. I believe that is very shortsighted reasoning. There is a direct connection between our Nation's long-term prosperity and developing health care policies that stem the chronic bleeding in business and in our State and national budgets across the country.

Mr. President, there was a recent editorial in the Everett Herald, a hometown newspaper in my State, that made this point, and I want to read it to you. It says:

> Yes, the economy is the most urgent challenge. But our broken health care system and addiction to oil threaten to become our long-term undoing.
>
> They're all intertwined. Failing to find solutions to our long-term problems will likely stunt future economic expansions, creating longer and deeper downturns.

That is not something any one of us wants to see, which brings me to our next investment. As we are all aware, energy issues are some of the most pressing facing our Nation today. Our dependence on foreign oil has left us beholden to other nations as middle-class families have paid the price at the pump. By making renewable energy a priority in this budget, we can reduce our dependence on foreign sources of energy in the future and help create green jobs here at home and leave a cleaner environment for future generations. These are smart investments in this budget.

In an issue near and dear to my heart, I commend both the committee and President Obama for finally making our veterans a priority in this budget process. Our men and women in uniform and their families have served and sacrificed for our Nation. After years of being underfunded and overshadowed, this budget finally does right by them. I again commend Senator CONRAD, the budget chairman, and President Obama for putting this issue forward.

This budget is finally honest with the American people about the cost of war, not just by paying for veterans care but by paying for the wars in Iraq and Afghanistan, on budget, for the first time since they started—over 6 years ago.

I also wish to note that this budget meets our commitment to nuclear waste cleanup in my State and across the country. Workers at Hanford Nuclear Reservation and residents of that community sacrificed many years ago to help our Nation win World War II. Hanford and those other sites are now home to millions of gallons of waste. Our Government needs to live up to its promise to clean them up, and this budget rightfully does that.

Let me talk a minute about agriculture because agricultural production is the largest industry for many States across the country, as it is in my State, with farming and ranching. Protecting our agricultural sector is critical to our economy, to our environment, and to our quality of life. We need to work to keep our rural communities strong and to ensure a bright future for all our farm families. Production agriculture—such as Washington State's wheat farming—is a very volatile business and a workable safety net, such as in the farm bill, is vital to the security of our family farms.

I have long supported the Market Access Program, which provides funds for our producers to promote their products overseas and expanding international markets. These are critical for our agricultural communities today as they try to compete in a global economy. Especially in these difficult economic times, when our foreign competitors are trying to limit our market access with high tariffs, the last thing we should be doing is cutting programs such as the Market Access Program, which will help our growers in a competitive global marketplace. As we work to get our country back on track, I am going to continue to find ways to support one of the staples of our economy and that is our agricultural community.

America has paid dearly for the Bush administration's failure over the last 8 years to invest in our country and to invest in our people. We don't have to tell that to the American people today. They are waking up every single day and seeing rising health care costs, pink slips, a crumbling infrastructure and bills and mortgages they can't afford to pay. We tried it the other way for the last 8 years. Now it is time to invest in America again. It is time to give our middle class a break and it is time for honesty and it is time for bold decisions.

This budget that Senator CONRAD and the Budget Committee have brought to all of us to consider today isn't perfect, of course—no budget is—but what it does do is extremely important. It invests in our future—our future, America's future—and puts this country back on track.

I wish to thank Senator CONRAD, again, and his committee for working so hard to bring this budget forward to us, and I look forward to supporting it when we pass it later this week.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

AUTO BAILOUT PLAN

Mr. MCCONNELL. Mr. President, the significance of the U.S. auto industry as the symbol of American creativity, industriousness, and prosperity is hard to overstate. So is the importance of its continued survival to millions of American workers who design, build or sell our cars here and around the world. This is precisely why many of us have been insisting for years that management and labor take the tough but necessary steps to keep these companies viable not only in a recession but also in good times.

Unfortunately, many of these tough decisions have been put off time and again, and the day of reckoning has come for two of the big three automakers. Yesterday, the administration announced that GM and Chrysler had failed to come up with viable plans for survival, despite tens of billions of dollars in taxpayer bailouts aimed at avoiding this very situation.

The immediate result of this failure on the part of the automakers was the administration's decision to fire GM'S CEO and the promise of even more bailout money if these companies take the same kinds of steps Republicans have been demanding, literally, for years. Last fall, when the recession took hold, Republicans said emergency support was justifiable for entities whose failure threatened to paralyze the Nation's entire economy. Taxpayer support for individual industries was not. Our reasoning was, taxpayers should understand an effort to save an entire credit system—literally the lifeblood of the Main Street economy—but they wouldn't support the Government picking winners and losers based on political or regional calculations.

While no one takes pleasure in the continued struggles of the automakers, those warnings and that principle appear to have been vindicated by recent events. If our proposal had prevailed last fall, these two companies would have been forced to make the serious structural changes that billions of dollars in taxpayer money since then have not been able to produce. Republicans said the expectation of bailouts disincentivizes reform, and it appears we were absolutely right.

In early December, I said a tentative compromise between labor and management didn't go nearly far enough; what was needed was a firm commitment on the part of these companies to reform either in or out of bankruptcy, get their benefit costs under control, make wages competitive with foreign automobile makers immediately, and end the practice of paying workers who don't work. I also said automakers had to rationalize dealer networks in response to the market.

The previous administration took a different view. It said an emergency infusion of taxpayer money would be enough to force these companies and labor leaders to act. The current administration agreed with that assessment, and last month, when the automakers came back again for more money, the current administration complied with an additional $5 billion infusion of taxpayer dollars. The latest infusion appears to have had little or no effect.

Yesterday, we got the verdict: 4 months and $25 billion taxpayer dollars after Republicans called for tough but needed reform, the automakers are no further along than they were in December. As a result, the current administration has decided the bailouts can't go on forever, although they are still putting the cutoff date well into the future. The taxpayer regret for this bailout is that it could have cost a lot less than $25 billion. The answer to this problem was obvious months ago.

Throughout this debate, some have tried to propagate the falsehood that this is a regional issue; certain Senators oppose bailout because domestic automakers don't operate in their States. If that were true, I certainly wouldn't be standing here. Thousands of Kentuckians work at Ford assembly plants in Louisville, thousands more work for domestic suppliers throughout Kentucky, and for more than 30 years, every Corvette in America has rolled off a production line in Bowling Green, KY.

Those of us who oppose unlimited bailouts for struggling automakers don't want these companies to fail. We want them to succeed. If our proposals had been adopted, we believe they would be in a much better position to do so.

Hard-working autoworkers at places such as Ford and GM in Kentucky have suffered because of the past decisions of unions and management. It is not their fault labor and management made the decisions that put them in this mess. It is no coincidence that Ford—the only U.S. automaker that has refused taxpayer bailout money to date—is also the most viable, even after the financing arm of one of its bailed-out competitors used taxpayer funds to provide its customers with better financing deals. Companies that make the tough choices and steer their own ship are better off in the short and the long term.

Everyone wants the domestic automakers to get through the current troubles and to thrive. But it is going to take more than tough talk after the fact or the firing of CEOs. It is encouraging to see the administration is coming around to our point of view. It is a shame the taxpayers had to put up $25 billion to get to this point.

Mr. President, I would like to speak briefly on two of the amendments we will be considering today on the budget. One protects Americans from a new

national energy tax in the form of an increase in electricity and gasoline prices at a time when they can least afford it, and one brings transparency to the budget process.

The first amendment we will consider, sponsored by the junior Senator from South Dakota, says the reserve fund in the budget resolution for climate change cannot be used for legislation that would increase electricity or gasoline prices for American consumers.

An increase in electricity and gas prices would disproportionately affect people at the lower end of the economic ladder, and American families cannot afford a tax increase at a time when many are struggling to make ends meet. Passing this amendment would protect them from the additional burden of the new national energy tax included in the administration's budget.

The second amendment, sponsored by the junior Senator from Nebraska, bars the use of reconciliation when considering climate change legislation, thus assuring an open, bipartisan debate on this job-killing and far-reaching proposal.

Democratic budget writers who support reconciliation know their plans for a new national energy tax are unpopular with both Republicans and Democrats. That is why they are trying to fast-track this legislation down the road and prevent its critics from having their say. The strategy of the reconciliation advocates is clear: Lay the groundwork for a new national energy tax that could cost American households up to $3,100 a year, keep it quiet, then rush it through Congress, leaving transparency and debate in its wake.

Americans deserve better. They expect a full and open debate, particularly on a piece of legislation as far-reaching as this. The proposal by the junior Senator from Nebraska would ensure that.

Here are two Republican ideas Americans support. I would urge my colleagues to do the same by voting in favor of both the Johanns and the Thune amendments.

I yield the floor.

Mr. GREGG. Mr. President, I 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. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I understand I now have the right to offer an amendment, but prior to offering the amendment, I wish to make a couple comments.

I have watched this debate develop, and it develops with a certain tempo every year. One of the comments that has been made in the paper by the chairman—and it was also made by the President, interestingly enough—is that if we disagree with the budget as brought forward by the President, we should offer our own budget. Historically, the way this has happened is that the party in the minority has not offered a budget. Traditionally, the party in the minority has offered a series of amendments to try to improve the majority's budget.

That is the tack we have taken this year. That seems like a more logical tack to me because it is a more bipartisan approach. We are simply trying to reach out to the majority and say: Hey, listen. If you accept this amendment and this amendment and this amendment, your product—the budget you have brought forward—is going to be a much better product. For example, if you reduce the amount of spending in your bill because your bill spends too much; if you reduce the amount of taxes in your bill because your bill taxes too much; and if you reduce the amount of borrowing in your bill because your bill definitely borrows too much, then the amendments which we offer to accomplish those three points would significantly improve your bill.

In addition, we are going to offer amendments which address positive policy initiatives. For example, we will offer an amendment to try to improve the energy policy of our Nation by allowing Americans to produce more American energy rather than buy it overseas, and to conserve more American energy—which is the approach we should take. We will allow Americans to produce more American energy by allowing more drilling in an environmentally safe way, by allowing more nuclear plants, by allowing more wind and solar energy, at the same time conserving. We will offer that amendment.

We will offer an amendment to improve the budget by offering a positive policy on health care where every American could be insured but where we do not add another $1 trillion in spending and don't step off on the course of nationalizing our health care system. We will offer amendments which will try to get under control the real threat we have as a nation, from the fiscal policy standpoint, which is the out-year debt, the fact we will be passing on to our children debts which are not sustainable, debts of a trillion dollars a year as far as the eye can see. That is not sustainable. So we will offer policies in that area, relative to trying to have a more balanced approach toward spending around here rather than a profligate approach toward spending.

That is the approach we take to improve this budget by amendment. It is a bipartisan approach. We are not going to set up our budget versus their budget and have a partisan debate. We are going to suggest they change their budget and make it a more positive document and more bipartisan document. Interestingly enough, this is exactly the same approach taken by the chairman when he was in the minority and I happened to be the chairman, and I respected that approach and I did, on occasion, ask where is your budget and he came back with his statements, which were eloquently and brilliantly presented, that said he would do it by amendment. In fact, they were so eloquently and brilliantly stated I brought some of the statements here so other Members can see the eloquence of our chairman on the subject.

March 10, 2006, when I offered a budget and I asked: Where is your budget, Senator? And he said:

> We will offer a series of alternatives by amendment.

Concise. People are concise from North Dakota. Sort of like New Hampshire. That is why we like each other. Then he made another statement when I asked the question where is your budget, Mr. Chairman, and said, on March 14—a more expansive statement:

> Mr. President, the chairman says we have offered no budget.

I did say that.

> The chairman well knows the majority has the responsibility to offer a budget. Our responsibility is to critique that budget.

We have great admiration for the chairman. I listened to his words when I was chairman. We are following that course of action. So I hope that as we move down the road with this discussion that we have no more statements in the newspaper to the effect there is no budget being offered by the Republican side.

On another subject, I heard—and I listened to what the President said on the issue of this auto bailout issue. I have deep reservations about this. I have been a strong supporter of the initiatives that this administration has taken trying to stabilize our financial industry. The financial industry is the core systemic element of our economic well-being as a nation. The availability of credit at a reasonable price, reasonably easy to obtain, is the essence of a strong and vibrant capitalist system. It goes to the core question of Main Street and how you make Main Street work.

If you think of us as a body, a nation as a body, the financial system is the blood system, it is the arteries, it is what moves the blood through the system. So it is critical that we have a viable financial system. I have been very supportive of the administration's initiatives in this area. I have been very supportive of Secretary Geithner's initiatives and I have been very supportive of Secretary Geithner. But this idea that we should step in to underwrite the automobile industry is something with which I have real problems. I had problems when the prior administration did it at the end, in the final days, and I have problems with it now. It is an important industry—no question. But, remember, cars are produced in this country that are not necessarily produced by these two companies, GM and Chrysler. There are also cars produced by Ford, Toyota, Honda, BMW. A

variety of companies have manufacturing facilities in this country, so it is not as though the entire system is threatened relative to employment of the people in the auto industry. It is these specific companies that are having problems and they are important but they are not systemic.

Equally significant is the fact that these companies have had problems for a long time in the production of a product that is competitive. Before we start putting tax dollars into these companies, there has to be a very specific plan that shows they will be viable, that these tax dollars will not be good dollars chasing bad dollars, and that means there has to be a plan, No. 1, to produce products people want to buy; and, No. 2, reduces significantly the debt so the bondholders actually take a fairly significant haircut; and, No. 3, brings their employment contracts in line with the employment contracts of their competitors. None of that has happened so far. It is very hard to justify putting money into this industry in this present climate and under the failure of proposals to come forward to accomplish that.

Something else the President said has raised a question to me. That is, he is saying that the Government is going to insure the warranties of these automobile manufacturers, specifically GM. Because if Chrysler affiliates with Fiat, that would not be necessary, I presume. That is a fairly significant step for the U.S. Government to take, that we are going to insure the warranties on cars. Is that the business of the Government? Is that the purpose of the Government? Does that mean we put a new telephone line in my office in Portsmouth for people who have problems with their transmissions? That they are supposed to call me?

Let's be honest about this. This is probably not a course of action that makes a whole lot of sense, that the Government is going to get into the business of underwriting the warranties of a manufacturer.

I have deep reservations about the course of action here. I do hope before we put any more money into this—in fact, I hope we will not put anymore money into it, but if there is more money going into it, there is at least a clear and defined plan that shows these companies will be viable, which means they have to put on the table a plan that shows they are going to make products we support, that people want to buy, bondholders are taking a fairly significant hit, and their union contract and the legacy contracts are adjusted to be more in line with the competition.

AMENDMENT NO. 739

On the specifics of the amendment which I am offering at this point, I ask the clerk to report my amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 739.

Mr. GREGG. 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 prohibit the consideration of any budget resolution, or amendment thereto, or conference report thereon, that shows an increase in the public debt, for the period of the current fiscal year through the next 10 years, equal to or greater than the debt accumulated from 1789 to January 20, 2009)

On page 68, after line 4, insert the following:

SEC. _____. LIMITATION ON BUDGET RESOLUTIONS INCREASING THE PUBLIC DEBT.

(a) POINT OF ORDER.—In the Senate, it shall not be in order to consider any budget resolution, or amendment thereto, or conference report thereon, that shows an increase in the public debt, for the period of the current fiscal year through the next 10 years, equal to or greater than the debt accumulated from 1789 to January 20, 2009.

(b) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(c) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels of net direct spending shall be determined on the basis of estimates provided by the Committee on the Budget of the Senate.

(f) SUNSET.—This section shall expire on September 30, 2010.

Mr. GREGG. This is a pretty simple amendment. It comes about as a result of one of the elements that I see as the core of the problem with the President's budget, and that is that we, under the budget as proposed by the President, are going to pass on to our children an unsustainable Government and a debt which will essentially put them in a position where their quality of life will be dramatically reduced because of the burden of the debt they have to pay relative to the Federal deficits that have been run up. The President's budget doubles—you have heard this before—doubles the national debt in 5 years, triples it in 10 years. These are massive expansions in debt. It is hard to put these numbers into context, but they represent the fact that every household in America, by the year 2019, will have $130,000 debt on its back added as a result of this Presidency, and $6,000 of interest payments that they will bear as a result of this Presidency.

That means the debt added to their backs and the interest added to their backs probably will exceed their mortgage payments—to pay for the Federal Government. So it doubles it in 5 years, triples it in 10 years. The burden will be extraordinary on our children because they are the ones who will have to pay the cost of this. It will lead to a decrease in the quality of life of our Nation because the burden of paying this will lead to one of two options: Either we inflate the currency, thus reducing the value of the dollar—and inflation is a dangerous thing for society to have happen to it; it makes everybody's work less valuable and it makes the products they produce more expensive—or, alternatively, the tax burden to pay for this will have to go so high on all Americans—this is not just the wealthy; the wealthy already are going to be taxed under this budget—it will go so high on all Americans that their discretionary income which they might use to buy a house, which they might use to send their children to college, which they might use to buy a car, to live a better lifestyle, will be eliminated or significantly reduced, anyway, because they will have to go through the burden of paying taxes to cover the debt that we are running up now. We are, our generation, running it up and we are handing it on to the next generation. It is very wrong for one generation to do this to another generation.

We will be creating under this budget, or the President is proposing to create under his budget, a wall of debt which goes up and up, a wall of debt which will be sitting on top of the American economy and the people of this country. The American people are not going to be able to get over this wall of debt. They will run right into it and the economy is going to run right into it, and it is going to have a devastating impact on us.

Other countries are going to be worried about this. Other countries that buy our debt and support our ability to function as a nation are going to be worried about the size of this debt. In fact, the Premier of China has already said—and he is the largest holder of American debt instruments outside of the United States—has already said that he is concerned about this. If China or other nations start to get concerned and are not willing to buy our debt, then that puts us in a difficult position because if we are going to run up all this debt and we have nobody who can buy the debt, that is when you hit inflation. That is when serious things happen.

We do not have to look too far to see it already happening in other nations. Ireland. Ireland got its debt so out of kilter it just had its credit rating reduced. A whole nation, which is considered to be a pretty vibrant nation and which for a period was considered to be the most vibrant economy in Europe, had its credit rating reduced. That is a huge event for Ireland and it reflects the fear that the Irish economy will not be able to support the deficits and the debt that are being run up.

How large was the Irish debt and deficit that led to this credit rating—credit downgrade? Their deficit was 12.4 percent of GDP. You say that is pretty darn high, no wonder the credit rating agencies said the Irish debt may not be sound or as sound as other nations.

How high is our deficit going to be? Under this budget resolution, this year it is already going to be 12.2 percent. We are closing in. Under the President's budget proposal, it will exceed 13 percent this year if the proposals in his budget are enacted. We are closing in on the Irish situation. We are spending a lot of money we do not have and we are running up a lot of debt we can not afford. In fact, stated another way, if you look at all the debts, all the deficit and all the debt run up on the United States since the beginning of our country—1789, when we began running up debt, that is when George Washington was President—this is a picture of all the Presidents here. If you look at all the debt they ran up on our Nation from George Washington through people such as Buchanan, Polk, Lincoln, of course, Grant, Garfield, Wilson, Harding, Franklin Roosevelt, Truman, right up through George W. Bush—all the debt run up by all these people, all these Presidents throughout all their administrations, the President of the United States, President Obama, is suggesting that he, under his budget, we should double that—double this cumulative debt run up on our country since 1789 in about the first 5 years of his Presidency.

That is incredible. That is an incredible explosion in debt. It gets back to this chart I held up that says we are going to double the debt in 5 years under this Obama proposal—President Obama's proposal—and triple it in 10 years. It is incredible.

I do not think that is affordable. I don't think our Nation can do that. So I have offered the amendment I call the 1789 amendment. We are going to refer to it as the 1789 amendment. Actually it says there will be a point of order against a budget that proposes that the debt of this Nation should be doubled during the period of that budget—that if that debt would double, that a budget which would propose that debt would double the amount of debt run up since 1789 through January 20, 2009—if a budget comes to this floor which doubles the debt of the United States, which has been run up since 1789, through 2009—run up under all the Presidents of the United States prior to President Obama, there would be a point of order against that budget.

Does a point of order mean the budget can't be passed? No. The budget can be passed. It is just going to take 60 people to pass it rather than 51. That seems reasonable, that if you are going to leave our children with a doubling of the debt in 5 years and a tripling of the debt in 10 years, that you ought to be willing to get 60 votes to do that.

The reason for this, of course, is to highlight and make it clear to the American public what we are doing to ourselves. I do not expect to win the point of order very often—especially if my colleagues on the other side of the aisle have 58 votes. But that point should be made so the American people see in a very clear way what is happening to them. That is what this is about—making it very clear to the American people that if the deficits are going to go up in this way, that if a President proposes to run a $1-trillion-a-year deficit for 10 straight years on average—$1 trillion, think about that for a moment, a $1 trillion a year deficit for 10 straight years on average—wow. We used to get concerned around here, and rightly so, whether we were running a deficit in the range of $200 billion.

We are now talking about $1 trillion a year under this President's budget, as the deficit that is proposed. Five to 6 percent of the gross national product will be deficit spending, with the practical implication that it adds to the debt almost $9.3 trillion, tripling the debt, taking the debt as a percentage of GDP up past 80 percent, which is an unsustainable number. It is so unsustainable, in fact, that we wouldn't even be able to get into the European Union if we wanted to because they don't allow countries in that have that amount of debt. Can you imagine that? We are worse off than all the countries in Europe that are part of the European Union because of the level of debt being proposed in this budget.

Nobody wants to use Europe as an example, but that is a pretty significant benchmark. We will be headed toward a situation where the value of our currency is at risk, where our ability to sell debt will be limited or affected, where we have a potential for massive inflation, and where we essentially will pass on to our children a country they cannot afford because the tax burden to support the government will be so overwhelming. We should not do that. I don't think we should do it.

The history of this Nation is that every generation passes to the next generation a better and more prosperous country. The implications of this budget are that we will be unable to pass to the next generation a better and more prosperous country. This amendment, which we call the 1789 amendment, says, if we want to pass a budget that doubles the debt over all the debts that have been run up in this Nation since 1789, we need to get 60 votes rather than 51. We have to get nine more people to agree. That seems a reasonable threshold and, hopefully, a transparent event that will make it clear as to what the budget is doing to the next generation.

I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). Who yields time? The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the distinguished ranking member for his use of my previous quotes. I am delighted to see my name up there on those wonderful charts.

Mr. GREGG. I was going to put them in lights, but they don't allow that as part of the rules.

Mr. CONRAD. That would be an even nicer touch.

The one thing I would say that was left out was when there was a new administration and a complete change in direction in 2001, I did offer a complete alternative. My colleague is very unhappy with the President's budget. This is their opportunity, if they are as unhappy as they say, to offer an alternative. But they don't have one. They don't have an alternative. They don't have an alternative budget. They don't have an alternative vision. All they want to do is say no. They want to say no to the President's budget. They want to say no to the budget that has come from the Budget Committee. They say no to their even offering an alternative.

When the situation was reversed, a new President in 2001, with a radically different vision, we offered a full alternative. I am proud we did.

When I hear the other side talk about the growth of debt, I have to ask, where were they the last 8 years? Where were they? Where were they when the previous administration doubled the debt of the country? In fact, they more than doubled it. Where were they when the previous administration tripled foreign holdings of U.S. debt?

As this chart shows, it took 224 years and 42 Presidents to run up $1 trillion of U.S. debt held abroad, and the previous President ran that up by more than $2 trillion. He tripled the amount of U.S. debt held abroad. We have become increasingly dependent on the kindness of strangers.

Last year, under their administration, 68 percent of the new debt of this country was financed by foreign entities. Where were they when that was happening?

This President inherits the colossal mess left behind by the previous administration, a debt that had more than doubled, foreign holdings of U.S. debt more than tripled, and the worst economic slowdown since the Great Depression. This President has been in office 3 months. Under the terms of the amendment they are now offering, they act as though he is responsible for debt runup during the previous administration. Please. That has zero credibility. They are saying that debt runup in the last quarter of the last administration is attributed to this administration. They say the budget that this President is inheriting for this year is the responsibility of this President. I don't think so. That is not the way I ever did the calculations.

When their administration was in power, I always held their administration harmless for the first year since they were inheriting the budget of the previous administration and the economics of the previous administration. Now they want to try to stick President Obama with the failures of the last administration and say debt runup in the previous administration is his debt. I don't think so. That is not fair. That is not going to sell.

Here is what happened when they were in charge. We now have China as

the No. 1 financier of U.S. debt. We owe them $740 billion. Japan is not far behind. We owe them $635 billion. Where were they when this debt was being run up? I will tell you where they were. They were in full lockstep support of the previous administration. They voted for every dollar of the debt that was run up.

One place I will agree with them is that it is dangerous to have run up that debt. Unfortunately, with this economic slowdown, we are going to have a lot more debt, a lot more deficits, until we are able to lift out of this and then pivot and get back to a more sustainable course.

China is worried about the U.S. debt. They were worried about it before this administration, they were worried about it in the previous administration, and well they should be. If we look at any analysis of the debt we have from 2001 to 2014, who is responsible for the debt buildup?

This red bar is what the Bush administration will have been responsible for. The green is the recession and interest on inherited debt. The contribution of this budget is the small yellow piece because we have the Titanic of debt coming at us. It is a result of the policies inherited by this administration, the result of the economic collapse inherited by this administration. That is the reason we have the circumstance we face today.

Let me quote Senator GREGG. He was kind enough to quote me. I would like to quote him. This is what he said on March 11. He was quoting me from 2006. I stand by those quotes. This is March 11, Senator GREGG:

> I'm willing to accept this [short-term debt deficit] number and not debate it, because we are in a recession, and it's necessary for the government to step in and be aggressive, and the government is the last source of liquidity. And so you can argue that this number, although horribly large, is something we have to live with.

He was right on March 11—by the way, my daughter's birthday, and the day before my birthday. Usually he gives me a gift on my birthday. No gift this year. I am very hurt by this. I don't know why Senator GREGG absolutely forgot my birthday. He remembers my quotes, but no remembrance of my birthday. That is OK. I still like him very much. He is a very nice person. But the place where he and I absolutely agree is the second 5 years. We have to do a lot more to get the debt under control under the President's budget, even my budget, which dramatically reduces the deficit and debt. The truth is, we have to do more. It is in the country's interest that we do.

Let's talk a minute about what we are accomplishing in the budget before us. We are dramatically reducing the deficit, from $1.7 trillion this year, an all-time record, because of the dramatic economic slowdown. That means less revenue, more expenditure, exploding deficit, and $1.3 trillion of this $1.7 trillion is exclusively the responsibility of the previous President.

A new President walks into a situation. He didn't construct the conditions for this year. That is the previous administration. So $1.3 trillion of this year's deficit reflects the policies of the previous administration. We hold President Obama responsible for $400 billion of the deficit this year because that is the effect of his stimulus package and other legislation that passed.

So, yes, he has a responsibility for some of this deficit this year, but it is about one-fourth of what we will experience this year. Then we are dramatically reducing the deficit by $500 billion for the next year. The next year we bring it down another $300 billion, the next year another $300 billion, and, by 2014, we take it down to $508 billion, a more than two-thirds reduction in the 5 years of this budget as a share of gross domestic product, which is what economists say ought to be the comparison.

Why do they say it? Because if you look at it in dollar terms, that does not take account of inflation. If you do it as a share of gross domestic product, that takes account of inflation. You can see we are even more dramatically reducing the deficit under that metric, from 12.2 percent of gross domestic product today down to less than 3 percent in the fifth year, which economists all say is what we need to do to stabilize the growth of the debt. We need to get to 3 percent of GDP or less. We do that in the fifth year and bring down the deficit as a share of GDP each and every year of the 5 years of the budget.

My colleagues on the other side have offered an amendment that says—and I hope colleagues are listening because we are going to vote on this, and we will be voting pretty soon on this proposal—if the debt is at a certain level, it will require 60 votes to write a budget resolution.

Let's think about that. Let's think of the implications of what they are offering. They say, if the debt is not below a certain level, you cannot write a budget resolution unless you get a supermajority vote. Do we want to do that? I would say to my colleagues, the budget resolution is the vehicle that has all the budget disciplines in it, all the supermajority points of order against spending, and they would jeopardize those very disciplines that can help us hold down deficits and debt.

What sense does that make? I ask my colleagues, does it make any sense at all to be saying we are going to make it harder to write a budget resolution that provides the disciplines to hold down spending, that provides all those supermajority points of order against additional spending? I say to my colleagues, the cure they are offering is worse than the disease. Please, colleagues, let's not go with that idea.

I will tell you, in the committee, they actually offered—which I thought was the most bizarre; and I have been on the Budget Committee 22 years—in the committee they actually offered a proposal to tie our standards on deficits and debt to Europe. So we are going to adopt the European Union model under the amendment they offered in the committee. Could you imagine?

Now the question of what our fiscal policy should be would be tied to France, would be tied to Italy, would be tied to Spain, would be tied to Germany, would be tied to Belgium.

This is America. This is an American budget for the American people. We ought not to be tying ourselves to the French, the Italians. I love the Italians. My wife is Italian. But, my goodness, they are talking about tying our budget standards to the European Union? I do not think so.

I say to my colleagues, this amendment they are offering—well intended, absolutely well intended; I do not question their motivation at all, but I do question very much the specifics of the proposal they have offered.

Mr. President, I would ask to have an update on how much time remains on the budget resolution and what is the time between the sides?

The PRESIDING OFFICER. At the beginning of consideration of the pending amendment, the majority controlled 19 hours 47 minutes, the minority controlled 19 hours 40 minutes.

Mr. CONRAD. And we are at just after 11 o'clock.

What is the order that was entered last night?

The PRESIDING OFFICER. After the consideration of the pending Gregg amendment, Mrs. BOXER of California is to be recognized. She will be offering an amendment. Then, Senator, you will be recognized to offer an amendment or your designee to offer an amendment.

Mr. CONRAD. All right.

Mr. President, I say to Senator SESSIONS, are you seeking time on the Gregg amendment?

Mr. SESSIONS. Yes.

Mr. CONRAD. We still have time remaining.

Mr. President, how much time remains on the Gregg amendment?

The PRESIDING OFFICER. The sponsor has 19 minutes, and the Senator from North Dakota has 14 minutes.

Mr. CONRAD. I ask Senator SESSIONS, how much time would he seek?

Mr. SESSIONS. Mr. President, I ask for 5 minutes.

Mr. CONRAD. Mr. President, I yield 5 minutes off the time of the minority to Senator SESSIONS.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, might I say, after Senator SESSIONS has used that time, or whatever additional time he might require, our intention would be to go to Senator BOXER. We cannot lock that in because Senator GREGG is not here, and we have an agreement we do not take advantage of each other in a procedural way. So I would not seek to, in any way, alter the time that remains.

I yield to Senator SESSIONS.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I support the Gregg amendment because it at least requires us to focus on the enormity of the wrong we are now committing.

This chart I have in the Chamber—you have seen a lot of charts and a lot of obfuscation and numbers thrown around—this chart is not disputable. These numbers come directly from the Congressional Budget Office's analysis of the Obama 10-year budget. That budget says that today our debt is $5.8 trillion—$5,800 billion since the founding of the Republic. It will double, in 5 years, to $11.8 trillion—$11,800 billion in 5 years. It will, in 5 more years, triple to $17 trillion of debt. We all know that nothing comes from nothing.

We have to pay interest on that debt. CBO has calculated that. We are currently paying $170 billion a year in interest—$170 billion. My home State of Alabama's entire budget is under $10 billion. The federal government spends $40 billion a year on highways. We spend $100 billion on education. We are currently spending $170 billion just on interest on our debt. When this budget gets through, in calculating the interest rate, with some increases—because these debt levels are going to require higher interest to get people to loan us money—it will be $800 billion in interest at the 10th year, which is bigger than the defense budget, bigger than education, bigger than anything else in our account.

I know the chairman has the budget on the floor and has said it is a 5-year budget, but the House has a 10-year budget. Director Orszag, the President's Director of the Office of Management and Budget, has said the Senate's budget is 98 percent of the President's budget. So it is not a fundamental change. It is, essentially, the President's budget. This is what the President's budget does. I would contend it is, essentially, indisputable that this is what he calls for. He made choices. He could have cut spending in some other places, but he increased spending.

I will add this: He does not project these deficits arising from slow economic growth. Under the President's budget, he projects robust growth, good growth. The only negative year is this year. Next year, he projects solid growth. The next year, I think, 4 percent; 3 years in a row of over 4 percent growth, which is very robust. No recession is projected in this 10-year period. So we have good years, fat times, and all the while we are increasing our debt, tripling it.

Senator GREGG is saying, let's at least have a vote that requires 60 votes of the Senate, such as we do on any other important piece of legislation, as to whether we will exceed doubling the debt.

Let me tell you the consequences of this. Last week we had difficulty selling our debt. The Brits' debt auction failed. The British are following our model of huge spending increases and surging debt. That idea is being rejected by Central Europe, Germany, France, the Czech Republic, and others. They reject that. They have refused the mortifying request of our own Secretary of Treasury that they go further into debt, spend more money as part of this wild plan to stimulate the economy with unprecedented debt. They have said no. It is irresponsible. In fact, the EU President said it is the road to hell.

The idea is, we have to pay this. This has a cost to the future. Yes, it gets money into our economy today, and in the short run there has to be some benefit, although Nobel Prize laureate Gary Becker says it is so poorly drafted—this money we are spending—that we are not going to get nearly as much financial stimulus as we should be getting from it.

And you would say: Well, we will soon begin to pay this debt down. The President says he is worried about it. We are going to pay the debt down. But the debt is not going down. The annual deficit, in the last 4 years, surges until CBO scores the 10th-year deficit, in 1 year, at $1.2 trillion. The highest deficit we have ever had prior to this year was $455 billion, and in good economic times, they are projecting a $1.2 trillion deficit. That is the annual deficit, adding to these numbers, as shown on the chart. That is why it triples. They keep going up, up, up.

There is no constraint in spending whatsoever. There is no plan to control the entitlement surge, no plan to control spending.

Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. In fact, the President's budget, this year, proposes to increase domestic discretionary nondefense spending by 11.5 percent. We passed, a few weeks ago, a stimulus plan to spend $800 billion—the largest single appropriations in the history of America; $800 billion—every penny of it going to the debt. Now we are going to have an 11-percent increase this year in discretionary spending on top of that? You know the rule of 7. It states that at 7-percent growth, your money doubles in 10 years. At 11.5-percent growth, our spending would double in 7 years. The entire spending of the discretionary account would double in 7 years if we maintained this incredible, colossal spending path we are on.

I think Senator GREGG is exactly right. Let's at least slow down and let's at least have the 60 votes we would normally have to pass an important piece of legislation if and when—and we certainly are heading to a point where this debt doubles—so at least to go to tripling, we ought to have another vote and slow down and ask ourselves: What in the world are we doing to our children? They are going to be carrying—at this year, as shown on the chart—$800 billion in interest that year. That assumes the interest rate is mainstream. But the truth is, with this much borrowing in these many countries around the world, we could have interest rates higher than that. If the interest rates go up, the $800 billion could become $1 trillion a year easily, and above, if the debt continues to surge.

I support the amendment. I am very worried. The numbers we are talking about on the floor are not a political dustup. This is about the future of America. The financial integrity of our country is at stake. We have never spent like this before, except in World War II when we were in a life-and-death struggle. It is not the right thing to do, and I support the amendment.

I thank the Chair and yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. Mr. President, it will be our intention, as I am able to reach Senator GREGG, that we yield back the time on the Gregg amendment—I have 13 minutes remaining, he has 11 minutes remaining—and that we go to the Boxer amendment. I ask Senator BOXER, when she is available, to come to the floor.

Let me very briefly respond to Senator SESSIONS. Let me first say that I appreciate his concern about the long-term debt, but I have to go back to the questions I was asking earlier. Where were they? Where were they when the debt was deemed doubled in the previous administration? Where were they? They were right there supporting every policy which led to that explosion of debt and which ultimately led to the sharp economic collapse we are still experiencing. This collapse is responsible for record deficits. What happens when there is a collapse? The revenue evaporates, the expenditures skyrocket, because you have more people unemployed, you have more people who need food stamps, you have more need for a stimulus package to try to give lift to the economy.

So I would just say to my colleagues, I have been concerned about debt for 22 years. I have been concerned about what it would mean to the economic security of America for 22 years. I have led fight after fight after fight on this floor, whether it was Democratic administrations or Republican administrations, to keep deficits and debt down because I believe they threaten the long-term economic security of the country. Never is it more evident than now, when we financed 68 percent of our increased debt last year through foreign entities. Some say that is a sign of strength that they are willing

to loan us all this money. I don't think it is a sign of strength; I think it is a vulnerability. When we are dependent on the Chinese to bankroll us, the Japanese to bankroll us, that gives them an extraordinary influence over us because if they decide to not show up at the bond auction one week, what would we have to do? We would either have to dramatically increase interest rates to attract capital or we would have to radically cut spending or dramatically raise taxes. All of those alternatives would be bad for the economic position of the United States for the long term.

Mr. President, I ask unanimous consent that we preserve the time remaining on the Gregg amendment—whatever time Senator GREGG still has and the time I still have—and that we set that aside and go to the Boxer amendment, and that it be in order to return to the Gregg amendment after we complete the time on the Boxer amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CONRAD. With that, we will momentarily go to the Boxer amendment.

I thank the Chair, yield the floor, and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. I ask unanimous consent that the Senate stand in recess today from 12:30 to 2:15, that the time during the recess count against the time on the budget resolution, and that it be charged equally to both sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I wish to make clear that we had that agreement between the two sides. Although Senator GREGG is not present on the floor, we had the understanding that this is how we would proceed.

With that, I note that Senator BOXER is here now and prepared to proceed on her amendment.

The PRESIDING OFFICER. The Senator from California is recognized.

AMENDMENT NO. 749

Mrs. BOXER. Mr. President, I really take to the floor, first of all, under the order to call up an amendment I have at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 749.

Mrs. BOXER. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require that certain legislation relating to clean energy technologies not increase electricity or gasoline prices or increase the overall burden on consumers)

On page 33, line 21, after ''economy,'', insert ''without increasing electricity or gasoline prices or increasing the overall burden on consumers, through the use of revenues and policies provided in such legislation,''.

Mrs. BOXER. Mr. President, this is an amendment I have decided to offer to our colleagues as a supplement to an amendment offered by Senator THUNE.

Senator THUNE makes the point that global warming legislation should not increase electricity prices. It is very interesting because I didn't hear the concern from the other side of the aisle—it also refers to gasoline prices—when gasoline prices hit almost $5 a gallon in our home States. We didn't hear an outcry. There was no global warming legislation. It had nothing to do with it; it had to do with manipulation. We didn't hear any outcry about that.

I think Senator THUNE doesn't go far enough because we believe that revenues from a climate bill, should we pass one—and I certainly hope we will—would be used to offset any kind of an increase in electricity and gasoline prices, and we would have the revenues from a cap-and-trade system to do just that. So I think Senator THUNE's amendment doesn't go far enough. We not only don't want to see an increase in prices, we want to have the revenues coming in through cap-and-trade legislation to make consumers whole.

In his argument for his very narrow legislation, which I will be voting for—I don't have a problem with it—Senator THUNE cited a study by MIT to argue that climate legislation is a tax. In fact, the MIT study actually shows why it is important to capture the overall picture because the MIT study actually points out that the monetary value of allowances under a cap-and-trade program is something that Congress would have the option of using to give a family of four a tax rebate—a tax rebate—that could be as high as $4,500 per year by the middle of the next decade.

So I find it amazing that my Republican friends who oppose taking any action on global warming suddenly have discovered the consumer and they are worried that the consumer would pay high prices when we fight global warming when, in fact, a well-designed program—and I say to the Chair, as he is a proud member of our committee—a well-designed program, as he knows, will give us the ability to refund money to consumers and make sure they are healthy and kept whole.

So this legislation simply says that we will ensure that our legislation relating to clean energy does not increase electricity or gas prices or does not increase the overall burden on consumers, and that is the key. So it is going to be a boon for consumers.

So we will be voting for the Thune legislation and hopefully for the Boxer legislation so that we cover all of our bases and we know that global warming legislation is not going to hurt consumers but actually keep them whole and clean up their environment; it is going to create green jobs and all the rest.

I wish to spend a couple of minutes talking about this budget, and I wish to start off by thanking members of the Budget Committee. Again, my colleague in the chair is a member of the Budget Committee. They worked very hard under the leadership of Senator CONRAD to come up with a product that keeps President Obama's priorities intact, that does more for deficit reduction, and I am very pleased about it.

I wish to say that I am very pleased the American people have not fallen for the same old, same old policies of the Republicans as they try to demolish this new President and they try to destroy his reputation and try to bring him down. We don't have the charts that talk about the same old policies, so if we could get those. There is a series of charts.

I have taken to the floor before to talk about the comments of my Republican friends during the debate on the Clinton budget, and we all know—here is the message. We all know the Republicans repeat the same old politics, the same old policies that got us into this crisis.

I wish to take you back to 1993. The Republicans came to this floor, and they tried to demolish the Clinton budget. Not one of them voted for it. The Democrats had taken over from George Bush's dad. Things were in very bad shape.

This is what the Republicans said about the Clinton budget in 1993:

It is just a mockery. It is just a mockery, said Committee chairman Pete Domenici.

Senator HATCH: Make no mistake. These higher rates will cost jobs.

Phil Gramm said: I believe hundreds of thousands of people are going to lose their jobs as a result of this program—including Bill Clinton, he predicted, would lose his reelection.

Connie Mack: This bill will cost American jobs.

What happened as a result of the Clinton budget? Twenty-three million jobs were created. It was the best record ever in peacetime—the best record ever in peacetime.

Senator Roth of the other side: It will flatten the economy. It is bad policy.

And on and on and on.

Now here we have today—this is years later, more than 10 years later—the same old politics, the same old policies. Just listen to my Republican friends trashing Barack Obama's budget: disaster, disastrous, terrible, deficits as far as the eye can see. That is what they said about the Clinton budget too—deficits forever. Guess what. Guess what. Not only did we have a balanced budget under Bill Clinton by the end of his term, we had a surplus.

So as our Republican friends come to the microphone, I want my colleagues to listen carefully to their words. I am proud of the American people for seeing through this. They understand what got us into this mess. Clearly, what we can see is the same old, same old, same old; the party of nope: Nope, we can't change. Nope, nope. I, frankly, would rather be in the party of hope than the party of nope, and hope is what the American people want.

In this budget, we recover from the Republican deficit. It is true in the short-term we are going to see deficits go up. But as shown to us by Senator CONRAD, who is the biggest deficit hawk in this Senate—I challenge anyone to be more of a deficit hawk—we see we are beginning to turn these deficits back down to sustainable numbers.

We know why the American people support President Obama and the Congress right now—because they saw that George Bush took record surpluses and turned them into record deficits. The national debt increased by 85 percent. The foreign-held debt more than tripled. This is the Republican deficit we are dealing with now, and we don't like it. But we are going to fix it as we did under Bill Clinton. We fixed it then, we will fix it now. The people are smart. When Republicans come to the floor and they fight President Obama, the people in this country—Democrats, Republicans, and Independents alike—are saying give this new President a chance. He inherited this mess.

Let's look at the rest of the deficit that happened with our families. Health insurance premiums have risen, energy prices increased, college costs skyrocketed, and the gap between the wealthy and the middle class widens. That is the part of the deficit this President was left with. We are losing the middle class in this country. That is very clear. It is very clear. All you have to do is look at income levels. That is why when my Republican friends come to the floor to trash the President and the budget, they understand what has happened. It is not a mystery.

This is not a theoretical argument about who is right and who is wrong. We now know what happened in the Clinton years: the best economy in peacetime, 23 million jobs, surpluses, debt on the way down. We know what happened. When George Bush took the keys to the Oval Office, he turned it around into the Republican deficit. We know that happened. The people are smart; they get it. That is why they support this.

Let's look further. I said before when George Bush took the keys to the Oval Office, there was a surplus of $5.6 trillion. That was the projected surplus. They turned it into a deficit of $10.6 trillion. That is what happened under the Republicans. Why should we listen to what they are saying now? They are saying the same old thing. GOP, SOP, same old policies.

Now, what our President is saying is that we are going to have a road to change. That road to change is going to be paved with a few simple things. One is energy independence; two, making college affordable; three, lowering health care costs; four, middle-class tax cuts; five, cutting the deficit in half in the next several years. Let me repeat them. Energy independence, making college affordable, lowering health care costs, middle-class tax cuts, and deficit reduction.

What do my Republican friends stand for? The same old policies, the same old thing—no investment, no imagination, no realization that until we get off of foreign oil, and we lead the way on global warming, and we lead the way on lowering health care costs, we are going to be stuck in the same old place. That is why this budget is so crucial and important, because it is a roadmap of our Nation's priorities.

The President ran on these issues. He is doing what he promised he would do—everything. The American people are saying that we know times are tough, but this President is trying, this Congress is trying. That is better than the status quo. If you read anything about the years of the Great Depression, you realize that what our people wanted then was what our people want now; they want us to try. They want us to shake things up, to invest in our people, and to create the jobs that will come along with these important policies.

There are a lot of middle-class tax cuts in this budget. The President extends the child tax credit, eliminates the marriage penalty, and increases education benefits. These are important for our people. So this budget, all told, makes a lot of sense for our country.

Senator THUNE has offered an amendment in which he says electricity and gas prices should not rise as we pass global warming legislation. We agree with that. We don't think his amendment goes far enough, because what we want to see is global warming legislation that passes that uses the revenues to help consumers, that uses the revenues to invest in new technologies, that uses the revenues to create jobs, to build transportation systems, to make sure our forests continue to act as carbon sinks, taking carbon out of the air.

Mr. President, how much time do I have remaining at this point?

The PRESIDING OFFICER. Fourteen minutes.

Mrs. BOXER. Mr. President, I ask if the Chair will let me know when I have 5 minutes.

The PRESIDING OFFICER. The Senator will be notified.

Mrs. BOXER. Mr. President, I said before that when my Republicans friends come to the floor, the American people should be wary. That is because they trashed the Clinton budget, and they were wrong then. Now they are trashing the Obama budget, and they are going to be wrong again. Even more than that, let's see what they said about the Bush budget—the Bush budget that led us into this mess.

Senator GREGG I have a lot of respect for, but he was wrong on the Bush budget. He said the Bush budget would drive the deficit down and produce a surplus in 2012. It is hard to believe that was the prediction. We had deficits as far as the eye could see under George Bush. The leader of the Republicans on this predicted there would be a surplus under the Bush budget. As a matter of fact, we are in the biggest economic mess since the Great Depression that this new President has to lead us out of. We need to help him. We really need to help him. It is very important that we do.

I thank the Budget Committee for including in the budget a reserve fund that will be able to make global warming legislation a reality. In other words, the committee is saying this may happen and they have set aside a reserve fund. It is important. It sets the stage for legislation. I guess the message I want to give to my colleagues who oppose any legislation—and there are a lot of them—I have bad news for them. Whether they support it or not, action on global warming has already begun. The train has left the station. The Supreme Court—this Supreme Court—voted 5 to 4 that the Clean Air Act actually does cover carbon emissions, greenhouse gas emissions and, therefore, the EPA has the power to say to our businesses: Clean up your act for the good of society.

Frankly, as far as I am concerned, knowing what I know about the consensus of scientists, I think it is urgent that the EPA act. But I also know it would be far better if this Congress acted, because if we acted, we could set up a cap-and-trade system. The EPA cannot do that without legislation. That cap-and-trade system will bring in revenues to help our businesses, help our consumers. I think at the end of the day it will lead us to millions of green jobs, a new economy, and lead us down the path of energy independence.

Let me say to my friends who will oppose the legislation when it comes—and it is coming—here is your choice: You can fight it tooth and nail and stop it any way you want. You can even say never use reconciliation, even though you supported it 17 times in the past. If that is what you want to say, say it. We already have the New England States which have come together and they are doing a cap-and-trade system. The western States have gotten together and they are doing a cap-and-trade system. We have the Midwest involved with Canada doing a cap-and-trade system. We have the EPA having to act because of the Supreme Court. We have the California waiver out there.

So we are acting on global warming. The question is: Will we do it in a way that turns this challenge into an enormous economic opportunity—and, of course, that is what I want to do. That is why so many businesses, and now

more and more labor unions, are supporting the passage of climate change legislation. Look, we know, because our own scientists have told us here at home, there are risks to public health if we don't act: more heat-related deaths, water-borne diseases from degraded water quality, more cases of respiratory disease, including lung disease, from increased smog, and children and the elderly are vulnerable. We know what the future will be like. We would never, ever, take our kids in an automobile and park it in the sunlight next to a supermarket, lock all the windows, and go inside and leave them alone. We would never do that. Well, as legislators, we cannot do that to our constituents.

The fact is we know what is happening. The IPCC, Intergovernmental Panel on Climate Change, warned us that unchecked global warming would lead to reduced snowpack in the western mountains, critically reducing access to water. We are already seeing insect invasions damaging our forests. We know that every State in this great Union will be impacted, and some are already impacted. We know that. In New York, a report predicts that northeastern cities could be hit the hardest as sea levels rise, including flooding of their subway system. We know Florida is another very vulnerable place. A huge population is exposed. New Orleans and Virginia Beach are ranked in the top 20.

It doesn't matter where you are in this country, you are going to be impacted. Your agricultural sector will be impacted, your tourism sector will be impacted, your fishing industries will be impacted.

So here is the deal: Either we pass legislation that turns this challenge into a great opportunity, gives us the resources to get us on the path to energy independence, gives us resources to create millions of green jobs, or we allow the States to do what they want to do, and that is fine. I support that. There will be various States doing their own cap-and-trade system. The whole world will do it. But Members of the Senate will think, oh, if that is what they choose to do, that is their choice. But we will fight global warming, and we already are. It is just that we are not doing it in a way that is beneficial to our working people, our families, and our children.

I have to tell you a story. We had yet another hearing in the Environment Committee on the latest science on global warming. We heard what we expected to hear—the predictions are getting more and more dire. The Republicans invited a witness, and I think the occupant of the chair will remember this. He was a very good witness. But at the end of his remarks he lost his way. This is what he said:

> I don't know why everybody is so worried about high levels of CO_2. We have had levels that have hit a thousand parts per million before, and everything was just fine.

I asked him:

> Sir, you are an expert. When was it?

He said:

> Eighty million years ago.

I said:

> Who lived then?

He said:

> The dinosaurs.

I have to say that is not an answer I am going to give to my grandkids—that in order for them to live in the future, they are going to have to become dinosaurs or they won't make it. This is ridiculous.

The Senate is the last place to get the message. We are going to do everything we can to bring legislation later. I know what the Budget Committee did was a sound decision. They said we are not getting into it, but if the committees do act, we will set aside a reserve fund, so they can make sure there will be an order when they do act.

I am very happy to say that my House colleagues are working on legislation. The prospects are looking very good over there. We will be ready to go. But let me say this: The choice is between a livable world and one that is not livable. If my colleagues cannot understand this, then I am very sorry. But in any case, we are going to fight global warming. We will do it in the right way.

We are going to have an amendment that goes beyond what Senator THUNE has done. I am going to tell my colleagues to support the Thune amendment and the Boxer amendment so that we make sure our consumers are kept whole as we move forward with legislation.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time? The Senator from Alabama.

Mr. SESSIONS. Mr. President, I see the chairman.

Mr. CONRAD. Will the Senator yield for just a moment?

Mr. SESSIONS. I will be delighted to.

Mr. CONRAD. If I might inquire of the Parliamentarian, how much time remains on the Boxer amendment?

The PRESIDING OFFICER. The sponsor has 3 minutes 49 seconds. The time has just begun for the opposition.

Mr. CONRAD. Mr. President, I say to Senator SESSIONS, does he wish to use time in opposition to this amendment?

Mr. SESSIONS. Yes.

Mr. CONRAD. We will yield whatever time the Senator might consume in opposition on this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, as we get into this debate——

Mr. CONRAD. Mr. President, if the Senator will withhold, I can see there is a little consternation. We are yielding off Senator GREGG's time to Senator SESSIONS.

Mr. SESSIONS. And, Mr. President, how much time is left on the Boxer amendment?

The PRESIDING OFFICER. The opposition has 28½ minutes.

Mr. SESSIONS. Mr. President, first, I want to repeat the situation in which we find ourselves. My colleagues are quick to say President Bush spent us into bankruptcy, that he did all this reckless spending and that is the problem we have today. President Bush, in my opinion, did spend too much money and the debt was too high during his 8 years in office.

Last spring, I voted against sending out $160 billion in checks. I didn't think that was a good policy. The Democratic majority here supported that steadfastly, overwhelmingly. Spend, spend, spend is what we have been seeing over there over the years and, in fact, with this big majority they have, and on the budget, Republicans are not able to take the heat, Republicans are not able to say to my colleagues, they have the votes, they can pass whatever budget they want.

What I do want to say is that these are some accurate figures about the Bush budget: His worst deficit in 2003 was after 9/11, after he inherited an economic slowdown. The tech bubble had burst. When he took office, the day he took office, the Nasdaq had already collapsed and lost half its value. We were in a recession. Then we were attacked 9 months later, and the money got spent. At one point we ended up with a $412 billion deficit. We thought it was horrible. But in 3 years, that deficit was reduced until fiscal year 2007, when we had a deficit of $161 billion. We worked it down and were heading in the right direction. Then last year he sent out those checks and we had an economic slowdown and both Houses, controlled by the Democrats, voted overwhelmingly to spend another $160 billion to stimulate the economy. It didn't work, and we ended up with a $455 billion deficit.

In the third year of the Democratic majority in the Congress and in the Presidency of Barack Obama and not all of this money can be traced to him, but much of it can—our deficit this year will not be $455 billion. It will not be $800 billion. It will not be $1 trillion. It will not be $1.4 trillion. It will be $1.8 trillion this year. Nothing has ever been seen like this before, ever. Next year, it will be over $1 trillion. In the outyears of the President's 10-year budget, it will be increasing the annual deficit $1 trillion. In fact, in the 10th year of his budget, according to our own Congressional Budget Office, basically hired by the Democratic majority here, they are scoring the deficit that year to be $1.2 trillion, added to the other. That is why this irrefutable chart shows that the debt goes from $5 trillion to $11 trillion, doubling, and then tripling in 10 years. That is not sustainable, as our Budget chairman has said.

Mr. President, I see my colleagues are on the floor. I will be pleased to have a discussion with them about the reconciliation process. Let me just say this: In a time of economic hardship, when families are struggling to pay

their bills and businesses are laying off people in order to survive, the last thing we need are major tax increases. Raising taxes hurts the family budget and kills jobs. Yet the President's budget contains the largest tax increase in American history, $1.5 trillion over the next 10 years.

Again, I note that the deficit is not because we are not increasing taxes. We are increasing taxes. The spending is so great it still triples the debt.

Mr. ENSIGN. Mr. President, will the Senator yield for a question?

Mr. SESSIONS. I will be pleased to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Was the Senator aware that the President's budget proposes a new national energy tax that will be paid by every person who turns on a light switch, heats their home, or puts gasoline in their car?

Mr. SESSIONS. That is correct. Under the President's plan, the average American family will see their energy bills increase up to $3,128 each year. Not over 10 years, but each year. That is how much it will go up.

In a candid moment when he was still a candidate, President Obama admitted:

> Under my plan of a cap-and-trade system, electric rates would necessarily skyrocket.

Mr. THUNE. Mr. President, will the Senator from Alabama yield for a further question?

Mr. SESSIONS. I will be pleased to yield to Senator THUNE from South Dakota.

Mr. THUNE. Mr. President, is the Senator from Alabama aware that the President's Director of the Office of Management and Budget admitted the same thing last year when he was the Director of the Congressional Budget Office? Peter Orszag said:

> Under a cap-and-trade program, firms would not ultimately bear most of the costs . . . but instead would pass them along to their customers in the form of higher prices . . . price increases would be essential to the success of a cap-and-trade program.

Mr. SESSIONS. Not only did he say that, last Wednesday OMB Director Orszag said that jamming a new national energy tax through the Senate with very limited debate and ability to amend under the reconciliation is, and I quote—

> not off the table.

In fact, the House of Representatives is very clear about this plan. Section 202 of the House of Representatives budget resolution states:

> reconciliation in the Senate. (Senate reconciliation instructions to be supplied by the Senate.)

Since the House has a Rules Committee, which allows them to pass bills with minimal debate, this is clearly intended, not to affect their procedures, but to make sure that the conference on the budget adds this provision so it can be jammed through the Senate.

Mr. ENSIGN. Mr. President, will the Senator from Alabama yield for a further question?

Mr. SESSIONS. I will be pleased to yield to Senator ENSIGN from Nevada.

Mr. ENSIGN. Mr. President, is the Senator aware of what one of the authors of the Budget Act, the esteemed Senator from West Virginia, has to say about this? He said:

> Americans have an inalienable right to a careful examination of proposals that dramatically affect their lives. I was one of the authors of the legislation that created the budget reconciliation process in 1974, and I am certain that putting health care reform and climate change legislation on a freight train through Congress is an outrage that must be resisted.

Does the Senator agree with this view?

Mr. SESSIONS. Mr. President, I fully agree, I say to Senator ENSIGN, with Senator BYRD's view. Senator BYRD wrote this legislation. He also wrote the book, literally, on Senate rules. He is our conscience of the Senate in terms of the great historic role of the American Senate.

Senator BYRD has also said this:

> Using the reconciliation process to enact major legislation prevents an open debate about critical issues in the full view of the public. Health reform and climate change are issues that, in one way or another, touch every American family. Their resolution carries serious economic and emotional consequences. The misuse of the arcane process of reconciliation . . . to enact substantive policy changes is an undemocratic disservice to our people and to the Senate's institutional role.

Mr. President, I ask unanimous consent that it not be in order in the Senate to consider any conference report or House amendment on the fiscal year 2010 budget resolution which contains reconciliation instructions for the Senate.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object, what I am concerned about is, according to MIT, if we did a cap-and-trade system and we did it right, a family of four would get a tax rebate of $4,500. What is happening here is they are trying to make it more difficult for us to get a cap-and-trade system, get the revenues, and return $4,500 per family. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Dakota.

Mr. SESSIONS. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from Alabama does still have the floor.

Mr. SESSIONS. I will be glad to yield for a question. I have another request to offer.

Mr. CONRAD. I am happy to have the Senator proceed.

Mr. SESSIONS. Mr. President, I say to Senator BOXER, we will have more in-depth discussion of the cost of this program, but it is not without cost. The President and the Director of the Office of Management and Budget have admitted clearly there will be costs of very large amounts passed forward to our constituents.

No. 2, and since it is such an incredibly monumental, colossal intervention and tax on the American economy, it certainly needs more debate than the limited hours that would be given under the budget process. That is what we were asking, that it be treated in the normal order of business and not expedited with a simple majority vote and a limited number of hours of debate. That is what the objection is to.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Will the Senator yield for a question?

Mr. SESSIONS. I will yield to the Senator, our chairman.

Mr. CONRAD. In the budget resolution that is before us that came out of the committee, the committee on which the Senator serves, are there any reconciliation instructions for any purpose?

Mr. SESSIONS. That is a good question, and I will be pleased to answer our chairman. No, it did not, and I think that was the chairman's preference, his stated preference, and other Democrats on the committee did not want this reconciliation language in the Senate budget. But the language is in the House budget.

Senator HARRY REID, the majority leader, has said it is not off the table, as you know, that this might be included in the final conference package. And as you know, since it is in the House language, Senator REID will appoint the conferees, a majority of the conferees. And if he so says, the language will be in the final package that could come before the Senate, which terrifies people who believe in the great historic role of the Senate. That is what our concern is today.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, if I could further inquire of my colleague—and I thank him for his response—has not the Speaker of the House indicated there is no intention of including a reconciliation instruction with respect to climate change in the House provisions?

Mr. SESSIONS. I am not aware of that. Maybe some of my colleagues might have heard that, but my understanding is that our leader says it might be included. In fact, he went so far as to say the revenue that would surge into the Treasury from the cap-and-trade could be used to finance health care. So that is a matter that is important to us.

If the Senator shares my concern, I find it odd that he would object—or Senator BOXER would object to language in this resolution calling on us not to accept it.

Mr. CONRAD. Might I further inquire, Mr. President, of my colleague: Wouldn't it be logical for me to object if my conclusion is that there is not going to be any reconciliation instruction with respect to cap and trade?

We don't have it in the Senate resolution before us. The Speaker of the

House has made clear they are not going to have a reconciliation instruction to be used in the House with respect to climate change legislation. I must say, I understand the concern, but I don't think there is a basis for it. I don't think there is a prospect that there is going to be the use of reconciliation for the purpose of climate change resolution coming back from the conference committee. It is not in the Senate, the Speaker has made clear they do not intend to use it on the House side, so I would just say to my colleagues that I understand the concern, I understand making the point—that is fully legitimate—but I don't think it is a concern that is based on what is going to happen.

There are plans on the House side to use reconciliation for health care and for education. That clearly is part of their resolution. Not part of ours; but part of theirs. So I have to say to my colleagues, I don't think there is a basis for concern that the reconciliation process is going to be used for climate change legislation.

Mr. GREGG. Mr. President, will the Senator yield for a question?

Mr. SESSIONS. Mr. President, I have the floor, and I would be pleased to yield for a question from the Senator from New Hampshire.

Mr. GREGG. Mr. President, is it not true that under the rules of reconciliation, an instruction to the House Energy and Commerce committee that is contemplated for purposes of health care, for example, would not prevent that committee's ability to use the reconciliation process for the purposes of climate change legislation because a reconciliation instruction cannot specifically state which matters within its jurisdiction a committee should address to comply with its reconciliation instruction, which is only a dollar number?

Mr. SESSIONS. I think the distinguished ranking member of the Budget Committee is correct. Having read the House language on reconciliation, it appears to me, quite clearly, that if it is accepted in final passage of the bill, after conference, it would give the Senate the power to enact cap-and-trade or health care legislation without the normal processes of the Senate.

Would the ranking member not agree?

Mr. GREGG. Mr. President, I would agree, and I am wondering why we would need reconciliation instructions. I ask the Senator this question: Why would the House need reconciliation instructions? Do they not have a Rules Committee? Would not the only purpose of reconciliation instructions in a House bill be to have a conference report approve a reconciliation instruction, which would tie the hands of the Senate? It certainly wouldn't tie the hands of the House, would it? In tying the hands of the Senate, it would allow Senate committees to reconcile the issue of a cap-and-trade bill and create a carbon tax—or a national sales tax—every time somebody turns on a light switch in America; and there would be no way to limit that once there is a reconciliation instruction in a conference report.

Mr. SESSIONS. I believe the Senator is absolutely correct. In other words, the House can pass anything on a simple majority, and Speaker PELOSI has a pretty good machine over there. They can pass whatever they want to pass. They do not need reconciliation. Why did they put reconciliation in their bill? They put it in there because it could be accepted in the final conference report and give the power to the Senate to use it to deny the historic debate rules of our Senate. Wouldn't that be a logical conclusion?

Mr. GREGG. I think the Senator from Alabama is absolutely right; that could be the only conclusion. Is there any other conclusion that can be reached? I don't believe there is. The only purpose of a reconciliation instruction in a House bill is for the purposes of controlling the floor of the Senate—not the floor of the House—and set up the possibility of passing it in a conference report.

Mr. SESSIONS. I would agree.

Mr. THUNE. Would the Senator from Alabama yield for a further question?

Mr. SESSIONS. I would be pleased to yield to the Senator from South Dakota.

Mr. THUNE. Mr. President, I appreciate very much the observation that was made about the purpose of reconciliation and the Rules Committee in the House. The House very clearly has the power to regulate what comes to the floor and what amendments are made in order. Reconciliation instructions in the House bill are clearly directed at a House-Senate conference and reserving the opportunity—the option—to actually do something with respect to these other issues.

I wish to point out, too—and I wish to ask a question of the Senator from Alabama regarding the conference committee—even though I believe the best intentions of the Senator from North Dakota and I believe he is sincere when he says he doesn't want to use reconciliation to do cap and trade and to do other types of policy through the budget process—there is a statement from the majority leader talking about the novel proposal for redoing the Nation's health care system, suggesting that using $646 billion that would be collected under a controversial Obama proposal to auction off greenhouse gas pollution allowances. The exact quote is: ''That's exactly how much we need for the first phase of health care reform.''

My question to my colleague from Alabama is: If, in fact, you get into a conference setting and you want to do health care reform—which clearly they have indicated they would like to do through reconciliation—it has to be paid for somehow, does it not? It is suggested here, I think from at least the majority leader, that the revenues available through cap and trade might, in fact, be used for that.

Would it not be possible in a conference committee setting—despite the best intentions of the Senator from North Dakota—for the members of that conference to decide to use that reconciliation process to create revenues through a cap-and-trade program that might be used to accomplish the financing of health care reform through that bill?

Mr. SESSIONS. I agree with my colleague, Senator THUNE.

Look, we are all grownups here. We know how the Senate works. We know how things are handled. We offered an amendment to put E-Verify in the stimulus bill in order to check the citizenship of people before they get jobs under the stimulus package. It was in the House bill, but we were not able not to have a vote in the Senate. The majority party knew exactly what they intended to do. When it went to conference, they took out the language, but everybody in the House could say they voted for it.

This is the same kind of situation. The language is now in the House bill, which they do not need. They do not need that language to pass anything in the House. But if it were to be accepted by the Senate, and Senator REID has indicated he might do that, if they accept it in conference, then cap-and-trade or health care reform could be passed without the classical historic debate this Senate is used to having. That is why our conscience of the Senate, Senator ROBERT BYRD, has said this is bad, it should not happen, and it demeans the Senate. He used very clear language.

Mr. REID. Mr. President, would my friend yield for a unanimous consent request?

Mr. SESSIONS. Reserving the right to retain the floor, I yield to the majority leader.

Mr. REID. Mr. President, I ask unanimous consent that at 2:30 p.m. today, the Senate proceed to vote in relation to the following amendments in the order listed; and that no intervening amendments be in order to any of the amendments covered in this agreement; that prior to each vote, there be 2 minutes of debate equally divided and controlled in the following form; that after the first vote in this sequence, the vote time be limited to 10 minutes each; and that all time utilized during the votes count against the time on the budget resolution: Boxer No. 749, Thune No. 731, and Gregg No. 739.

Those are the three amendments.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

Mr. REID. Mr. President, I extend my appreciation to my friend from Alabama.

Mr. SESSIONS. Mr. President, we know this is a big deal—a very, very, very big deal that we are discussing. If my friend, Senator CONRAD, is correct, and he didn't put it in his committee

report, when we try to make it a clear statement that the Senate would not accept this language if it came out of conference, why would Senator BOXER object? We have seen these maneuvers before.

Without this language, we would be in a position in which the leadership of the Senate could move forward with legislation that would use reconciliation to pass other bills. So I would make another unanimous consent request, Mr. President.

I ask unanimous consent that it not be in order in the Senate to consider any conference report or House amendment on the fiscal year 2010 budget resolution which reconciles any of the following Senate committees: The Committee on Environment and Public Works, the Committee on Finance, and the Committee on Energy.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object. It is hard for me to believe that three or four Senators come to the floor to try to control the agenda of the various committees, which we are very proud to serve on.

I also wish to say that 19 times since 1980 has reconciliation been used, and by far and away more times by the Republicans—namely, 13 times they used it. They never came here and complained. They used it. I have the record.

Mr. President, I ask unanimous consent to have printed in the RECORD the number of times Republicans have used reconciliation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RECONCILIATION MEASURES ENACTED INTO LAW, 1980 TO THE PRESENT

1. OMNIBUS RECONCILIATION ACT OF 1980

P.L. 96–499 (December 5, 1980)

This act, signed into law by President Jimmy Carter, was the first reconciliation bill to pass the House and Senate. It was estimated to reduce the FY 1981 deficit by $8.276 billion, including $4.631 billion in outlay reductions and $3.645 billion in revenue increases.

Major spending changes affected such areas as child nutrition subsidies; interest rates for student loans; ''look back'' COLA benefit provisions for retiring federal employees; highway obligational authority; railroad rehabilitation, airport development, planning, and noise control grants; veterans' burial allowances; disaster loans; Medicare and Medicaid; unemployment compensation; and Social Security.

Major revenue changes affected such areas as mortgage subsidy bonds; payment of estimated corporate taxes; capital gains on foreign real estate investments; payroll taxes paid by employers; telephone excise taxes; and the alcohol import duty.

[1980 Congressional Quarterly Almanac, pp. 124–130]

2. OMNIBUS BUDGET RECONCILIATION ACT OF 1981

P.L. 97–35 (August 13, 1981)

President Ronald Reagan used this act, along with a non-reconciliation bill, the Economic Recovery Tax Act of 1981 (P.L. 97–34), to advance much of his agenda in his first year in office. OBRA of 1981 was estimated to reduce the deficit by $130.6 billion over three years, covering FY1982–FY1984.

Major spending changes affected such areas as health program block grants; Medicaid; television and radio licenses; Food Stamps; dairy price supports; energy assistance; Conrail; education program block grants; Impact Aid and the Title I compensatory education program for disadvantaged children; student loans; and the Social Security minimum benefit.

[1981 Congressional Quarterly Almanac, pp. 256–266]

3. TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

P.L. 97–248 (September 3, 1982)

This act, one of two reconciliation measures signed by President Reagan in 1982, was estimated to increase revenues by $98.3 billion and reduce outlays by $17.5 billion over three years, covering FY1983–FY1985.

Major spending changes affected such areas as Medicare, Medicaid, aid to families with dependent children (AFDC), child support enforcement (CSE), supplemental security income (SSI), unemployment compensation, and interest payments on U.S. savings bonds.

Major revenue changes affected such areas as the alternative minimum tax, medical and casualty deductions, pension contribution deductions, federal employee payment of the FICA tax for Medicare coverage, accelerated depreciation and investment tax credits, corporate tax payments, foreign oil and gas income, corporate tax preferences, construction deductions, insurance tax breaks, ''safe-harbor leasing,'' corporate mergers, withholding on interest and dividends, aviation excise taxes, unemployment insurance, telephone and cigarette excise taxes, and industrial development bonds.

[1982 Congressional Quarterly Almanac, pp. 29–39 and 199–204]

4. OMNIBUS BUDGET RECONCILIATION ACT OF 1982

P.L. 97–253 (September 8, 1982)

This act, the second of two reconciliation measures signed by President Reagan in 1982, was estimated to reduce outlays by $13.3 billion over three years, covering FY1983–FY1985.

Major spending changes affected such areas as payments to farmers, dairy price supports, Food Stamps, inflation adjustments for federal retirees, lump-sum premiums for FHA housing insurance, user fees on Veterans Administration-backed home loans, veterans' compensation and benefits, and reduction in the membership of the Federal. Communications Commission and the Interstate Commerce Commission.

[1982 Congressional Quarterly Almanac, pp. 199–204]

5. OMNIBUS BUDGET RECONCILIATION ACT OF 1983

P.L. 98–270 (April 18, 1984)

Initial consideration of this act occurred in 1983, but final action did not occur until 1984. It was estimated to reduce the deficit by $8.2 billion over four years, covering FY1984–FY1987.

Major spending changes affected such areas as limitation and delay of federal civilian employee pay raises, delay of federal civilian and military retirement and disability COLAs, delay of veterans' compensation COLAs, and disaster loans for farmers.

[1983 Congressional Quarterly Almanac, pp. 231–239, and 1984 Congressional Quarterly Almanac, p. 160]

6. CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985

P.L. 99–272 (April 7, 1986)

Initial consideration of this act occurred in 1985, but final action did not occur until 1986. The act was estimated to reduce the deficit by $18.2 billion over three years, covering FY1986–FY1988.

Major spending changes affected such areas as student loans, highway spending, veterans' medical care, Medicare, Medicaid, and trade adjustment assistance.

Major revenue changes affected such areas as the cigarette tax, excise taxes supporting the Black Lung Trust Fund, unemployment tax exemptions, taxation of railroad retirement benefits, airline employee income subject to taxation, and the deduction of research expenses of multinational firms.

[1986 Congressional Quarterly Almanac, p. 521 and pp. 555–559]

7. OMNIBUS BUDGET RECONCILIATION ACT OF 1986

P.L. 99–509 (October 21, 1986)

The act was a three-year reconciliation measure, covering FY1987–FY1989. An estimated $11.7 billion in deficit reduction contributed to the avoidance of a sequester (i.e., across-the-board spending cuts in non-exempt programs to eliminate a violation of the applicable deficit target under the Gramm-Rudman-Hollings Act) for FY 1987.

Major spending changes affected such areas as Medicare, Medicaid, agricultural income support payments, loan asset sales, federal employee retirement programs, federal subsidy for reduced-rate postage, federal financing for fishing vessels or facilities, retirement age limits, and elimination of the trigger for Social Security COLAs.

Major revenue changes affected such areas as the tax treatment of the sale of the federal share of Conrail, commercial merchandise import fee, increased penalty for untimely payment of withheld taxes, denial of certain foreign tax credits, and the oil-spill liability trust fund.

[1986 Congressional Quarterly Almanac, pp. 559–576]

8. OMNIBUS BUDGET RECONCILIATION ACT OF 1987

P.L. 100–203 (December 22, 1987)

The act, a three-year reconciliation measure, covering FY1988–FY1990, was the final reconciliation measure signed by President Reagan. Together with an omnibus appropriations act (P.L. 100–202), the reconciliation act implemented the $76 billion in deficit reduction over FY1988 and FY1989 called for in a budget summit agreement reached after a sharp decline in the stock market in October.

Major spending changes affected such areas as Medicare, Medicaid, agricultural target prices, farm income support payments, deferral of lump-sum retirement payments to federal employees, Postal Service payments into retirement and health benefit funds, the Guaranteed Student Loan program, Nuclear Regulatory Committee license fees, and National Park user fees.

Major revenue changes affected such areas as home mortgage interest deduction, deduction of mutual fund expenses, ''completed contract'' method of accounting, repeal of installment-sales accounting, ''master-limited'' partnerships, and accelerated payments of corporate estimated taxes.

[1987 Congressional Quarterly Almanac, pp. 615–627]

9. OMNIBUS BUDGET RECONCILIATION ACT OF 1989

P.L. 101–239 (December 19, 1989)

The act, signed into law by President George H.W. Bush, reflected one-year reconciliation directives in the Senate (for FY1990) and two-year directives in the House (for FY1990 and FY1991). It was estimated to contain $14.7 billion in deficit reduction, which represented about half of the deficit reduction envisioned in a budget summit agreement reached earlier in the year (the remaining savings were expected to occur largely in annual appropriations acts).

Major spending changes affected such areas as Medicare, Medicaid, veterans' housing

loans, agricultural deficiency payments and dairy price supports, the Supplemental Loans for Students (SLS) program, Federal Communications Commission and Nuclear Regulatory Commission fees, vaccine injury compensation amendments, and the Maternal and Child Health Block Grant program.

Major revenue changes affected such areas as the exclusion for employer-provided education assistance, targeted-jobs tax credit, mortgage revenue bonds, self-employed health insurance, low-income housing credit, treatment of junk bonds, and research and experimentation credits.

[1989 Congressional Quarterly Almanac, pp. 92–113]

10. OMNIBUS BUDGET RECONCILIATION ACT OF 1990

P.L. 101–508 (November 5, 1990)

This five-year reconciliation act, covering FY1991–FY1995, implemented a large portion of the deficit reduction required by an agreement reached during a lengthy budget summit held at Andrews Air Force Base. According to the Senate Budget Committee, the act was estimated to reduce the deficit by $482 billion over 5 years, including $158 billion in revenue increases and $324 billion in spending cuts and debt service savings.

Major spending changes affected such areas as Medicare, Medicaid, agricultural loans, acreage reduction, deposit insurance premiums, mortgage insurance premiums, collection of delinquent student loans, OSHA penalties, aid to families with dependent children (AFDC), child support enforcement (CSE), supplemental security income (SST), unemployment compensation, child welfare and foster care, Social Security, abandoned mines, Environmental Protection Agency, federal employee retirement and health benefits, veterans' compensation and disability payments, airport ticket fees, customs user fees, and tonnage duties.

Major revenue changes affected such areas as individual income tax rates, the alternative minimum tax, limitation on itemized deductions, excise taxes on alcoholic beverages and tobacco products, motor fuel excise taxes, and Superfund tax extension.

The public debt limit was increased from $3.123 trillion to $4.145 trillion.

[1990 Congressional Quarterly Almanac, pp. 138–173]

11. OMNIBUS BUDGET RECONCILIATION ACT OF 1993

P.L. 103–66 (August 10, 1993)

This five-year reconciliation act, covering FY1994–FY1998, was signed by President Bill Clinton in the first year of his Administration. According to the Senate Budget Committee, the act reduced the deficit by $496 billion over five years, including $241 billion in revenue increases and $255 billion in spending cuts and debt service savings.

Major spending changes affected such areas as Medicare, Medicaid, Food Stamps, auction of the radio spectrum, student loan programs, veterans' benefits, agricultural price supports, crop insurance, liabilities of the Postal Service, and Nuclear Regulatory Commission fees.

Major revenue changes affected such areas as a fuels tax increase, maximum individual income tax rates, maximum corporate income tax rate, small business tax incentives, empowerment zones, and unemployment insurance surtax.

The public debt limit was increased from $4.145 trillion to $4.9 trillion.

[1993 Congressional Quarterly Almanac, pp. 107–139]

12. PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

P.L. 104–193 (August 22, 1996)

This six-year reconciliation act, covering FY1997–FY2002, was estimated to reduce the deficit by $54.6 billion over that period.

Major spending changes affected such areas as temporary assistance for needy families (TANF), work requirements, supplemental security income (SSI), child support enforcement (CSE), restrictions on benefits for illegal aliens, Child Care and Development Block Grant, child nutrition, Food Stamps, teenage pregnancies, and abstinence education.

[1996 Congressional Quarterly Almanac, pp. 6–3 through 6–24]

13. BALANCED BUDGET ACT OF 1997

P.L. 105–33 (August 5, 1997)

This five-year reconciliation act, covering FY1998–FY2002, was one of two reconciliation acts signed by President Clinton in 1997 and largely contained spending provisions. According to the Senate Budget Committee, the two acts together reduced the deficit by $118 billion over five years, including spending cuts and debt service savings of $198 billion and $80 billion in revenue reductions.

Major spending changes affected such areas as Medicare, Medicaid, children's health initiative, electromagnetic spectrum auction, Food Stamps, temporary assistance to needy families (TANF), supplemental security income (SSI), increased contributions to the Civil Service Retirement System, subsidized housing, and veterans' housing.

The public debt limit was increased from $5.5 trillion to $5.95 trillion.

[1997 Congressional Quarterly Almanac, pp. 2–27 through 2–30 and pp. 2–47 through 2–61]

14. TAXPAYER RELIEF ACT OF 1997

P.L. 105–34 (August 5, 1997)

The second of the two reconciliation measures enacted in 1997, this five-year reconciliation act, covering FY1998–FY2002, largely included revenue provisions.

Major revenue changes affected such areas as a child tax credit, education tax incentives (including the HOPE tax credit, the lifetime learning credit, and education savings accounts), home office deductions, capital gains tax cut, the ''Roth IRA,'' gift and estate tax exemptions, corporate alternative minimum tax repeal, renewal of the work opportunity tax credit, and the airline ticket tax.

[1997 Congressional Quarterly Almanac, pp. 2–27 through 2–46]

15. ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001

P.L. 107–16 (June 7, 2001)

This 11–year reconciliation act, covering FY2001–2011, advanced President George W. Bush's tax-cut agenda during the first year of his Administration. According to the Senate Budget Committee, revenue reductions, together with outlay increases for refundable tax credits, reduced the projected surplus by $1.349 trillion over FY2001–FY2011. The tax cuts were scheduled to sunset in ten years in order to comply with the Senate's ''Byrd rule'' against extraneous matter in reconciliation legislation (Section 313 of the Congressional Budget Act of 1974).

Major revenue changes affected such areas as individual income tax rates, the ''marriage penalty,'' child tax credit, estate and gift taxes, individual retirement accounts and pensions, charitable contributions, education incentives, health insurance tax credit, flexible spending accounts, research and experimentation tax credit, and adoption tax credit and employer adoption assistance programs.

[CRS Report RL30973, 2001 Tax Cut: Description, Analysis, and Background, by David L. Brumbaugh, Bob Lyke, Jane G. Gravelle, Louis Alan Talley, and Steven Maguire]

16. JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003

P.L. 108–27 (May 28, 2003)

This 11–year reconciliation act, covering FY2003–2013, was estimated to reduce revenues by $349.667 billion over that period.

Major revenue changes affected such areas as the acceleration of certain previously-enacted tax reductions (including expansion of the child tax credit and the 10% bracket), increased bonus depreciation and section 179 expensing, taxes on dividends and capital gains, the Temporary State Fiscal Relief Fund, and special estimated tax rules for certain corporate estimated tax payments.

[Joint Committee on Taxation, Estimated Budget Effects of the Conference Agreement for H.R. 2, The ''Jobs and Growth Tax Relief Reconciliation Act of 2003,'' JCX–55–03, May 22, 2003]

17. DEFICIT REDUCTION ACT OF 2005

P.L. 109–171 (February 8, 2006)

This five-year reconciliation act, covering FY2006–FY2010, was one of two reconciliation acts signed by President George W. Bush in 2006 (initial consideration of both measures occurred in 2005). This act, the spending reconciliation bill, was estimated to reduce the deficit over the five-year period by $38.810 billion.

Major spending changes affected such areas as Medicare, Medicaid, State Children's Health Insurance Program (SCHIP), student loan interest rates and lenders' yields, electromagnetic spectrum auction, digital television conversion, grants for interoperable radios for first responders, low-income home energy assistance program (LIHEAP), Federal Deposit Insurance Corporation premium collections, agricultural conservation programs, Katrina health care relief, and Pension Benefit Guarantee Corporation (PBGC) premiums.

[CRS Report RL33132, Budget Reconciliation Legislation in 2005–2006 Under the FY2006 Budget Resolution, by Robert Keith]

18. TAX INCREASE PREVENTION AND RECONCILIATION ACT OF 2005

P.L. 109–222 (May 17, 2006)

This act, the second of two reconciliation bills enacted in 2006, was the revenue reconciliation bill. It was estimated to increase the deficit over the five-year period covering FY2006–FY2010 by $69.960 billion.

Major revenue changes affected such areas as tax rates on dividends and capital gains, the alternative minimum tax for individuals, delay in payment date for corporate estimated taxes, controlled foreign corporations, FSC/ETI binding contract relief, elimination of the income limitations on Roth IRA conversions, and withholding on government payments for property and services.

[CRS Report RL33132, Budget Reconciliation Legislation in 2005–2006 Under the FY2006 Budget Resolution, by Robert Keith]

19. COLLEGE COST REDUCTION AND ACCESS ACT OF 2007

P.L. 110–84 (September 27, 2007)

This six-year reconciliation act, covering FY2007–FY2012, was estimated to reduce the deficit over that period by $752 million.

Major spending changes affected provisions relating to lenders and borrowers involved with the Federal Family Education Loan program and the William D. Ford Direct Loan program.

[CRS Report RL34077, Student Loans, Student Aid, and FY2008 Budget Reconciliation, by Adam Stoll, David P. Smole, and Charmaine Mercer]

Mrs. BOXER. I object to the Senator's unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

Mr. SESSIONS. Mr. President, that clearly states where we are headed.

Mr. GREGG. Mr. President, will the Senator yield for a question?

Mr. SESSIONS. I yield to the Senator from New Hampshire.

Mr. GREGG. Mr. President, I would ask the Senator from Alabama this: The Senator from California has correctly stated that reconciliation has been used often in this body before. It was used by President Clinton, since I have been here. It was used by President Bush. I voted for most of the different reconciliation bills. But is it not true that reconciliation, when it has been used before—even though used for significant events—has always been used for already existing policy; whether it is changing the rates of taxes, whether it is changing the way the welfare system was adjusted relative to who was covered or whether it was changing the way we deal with student loans?

It was always used on existing policy that had been pretty well aired on the floor of the Senate. It has never been used for the purpose of creating, ab initio, a brand new major tax, which would essentially tax every American every time they turn on their light switch—a national sales tax—which would introduce industrial policy and which would affect virtually every American as to their jobs—sending many of them overseas—and as to the ability to be competitive. Has it ever been used for such a broad, extensive public policy event of creating massive new taxes that don't exist today—a national sales tax—and massive new industrial policy?

It would mean that policy and those taxes would come across this floor without amendment, with 20 hours of debate, and an up-or-down vote. Has it ever been used in that context in the Senate?

Mr. SESSIONS. No. In fact, few pieces of legislation this Senate has ever considered will have as much broad-based complexity and impact on our economy as a cap-and-trade system, period. That is why Senator BYRD, the conscience of the rules of the Senate, said:

> Using the reconciliation process to enact major legislation prevents an open debate about the critical issues in full view of the public. Health reform and climate change are issues that in one way or another touch every American family. Their resolution carries serious economic and emotional consequences. The misuse of the arcane process of reconciliation . . . to enact substantive policy change is an undemocratic disservice to our people and to the Senate's institutional role.

That is what Senator BYRD, the Democratic Senator who wrote the reconciliation bill and who has written a book on the rules of the Senate, has stated.

Mr. President, I have one more unanimous consent request. I ask unanimous consent that it shall not be in order to consider any reconciliation bill in the Senate that raises energy prices.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, the problem with this—and I could support it if it were made clearer—is it doesn't take into account that we could have some very important new programs that actually result in consumers getting rebate checks. So you may have an increase temporarily, before we get free of foreign oil, in an energy cost that is totally offset by a refund and a rebate. So this would hamper the committees from doing what MIT says we should do, which is, when we do tackle this issue of energy independence, make sure we have the revenues to rebate funds back to the American people.

I do not want to block the possibility of that so I am going to object in a moment. But I have to respond to Senator GREGG. This is the first time I saw the Reagan revolution be so downplayed by my Republican friends. ''Oh, nothing new was done by reconciliation.''

It was the Reagan revolution. It was Bill Clinton changing welfare as we know it. I have it all here. So let's not say now, oh, the 13 times the Republicans supported reconciliation it wasn't anything major; it was little minor things.

The record is replete with what reconciliation did. Why are they so afraid of reconciliation? They embraced it time after time. Don't be so fearful of the rules of the Senate. Reconciliation is a rule allowed by the Senate. Let's not say we could never do it again, never look at it again. It doesn't make any sense.

I am going to object to this because I think in the end it could cost consumers more.

The PRESIDING OFFICER. Objection is heard. The time of the opposition has expired.

Mr. SESSIONS. Mr. President, I believe I still have the floor.

The PRESIDING OFFICER. The time in opposition has expired.

Mr. CONRAD. The time on both sides has expired.

The PRESIDING OFFICER. Two minutes is remaining under Senator BOXER's time on Senator BOXER's amendment.

The Senator from North Dakota is recognized.

Mr. CONRAD. I must say when the assertion is made reconciliation has not been used for significant things in the past, that is not so. Welfare reform——

Mr. GREGG. Will the Senator yield on that point?

Mr. CONRAD. No, I am going to complete my thought and then I will be happy to yield. Welfare reform was not a significant policy change? Absolutely it was. That was during the Clinton administration.

The tax changes that were made during the Bush administration were made under reconciliation. That to me was an absolute, total abuse of reconciliation. Reconciliation was designed for deficit reduction. The place where I would agree with the Senator is, I don't believe reconciliation was ever intended to write major substantive legislation. But to suggest that has not been done in the past is not so.

Our Republican friends were leading the way in abusing what reconciliation is about. That is a fact. To suggest it has not been used for major changes is not so.

I want to say something else. I have said repeatedly, publicly and privately, that I do not think reconciliation is the appropriate way to do climate change legislation or to do health care reform or other major substantive legislation if it is not deficit reduction. That is the position I have taken.

The fact is, in this resolution before us, there is no use of reconciliation for any purpose. I want the public to be very clear. In this resolution there is no reconciliation instruction for any purpose.

In the House, the Speaker has made very clear reconciliation would not be used for climate change legislation.

Is it technically possible in conference that there could be an instruction that would allow cap-and-trade revenue? Yes, it is. It is possible. But let me say again, there is no reconciliation instruction in the Senate budget resolution. I have argued against it for the purposes that have been talked about and I have argued against it publicly and privately.

On the House side, with respect to climate change, the Speaker has said reconciliation would not be used for climate change legislation. I take the Speaker at her word. In the conference committee I will say to my colleagues: I will strongly resist—strongly resist—any attempt to report out of the conference committee a reconciliation instruction for the purpose of climate change legislation. I don't know how I could be more clear on that point.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, first I appreciate the Senator arguing for our case, which is that we should not use reconciliation in the Senate for the purposes of pursuing a vehicle such as a massive new sales tax on all Americans on their electric bills, and specifically whenever they turn on their light switch they are going to get hit with this tax. I would point out as an aside, he may have misrepresented what I said. I didn't say we hadn't used it for significant things; we have used it for significant things. But we have never used it for creating, ab initio, a national sales tax or any tax, for that matter, ab initio, and that is where the rubber meets the road.

I do believe strongly, listening to the Senator, that he has basically admitted a conference report could carry in it reconciliation instructions which

would allow for reconciliation to be used to create a new national sales tax on everybody's electric bill. So it seems perfectly reasonable that what the Senator from Alabama has requested should be agreed to here. Because he essentially is asking for what the Senator from North Dakota has suggested he supports, which is that reconciliation will not be used that way after the Senator from North Dakota has said the reconciliation may be able to be used that way.

There is no reason for the House of Representatives to put reconciliation in their bill. It is a touch cynical for the other side to represent that, because the bill before us today doesn't have reconciliation in it, that reconciliation is not being considered as a vehicle before this body because the only reason the House of Representatives has put reconciliation in their vehicle—because they don't need it, they have a Rules Committee—is because they can bring it out of conference and stick it to the Senate and put it into the Senate procedure here.

It means, on a purely procedural event, that the House of Representatives is actually going to be controlling the floor of the Senate. How outrageous is that? But independent of that there is a procedural point—which affronts me as a Senator and I think would affront the tradition and history of the Senate—there is the more substantive issue that reconciliation should never be used to create a brand new national sales tax. And that, of course, is what the Senator from North Dakota has said is true, it should not be used in that way.

So why do they object to the fairly benign request here of the Senator from Alabama, which is to ask unanimous consent that we not use reconciliation on the floor of the Senate for the purposes of creating a national sales tax, or what is euphemistically called a carbon tax? I don't understand the opposition myself. It seems very strange. Under the bill——

Mr. SESSIONS. Will the Senator yield?

Mr. GREGG. I yield for a question.

Mr. SESSIONS. The unanimous consent request would be in harmony with the budget resolution that came out of committee and in harmony with Senator CONRAD's expressed personal views, would it not?

Mr. GREGG. It seems as though the Senator from Alabama is expressing through his unanimous consent request the exact thought process of the chairman of the committee as stated here on the floor.

Mr. President, I know Senator THUNE wishes to speak off the bill. I see the assistant leader is here. I wish to sort of line up time so everybody gets time before we go into adjournment.

Mr. DURBIN. Six minutes.

Mr. THUNE. If I might ask the Chair how much time do we have before we break?

Mr. GREGG. We can go until you finish.

The PRESIDING OFFICER. The Senate is scheduled to recess at 12:30.

Mr. GREGG. I ask unanimous consent to change that. How much time does the Senator need?

Mr. THUNE. If I could have 5 minutes?

Mr. GREGG. I ask unanimous consent the Senate continue to debate this issue under the bill until 12:40, and that the 10 minutes from 12:30 to 12:40 be allocated to the Senator from South Dakota and the Senator from Oklahoma, and the time from now until 12:30 be for the Senator from Michigan.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GREGG. Mr. President, do I not control the floor?

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

Mr. GREGG. I yield my time off the bill to the Senator.

Mr. CONRAD. There was a unanimous consent. Mr. President, parliamentary inquiry: There was a unanimous consent request that was objected to.

Mr. GREGG. I have the right, do I not?

Mr. CONRAD. In terms of division of time. Look, we can sort this out.

Mr. GREGG. Let's sort it out. That is a better approach.

Mr. CONRAD. Let's do it amicably so we sort it out. I ask unanimous consent that the time from 12:35 to 12:40—no—12:25 to 12:30 be for Senator DURBIN. Then we come back to this side. How much time did Senator THUNE ask for?

Mr. THUNE. I say to the Senator from North Dakota that the Senator from California has offered a side-by-side amendment to the amendment I laid down yesterday. She spoke to that this morning. I wish to at least make some remarks with regard to my amendment. So 5 or 10 minutes would be what I would need to do that.

Mr. CONRAD. Would it be acceptable to the Senator to go from 12:30 to 12:35 or 12:36?

Mr. THUNE. That would be fine.

Mr. CONRAD. And then would Senator BOXER like to have time?

Mrs. BOXER. About 3 minutes, if I could.

Mr. CONRAD. From 12:36 to 12:39. Then to come back to Senator INHOFE? Would the Senator like time?

Mr. INHOFE. I would like the same time my chairman has. I am ranking member on the committee and I have some specific thoughts.

Mr. CONRAD. We could go from 12:39 to 12:42 with Senator INHOFE. Would that be acceptable? I ask unanimous consent: Senator DURBIN from 12:25 to 12:30; Senator THUNE from 12:30 to 12:36; Senator BOXER 12:36 to 12:39; Senator INHOFE from 12:39 to 12:42.

Mr. DURBIN. Mr. President, reserving the right to object, your wonderful construction here has eaten into the 5 minutes. I think there is 3 minutes left.

Mr. CONRAD. Five minutes——

Mr. GREGG. Give 5 minutes to everybody in sequence until they finish.

Mr. CONRAD. Five minutes for each Senator.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I may be expressing a minority point of view, but I want to express it on the floor of the Senate. I happen to disagree with both sides on this. Do you think climate change is a problem? Do you think global warming is changing the planet we live on? Do you think there is a chance when our kids, 20 or 30 years from now, take a look at it, they are going to say: Where were you, Senator, in 2009, when you had a chance to do something about it, when you had a chance to try to take control of the mess that is being created in this environment? What happened to you that day, Senator?

Some Senators will be able to say: Oh, I was embroiled in a procedural fight on the floor of the Senate where we used words such as reconciliation and conference instructions, and at the end of the day we did nothing. Nothing—the same thing that has been done over and over again when we tackled big issues on the floor of the Senate. We find a way to twist ourselves in knots, we throw up scare tactics of sales taxes that are going to be unmanageable, and guess what. Another year under our belt, we will come back and see you next year, we will have another debate. In the meantime all of these Senators will be going to schoolchildren and people around America saying: We have to do something about global warming. We have to do something about climate change. I wish the Senate had the will. That is what this talk was all about.

These Republican Senators came to the floor, objecting to using a procedure that would bring us to a debate on global warming. They don't want to talk about it because there are a lot of people who will have to come up to the counter and be honest about whether we have a problem not just in this Nation but in this world. They don't want to face it honestly. They want to ignore it, and they want to scare the living blazes out of the people across America about the possibilities: We could have a national sales tax here and a tax here and a tax there. That is how you inject fear into the debate. That is what it is all about.

I think it is sad. Were we elected to do this, to find another excuse for another year to go by with doing nothing for my grandson, for kids across America and around the world, that this Nation will do nothing? Last November 4 we had an election and a big change in this town, and a majority of the American people said they are tired of a

Congress that does nothing. They want us to tackle health care. They want us to tackle energy issues. They want us to face global warming. They want us to create schools for the 21st century.

There is always an excuse: Maybe we can get to it later in the year, maybe next year, maybe after the next election.

That is what this was all about. It is whether we are going to honestly address this issue. The budget resolution before the Senate doesn't take us to that debate. That has been pretty clearly stated. But we could get to that debate, if the House says they want us to, through what is called reconciliation. But we saw these Republican Senators, many of whom think they are green and environmentally sensitive, stand up and try to put every blockade in the road to stop us from debating and passing legislation to deal with climate change and global warming. Shame on the Senate. Shame on the Senate for finding some reason, some excuse not to tackle this tough issue.

Will it be easy? Will it be popular? No way. It is going to be hard. But isn't that why we were elected, on both sides of the aisle, to face these hard and difficult issues? Somebody may lose an election over it, but isn't that what the democratic process is all about?

Republican Senators who got up, one after another, objecting to considering global warming as an issue under reconciliation, know that lessens the chances that any bill is going to be passed. They know this issue will be kicked down the road for the next year, for the next Congress, for the next generation. Can America afford to wait? Can this world afford to wait? Can't we see the ominous elements coming at us under the circumstances, the change in climate, the change in global warming that is bringing to this planet?

We know the reality. Unfortunately, we are going to ignore it today. But we better face it. We better face it, if we want to face our children.

I yield the floor.

The PRESIDING OFFICER (Mr. INOUYE.) The Senator from New Hampshire.

Mr. GREGG. I ask unanimous consent that when we return at 2:15, after Senators who have the right to speak have completed their statements, the time between 2:15 and 2:30 be divided between the Senator from South Dakota and the Senator from California.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Dakota.

AMENDMENT NO. 731

Mr. THUNE. Mr. President, I would like to speak to an amendment I laid down yesterday on which there has been a side-by-side amendment offered by the Senator from California. In response to the comments of my colleague from Illinois, there aren't any Republicans who aren't prepared to debate the issue of climate change or energy policy. We just think it ought to be debated in regular order; that when the Senate does take on big consequential items such as this, it ought to be handled in the normal routine, in the way the Senate deals with big consequential issues such as the issue of climate change because it would have a profound impact on the American economy and on American households and families.

There isn't any resistance on this side to that. All we are saying is, it should not be used as a part of the budget process where you expedite this and sort of circumvent the normal rules and procedures of the Senate that would apply to big pieces of legislation. We want to debate that.

Frankly, there are lots of Republicans who are happy to have the debate on climate change, on cap and trade, but also want to make a part of the debate the cost. It is very easy to talk about throwing out different solutions to this issue or talking about the general issue of climate change, but when you start reducing the argument on cap and trade, it has profound economic consequences on the American economy. That is a part of the debate.

If we look at the question of whether climate change is occurring, if one answers that yes, and if human activity is contributing to it, and one answers that yes, we still have to get to the question, if those two points are true: What do we do about it and at what cost? We think that ought to be part of the debate.

The Senator from California has offered a side-by-side amendment to mine. I assume she concedes the point that it would increase electricity and gasoline prices. She adds to that the language ''or increasing the overall burden on consumers through the use of revenues and policies provided in such legislation,'' suggesting there would be some offsets that families who are affected by higher energy costs would benefit from.

If there are going to be additional revenues, they are coming from somewhere. This isn't an imaginary world. This stuff just doesn't appear. We are talking about real costs, real revenues.

I want to point out what the President himself said over a year ago about his cap-and-trade plan:

> Under my plan of a cap and trade system, electricity rates would necessarily skyrocket.

We cannot assume for a minute that there are not going to be enormous costs associated with the proposal of the Senator from California and the cap-and-trade proposal she put forward in the last Congress, of which the President was a cosponsor.

She referred earlier to MIT. Researchers there scored it at $366 billion a year or a cost of $3,128 to the average household. This has an economic cost. It has an impact on our broader economy, an impact specifically on American families and households and American small businesses.

I used data yesterday I had received from utility companies in my State about how this would affect their cost of doing business with regard to residential customers, small business customers, and large industrial users. We would see costs go up as much as 65 percent in some cases.

They used a typical school district. It would on an annual basis double their cost for electricity. These things have costs. That needs to be part of the debate because the American people deserve to know these things have costs.

We need to have a debate about climate change, but we ought to do it in a way that is in regular order, that allows committees to do their work and that contemplates what the costs and consequences of these policies are going to entail for the average person.

This is an amendment provided to give something for the Senator from California and Members on the other side to vote for. The fact is, a cap-and-trade policy will increase electricity and gasoline prices. Nobody disputes that. The question is how much. I happen to believe—as do many others—that the President understates it in his budget, $646 billion in revenue. There are those who believe it would be two or three times that amount. The President himself has said:

> Under my plan of a cap and trade system, electricity rates would necessarily skyrocket.

His OMB Director, Peter Orszag, has said this would all be passed on to consumers. Utility companies will not bear the cost. Corporate America will not. It will be passed on to customers in places such as South Dakota where a higher energy cost is the thing they can least afford these days when we have a bad economy to start with.

I hope when Senators come to vote on these amendments, they will bear in mind these votes have consequences. If they vote against my amendment, they are essentially saying that we are open to, and OK with, a reserve fund created under the budget, a climate change reserve fund that would lead to a lot higher electricity and gasoline prices. All my amendment says is, those gas and electricity prices cannot go up under a cap-and-trade proposal that might be adopted by the Congress and might be included in some reconciliation instruction that comes from a conference committee with the House.

Mr. INHOFE. Parliamentary inquiry.

The PRESIDING OFFICER. State your inquiry.

Mr. INHOFE. There was some confusion with the last unanimous consent request. I know I get 3 minutes. I ask the Chair, is that correct, and when will that happen?

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. INHOFE. I thank the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am so pleased to have these 5 minutes to correct the record. First, Senator GREGG takes the floor and says he opposes a national sales tax; that is what cap and

trade is. I defy Senator GREGG to show me where there is a national sales tax.

This is what is so interesting. A cap-and-trade system was invented in America to fight acid rain. It has been one of the most successful programs. For acid rain, we used the cap-and-trade system, and it has worked. By the way, it has worked in the State of Senator GREGG.

The other thing I want to put in the record is, Senator GREGG made a statement to my committee in January 2007. He said:

I believe Congress must take action to limit the emissions of greenhouse gases from a variety of sources. The overwhelming scientific data and other evidence about climate change cannot be ignored. It is for this reason I have been a strong advocate for mandatory limits on greenhouse gases.

I ask unanimous consent that this statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FULL COMMITTEE: ''SENATORS' PERSPECTIVES ON GLOBAL WARMING''

(By Senator Judd Gregg (submitted written testimony, Jan. 30, 2007))

Climate change is one of the most serious environmental problems facing our planet. It touches nearly everything we do. Our climate is inextricably linked to our economy and heritage of our nation. Climate change affects where we live, where our food is grown, the severity and frequency of storms and disease, and many of our industries, including tourism, forestry, and agriculture. In New Hampshire, folks are already concerned with its impact on skiing, forestry, maple production, tourism, and outdoor recreation. In fact, the state was the first in the nation to pass a law in 2002 requiring carbon dioxide emissions reductions from power plants. Today, approximately 50 towns in New Hampshire are poised to vote in March on a resolution seeking the establishment of a national greenhouse gas reduction program and additional research into sustainable energy technologies.

States alone can not solve this problem. I believe Congress must take action to limit the emissions of greenhouse gases from a variety of sources. The overwhelming scientific data and other evidence about climate change cannot be ignored. It is for this reason that I have been a strong advocate for mandatory limits on greenhouse gases, and I will continue working with my Senate colleagues on legislation.

For the last four years, I have worked with Senators Carper and Alexander and others, on legislation which would reduce carbon dioxide and other emissions from power plants. The Clean Air Planning Act, which I have cosponsored, would address our nation's critical air pollution problems in a way that curbs greenhouse gas emissions, enhances air quality, protects human health, and facilitates a growing economy. This legislation reduces the four primary emissions from power plants: sulfur dioxide (a contributing factor in lung and heart disease) by 80 percent; nitrogen oxide (associated with acid rain and regional haze) by 69 percent; mercury emissions (associated with fish contamination and birth defects) by 80 percent; and carbon dioxide emissions (linked to climate change) by establishing mandatory caps. This bill would protect the quality of air we breathe and the climate we live in, while simultaneously stimulating the economy and protecting human health. I hope to reintroduce this bill with my colleagues in the coming weeks.

However, power plants are just part of the solution. That is why I have supported economy-wide, market-based approaches, such as the Climate Stewardship Act's ''cap and trade'' system, as reasonable ways to rein in carbon dioxide without undue harm to the U.S. economy. I also believe we need to reexamine the issue of vehicle emissions, a substantial contributor to the global carbon budget, and consider increasing the corporate average fuel economy standards for motor vehicles.

I appreciate the Committee's attention to this issue and I look forward to working with my colleagues on both sides of the aisle to draft climate change legislation which protects our environment and stimulates our economy.

Mrs. BOXER. Now he is here trying to do everything he can to block us from taking action to reduce greenhouse gas emissions.

Then we have Senator THUNE arguing that we are going to see taxpayers take a huge hit, consumers take a huge hit, if we pass global warming legislation. Where was Senator THUNE when gasoline prices in my State reached almost $5 a gallon? That wasn't because there was cap and trade. We had no cap and trade. What happened? We saw gas prices go from $1.50 to $5. We saw the biggest increase in history under George Bush as President on gas prices.

Was it about cap and trade? Obviously not. We had no cap and trade. It was speculation in the market. Where was my friend Senator THUNE with all kinds of amendments? He wasn't here. Where was my friend Senator THUNE and my friends on the Republican side when Enron was speculating and price fixing and saying they didn't care if old ladies went broke? Nowhere. That had nothing to do with cap and trade.

I am going to list some of the corporations that support a cap-and-trade system: Alcoa, BP America, Caterpillar, Chrysler, Conoco, Deere, Dow, Duke Energy, DuPont, Ford Motors, General Electric, Johnson & Johnson, PepisoCo, and so on. Even Shell Oil understands if we want to have a future, we better stand up and be counted.

Here is the point: My colleagues are doing everything they can to narrow our options on how we deal with climate change. As chairman of the Environment Committee, I want all the options at my fingertips. If colleagues don't want to do it, I understand it because, guess what. Game over. We are already fighting back. EPA is getting ready because the Supreme Court told them they had to make sure greenhouse gas emissions were reduced under the Clean Air Act. They were sued. The Bush administration said: No, greenhouse gases aren't covered under the Clean Air Act. Wrong. So the EPA is off and running. They have to be or they will be sued again. They are already working to see that greenhouse gas emissions are reduced.

Are States? A majority of States are involved. A lot of States have their own cap-and-trade system. The Northeast corridor, the west coast, they are working with Canada, Europe, and everybody else.

If my Republican friends want to put their head in the sand and have the Senate be the only place in the world that isn't taking action on global warming, be my guest. The train has left the station. The EPA is doing its work. California and 19 other States are working to get a waiver so they can cut back on greenhouse gases in terms of motor vehicles. In New England, they have their own cap-and-trade system. The Midwest is working with Canada.

If my friends want to stand around and listen to the minority witness who said: Don't worry about it. There were times in history when carbon was 1,000 parts per million, and everything was fine. But when we pressed him, he admitted the only life on Earth then was dinosaurs. I knew the people who are against this were looking backward, but I didn't realize they were going back that many years when only dinosaurs roamed the Earth.

I will fight hard to keep all our options on the table. We are fighting back, and we will eventually be victorious because mankind is depending on us.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, I appreciate the fact that I will have 5 minutes. However, I have to say, after listening to my counterpart, the chairman of the Environment and Public Works Committee, I have rewritten my speech.

First of all, let me make a couple comments about her comments. When gasoline was $5 a gallon, or approaching that, out in California, there was a reason for that, a reasonable justification at that time. It is that old thing most of us who are in earshot right now learned years ago; it is called supply and demand. Our problem is, the Democrats have restricted our ability to exploit our own natural resources. We have a moratorium on offshore drilling to make it more and more difficult. So as they restrict our ability to produce oil and gas, obviously, it is a supply and demand thing, and the demand is going to go up and the price is going to go up. It is a very simple principle.

I think it is also interesting to talk a little bit about the cap-and-trade thing. We keep hearing that for acid rain, cap and trade worked. For acid rain, there were two differences. First of all, there was a technology that was workable at that time. We had a technology that said: We know how we can restrict it. Of course, there is no technology in terms of greenhouse gases in using cap and trade. The second thing is, in the acid rain situation, there were about approximately, at most, 1,000 sources. Here, there are literally millions of sources. So there is no way we can actually get involved in this and understand just how many sources there are out there. It would be life-

changing for virtually everyone in our country.

The third thing, when the Senator from California was talking about the national sales tax, that it is not a national sales tax, we hang around Washington so long that we lose sight of the fact that if you are a poor person out there and you are spending half of your expendable income on driving your car and heating your home, and all of a sudden they double the cost of that, that is a tax increase; when you increase the cost of energy in America, it is not only an increase in a tax, but it is also regressive because those who have the least income are going to be spending a greater amount of their income on the purchase of energy.

The Senator from Illinois talked about global warming and all this and about the science. I will not get into the science thing because even though the science is mixed on this, even though there are quite a number of scientists who say there is not that relationship, that anthropogenic gases, CO_2, methane, are not the major cause of global warming—or if global warming really exists—explain that to the people in Oklahoma. We had the largest snowstorm in the history of March 3 days ago. But nonetheless, we will go ahead and say: Well, for the sake of the debate on global warming, we could concede the science, even though the science is not there. The reason we can do that is we want people not to be distracted from the economics of this thing, what it really costs. This is one of the problems I have now.

The administration has talked about all the expenditures that are going on. We talked about the $700 billion bailout. We talked about the $787 billion stimulus plan. One thing about that is those are one-shot deals. The problem with this is, once you impose this cap-and-trade tax on the American people, this is every year. This is something that is not going to be just one time. I can remember arguing against the $700 billion bailout. I said: If you take the number of families who file a tax return and do your math, it comes to $5,000 a family. That is huge. But at least it is only once. This would be, as the Senator from South Dakota said, $3,000 a family every year. That is what we are talking about now.

When the administration came out and said it was $646 billion, that is probably understated about 1 to 4. The amount of money we know it is going to be in terms of all the studying that has taken place is around $6.7 trillion between now and 2050—$6.7 trillion. We had the other two bills up—when we had the McCain-Lieberman bill, that range was somewhere around $300 billion a year. When we had the Lieberman-Warner bill, that was a little bit more. When we had the Sanders-Boxer bill, that was about $366 billion a year. So the price tag goes up and up.

If we were to allow this to happen, this would be the largest single tax increase in the history of America. We cannot let that happen without going through the procedures, the normal procedures the Senate has provided.

I thank the Chair.

The PRESIDING OFFICER. The Senator's time has expired.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:50 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BURRIS).

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2010—Continued

Mr. AKAKA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. 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. 731

Mrs. BOXER. What is the order right now?

The PRESIDING OFFICER. The time until 2:30 is equally divided.

Mrs. BOXER. I am happy to yield to my friend if he would like to, and then I will close the debate.

Mr. THUNE. How much time do we have equally divided right now?

Mrs. BOXER. Six minutes.

The PRESIDING OFFICER. Three minutes 30 seconds.

The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, we are going to have a vote in just a few minutes on an amendment I offered yesterday, and now there is a side-by-side offered by the Senator from California which tries to modify my amendment in a way that gives folks who want to be able to vote for something, something to vote for when, in fact, my amendment is the one that is very simple and straightforward. That is, if we have a reserve fund created for climate change, the revenues coming into that fund obviously are going to be significant: $646 billion, if the President's budget is accurate, and much more than that by many other analyses that have been done. It simply says that cannot be used to increase electricity rates or gasoline taxes on the American consumer.

So what I would hope that my colleagues will bear in mind when we vote is that any cap-and-trade system that is put in place is going to have a significant increase in energy costs in this country. You can call it what you want—a lightbulb tax, a national energy tax—but it is pretty clear that is going to be the case. The President, a year ago, even made the same argument: ''Under my plan of a cap-and-trade system, electricity rates would necessarily skyrocket.'' That is a direct quote.

All of the studies that have been done have suggested that this could cost anywhere from, as CBO said, $50 billion a year to $300 billion a year; MIT said $366 billion a year. An enormous amount of money is going to come into the Federal Treasury by any form of cap-and-trade bill that is passed here in the Congress. It just depends on how rigid or how restrictive the caps are as to what that cost is going to be, and there are several other bills that are out there.

What I wish to point out, however, is that the Senator from California—her bill, S. 309 from the last session of Congress, actually designates seven different funds that the revenue would go into. What her amendment would say is that a lot of these revenues would go back in the form of some assistance to consumers in this country, but, in fact, if you look at her legislation, there are seven different funds that it goes into. Essentially, what her bill would do is take all of these revenues that are going to come into the Federal Treasury and distribute them through Government agencies to all of these different areas, including the climate change worker training fund; the adaptation fund, whatever that is; the climate change and national security fund; the Bureau of Land Management emergency firefighting fund; the Forest Service emergency firefighting fund; and the Climate Security Act management fund. Those are six of the funds that are listed in her bill as uses of revenues that would be derived from a cap-and-trade and national energy tax that would be imposed upon the American consumers. Again, I point out that MIT, in their analysis of her bill, said it would cost the average household in this country an additional $3,128 annually in energy costs.

The President himself has said: ''Under my plan of a cap-and-trade system, electricity rates would necessarily skyrocket.'' Nobody disputes the fact that rates are going to go up. What we are saying is that shouldn't happen; we can't do that, particularly now at a time when the American economy is struggling and most Americans are having to tighten their belts already. To impose a huge national energy sales tax on American consumers would be very ill-timed.

Frankly, I don't believe for a minute that any of the revenues that come in as a result of the imposition of that national energy tax are going to be used to refund the American consumers. There is a $400 and $800 tax credit the President has put in place, but that is a fraction—a fraction—of the amount of the revenue that is going to come in.

So I hope my colleagues will support my amendment and vote against the side-by-side that is being offered by my

colleague from California. I don't think there is any question but this is going to raise taxes, energy taxes in the form of a national sales tax on energy for consumers in this country. My amendment would make it very clear that cannot be the case.

I yield back the remainder of my time.

Mrs. BOXER. Mr. President, Senator THUNE makes it sound as if a cap-and-trade regime that we hope we will be able to put in place to fight global warming is going to be bad for the economy. The fact is, we have hundreds and hundreds of business leaders and union members, working people, the Conference of Mayors, and Governors of both parties strongly supporting global warming legislation because it will create millions of green jobs.

My friend argues it will raise prices on consumers, and he cites Barack Obama's comments taken out of context because here is the thing: We all know there will be revenues coming into the Government which we use to soften the blow to consumers. As a matter of fact, my friend cites the MIT study, but he forgets the conclusion of the MIT study, which is that a family of four could get a rebate as high as $4,500 per year. That is more than the increase in costs that are predicted.

So my friend is a pessimist, and he is standing here saying: The sky is falling, the sky is falling. Where was he when gas prices reached almost $5 a gallon without any global warming legislation but because of speculators? I didn't hear my friend complain. Where was my friend?

Mr. THUNE. Will the Senator yield for a question?

Mrs. BOXER. Where was my friend when Enron had a scandal—and I won't yield; I don't have time to yield—where was my friend when Enron had a scandal in which it raised prices? I didn't hear him coming down here and complaining about it. But because we are contemplating a way to solve a major crisis that is facing the American people—and by the way, in the course of that crisis of fighting global warming, we will generate revenues that we can give back to consumers—suddenly—if I might ask for order. If I might ask for order.

The PRESIDING OFFICER. The Senate will be in order.

Mrs. BOXER. Suddenly, my friend is upset that consumers won't be made whole.

Well, I hope my colleagues will support my amendment because my amendment says that, in fact, consumers will be made whole by the policies in the bill, by the revenues in the bill.

We embrace what he is doing with his amendment. We hope he will embrace what we are doing in our amendment, which is to say that consumers will do well in any cap-and-trade system. They will not be hit. They will have rebates. They will be made whole. The fact is, the very same MIT study he cites proves our point.

Our friends on the other side are nervous and excited now because there are studies that say gasoline could go up by 10 cents over 10 years—a penny a year. They are getting very exercised about that. None of us want that. But they weren't exercised over it when there was manipulation going on by the oil companies, the traders, and the rest of it. What we are saying in our amendment is——

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. Vote aye on the Boxer amendment and vote aye on the Thune amendment.

AMENDMENT NO. 749

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, on the Boxer amendment.

The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I say to my friend from California that when gas prices were going up last summer, many of us were trying to put together a plan that would increase production in this country. We had a simple strategy: find more and use less.

Many of us were working constructively to try to come up with an energy solution that would increase domestic supply so we can drive down the cost of energy. I was engaged in that with a number of colleagues from the other side of the aisle.

But that has nothing to do with this debate. This deals strictly with a cap-and-trade proposal—a national energy tax proposal that is being contemplated in this budget. My amendment also was straightforward and simple. It says any reserve funds created as a result of this budget that would call for climate change legislation cannot raise electricity rates or gasoline prices for American consumers. That is a tax on American consumers when they need it the least.

I hope my colleagues will support my amendment and reject the Boxer amendment.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, there is no national energy tax proposal. Nobody I know has ever proposed it. If the purpose of this amendment is to fight a national energy tax proposal, then it is very interesting because there is no such proposal.

The fact is, we have a cap-and-trade system in place for acid rain. I never heard one Republican come to the floor and call that a tax. It is not a tax.

My friend is very concerned that energy prices will go up. I share his concern. He should vote for my amendment. As a matter of fact, I think it would be stunning if my friend didn't because I said any kind of a cap-and-trade system that comes forward will not increase electricity or gas prices or increase the overall burden on consumers.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. He will have a lot of explaining to do to his constituents. I urge an ''aye'' vote on Boxer and on Thune.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 749.

Mrs. BOXER. Mr. President, 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 New York (Mrs. GILLIBRAND) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 116 Leg.]

YEAS—54

Akaka	Hagan	Murray
Baucus	Harkin	Nelson (FL)
Bayh	Inouye	Nelson (NE)
Begich	Johnson	Pryor
Bennet	Kaufman	Reed
Boxer	Kerry	Reid
Brown	Klobuchar	Rockefeller
Burris	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Conrad	Lieberman	Udall (CO)
Dodd	Lincoln	Udall (NM)
Dorgan	McCaskill	Warner
Durbin	Menendez	Webb
Feingold	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

NAYS—43

Alexander	Crapo	McCain
Barrasso	DeMint	McConnell
Bennett	Ensign	Murkowski
Bingaman	Enzi	Risch
Bond	Graham	Roberts
Brownback	Grassley	Sessions
Bunning	Gregg	Shelby
Burr	Hatch	Snowe
Byrd	Hutchison	Specter
Chambliss	Inhofe	Thune
Coburn	Isakson	Vitter
Cochran	Johanns	Voinovich
Collins	Kyl	Wicker
Corker	Lugar	
Cornyn	Martinez	

NOT VOTING—2

Gillibrand	Kennedy

The amendment (No. 749) was agreed to.

Mr. CONRAD. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 731

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. 731 offered by the Senator from South Dakota, Mr. THUNE.

The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, if you honestly believe the trillions of dollars that are going to come in from a cap-and-trade proposal—what is essentially a national energy sales tax—that those revenues are going to be distributed

back to the American people, then voting for the Boxer amendment was the correct vote.

If you believe, as I do, that the trillions of dollars that come in through a cap-and-trade proposal are, in fact, not going to be rebated to the American people, that they are going to fund programs in Washington, DC, then you should vote for my amendment because my amendment prevents any program that is created—a cap-and-trade program—from increasing electricity rates or gasoline prices for American consumers.

This is a national energy tax on the American people, on American consumers. If you want to vote against that, then voting for my amendment is the correct vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I think Members should feel free to vote for the Thune amendment because the Boxer amendment was adopted, which means that if there is any increase in gasoline prices, in electricity prices, because the Boxer amendment was adopted, we said we can rebate, we can take the funds that have come in from a cap-and-trade system and keep consumers whole. So I have no problem at all with the Thune amendment now that we have passed Boxer. So feel very free to do that.

I will say that my friends on the other side are so desperate to kill cap and trade that they call it a national sales tax. They never called the cap-and-trade system for acid rain a national sales tax. So they are inventing a new vocabulary just to kill any chance at addressing global warming in the way that most businesses want us to address it—through a cap-and-trade system.

But I feel comfortable voting for the Thune amendment because the Boxer amendment passed, and we will have the ability to keep consumers whole.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CONRAD. 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 amendment No. 731. The clerk will call the roll.

The assistant legislative 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.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 8, as follows:

[Rollcall Vote No. 117 Leg.]

YEAS—89

Akaka	Enzi	Merkley
Alexander	Feingold	Mikulski
Barrasso	Graham	Murkowski
Baucus	Grassley	Murray
Bayh	Gregg	Nelson (FL)
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Pryor
Bennett	Hatch	Reed
Bond	Hutchison	Reid
Boxer	Inhofe	Risch
Brown	Inouye	Roberts
Brownback	Isakson	Rockefeller
Bunning	Johanns	Sanders
Burr	Johnson	Schumer
Burris	Kaufman	Sessions
Byrd	Kerry	Shaheen
Cantwell	Klobuchar	Shelby
Carper	Kohl	Snowe
Casey	Kyl	Specter
Chambliss	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Levin	Udall (CO)
Conrad	Lieberman	Vitter
Cornyn	Lincoln	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	Webb
Dodd	McCain	Wicker
Dorgan	McCaskill	Wyden
Ensign	McConnell	

NAYS—8

Bingaman	Durbin	Udall (NM)
Cardin	Feinstein	Whitehouse
Corker	Menendez	

NOT VOTING—2

Gillibrand	Kennedy

The amendment (No. 731) was agreed to.

Mrs. BOXER. 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.

AMENDMENT NO. 739

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. 739 offered by the Senator from New Hampshire, Mr. GREGG.

The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I call this the 1789 amendment because it simply says that if there is a budget brought forward after January 2009 that raises the debt of this country more than all the debt added up by all the Presidents since 1789, starting with George Washington, Thomas Jefferson, Franklin Pierce—to remind a few of you folks—Franklin Roosevelt, all the Presidents since 1789, all the debt they added to this Nation—if there is a budget that brings forward more debt than that in one 5-year period, as regrettably President Obama's budget does—it doubles the debt in 5 years and triples it in 10 years—then there will be a point of order against that budget so it will take 60 votes in this body to pass that budget rather than 51. It is a reasonable request.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CONRAD. Mr. President, one has to wonder where the Senator was when they were doubling the debt over the last 8 years. But this solution is the most curious offered yet. What it says is we would make getting a budget resolution—which is the only prospect of disciplining the process—even more difficult. The cure is worse than the disease.

I urge my colleagues to oppose this wrongheaded amendment.

Mr. GREGG. Mr. President, I ask unanimous consent that if the Senator wishes to make this retroactive, we will accept it.

Mr. CONRAD. We already have the problems that President Obama has inherited. We are stuck with that.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 739.

Mr. GREGG. Mr. President, 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 New York (Mrs. GILLIBRAND) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 54, as follows:

[Rollcall Vote No. 118 Leg.]

YEAS—43

Alexander	Ensign	Murkowski
Barrasso	Enzi	Nelson (NE)
Bennett	Graham	Risch
Bond	Grassley	Roberts
Brownback	Gregg	Sessions
Bunning	Hatch	Shelby
Burr	Hutchison	Snowe
Chambliss	Inhofe	Specter
Coburn	Isakson	Tester
Cochran	Johanns	Thune
Collins	Kyl	Vitter
Corker	Lugar	Voinovich
Cornyn	Martinez	Wicker
Crapo	McCain	
DeMint	McConnell	

NAYS—54

Akaka	Feingold	Merkley
Baucus	Feinstein	Mikulski
Bayh	Hagan	Murray
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Pryor
Bingaman	Johnson	Reed
Boxer	Kaufman	Reid
Brown	Kerry	Rockefeller
Burris	Klobuchar	Sanders
Byrd	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Conrad	Lieberman	Warner
Dodd	Lincoln	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden

NOT VOTING—2

Gillibrand	Kennedy

The amendment No. 739 was rejected.

Mr. CONRAD. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 763

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the next amendment in order is the Lieberman-Collins amendment. We have a 30-

minute time agreement equally divided on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my friend from North Dakota, chairman of the Budget Committee. I call up the amendment that has been filed by Senator COLLINS and me recently.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Ms. COLLINS, Mr. BENNET, Mr. BINGAMAN, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KYL, Mr. PRYOR, and Mr. UDALL of New Mexico, proposes an amendment numbered 763.

Mr. LIEBERMAN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect the American people from potential spillover violence from Mexico by providing $550 million in additional funding for the Department of Homeland Security and the Department of Justice and supporting the Administration's efforts to combat drug, gun, and cash smuggling by the cartels, by providing: $260 million for Customs and Border Protection to hire, train, equip, and deploy additional officers and canines and conduct exit inspections for weapons and cash; $130 million for Immigration and Customs Enforcement to hire, train, equip, and deploy additional investigators; $50 million to Alcohol, Tobacco, Firearms, and Explosives to hire, train, equip, and deploy additional agents and inspectors; $20 million for the Human Smuggling and Trafficking Center; $10 million for the Office of International Affairs and the Management Directorate at DHS for oversight of the Merida Initiative; $30 million for Operation Stonegarden; $10 million to the Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas program, to support state and local law enforcement participation in the HIDTA program along the southern border; $20 million to DHS for tactical radio communications; and $20 million for upgrading the Traveler Enforcement Communications System)

On page 17, line 22, increase the amount by $30,000,000.

On page 17, line 23, increase the amount by $3,000,000.

On page 18, line 3, increase the amount by $11,000,000.

On page 18, line 7, increase the amount by $9,000,000.

On page 18, line 11, increase the amount by $7,000,000.

On page 24, line 24, increase the amount by $520,000,000.

On page 24, line 25, increase the amount by $406,000,000.

On page 25, line 4, increase the amount by $62,000,000.

On page 25, line 8, increase the amount by $52,000,000.

On page 27, line 23, decrease the amount by $550,000,000.

On page 27, line 24, decrease the amount by $409,000,000.

On page 28, line 3, decrease the amount by $73,000,000.

On page 28, line 7, decrease the amount by $61,000,000.

On page 28, line 11, decrease the amount by $7,000,000.

Mr. LIEBERMAN. Mr. President, the reporting of the amendment mentioned my name and others. I rise with Senator COLLINS, representing the bipartisan leadership amendment of the Senate Homeland Security Committee, to offer this bipartisan amendment to the fiscal year 2010 budget resolution to strengthen Federal law enforcement efforts on our southern border. Our amendment would provide an additional $550 million to increase the number of Federal agents, investigators, and resources on the border to staunch the flow of guns and money southward into Mexico and the flow of drugs and violent drug dealers northward into America.

The increasing competition among the Mexican drug cartels caused by the initiative by President Philippe Calderon has touched off a bloody war that has claimed over 7,200 lives in Mexico since the start of 2008. This violence is supported by guns flowing south from the United States, along with billions of dollars of ill-gotten money earned from drug sales in the United States which allows the cartels, among other things, to corrupt officials in Mexico but also some in the United States as well. President Calderon has taken unprecedented steps to challenge the cartels. He has deployed the Mexican military to assist in the fight and has acted aggressively to root out corruption in government and law enforcement agencies in Mexico. But he needs our help and more of it, and we need to help him succeed in defeating the Mexican drug cartels which create such havoc in the United States through the drugs they sell but whose violence has begun to spill over the Mexican border into the United States. We cannot sit idly by while the streets in Mexico run with blood, nor can we wait until the cartels' brutal violence further invades our own cities.

The Department of Justice testified before the Senate Homeland Security Committee on this subject a week or so ago that the Mexican drug cartels are today the No. 1 organized crime threat in our country. They operate in 230 of our cities, bringing their deadly drugs and violence with them. In Phoenix, AZ, alone, the cartels have been involved in kidnappings that numbered 700 in the last 2 years. That makes Phoenix second only to Mexico City in the number of kidnappings in any city in the world. That is a direct overflow result of the Mexican drug cartel violence and competition in Mexico. This lawlessness must be stopped before it spreads.

Last week, the Obama administration announced it was redeploying investigators and other law enforcement officers from the Departments of Homeland Security and Justice to the southern border to expand our Government's efforts to investigate and interdict the cartels' activities in the United States. This was a real step forward. Department of Homeland Security Secretary Napolitano said at her hearing before the committee last Wednesday that the plan she had put into effect the day before was budget neutral. I know we want everything we do to be budget neutral, but this is an urgent crisis.

The Mexican drug cartels are a clear and present danger not only to the people of Mexico but to the people of the United States. That fact, Senator COLLINS and I believe, compels us to provide our Federal law enforcement agencies with additional funding to ensure that the redeployment of forces that Secretary Napolitano announced last week is sustainable, that it does not take personnel away from other sections of our country where they are needed for law enforcement purposes, and that we provide the substantial additional resources that we conclude, as the leaders of the Homeland Security Committee, are necessary to effectively combat the cartels.

Secretary Napolitano announced the redeployment of 350 personnel within her Department. We need to do more. The Secretary also said she had to play with the hand she was dealt. This amendment would dramatically improve that hand, and I urge my fellow Senators to support our Secretary and the amendment and the security of the American people by supporting it.

I wish to briefly speak now about what the amendment does. It provides $260 million additional for Customs and Border Protection to hire, train, and equip 1,600 new officers and 400 canine teams to be sent to the border to significantly increase the number of inspections there, particularly exit inspections, which we do not do routinely. The funding would also cover costs related to temporary infrastructure to ensure that the officers are protected from both the elements and those who would evade inspection to come across the border. CBP would also receive $20 million to modernize its border-screening database to better identify potential criminals and stop suspicious loads—truckloads or carloads—at ports of entry.

The Department of Homeland Security would receive an additional $20 million to improve the tactical communications in the field for Customs and Border Protection and Immigration and Customs Enforcement to ensure that our law enforcement officers have the ability to call for help when they are confronted by dangerous situations and to better communicate with State and local law enforcement who must be part of this anti-Mexican drug cartel campaign.

Increasing inspections is just one part of a comprehensive strategy which this amendment would enable. We also need to ensure that the Department of Homeland Security and the Department of Justice have the resources—

people—they need to investigate the cartels. That is why our amendment provides $130 million to ICE—Immigration and Customs Enforcement—for 350 full-time investigators to work on firearms-trafficking and money-laundering investigations.

We would also double the number of border enforcement security teams along the southwest border. These teams create fusion centers that bring together all the Federal agencies with State and local governments to combat the cartels' activities. The fact is, many State and local law enforcement agencies, particularly along our southern border, simply cannot afford to detail the necessary additional resources and personnel to these fusion centers. So this amendment would provide $30 million for Operation Stonegarden to reimburse State and local law enforcement for their participation in these programs.

We would also add $10 million in the Department of Justice competitive grants for local, State, and tribal law enforcement agencies located along the southern border and in high-intensity drug-trafficking areas across our country.

There is $50 million here for the Alcohol, Tobacco, and Firearms agency to better support an existing program called Project Gunrunner. It would enable the hiring of an additional 150 agents and 50 inspectors to investigate illegal firearms trafficking near or across the Mexican border, and $20 million for the Human Smuggling and Trafficking Center at the Department of Homeland Security to better coordinate investigations between Federal, State, and local law enforcement.

Finally, we appropriate an additional $10 million so the Department of Homeland Security can oversee the implementation of its part of the Merida Initiative, most of which has funds flowing through the Department of State. If I may borrow a phrase from another conflict, this amendment enables a real surge in America's joint war with the Government of Mexico against the Mexican drug cartels to occur.

The cartels are now presenting a genuine and very unique security threat to our homeland. Our Federal law enforcement officers and investigators are doing the best they can, but there are simply not enough of them with enough resources to take on the threat the cartels pose to America's security and the security of our friend and ally nation to the south, Mexico. Additional resources provided by this amendment would improve our ability to break the grip of the cartels and ensure that the drug-related violence from Mexico does not further encroach on America's communities and people.

Mr. President, I thank the Chair, and I now am proud to yield to the ranking member of our committee, Senator COLLINS of Maine.

The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to join with my friend and colleague, the distinguished chairman of the Homeland Security Committee, in offering this bipartisan amendment to provide urgently needed resources to confront a major and growing threat to our homeland security.

Since the beginning of 2008, more than 7,000 people have been killed in drug-related violence in Mexico, including 522 military and law enforcement officials. The Mexican drug cartels have become increasingly brazen and violent, targeting police and journalists and using graphic displays of violence to intimidate communities. The drug cartels also have been able to corrupt some local law enforcement officials, who then have turned a blind eye to or are complicit in illegal drug production and trafficking.

Compounding the danger of the situation, Mexico's drug cartels have, in recent years, acquired increasingly sophisticated and powerful weaponry. Smuggling equips the cartels with large numbers of firearms, as well as items such as night vision goggles and electronic intercept and encrypted communications capabilities. Police in Mexico are often ill-equipped to confront such well-armed and trained forces.

This growing violence poses a significant danger to the security of our country, particularly to border States. Drug-related violence has already spilled over our borders. Kidnappings, assaults, murders, and home invasions related to the Mexican drug cartels are on the rise, particularly in the State of Arizona. Tucson and Phoenix have created special task forces to investigate a rash of kidnappings and home invasions directly related to these Mexican drug cartels. Authorities estimate, as the chairman has indicated, that more than 230 cities, as far away as Anchorage, AK, and Boston, MA, have distribution networks related to the Mexican cartels. This number is up from just 100 cities 3 years ago. As the drugs come north from Mexico, these distribution networks use the revenues from their sales to send cash and weapons back to the traffickers in Mexico.

The U.S. Government has invested significant resources in preventing drugs from entering our country. But until very recently, the Federal Government has focused only very limited resources on the supply of money and weapons going south—south to fuel the drug war. In our own country, some local and State law enforcement agencies simply do not have the capabilities to fully counter the increasingly complex operations and sophisticated weapons of the Mexican cartels' distribution networks.

The amendment Senator LIEBERMAN and I are offering would provide absolutely critical resources to supplement those efforts underway on our southwest border to combat drug, gun, and cash smuggling by the drug cartels in Mexico. These resources represent a more substantial commitment to address the threat than the administration announced last week when it moved some personnel from other parts of the country to the southwest border. Those steps were good ones, they are needed, but they simply are not sufficient, and they risk leaving other borders not fully staffed, particularly the northern borders.

Our amendment, as Senator LIEBERMAN has indicated, provides additional funding for Customs and Border Protection to deploy 1,600 additional officers at ports of entry without robbing other ports of entry. It would also provide funding for 400 new canine teams. Many of these new officers and teams will be deployed to the southwest border to conduct inspections, exit inspections of southbound traffic to Mexico so we can interdict the illegal export of weapons and cash that again fuel that cartel-related violence in Mexico.

To investigate and dismantle the networks involved in smuggling the drugs, the weapons, and the cash, our amendment provides $130 million for Immigration and Customs Enforcement to hire and train 350 new investigators. That will help ensure that the number of border enforcement security teams along the southwest border doubles. These teams have been highly successful in coordinating with Mexican officials to combat cross-border smuggling, but they are simply overwhelmed by the extent of the threat.

As Senator LIEBERMAN has described, our amendment also provides $50 million in additional funding to hire, train, and deploy an additional 100 investigators working on Project Gunrunner. This will help expand investigations of armed smuggling.

The amendment sets aside an additional $30 million for a highly successful cooperative program known as Operation Stonegarden. This program has been a big success in my own State, so I know how helpful it can be in combating this emerging and growing threat.

Finally, this amendment provides $40 million for important technology upgrades to make CBP officers and Border Patrol agents along the border, and indeed across the country, more effective in identifying potential smugglers and in communicating with each other and with State and local law enforcement. This will make a real difference.

What we have done is put together a carefully crafted amendment that will help to fill the real gaps that exist at the Federal level and, in cooperation with State and local law enforcement, to help us counter this extraordinary rise in violence that has spilled over the border from Mexico that is threatening the security particularly in those border States, such as Arizona, but also poses a threat to States throughout our country because of these distribution networks the drug cartels are using.

This amendment is essential to the security of our country. The violence the cartels originate in Mexico—and

certainly we have to be concerned about the violence in a neighboring country, but this affects American citizens directly. I am convinced, based on the hearings our committee has held and the investigations we have conducted, that this amendment is essential to countering this growing threat to our homeland security. I urge support for the amendment, and I am very pleased to work with my chairman to bring this issue before the Senate.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I first wish to thank my colleague from Maine for her excellent statement as well as for the spirit of bipartisanship that has blessed and characterized our relationship. I am very pleased we have been able to bring this amendment forward quickly in response to testimony we have heard and an investigation our staff has done. This is an urgent problem that concerns people particularly along our southern border but also in cities around America, 230 cities where the Mexican drug cartels are operating, and they are all over the country. This is a business that by varying estimates returns between $16 billion and $38 billion a year. It takes $16 billion to $38 billion a year out of the United States and sends it back to the drug cartel kingpins in Mexico. If that was a business, it would be one of the larger businesses in our country today.

We just have to help President Calderon, who has had the guts to take on the Mexican drug cartels at tremendous risk to himself and his government and deployed his military. We are helping him through the merit initiative. This is a way to beef up our own response and our own partnership on this side of the border. I thank Senator COLLINS for her statement and for her support.

I do wish to indicate for the RECORD that also original cosponsors of this amendment are Senator BENNET from Colorado, Senator BINGAMAN from New Mexico, Senator FEINSTEIN from California, Senator HUTCHISON from Texas, Senator KYL from Arizona, Senator PRYOR from Arkansas, Senator UDALL from Colorado, and Senator UDALL from New Mexico, a truly bipartisan group of cosponsors. We are going to ask for a rollcall vote on this amendment. I know there is a lot of interest in it from Members on both sides of the aisle throughout the Senate and throughout the country, and we hope we can vote on it as soon as possible.

With that, I thank the Chair, and I yield back the remaining time that we have been allotted on this amendment.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

AMENDMENT NO. 747

Mr. ALEXANDER. Mr. President, I was just making my entrance at the time the Senator from Connecticut concluded.

I ask unanimous consent to set aside the pending amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I call up amendment No. 747 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 747.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To create runaway debt point of order against consideration of a budget resolution that projects the ratio of the public debt to GDP for any fiscal year in excess of 90 percent to ensure the continued viability of U.S. dollar and prevent doubling or tripling the debt burden on future generations)

On page 68, after line 4, insert the following:

SEC. ___. LIMIT ON PUBLIC DEBT.

(a) FEDERAL SPENDING LIMIT POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any budget resolution, bill, joint resolution, amendment, or conference report that would exceed the limit on public debt for any fiscal year covered therein.

(2) WAIVER OR SUSPENSION.—This subsection may be waived or suspended in the Senate only by the affirmative roll call vote of three-fifths of the Members, duly chosen and sworn.

(3) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(4) FORM OF POINT OF ORDER.—A point of order under this subsection may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(b) DEFINITIONS.—In this section:

(1) LIMIT ON PUBLIC DEBT.—The term ''limit on public debt'' means a level of public debt for a fiscal year in the resolution where the ratio of the public debt to GDP is 90 percent.

(2) GDP.—The term ''GDP'' means the gross domestic product for the relevant fiscal year.

Mr. ALEXANDER. Mr. President, I see the Senator from New Hampshire is here, and the Senator from Arizona, the assistant Republican leader, will be here in a few minutes, I believe. Senator GREGG earlier offered an amendment which essentially would say that the projected debt under President Obama's budget couldn't go up more than all of the debt that has been accumulated by all of the Presidents from George Washington to President Bush. That is one way of saying to the American people and to the Senate that the debt that is proposed by these budgets is so staggeringly high that we need to find some way to put a limit on it.

I am offering with my amendment another way to put some limit on the debt. I call it a runaway debt point of order. This is not a matter of not letting the horse get out of the barn; this recognizes that the horse is already out of the barn and we are trying to put a fence around him before he gets into the next county or even into the next country.

This amendment would create a new point of order against considering any budget resolution that estimates gross Federal debt—our total debt, total amount of obligations—exceeding 90 percent of gross domestic product in any year covered by the budget. To put that in a little plainer English, what it means is the Senate would be forced to come up with 60 votes if the public debt in any year goes beyond 90 percent of the estimated gross domestic product.

The gross domestic product is what all of us produce in the United States every year. Despite the fact we are in an economic slowdown, we are a very privileged country. We make up only about 5 percent of the world population—those of us who live in the United States—but year in and year out we produce about $1 out of every $4 of wealth produced in the world. So 22, 23, 25, 26 percent of all of the wealth, all of the money produced each year in the world is produced in the United States for distribution among primarily the 5 percent of us who live here. We are a very privileged country. This amendment says if we intend in any year to increase the debt above 90 percent of all of that production in any year, that 60 Senators have to agree with it.

When was the last time the United States had a debt, a national debt, that exceeded 90 percent of the gross domestic product? It was when we were fighting in World War II and as we were coming out of World War II. Of course, during that time, it didn't matter what we spent. It didn't matter what we taxed. We were in a fight for our lives, and we did whatever we could think of to do, spent whatever we could think of to spend, and ran up any debt we needed to to win the war. And we did win that war.

Right after World War II, our national debt was about 90 percent of the annual gross domestic product of the United States. More recently, it has been about 40 percent.

So here is what happens now—the Senator from New Hampshire went into this to some degree. We talked about deficits and we need to make a clear distinction between deficits and debt. Deficits adds to the debt each year. We talked about the fact that the deficit is going up this year and next year during the recession, and we understand that is necessary to some degree. But then the deficit comes back down to approximately 4 percent of gross domestic product, and it stays at a little over 4 percent in President Obama's budget. That is also the Conrad budget, which OMB Director for

President Obama said, is about 98 percent of the Obama budget. This proposes an annual deficit as compared with GDP that is worse than the following countries: Guatemala, the Philippines, Aruba, Cuba, Nigeria.

This amendment I'm offering, however, seeks to talk about the debt. For example, the President's proposal is to double the debt in 5 years and to almost triple it in almost 10 years. So we start out with debt held by the public at about 40 percent of gross domestic product. But by 2014, we are at 66.5 percent of gross domestic product under Senator CONRAD's budget. President Obama proposed a 10-year budget—which is a picture of America's future in the same way that a photograph of a first grade class would be a picture of a community's future 10 years out—that actually presented a very honest picture of our future as he sees it. I respect him greatly for that. I just don't like the picture he has presented because that picture, as I mentioned, doubles the debt in 5 years and nearly triples it in 10 years. So we go from a level of debt held by the public equaling about 40 percent of gross domestic product to 82 percent of gross domestic product.

Under President Bush—and we hear a lot of talking about President Bush, we had lower deficits. I was listening to the radio yesterday morning, and they said: How can you Republicans be talking about debt when under President Bush you ran up the debt? True, true. But Senator GREGG offered an amendment that gives us a chance to deal with that because he points out that President Obama would increase the debt more than, not just President Bush, but than all of the Presidents put together, going back to George Washington. That is a very sobering fact. So President Bush may have made some mistakes, but he was not judged on whether he caused Hurricane Katrina. He was judged on how he reacted to it. President Obama certainly didn't create the economic mess we are in, and he won't be judged by that, but he will be judged—and the majority party will be judged—by how they react to it. I don't believe doubling the debt and tripling the debt is the way to grow the economy or restore good jobs.

I see the Senator from New Hampshire here, and I would like to ask him about these gross domestic product discussions—90 percent of this and 20 percent of that and a trillion of this—all of that makes the case, but it is hard to fathom.

Through the Chair, I would ask the Senator from New Hampshire how would he put it in terms that the average family can deal with, what it means to double the debt in 5 years and nearly triple it in 10 years, as the President's budget would do.

Mr. GREGG. Mr. President, if the Senator would yield for the purposes of a question, I will try to make it rhetorical. First off, I congratulate the Senator for his amendment because it is a serious amendment addressing what I consider to be the most serious problem with the President's budget, which is that the amount of debt that is being put on the books by this budget is a result of incredible expansion of the size of the Government and the spending of the Government. It is going to put us in a situation where, as the Senator noted, we will probably not be able to sustain the payment of that debt or we will be forced into a position similar to some of the countries the Senator mentioned, which is serious inflation or an inability to borrow money because people will worry about the ability to be able to pay it back and our concern about the devaluation of the dollar.

It is hard, I think, and inappropriate for one generation to put that much debt on the back of another generation.

So what the Senator is proposing is—not that you can't pass a budget, but when you do pass a budget that raises the public debt and grows debt, in this case up to 90 percent of GDP, at a level of countries such as Cuba and Aruba—what were the other countries?

Mr. ALEXANDER. Guatemala, the Philippines, Aruba.

Mr. President, I ask unanimous consent that the Senator from New Hampshire and I be allowed to engage in a colloquy for the remaining minutes we have.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Guatemala, the Philippines, Cuba, Nigeria, and Aruba are countries that have an annual deficit level lower than we will have.

Mr. GREGG. And the debt level, too, I suspect. In fact, we could not get into the European Union at the debt level of 90 percent of GDP. They would not even allow us in.

Mr. ALEXANDER. Lots of times Members of Congress sort of make fun of Europe and make fun of France and say: Well, that is French. We don't want to be French. It is embarrassing to stand here and say the situation exists where, if the United States were applying to be a member of the European Union, our annual deficit level would be too high to be admitted. We would be unable to qualify for the entire 10 years projected in this budget if we were to choose to do that.

Mr. GREGG. That is correct, as a result of this budget proposed by the President, because the budget proposal is a dramatic expansion in spending—an expansion of spending up to levels we have not seen since World War II in terms of gross national product. Huge numbers.

The Senator asked how can this—these huge numbers, which nobody can understand, $1 trillion or 90 percent of GDP—how does that translate to the person who lives on Main Street? Well, basically it means at the end of this budget, every household in America will have an obligation relative to the Federal debt that is owed of $133,000. That is probably going to exceed a lot of mortgages they have. So not only do you have your mortgage on your house, but you are going to have a Federal debt which you are responsible for of $130,000. The service on that debt—in other words, the interest costs to pay for that debt—will be $6,200 a year.

Mr. ALEXANDER. Mr. President, if I may ask the Senator from New Hampshire, who will be the mortgage holder on that debt in 20 or 30 or 40 years?

Mr. GREGG. Well, China regrettably. They are the primary mortgage holder, although other nations also hold our debt. Russia owns a lot of it, and Middle Eastern countries, such as oil-producing emirates and Saudi Arabia. Obviously, America also owns some of its debt. But the countries outside our Nation, regrettably, have raised their level of ownership of our debt. It has actually been good for us because some people have been able to borrow from us; we have borrowed from people who lent us money—primarily, China, Russia, and other countries in the Middle East have been lending us money.

When we pay back this debt, which is going to be run up dramatically—doubled in 5 years and tripled in 10 years by this budget—we are basically going to be sending hard-earned money from Americans to these other nations.

Mr. ALEXANDER. If the mortgage holders around the world—China, the Middle East, and other countries—worry about our ability to pay it back, I suppose they could simply stop buying our dollars or ask us to pay them more or pay a higher interest rate for our mortgage debt.

Mr. GREGG. That is absolutely right. That comes out of every American's ability to have a better lifestyle here. It means Americans will have to pay higher taxes, and they will not have as much discretionary money to spend on buying a house, sending their children to college, buying a car, and doing things Americans like to do in order to enjoy a good life. So much of the income of America will have to be poured into paying off the debt, which will be run up by this budget.

There is an interesting fact that I know the Senator is aware of: By the time we get through the 10-year period proposed in the budget, the amount of money that we as a nation will pay in interest—just interest—on the Federal debt will be over $800 billion, or almost a trillion dollars. That is interest annually. That will be more money than we spend on defending America, on our national defense.

Mr. ALEXANDER. We have been worrying about sending billions of dollars overseas to buy oil. So we should be worried about sending half of that money overseas to pay interest on the debt.

The Senator from New Hampshire was Governor of New Hampshire, as I was Governor of Tennessee, and we used to have a friendly competition about which had the most conservative fiscal policies. Of course, Tennessee did, but one thing we always tried to do was keep our debt low because that

meant we had more money for schools and for State parks and for hospitals. What happens when we run the debt so high that we are paying $800 billion in interest, which I believe is 8 times more than the Federal Government spends on education each year and 8 times more than the Federal Government spends on transportation each year. We are taking away the money that we would invest to make this a better country in the future.

Mr. GREGG. The Senator is absolutely correct. We will spend this money for the purpose of paying interest and, as the Senator points out, maybe more than half the interest payment will go to the people in China, Russia or in the Middle Eastern countries, rather than spending it here to build better schools or basically make sure our national defense is adequate, which is the primary responsibility of the Government, or to build better roads or invest in energy. That seems to be a very bad policy to me.

Mr. ALEXANDER. How much time do we have, Mr. President?

The PRESIDING OFFICER. The Senator used 16 minutes. There is 44 minutes left in support of the amendment.

Mr. GREGG. Mr. President, I believe we had an agreement that, under this amendment, our side would have 25 minutes and the other side would have 25 minutes.

I ask unanimous consent that we be able to have another 5 minutes on our side, and then we will go to the other 25 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I see the Senator from North Dakota here. We have been talking about Senator GREGG's amendment, which would try to put some limit on the size of the debt. And we have been talking about my proposal, the runaway debt point of order, which would say debt is not where it should be, so let's say whoa out there and let ourselves and the American people know when we reach a debt level of 90 percent of GDP and that we should not have a budget in any year that does that.

I know the chairman, Senator CONRAD, has said in committee he didn't think that was a very effective way to do things. I wonder why that is true because it seems to me it would be extremely effective to shine a big spotlight on the Senate and say you have proposed a budget where debt exceeds 90 percent of the gross domestic product of this country for a year. You cannot do that, unless a bipartisan group of 60 of you agree to do it.

I wonder whether Senator GREGG believes these kinds of limits or spotlights would be a helpful tool in beginning to reduce the staggering debt these budgets propose.

Mr. GREGG. I think they would be. First off, we are not barring the ability to bring a budget to the floor. We are simply saying any budget that anticipates the debt of the United States, which in this budget potentially is occurring or which would occur under this budget as proposed from the President, that has a general debt of over 90 percent of GDP, gross national product, requires 60 votes. Why shouldn't it? If you are going to do that and step off down the road of basically banana republicanism—is that a word?—you ought to have a major vote to do that, a supermajority to accomplish that.

I don't want to be like some of these nations listed by the Senator from Tennessee. I would rather not find myself in a situation where we basically cannot afford our debt and we are passing on to our children a nation which has been so profligate in its spending that it ran up a debt to make it impossible for our kids to have such a life as good as the one we have had.

Mr. ALEXANDER. Mr. President, I believe our time has expired. I ask unanimous consent to allow a couple more minutes because I see Senator KYL from Arizona who wishes to speak briefly.

Mr. CONRAD. Mr. President, I yield 2 minutes off my time to Senator KYL. I do that not because I am eager to hear from Senator KYL but because I would like to maintain the overall time constraint we have put into place, given all the other demands. I am happy to yield to the Senator.

Mr. KYL. Mr. President, I am appreciative and chagrined at the same time. I appreciate very much the courtesy. The only point I wished to briefly make—and I don't know whether it was made before with specificity—is that there is a reason why the debt and the deficits matter. It is because so much of it is held by other countries. Those other countries are becoming very concerned about the debt they hold in America.

We don't have an unlimited ability to continue to sell this debt to other countries. I just got these statistics. The Chinese specifically hold $727 billion or about 23.6 percent of all foreign holdings of U.S. debt. The Japanese hold $626 billion or 20 percent. Others are held by Persian Gulf countries. When they hold this debt, they both have a very large indirect stake in the kinds of policies we can pursue as a nation, and they also, obviously, would affect our future ability to borrow by their assessment of the quality of the debt and of the value of the dollar.

To this point, the Chinese Premier, in response to a question at a news conference, said:

> We have lent huge amounts of money to the United States. Of course we are concerned about the safety of our assets.

My only point is, it is not just a matter that there is more debt in this budget than the entire history of the United States combined—there is a reason to be concerned about that debt beyond the fact that our kids and grandkids are going to have to pay it back—but today and tomorrow how that debt is viewed by the holders of the debt in other countries. Therefore, I think we ignore that at our peril.

I appreciate the willingness of the chairman to lend me a couple minutes to make that point.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, look, I believe that, over the first 5 years, this budget resolution takes us in the right direction. The resolution dramatically reduces our deficits, reduces them by more than two-thirds, it reduces our deficit as a share of gross domestic product from 12.2 percent this year down to less than 3 percent in the fifth year.

The place where I would actually agree with my colleagues is in the second 5 years of either the President's budget or, frankly, mine, although mine would have substantially less debt than would the second 5 years of the President's. My own belief is getting down to 3 percent of GDP is not enough. Why is it not enough? Because at 3 percent of GDP, you stabilize the debt. That is why it is so critical to get there. At least that is what the economists tell us.

The problem with that, I believe, is I don't think stabilizing the debt at those high levels is an acceptable outcome. I think when the Senator talks about the Chinese Premier—when Senator KYL talks about the Chinese Premier sending a warning shot, we had better take that very seriously. I think that when we see the U.S. gross debt approaching 100 percent of GDP—gross debt as distinguished from the publicly held debt—that is a real warning flag. I understand that Japan's debt is about 180 percent of their GDP and rising. I don't think it is healthy for them or for us to have public debt so high relative to GDP once the immediate crisis has passed.

Look, the problem I have with the Alexander amendment is not the sentiment behind it; it is the specifics of the amendment because what does it provide? The amendment says you are going to have a 60-vote point of order against the budget resolution when you are at those debt levels. Senator ALEXANDER said it himself moments ago—we would not do a budget when we get to those debt levels. I don't think that is what he meant because that is not what his amendment provides. The amendment provides a 60-vote point of order against the budget resolution at those levels. I just don't get how that is the solution to the buildup of debt.

I think one of the last things you would want to do is make a budget resolution more difficult because the budget resolution actually has the disciplines, the points of order, and the supermajority points of order that help discipline the budget process, which makes it easier to prevent more appropriated spending.

Let me say this. I have been through this exercise of cutting $160 billion over 5 years from the President's discretionary proposal. I have the scars to prove it. I will tell you, if you want an intense experience around here, cut domestic discretionary spending. That is

what this budget does. There are a lot of people who are not happy about it—very much not happy. I don't know what else you do when you are faced with losing $2 trillion in revenue.

I say to my colleagues that I agree very much with the sentiment that Senator ALEXANDER has expressed about the dangers of debt. I have said many times on the floor of the Senate that debt is the threat. The debt is the threat. I will just say this: In the previous administration, we never heard the word ''debt'' leave the mouths of the President or Vice President of the United States. Never did you hear them talk about the debt of the United States. Do you know why? Because they doubled the debt during their time. Our colleagues were complicit in that activity. They stood and voted with them to endorse the policies that doubled the debt of the United States. That was during good economic times.

In the final year of the Bush administration, the economy plunged into the worst condition since the Great Depression. That is true. But in the early days of that administration—well, the early days were recession, too. They began in recession and they ended in a very severe recession. But in between, we had a number of years of economic growth, but that growth was propelled by writing trillions of dollars of hot checks. That is what was being done during the Bush administration. The result is right here. This is what they did to the debt. They doubled it. That is the Bush legacy—doubling the debt of the United States and, again, during relatively good times. Our friends on the other side of the aisle were with them every step of the way as they took us right over the cliff.

Why did we wind up in this devastating economic downturn? I personally believe it was the result of four factors: No. 1, a very loose fiscal policy under the control of the Congress and the President of the United States. And I fought it every step of the way. I opposed this massive buildup of debt because I thought it would fundamentally threaten the economic security of the country.

No. 2, a loose monetary policy under the control of the Federal Reserve. After 9/11, the Federal Reserve kept interest rates low. So we had a combination—very unusual in economic history—of very loose fiscal policy and loose monetary policy. On top of that, we had a dysfunctional trade policy with trade deficits running well above $700 billion a year, meaning we were consuming substantially more than we could produce. We were sending vast sums of money to other countries to buy their energy, to buy their goods and to, in effect, make them our bankers, because guess what? We financed our budget deficits largely through foreign borrowing.

No. 4, we had a very loose regulatory climate in which nobody was watching these derivative instruments, these other exotic investment tools, the mortgage-backed securities that were created by people who lent money and did not care if they got repaid because as soon as they made the mortgage, they packaged it in these collateralized debt obligations and they took those packages and sold them around the world and got huge fees from it, made a lot of money from it, didn't care if the people who had the underlying mortgages paid them back or ever had any prospect of paying them back because they were not there to collect. They had shuffled it off to somebody else. They didn't shuffle it off just to American banks, they shuffled it off to banks all around the world, precipitating this crisis.

On top of it all, we had investment banks going from 11-to-1 leverage to 30 to 1. These guys were no fools. They thought to themselves: This is going to be great, we go from 11-to-1 leverage to 30-to-1 leverage. What does that mean? Let's say you bet on the price of oil and the price of oil goes up a buck. You make $11 if you have 11-to-1 leverage. If you have 30-to-1 leverage, you don't make $1, you make $30. But leverage works both ways. It works very well when things are going up. It does not work so well when things are going down.

What did these guys figure out? They figured out: Let's see if we can't find somebody to sell us insurance against the downside risk of the debt we are incurring, against the downside risk of the deals we are entering. So, in case the complicated packages of loans we're holding as assets begin to default, we will be covered.

That leads us to AIG, doesn't it? Because AIG, which had been a very strong insurance company, a highly respected company worldwide, had this little skunk works over in England, about 300 people, who started writing these exotic insurance policies called credit default swaps which insured owners of debt securities against default on the underlying loans. AIG sold that insurance at very high premiums and earned huge profits on those insurance sales. The buyers paid those premiums because having the insurance from AIG insulated them from downside risk. Or so they thought.

So what went wrong? What went wrong was that AIG never took any steps to cover their potential insurance obligations in case things went bad. They did not have the capital to back up the insurance agreements they entered into. So when things, in fact, did go bad, they could not come up with the money to provide the insurance that others had paid in expensive premiums to purchase.

It reminded me of the guy—remember back in the World Series when it was in San Francisco and they had the earthquake? We are watching the World Series and all of a sudden, the stadium starts shaking. I heard about a guy out in the Bay area who, after that, came up with a scheme to sell earthquake insurance. His earthquake insurance idea was that he would get you a helicopter within 15 minutes of the next earthquake to rescue your family, or rescue your top executives. He goes around and starts selling insurance to have a helicopter rescue you within 15 minutes, he starts collecting premiums. The problem is he did not have any helicopters.

That is basically what AIG was doing with their bogus debt insurance—insuring the debt of already heavily leveraged banks and investment banks against defaults on their debt securities. When it was revealed that AIG had not covered its bets, could not cover its bets, credit markets seized worldwide.

Shame on them. Shame on all of them. They put the world's economy at risk, and we are reaping the whirlwind today.

If I am right about this analysis that the seedbed for all of this is created by very loose fiscal policy, massive runup in debt, loose monetary policy by the Federal Reserve, irresponsible trade policy, and almost no regulatory oversight—that is the seedbed for the current precipitous decline. That is what I believe.

Senator, if you believe that, why are you writing a budget that has more debt? Very simply because when you are in a steep contraction, a steep decline, the only entity big enough to provide the liquidity to prevent a complete collapse is the Federal Government. Consumers cannot do it. They are tapped out. Companies cannot do it. They are tapped out. The only one left to do it is the Federal Government.

If we do not do it—if we did not do it—the precipitous decline we are already in could become a deflationary spiral that would suck this economy down, like the Great Depression.

Let's remember, we have 8.1 percent unemployment today. In the Great Depression, they had 25 percent unemployment. Ninety percent of the stock market's value was lost in the Great Depression. It took them decades to recover. We think we have problems now? Don't pursue the right policy options, don't have the Government provide liquidity, don't have the Government provide things such as guarantees to money market funds. I tell you, I was in the room with the previous Secretary of Treasury and the head of the Federal Reserve when they came one night to tell us—not to consult us, to tell us—they were taking over AIG the next morning. Leaders of Congress were there, the chairmen of the Banking Committees were there, the chairmen of the Budget Committees were there, and the ranking members of the House and Senate were there. We were told in no uncertain terms by the Secretary of the Treasury—not this one, the previous one—and the Chairman of the Federal Reserve that if they did not take over AIG the next morning, there would be a global financial collapse. That is what they told us. And they did not just use those words; they

provided a lot of specifics of the companies that would be on the brink of going under within 1 week if we did not provide the assistance required and if they did not make the decision to take over AIG.

Again, they were not there to consult us. They were not there to ask us. They were there to tell us what they were doing.

If this analysis is correct—and I believe it is—then our current economic circumstance is the result of an overly loose fiscal policy, overly loose monetary policy, dysfunctional trade policy, coupled with deregulation that provided no oversight.

These deals by AIG, those derivative deals—nobody even has a list of what these deals were around the world. There is not even a list because there was no requirement for any governmental agency anywhere to oversee it.

There are real consequences to policy failures. In the short term, there is no question in my mind we have to take on additional deficits and debt in order to give lift to this economy and provide liquidity to prevent a much greater collapse.

As this economy strengthens and recovers—and it will—we then have to pivot to get back to a more sustainable long-term policy. But honestly, I don't think the answer is the Alexander amendment. I think the answer is something much more like what Senator GREGG and I proposed, which is a special task force with everything on the table made up of 16 Members of Congress, members of the administration, everybody with some responsibility to come up with a plan to dig out. That is what I believe is the appropriate response.

Again, I would resist the Alexander amendment because I think it could in a strange way actually make things worse. Not to have a budget resolution, not to have the disciplines that are provided for in a budget resolution I think would be a big mistake because in a budget resolution, there is a whole series of points of order against additional spending, against excessive spending, 60-vote hurdles. Without a budget resolution, we would be left with simple majority votes.

Anybody who has been here, if we get an appropriations bill out on this floor and not have any of the budget protections that are in the Budget Act in a budget resolution—it is open checkbook, open checkbook. That is what would happen.

I have enormous respect for Senator ALEXANDER and for Senator GREGG. They are well motivated. They are serious about this country's economic future. But I believe this particular solution, as I said earlier—this is a circumstance in which the cure is worse than the disease. I hope my colleagues will resist it.

I ask the Chair, how much time is remaining on the Alexander amendment?

The PRESIDING OFFICER. The Senator has 43 minutes remaining.

Mr. CONRAD. No, I think not. They are counting the official 2 hours. That is not the agreement we are operating under. Maybe we should clarify. If we are at 60 minutes equally divided, including the time already used, would there be any time remaining on this amendment?

The PRESIDING OFFICER. The Senator would have 14 minutes remaining. Senator ALEXANDER would have no time remaining.

Mr. CONRAD. Mr. President, I ask unanimous consent that following the use or yielding back of time on the Lieberman-Collins amendment, the next amendments to be debated are the following: the Alexander amendment regarding debt, with 60 minutes equally divided, including the time already used, and we will come back to the disposition of the remaining time on that amendment; the Sessions amendment regarding a discretionary freeze, 45 minutes equally divided, with Senator INOUYE in control of 10 minutes in opposition; that upon the use or yielding back of time on the amendments, the amendments be set aside and the Senate proceed to a period of debate only with the following order: Senator CARDIN recognized for 15 minutes; Republican members of the Joint Economic Committee recognized for 30 minutes; myself or my designee for 30 minutes; following the remarks of Senator CONRAD or his designee, the Senate continue for debate only for Senators to speak for up to 10 minutes each on the resolution or on amendments they intend to offer at a later time; further, that speakers alternate between the two sides; finally, that the previous order with respect to Senator CONRAD or his designee to offer a side-by-side amendment to amendment No. 735 remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent that all time remaining on the Alexander amendment be yielded back.

Mr. CONRAD. There is no objection to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, that would take us, if I am not mistaken, to the Sessions amendment, and we understand he will be here shortly, so that leaves some time.

Mr. President, I can announce on behalf of the leader that as a result of this agreement there will be no further rollcall votes today. It will be our intention to try to stack votes at approximately 11 a.m. tomorrow. I think we will need to finalize and formalize that and announce it later in the evening, but that will be our intent.

Are we in agreement on that, I ask Senator GREGG?

Mr. GREGG. Yes.

Mr. CONRAD. With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. Mr. President, one part of the unanimous consent request was that at the end of today, at the end of all the speakers and when we have exhausted all the time today, we will have 20 hours left on the resolution to be equally divided. Mr. President, one other caveat I would like to have as an understanding is with respect to Senator INOUYE. If he is somewhat late because of other responsibilities, he would still have his full 10 minutes.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. CONRAD. I thank the ranking member, and we thank Senator SESSIONS for being not only on time but ahead of time. He sets a very good example for our colleagues. We appreciate very much Senator SESSIONS being here early.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 772

Mr. SESSIONS. Mr. President, I have filed and call up amendment No. 772 and ask that it be the pending business.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 772.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To restore the budget discipline of the Federal Government by freezing nondefense discretionary spending for fiscal years 2010 and 2011, and limiting the growth of nondefense discretionary spending to one percent annually for fiscal years 2012, 2013, and 2014)

On page 4, line 14, decrease the amount by $34,170,000,000.

On page 4, line 15, decrease the amount by $38,847,000,000.

On page 4, line 16, decrease the amount by $45,300,000,000.

On page 4, line 17, decrease the amount by $50,655,000,000.

On page 4, line 18, decrease the amount by $57,729,000,000.

On page 4, line 23, decrease the amount by $23,170,000,000.

On page 4, line 24, decrease the amount by $37,847,000,000.

On page 4, line 25, decrease the amount by $43,300,000,000.

On page 5, line 1, decrease the amount by $49,655,000,000.

On page 5, line 2, decrease the amount by $56,729,000,000,000.

On page 5, line 7, decrease the amount by $23,170,000,000.

On page 5, line 8, decrease the amount by $37,847,000,000.

On page 5, line 9, decrease the amount by $43,300,000,000.
On page 5, line 10, decrease the amount by $49,655,000,000.
On page 5, line 11, decrease the amount by $56,729,000,000,000.
On page 5, line 17, decrease the amount by $23,170,000,000.
On page 5, line 18, decrease the amount by $61,018,000,000.
On page 5, line 19, decrease the amount by $104,317,000,000.
On page 5, line 20, decrease the amount by $153,972,000,000.
On page 5, line 21, decrease the amount by $210,701,000,000.
On page 5, line 25, decrease the amount by $23,170,000,000.
On page 6, line 1, decrease the amount by $61,018,000,000.
On page 6, line 2, decrease the amount by $104,317,000,000.
On page 6, line 3, decrease the amount by $153,972,000,000.
On page 6, line 4, decrease the amount by $210,701,000,000.
On page 26, line 24, decrease the amount by $170,000,000.
On page 26, line 25, decrease the amount by $170,000,000.
On page 27, line 3, decrease the amount by $847,000,000.
On page 27, line 4, decrease the amount by $847,000,000.
On page 27, line 7, decrease the amount by $2,300,000,000.
On page 27, line 8, decrease the amount by $2,300,000,000.
On page 27, line 11, decrease the amount by $4,655,000,000.
On page 27, line 12, decrease the amount by $4,655,000,000.
On page 27, line 15, decrease the amount by $7,729,000,000.
On page 27, line 16, decrease the amount by $7,729,000,000.
On page 27, line 23, decrease the amount by $34,000,000,000.
On page 27, line 24, decrease the amount by $23,000,000,000.
On page 28, line 2, decrease the amount by $38,000,000,000.
On page 28, line 3, decrease the amount by $37,000,000,000.
On page 28, line 6, decrease the amount by $43,000,000,000.
On page 28, line 7, decrease the amount by $41,000,000,000.
On page 28, line 10, decrease the amount by $46,000,000,000.
On page 28, line 11, decrease the amount by $45,000,000,000.
On page 28, line 14, decrease the amount by $50,000,000,000.
On page 28, line 15, decrease the amount by $49,000,000,000.
On page 50, line 13, decrease the amount by $34,000,000,000.
On page 50, line 14, decrease the amount by $23,000,000,000.

Mr. SESSIONS. Mr. President, as so often has been said, we are on an unsustainable path of taxing and spending and borrowing. The numbers are larger than anything we have ever seen before in the history of our country. We have dueling charts and different views and obfuscation and spin and talk and all that kind of thing, but the bottom line is that our debt is surging under this budget—President Obama's budget and the Senate budget and the House budget—to a degree we have never seen before. I think that much is not disputable.

President Bush had a $412 billion deficit at the time of the recession he inherited and the war in which we found ourselves. Then it dropped until 2007 to $161 billion. This Congress, responding to the President's requests—without my vote—added another $150 billion and sent out the checks last spring, which did nothing good for the economy, although everybody was glad to get the free money from Washington. That caused us to reach $455 billion in deficits for that year—the largest in the history of the Republic outside of World War II. This year, the deficit will be $1,800 billion—four times that. Next year, we will be over a trillion.

The Congressional Budget Office scores President Obama's 10-year budget as averaging over $900 billion in deficit each year—almost $1 trillion in deficit each year—with no plan to bring that down. In fact, it surges in the 10th year to $1.2 trillion, according to the Congressional Budget Office. The CBO is our group, a bipartisan office, though the Democratic majority hires them. But basically we have a good group, and they are honest numbers. So that is what we are looking at.

To say President Bush's $455 billion deficit he had in his last year—which every dime of that was appropriated by the Democratically controlled Congress—somehow excuses the path we are on today is unbelievable. The year before last, he had $161 billion. They are going to average $900 billion.

What does it mean in terms of interest? Most people can understand this. When you borrow money—and we have to borrow the money. That is where we get the money. It doesn't drop out of the sky. If we print it, it debases the value of the currency. So we are borrowing. That is what we plan to do, to borrow the money and pay interest. This year, interest on our over $5 trillion debt is $170 billion.

This chart shows the trend of the interest this Government will pay each year on the debt we are now adding to each year in unprecedented record numbers. It goes from $170 billion in 10 years to $806 billion. This is a thunderous alteration of our financial situation. This is not politics; this is the President's budget as scored by the Congressional Budget Office. These are not my numbers but CBO's numbers.

I know the budget we have today on the floor is a 5-year budget. They didn't like the looks of the President's 10-year budget, so my colleagues cut it to a 5-year budget. There is nothing in this 5-year budget that suggests there is any effort to contain the surging deficit in the outyears, which continues to surge. There is nothing in the budget that suggests we are going to control entitlements or any other spending. In fact, Mr. Orszag, who used to be CBO Director but who is now the President's Director of the Office of Management and Budget, says the Senate budget is essentially ''98 percent of what the President wanted.'' So it is essentially the same budget. It puts us on the same path. You can spin it any way you want to, but that is true. Those of us here in the body know that. Anyone who is sophisticated about it understands what is happening, and it is very troubling.

The President proposed an 11½-percent increase in domestic nondefense discretionary spending this year. That is a thunderous number, particularly in light of the fact that we just passed, a few weeks ago, a stimulus package that added $800 billion in spending on top of all of the fundamental baseline spending we have. Scored over 10 years, that is $1.2 trillion based on the interest to it.

So our colleagues in the Senate Budget Committee thought that didn't look good and it was easier, I think, to just propose a 5-year budget so they wouldn't have to deal with these numbers out here. No changes were made that would have actually created any real reduction in those numbers. They propose, instead of an 11-percent increase in domestic discretionary spending, a 7-percent increase. That is on top of the stimulus package. Surely we all know that every penny of that stimulus package was paid for by increased debt. We are already in deficits, so when you add another $800 billion, where do you get it? You borrow it.

You know the House is not outside of this game. They are in the game too. What does their budget do on nondefense discretionary spending? Their budget projects an 11½- to 12-percent increase in discretionary spending. They passed their budget. So if we go to conference with this bill, the Senate will be at 7, the House will be at 11 or 12, the President is at 11 or 12, and I suspect we will come out with a budget that increases by about 10. Let me just note that an 11½-percent increase over 7 years doubles your money. You know the rule of 7: If you have 7 percent on your money, in 10 years it doubles.

Here we are talking about a rate of increase that will double nondefense discretionary spending in 10 years—probably considerably less than that. That is why the baseline funding is important.

I have to note, in all frankness, that our Senate budget is less honest—I will use that word for lack of a better one—than the President's. The President scored the cost of fixing the alternative minimum tax for 10 years, which he says will be about $600 billion.

The President also scored the cost of fixing our doctors' medical payments that, if we do not put money in, will drop down 20 percent. Our Senate budget doesn't fix that. So that is maybe how they make the numbers look a little better. But I want to say these numbers are huge.

Madam President, what is the status of our time?

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator has used 9 minutes 27 seconds.

Mr. SESSIONS. I wish to be notified when I have 6 minutes remaining.

The PRESIDING OFFICER. The Chair will so notify the Senator.

Mr. SESSIONS. Madam President, this is a dangerous exercise we are in. I want to say a couple of things. The surging of debt and interest payments is not due to an expectation by the Senate or the President that we will be in a recession or in an economic slowdown. This is the only year they are scoring us as having negative growth. The President expects 3 percent next year and 4 percent the next and 3 years which is robust growth. Those are the kinds of numbers that President Reagan and President Clinton had in their best years. So that is not why we are going deeper and deeper in debt with a $1 trillion 1-year debt in the 10th year. It is because of spending.

States are facing financial crisis. This year States are expected to reduce their spending by 4.1 percent. Are they going to disappear from the face of the Earth? No, they are making some tough decisions. They are wrestling with costs, fraud, accountability, efficiency, productivity. We need to be doing that instead of throwing money at this problem.

I suggest that, with the huge surge of stimulus funding, we ought to keep the baseline level for 2 years. We will be spending huge amounts of money—65 percent more nondefense discretionary budget authority in the first 2 years with the stimulus money pouring into the system. So I suggest we could achieve a significant improvement in our long-term fiscal situation by saying during this time of stimulus spending we will have a 2-year freeze and then we will go up to a 1-percent increase.

Flat spending does not require us to savage anybody's budget. The power is given to our appropriators to work out exactly how some programs might take more than others. Others could still get an increase. But fundamentally we need to set here, as a principle, we are going to have a budget that actually contains baseline spending and it will save $226 billion over 5 years. I project it would save at least that much in the second 5, maybe more because the baseline of our budget would not have gone up so much.

What about this interest on the increasing debt? It amounts, today, in 2009, that every household is paying to the Federal Government $1,435, just to pay the $170 billion in interest. That number in 5 years, 2014, will increase to $3,433 per household, to pay the interest on the debt. With interest rates increasing as we expect—unfortunately as they are going to be doing with this inflationary budget—the number may well be twice that in 10 years. That is an unsustainable path.

I propose we take this step. It is a rational step in light of the huge stimulus package we passed—without any cutting of total expenditures but an unprecedented increase in our expenditures would still occur with flat funding, level funding for 2 years and 1 percent for 3 years. I think this is a rational approach we could be proud of.

Yesterday the Wall Street Journal noted that nations such as the United States and the United Kingdom will be tempted to use inflation to pay their massive debts. Households in the United States are among the most indebted in the world. People on fixed incomes would be most hurt by inflationary rates. Other nations might also continue to borrow, creating more nations seeking to borrow more and more money, therefore having to raise interest rates to get people to buy their debt, which could mean that the estimate that in 2019 we would be paying 5.5 percent on our Treasury bills would probably be low. In fact, it could be much higher.

Indeed, Mr. Rogov was quoted in the Wall Street Journal. He is at Harvard. He was the chief economist for the International Monetary Fund. He predicted—hold your hat. This is something new. He predicted that inflation in the United States could hit up to 10 percent in the next 3 to 5 years, all because of this incredible spending spree we are on.

Let me say this to my colleagues. This country is going to come out of this economic problem. We don't have to spend irresponsibly now. We have already spent an incredible amount of money in the stimulus package. Our baseline budget needs to start getting frugal, to challenge us to get more for less in the Federal Government. The best way the U.S. Government can help the American people and the American economy is to use every dollar our Government gets wisely, to get the best possible return for it. You will not get that kind of return throwing money around as rapidly as we are throwing it today. In fact, I think it is a general acknowledgment that the surge in spending under the stimulus package, plus 7, 8, 12 percent increase in general spending, will throw so much money so fast that our Presiding Officer, who doesn't like waste, fraud, and abuse, is going to have a lot to do to watch out for it because, like her, we have been prosecutors and we know that you have dangers out there in spending money unwisely.

The PRESIDING OFFICER. The Senator has 6 minutes remaining.

Mr. SESSIONS. I believe the issues we are talking about today are not insignificant. They represent the direction the President of the United States wants this country to go—which is huge spending without compensating cuts, with tax increases but not enough to cover it—and that this is an unsustainable path. This amendment would be a significant step in the right direction. With the stimulus package that has already been passed this year, we will still have sizable increases in discretionary spending across the board, and we will be able to carry on all requirements of our Government without having to spend this much of our children's money.

Maybe we won't have to pay $806 billion a year in interest, when our education and highway budgets will each be about $100 billion. The education budget and the State general fund budget in Alabama, for the teachers and schools and highways and police and the Governor and the legislature—all of that is less than $10 billion a year and we are talking about $806 billion in interest? It is not responsible.

I thank my colleagues for giving this amendment their serious consideration. I believe it is the right step and the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, when I hear the other side all of a sudden concerned about debt, it raises the question in my mind: Where were they? Where were they over the last 8 years when their administration doubled spending, doubled the debt as is shown in this chart, and they were voting for all of the policies that led to these results? Now they come and all of a sudden they are very concerned about debt. I have been concerned about debt the entire 22 years I have been here. But I also recognize that when you are in the sharpest economic downturn since the Great Depression, trying to freeze spending or trying to cut spending or raise taxes doesn't make a whole lot of sense. That would make the downturn only worse.

Senator GREGG, who is the ranking member on the committee, recognized that in a floor statement on March 11. I referred to this earlier today. March 11 is riveted in my mind because it is my daughter's birthday. My birthday is the next day. And this year—you know, typically Senator GREGG and I exchange birthday gifts. This year I got no present. I didn't even get a card. I did get this statement—which is very helpful. So I will take this as my gift. He said:

> I'm willing to accept this short-term deficit and not debate it because we are in a recession, and it's necessary for the Government to step in and be aggressive and the Government is the last source of liquidity. And so you can argue that this number, although horribly large, is something we will simply have to live with.

He was right then. I say it is very clear, if we are going to have any kind of rational economic policy, we have to be taking the steps necessary to prevent a much steeper slide. That is the near term. In the longer term we have to pivot and get this debt under control. That is critically important. This budget seeks to do that by cutting the deficit by two-thirds by 2014.

Under the budget resolution we go from $1.7 trillion of deficit this year—most of which is a responsibility of the previous administration because we are living off their last budget.

Then we are going to cut the deficit $500 billion in this resolution before us, the next year cut it another $300 billion, the next year cut it another $300 billion and get it down to $508 billion by the fifth year, a more than two-

thirds reduction. If you measure it the way economists prefer, we are reducing the deficit from 12.2 percent of GDP in 2009 down to 2.9 percent in 2014. That is a very substantial reduction, a reduction of more than three-quarters over the 5 years of this budget.

With respect to the question of spending, let me be clear what this budget does. On discretionary spending, both defense and nondefense, we bring the spending down as a share of GDP in both categories and by about the same amount. For example, defense in 2010 is 4.8 percent of GDP. At the end of the budget period, we will have reduced it to 3.7 percent of GDP. Nondefense discretionary this year is 4.7 percent of GDP. By 2014, we will have reduced it to 3.6 percent of GDP, a roughly proportionate reduction in both defense and nondefense discretionary spending.

On domestic discretionary spending, the percent of the GDP under the budget resolution is reduced from 4.3 percent in 2010 to 3.2 percent in 2014. On total domestic discretionary spending—and this excludes international—we bring it down from 4.3 percent of GDP to 3.2 percent of GDP.

Let me be clear: The average annual increase in nondefense discretionary spending under this budget resolution is 2.5 percent. That is a pretty tough budget. Anybody who doesn't think it is a tough budget, come and join me in my office for the next 2 hours and see the phone calls I am getting from colleagues and others who say: Won't you add a little more here or a little more there. I have to say: No, no, no. Why? Because we have to get on a more sustainable budget course.

The increases we do have, where do they go? Where does the money go? Thirty-seven percent of the increase in discretionary goes for regular defense funding. International is the next biggest increase, 14 percent; that is, 14 percent of the increase that we have provided in total discretionary goes for international funding. Why did we do that? Because, again, in the previous administration, they kept hiding money. They kept it out of the budget, and they kept putting it into supplemental appropriations bills in order to try to hide the ball. We are not hiding the ball. We are laying it right out there.

I had both the Secretary of Defense and the Secretary of State call me the weekend before last, asking me to do more for international funding. It is very rare. I have never had the Secretary of Defense on any budget call me and ask me to have more funding for international accounts. Why did he do that? He made it very clear that we have been funding in the defense budget things that more properly belong in the State Department budget. I had to tell the Secretary of State and the Secretary of Defense I was having to cut that line by $4 billion from the President's request, still providing an increase but reducing the amount the President requested by $4 billion. Why did I do that? I did that because we lost $2 trillion from the revenue forecast. When you lose $2 trillion, guess what. You have to make some changes. Ten percent of the discretionary increase is for veterans. We have given veterans the biggest increase in the history of the Senate Budget Committee. We have done it because we recognize these vets are coming home, and they deserve the best health care we can provide. Ten percent of the increase is in education. Ten percent is in income security; 8 percent for the census. We have to do a census every 10 years. It costs money. So 8 percent of the increase was for the census. Six percent is for natural resources, to try to reduce our dependence on foreign oil; 3 percent for transportation; 2 percent is other. That is where the money has gone.

Again, I emphasize, here is the amount of spending increase for nondefense discretionary spending over the 5 years of this budget. It averages 2.5 percent a year. That is one of the most conservative budgets anybody has brought to this floor in a very long time. It is a response to the need to get back to more sustainable deficit numbers. We have done it, reducing the deficit by two-thirds over the next 5 years.

How much time remains on my side? I note the Senator from Texas is here, and we would like to accommodate her.

The PRESIDING OFFICER. The Senator has 12½ minutes remaining.

Mr. CONRAD. How much does Senator SESSIONS have?

The PRESIDING OFFICER. The Senator has 3½ minutes.

Mr. CONRAD. How much time would the Senator from Texas like?

Mrs. HUTCHISON. Five minutes.

Mr. CONRAD. I yield the remaining 3½ minutes of Senator SESSIONS' and a minute and a half of my time so the Senator from Texas has 5 minutes.

Mrs. HUTCHISON. Is that going to take away anything you need from your side? Are you saying there is only 3½ minutes left on our side on this?

Mr. CONRAD. On this amendment. But I am happy to yield the Senator a minute and a half of my time.

Mrs. HUTCHISON. I thank the chairman of the Budget Committee because I know he has tried very hard to do something better than the budget delivered by President Obama and tried to cut back on the deficit. In fact, they have cut back on the deficit. But they have only cut back on the deficit because they made it a 5-year bill instead of a 10-year bill. That is a problem. Because if you take this 5-year bill and extend it 10 years, it is still going to have the same impact. The impact is, this budget is going to double the national debt in 5 years, and it will triple the national debt when it is taken out to its 10-year maximum. In fact, I am hoping we can do some amending on this bill. I am hoping there will be enough time for us to talk about the principles in this bill. This is going to set our country on a course, the likes of which we haven't seen since World War II.

In fact, the Obama budget creates more debt than under every President from George Washington to George W. Bush combined. That is the 100-year budget put forward by the administration. By 2019, under this proposal, the public debt would exceed 80 percent of GDP. That is more than twice the historic average and the highest since World War II.

We have looked, since we have been in this financial crisis, at the models of the past, when we have been in recessions and even looking at the Depression. There are people who have taken the Roosevelt model. When we have looked at historians' viewpoints of the New Deal, in 1941, Federal debt was only about 40 percent of the GDP. Today the national debt is at 57 percent of GDP. I think we are looking at a very slippery slope. In fact, it was said on March 20 by the nonpartisan Congressional Budget Office that the dimensions of the debt problem in the President's budget are that it is one-third more—actually, it would add $9.3 trillion, about a trillion every year—than the Obama administration had estimated when it sent the budget over.

We need to look at some of the bipartisan, nonpartisan economists and organizations looking at this budget. I hope we can have a reality check. We are getting ready to take a step that is continuing what has happened in the last 2 months. We passed a $1 trillion stimulus package and then a $1 trillion Omnibus appropriations bill within a 2-week period. Now we are looking at a $1 trillion deficit, adding to the debt every single year.

On Sunday, March 29, David Broder said in his column:

> The Democratic Congress is about to perform a cover-up on the most serious threat to America's economic future. The real threat is the monstrous debt resulting from the slump in revenue and the staggering sums being committed by Washington to rescuing embattled banks and homeowners in the absence of any serious strategy for paying it back.

In 10 years, the President's budget will spend more on interest payments than on education, energy, and transportation combined. Under the President's budget, the debt per household for fiscal year 2010 would be $78,000. Every household in America would have a debt of $78,000. This ever-growing national debt is going to require larger annual interest payments, with much of that money going overseas, as we know, because foreign entities own 25 percent of our public debt. The Chinese Government already owns about $1 trillion in U.S. debt. What is going to be their answer when they see this debt continuing to go up? Many of us are concerned that they are going to either say: We are not going to buy any more debt. Then we would be in a downward spiral from which I don't see a recovery plan. Or they may say: The

risk is greater and, therefore, we are going to charge a higher interest rate. What is that going to do in these very fragile economic times?

I appreciate the time given by the majority. There will be amendments offered and there will be substitutes. I hope we can have some bipartisanship so we could have a budget that maybe all of us would agree is the right path for the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I would like to correct a statement of the Senator from Texas. She said the only change we made to reduce deficits from what the President has proposed was, we went from a 10-year budget to a 5-year budget. That is not the case. We did go from a 10-year to a 5-year budget, because in the 34 times Congress has done a budget, 30 of those 34 times it has been a 5-year budget. The reason for that change is the second 5 years of forecasts are notoriously unreliable—notoriously unreliable.

The reason we have substantial savings from the President's budget over the 5 years of our budget—in fact, we have $608 billion of savings from the President's budget, comparing his 5 years to our 5 years—is because we cut spending, not only discretionary spending, but we cut mandatory spending, and we had revenue changes. The combined result is a savings of $608 billion over 5 years. So we have $608 billion less of deficits and debt. That is the fact.

I see the very distinguished chairman of the Appropriations Committee. Is he seeking time or would he prefer to—the chairman has asked to defer for a couple minutes until he is prepared to discuss this amendment.

Madam President, could I ask, how much time do I have remaining?

The PRESIDING OFFICER. Nine minutes.

Mr. CONRAD. Nine minutes. Then the chairman of the Appropriations Committee still has 10 minutes?

The PRESIDING OFFICER. Nine minutes total left on the amendment.

Mr. CONRAD. All right. I thought there were 10 minutes, under the order, reserved for the chairman of the Appropriations Committee.

The PRESIDING OFFICER. The Senator from North Dakota has used part of that time.

Mr. CONRAD. Well, Madam President, I do not know how that would occur without my being notified, but let me ask unanimous consent that the chairman of the Appropriations Committee be given the 10 minutes that was intended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii.

Mr. INOUYE. Madam President, the budget resolution we are considering now proposes to increase discretionary nondefense spending by $35 billion from the level approved in fiscal year 2009. My colleagues should all understand that this is $15 billion less than was requested by President Obama.

As chairman of the Appropriations Committee, I am not particularly pleased that the resolution has cut the President's request by $15 billion. We on the Appropriations Committee know that in order to meet the level proposed by the Budget Committee, we will have to make real cuts in the budget proposed by President Obama.

But I must say that I am surprised that we are now facing an amendment which would seek to cut discretionary spending even more. As I stand here, I find myself somewhat at a disadvantage to explain all the impacts that would occur if further cuts are made.

While we know the overall parameters of the President's budget, we do not yet have most of the details on the thousands of programs which will be reviewed in detail by the Appropriations Committee. That information is not available to the Congress at this moment. So we really do not know which programs that have been supported by the Senate in years past will be proposed for cuts or elimination. We do not know which fees or offsetting collections might be buried in the President's request that the Congress is likely to insist on eliminating, adding to the unfunded costs in the budget. We also know that nearly all of our colleagues will be asking for items that will not be included in the request. We know that many of you will be writing our various subcommittees urging that we adopt new programs and initiatives that might be incorporated in this budget. And we know this for sure: The committee will face a much larger burden than just identifying $15 billion that can be reduced by the President's request.

With the few details we have already received about the budget request, there are a few things that we know would result by freezing nondefense discretionary spending.

First, my colleagues should all be advised that the largest single increase in the domestic spending budget for fiscal year 2010 will be for the census. A $4.5 billion increase is necessary to meet our constitutional responsibility. This amount is needed in fiscal year 2010. It cannot be delayed. The timeliness and accuracy of the census will be in jeopardy if we do not fund this amount.

Second, we are advised that the budget will include a $3.5 billion increase for the Veterans' Administration to cover the cost of medical care inflation, as well as projected increases in VA enrollment, and new initiatives such as the proposal to expand VA health care to over 500,000 modest-income veterans.

Increased veterans health care services and specialty care services targeted at the growing population of Iraq and Afghanistan veterans include prosthetics, traumatic brain injury, and spinal cord injury, which would have to be curtailed if we freeze spending. Surely, the sponsors of this amendment do not want us to cut these needed increases for our veterans.

Madam President, if I may be personal at this juncture—and this is not in my prepared text—I had the privilege and honor of serving in the Army of the United States during World War II. I was literally a young boy. I was 18 when I got in. But I know a few things about that war.

My regiment, the 442nd Regimental Combat Team, has been declared to be the most decorated unit of its size in World War II. It also had one of the highest casualty numbers of any war.

We began our battles in Italy in June of 1944, and the war ended in May of 1945. In those 11 months, we began our service with 5,000 men, infantry men. At the end of 11 months, over 12,000 had gone through the ranks, all brought about because of the necessity of replacements to replace those who had been wounded in action. So when our men got involved in a major battle—I remember one battle that lasted 5 days. At the end of the battle, our casualty rate was 800, and of that number 250 dead. When you see these numbers, somehow Iraq becomes inconsequential: four today, three tomorrow. But at that time, times were a little different. For example, if I had been wounded in Baghdad, I would have been evacuated from that site of battle to the hospital within 30 minutes by helicopter.

On my last battle, when I received three wounds—my arm, my gut, my leg—I had to be evacuated by stretcher. Evacuation began at 3 o'clock in the afternoon. I got to the hospital at midnight—9 hours. So it sounds unbelievable, but with all the casualties we have had, not one double-amputee survived the war. And we had dozens of them, but they bled to death because of the long evacuation. Not one brain injury case survived because of the long evacuation. Not one spinal injury case survived because of the long evacuation. Today, they are all surviving, and this amount will cut it out. Help for them will disappear.

On a final note, I think about this and I chuckle. When I was taken to the hospital at midnight, we were put into a tent about half the size of this Chamber. Hundreds were lined up on stretchers, and teams of doctors and nurses would go down the line, look at the medical card, and whisper among themselves—and you could hear—''No. 1,'' ''No. 2,'' ''No. 3.'' By the time it got to me—I sensed that ''No. 1'' meant: Send him immediately to the operating room; ''No. 2'' meant: Oh, his injury is not that serious, he can wait; ''No. 3'' was: You have done a good job for us. Thank you. So people would see the Chaplain going to all the No. 3's.

The Chaplain came to me. I did not know, but I was designated a No. 3, and the Chaplain said: Son, God loves you.

I looked at the Chaplain, and I said: Chaplain, I know God loves me, but I am not ready to see Him yet.

So here I am.

What I am trying to say, is that in that war, seriously injured soldiers did not survive. And maybe in a sense, it is God's gift. I would hate to think of myself lying in bed the rest of my life looking at the ceiling.

But they survived, and I think it is our responsibility. This amendment would cut that out.

If I may proceed further, third, we know that the budget will include a $250 million increase to cut down on overpayments in Social Security. We know this from experience, that for every $1 we spend, we save $10 in inappropriate payments. Isn't that a good investment? By spending $250 million, we are going to save billions. I thought the business was not in spending but in saving. We would lose more than $2 billion in mandatory savings by freezing discretionary funds.

Fourth, we have an amount of $183 million, which would be cut out. We are told by the Department of Agriculture that an additional $183.5 million will be needed simply to maintain existing rental assistance agreements. This assistance provides subsidies to maintain affordable rent and utility costs for very low-income rural residents. Without this increase, 41,705 households will face substantial rent increases forcing many to leave, be evicted from their homes.

I know the sponsors are not seeking to force the poor from their homes.

Madam President, as you preside and as I speak, we should keep in mind that many of our fellow citizens are sweating out each day, not knowing whether he or she has a job tomorrow or whether they can keep up the payments on the mortgage or whether they can pay for health care or whether they can pay the rent. Without this, all hope is gone. The least we can do is to let them know we are here to help them get through this crisis.

Yes, there is another one.

Fifth, we know about potential accidents at airports. We know we do not have enough trained air traffic controllers. This resolution provides funds for that purpose, to train them so we may have safer traveling.

When I travel, which is not often enough, I go to Hawaii. It takes, just in flying time, 11 hours. I feel safe because I have confidence in our air traffic controllers. But many of them are now on the verge of retiring. We need a new crew. This budget resolution provides the funds for training them.

The FAA faces a crisis in maintaining an adequate workforce of trained air traffic controllers with a freeze in nondefense discretionary spending for 2010, the FAA would be forced to freeze or reduce the number of new air traffic controllers the agency can bring on board and train—worsening the experience shortage we already have in our air traffic control towers. With a freeze in funding, the FAA also would be unable to settle an ongoing dispute over the terms of its contract with its air traffic controllers. This dispute has hurt the agency's productivity and its ability to retain experienced controllers, who are essential to training the agency's newly hired controllers.

Sixth, the section 8 tenant-based account provides critical resources to help the Nation's most vulnerable families find and maintain safe and affordable housing in the private market. Congress provides annual funding adjustments for this program to cover housing cost increases, so that all families served by the program can maintain their housing. If nondefense discretionary spending were frozen in fiscal year 2010, housing agencies wouldn't have the necessary resources to cover these increased costs. As a result, tens of thousands of families could be at risk of losing their housing.

Seventh, we know that because of high food costs and other factors, the overall cost of the WIC program has already increased dramatically. In fiscal year 2009, $760,000,000 above the budget request was required to keep people from losing WIC benefits. A freeze on spending could cause no new participation, waitlists, and could potentially cause some people to lose benefits.

As I noted earlier, we simply do not have all the details of the budget to be able to explain to our colleagues all the harm that a freeze on discretionary spending will do.

Nonetheless, I believe from the information that we have already received that I just listed it is clear that we simply cannot sustain additional cuts in the request.

These economic times are tough. But in tough times our people count on the Federal Government for more services.

Each day as more wage earners lose their jobs, more of them become eligible for many of the assistance programs which I have highlighted. Many of these programs are designed to help people in need during difficult economic times.

Our efforts to reduce spending here will result in an even greater reliance on mandatory programs such as welfare rolls, food stamps, and public assistance.

For these reasons I must oppose the amendment from the Senator from Alabama, and I would urge my colleagues to oppose it as well.

Madam President, as I said, I am going to vote against this amendment. It is a bad amendment. It is not American.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. INOUYE. Thank you very much, Madam President.

I yield my time.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I take this time to urge my colleagues to support the budget resolution that came out of the Budget Committee. I am proud to serve on the Budget Committee. I congratulate Senator CONRAD for his extraordinary work in bringing out a well-balanced budget resolution during extremely difficult times. I think we all know the economic crisis we are in, and Senator CONRAD's budget does what a budget should do. It is the blueprint of our Nation's priorities. President Obama brought forward a budget that gives new hope for America's future. Then Senator CONRAD had to fit those priorities into the realities of our revenues.

We all know we have the new Congressional Budget Office numbers. It shows the economy is a lot weaker than when President Obama submitted his budget. But Senator CONRAD's budget fits the priorities of President Obama into the realities of our projected revenues. I thank Senator CONRAD for bringing forward this budget.

President Obama inherited an economic mess. That is worth repeating. Take a look at the mess the President inherited. The Congressional Budget Office shows it is more severe than President Obama thought when he first took office.

The deficit in 2000, when President Bush took office, was not a deficit. It was a surplus of $236 billion. Congress worked hard during those years to balance the Federal budget. In 2009, we are now projecting a deficit of $1.75 trillion. How did we get there? There has been a lot of time spent going over the mistakes that have been made over the last 8 years. But we had tax cuts we did not pay for. We had spending we did not pay for. We had a war in Iraq we never budgeted for correctly. And we ignored the underlying problems of our economy.

The Bush administration took our health care system, which had 40 million people without health insurance from when President Bush took office, to a health care system that now has 47 million people without health insurance. Health costs in America grew during those years to be twice any other industrial nation's spending on health care. We do not have the results to reflect that type of economic expenditures.

We found that the Bush administration wanted to privatize our health care system. As a result, we spent more money—more money on prescription drugs because we only used a private insurance option; more money for private insurance within Medicare, paying those who enroll in private insurance more than the Government would pay if they stayed in traditional Medicare. This past administration did everything it could to privatize even if it cost more public money.

In energy, the Bush administration never dealt with the energy problems of our country. We became more dependent rather than less dependent upon imported energy sources. This prior administration subsidized the oil industry, even knowing full well that the energy we imported very much affected our national security and the moneys we had to spend on national security.

We now have these large deficits. We cannot do anything about that. President Obama inherited these deficits. He also inherited a governmental system that failed to deal with the underlying problems of our economy.

President Obama says there is a different course. If we take the same type of budget and do that for our future and try to address the deficits today, we are going to have the deficits of tomorrow. We need to deal with the underlying problems.

President Obama has submitted a very open and honest budget. He is actually budgeting for the costs of government rather than saying, Well, we will pay for it after the fact. He has tackled the tough problems of our time, and he is prepared to make difficult choices to meet tomorrow's challenges.

The first issue this budget deals with is the economic problems of our Nation. We need to make that our top priority. The budget allows for investment in job creation. We are losing over 500,000 jobs a month in America today—about 600,000. We have been doing that now for the last several months because of the economic crisis. This budget allows us to invest in job creation so we can provide new jobs for Americans. It provides money in the hands of consumers. Middle-class tax cuts are extended. The AMT—alternative minimum tax—relief is provided. We extend the marriage penalty provisions to avoid the marriage penalty. There are credits for savers. The estate tax issue is accommodated in the budget. So the budget provides for the realities of a recession that consumers need to have more money in their family budgets in order to help stimulate our economy.

The budget Senator CONRAD has brought forward protects critical programs for Americans to meet economic challenges, whether it is unemployment insurance, health care, veterans, transportation, job training, research, education, or small business issues. I wish to mention for 1 minute the SBA, the Small Business Administration. We all know if we are going to get out of this recession, we need to create jobs, and we create jobs mainly through small businesses. Over 99 percent of America's businesses are small businesses, and they are particularly vulnerable today. Most of our job growth comes from small companies. The President has brought forward initiatives that allow for the SBA loan programs—the 7(a) program and the 504 program—to be less costly to small business. He has also instructed Treasury to go out and help with the secondary markets to make money available for small business loans. We need a Small Business Administration that can provide the services to small businesses. During the Bush years, the SBA budget was decimated. This will allow the SBA to have the resources necessary not only to administer these programs but to provide counseling and mentoring to small businesses and to oversee what other Federal agencies do to make sure that small businesses get their fair share of government procurement contracts. I particularly appreciate the fact that the Budget Committee passed an amendment I offered that increased the SBA's budget to $880 million, up from $700 million. That money is going to be used for the right reasons.

This budget also deals with fiscal responsibility. It deals with the economic crisis but also with fiscal responsibility. The President's goal was to halve the budget deficit in 5 years. Well, it has gone beyond that. The budget Senator CONRAD has brought to the floor will take the budget deficit from $1.7 trillion this year to 5 years from now a budget deficit of $508 billion. We want to see it lower than that, but reducing it by two-thirds over that period of time is certainly moving in the right direction. That is fiscal responsibility. That is making the tough decisions. It also allows us, when we get out of this recession, to deal with the underlying problems in our economy.

We deal with energy in this budget by allowing a cap-and-trade system so we can become energy independent for the sake of our national security; so we can create good jobs for the sake of our economy; so we can reduce carbon emissions for the sake of our environment. Global climate change is a real problem, and this budget allows us to deal with it by creating jobs and reducing the deficit, while also dealing with energy independence.

It deals with the underlying problems in our health care system by allowing our committees to bring out legislation that will provide for universal health coverage for the 47 million Americans who don't have health insurance; by moving forward with preventive health care which we know will save money; by improving health information technology which will save money; by investing in research which will give us the answers to how to deal with the health challenges of tomorrow; by improving our Medicare system to deal with physician reimbursement rates, and an amendment I offered that deals with the outpatient therapy caps. So our committees will be able to deal with the health care issues that will, if we don't deal with them, add to the budget deficits of the future.

We invest in education, from Head Start to making college affordable. The 1979 Pell grants covered 70 percent of the tuition and fees of public 4-year colleges. Today, it is less than one-third. We need to do better in making college affordable. The Obama budget does that. The Conrad budget does that. It invests in America's future so we can meet the challenges of the future so we will have an easier time, not only balancing our budgets in the future, but having the type of economic growth this Nation needs.

I wish to deal with one last issue on which there is disagreement in our caucus, and that is reconciliation instructions. I regret that the budget does not bring forward reconciliation instructions, particularly on the energy issue. I know there is a bad taste among my colleagues on the use of reconciliation, considering how it has been used in the past with the Republican leadership to bring about tax cuts. It is supposed to be used to reduce the deficit. In fact, they increased the deficit and that was wrong, but the proper use of reconciliation instructions can help us reduce the Federal deficit and avoid the misuse by the minority of filibusters. Does anyone here believe that the right number of filibusters has been used by the minority over the last years? Of course not. It has been used way too often.

So what proper budget reconciliation instructions will allow us to do is have an up-or-down vote on a critical issue that is important to reducing the deficit. Why do I say that? Because the cap and trade will produce $237 billion of revenue over the next 5 years. Some of that revenue will be used for direct—direct—deficit reduction. If we do the cap-and-trade system right, if we become energy independent—we all know the secondary impact of becoming energy independent, of not having to bring our energy in from foreign sources—it will help us balance our budgets in the future. We also know if we do it right and use the market forces, as a cap-and-trade system will do, we will create good green jobs here in America, using American technology, keeping jobs here. That will also help us balance the budget in the future.

So I hope we will get back in time to the proper use of reconciliation instructions. That was part of budget reform, and that should be included in our budget document.

However, today we have a choice on the resolution that is before us. I strongly support the budget resolution that came out of the committee. We have a choice. We can continue down the same path we have in the past, which is not dealing with the underlying problems of our country—and I dare say we will have a much more difficult time balancing our budgets in the future, and certainly being competitive internationally, as we need to be for the sake of growth of our economy—or we can choose a different direction for our economy; one that embraces fiscal responsibility; one that provides an opportunity to reform our health care system; one that allows us to have an energy policy that not only brings about energy independence but does it in a way that will reduce greenhouse gases and deal with the international issue of global climate change; and one that will invest in the critical investments for America's future, including education. That choice is the one offered by the budget brought out by the Budget Committee.

I urge my colleagues to support the budget resolution so we can change the

direction of America, so we can invest in our future, so we not only deal with the economic crisis we are in today, we not only deal with the budget deficits we are facing, but we deal with the underlying problems and invest in America's future. I urge my colleagues to support the budget resolution.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I wish to speak on the economics of this issue and talk about it from the Joint Economic Committee perspective, as I am ranking member on that committee. There are a lot of problems within this budget as far as what it does to the overall economy, and I think we are going to see some of it as we go through a few of these charts.

The problem I see overall and one of the things we have to watch the most, as far as its impact on the overall economy, is what the percent of the Federal Government is of the overall economy. The problem with this budget and the deficits and the financing that takes place in future years is we are going to start moving this government from being roughly and normally somewhere below 20 percent of the economy as far as intake—the taking of taxes—to somewhere north of there, probably around 23 percent. We normally average around 18 percent of the economy being taken by the Federal Government in taxes. This budget moves us, over a period of years, to 23 percent. That is completely unsustainable. It is harmful. We have been somewhere close to that. We haven't been that high. We have been somewhere close to that in the past. Whenever we have been, it has had significantly bad economic consequences for our overall economy.

That is just the take. I am afraid what we have going on is too much a philosophy of ''spend it and the taxes will come,'' so that we go ahead and spend this money into the economy and taxes will build up and increase so that over a period of years we spend it in deficit form and start financing the taxes, so we edge up that percentage from 18 percent of what the Federal Government takes to 23 percent over a period of years, while we get people hooked to the spending early on and say, isn't this a great program? We have spent it on school buildings, and on this program, and on that program. Don't you love that? Isn't that great? Yes. We have to build the taxes up now to pay for it. We get a wholly unsustainable situation for the Federal economy. And that is not anything about the State or local share of it, which adds to it, and then people are working half of the year for the Government and not working enough of the year for themselves. That doesn't work.

I hope we can back up, philosophically, for a little bit and think where we want to be as a government. I think it is important that we look at it. Thomas Jefferson, in the first inaugural address he gave—he is one of the greatest minds ever to be in this country and one of the great public policy thinkers. He said this:

> A wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government. . . .

So it is the limited focus of Government that everybody recognizes, which Jefferson said it should be, one of our country's great minds. It is this limited view of Government and a maximum view of personal responsibility and opportunity that has produced this vibrant, active, growth-oriented country for 200-plus years. Do we want to move away from that to an economy that is much more stagnant, more Government driven, rather than individual driven? Certainly we need to do things in particular areas, such as in the financial market structure, no question about that. But do you want to fundamentally move away from this idea Jefferson spoke of regarding what Government is to be about: ''A wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuit of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government. . . .''

Jefferson then warned about the perils of excess taxation, excess spending, and excess debt, all three of which are present in this budget. He warned that ''We must not let our rulers load us with perpetual debt.'' We are getting close to that with this budget. ''We must make our selection between economic and liberty or profusion and servitude.'' He was saying, look, we either move forward as a free economy or there is going to be servitude in the process. His warning was that big Government, with its excessive spending and taxation, inevitably strips its citizens of their liberties. Yet here we are today, heeding the notion ''spend and the money will come.'' Spend it and people will attach it to a government program, and the taxes will flow thereafter. It doesn't comport with what Jefferson said. It won't work.

I believe it is a fatal error to assume that higher spending today will generate higher future tax revenues. The proposed budget amounts to an ever-increasing size of Government, and at some point we will have to face up to the massive Government we have created through massive tax increases, which will chip away at economic growth and threaten the principles of freedom and the pursuit of happiness on which our Nation was founded and has thus far prospered.

On top of this, you have this demographic nightmare coming of the full-scale retirement of the baby boomer generation. So you are upscaling your Government spending and your taxes, and then you are going to have a bunch of people getting into the retirement system, getting Medicare, Social Security, all of which they have paid for and earned, but adding more to the growth of government, more to the demand for more tax increases, and taking away more from the liberty of individuals.

More than any budget debate during the time I have been in Congress, this debate isn't simply about the spending priorities of the next 5 years; it is a debate about what kind of economy we will leave not just to the next generation but generations to come. It is a debate about whether we believe that what made America great will keep America great. It is a philosophical debate. It is about the proper role of Government. Do we believe that the strength of America lies in its Government and its political leaders or that the strength of America lies with the American people? That is a fundamental question. Is it better for the Government to decide who runs GM or is it better for GM to decide who runs it?

Do we believe that the best opportunity to rebuild this economy is a free enterprise system that encourages investment, encourages entrepreneurs to start new businesses, and empowers our citizens to pursue their dreams and aspirations or do we believe the Government should act as head of a household, determining what is in the best interest of our families? How we answer that question will determine if we begin the inexorable slide toward an America where the Government tells you how much you can earn or who will be deemed ''acceptable'' to run the Nation's enterprises. How we answer that question will determine whether we are willing to accept mediocrity and condemn future generations to an America with fewer economic liberties and opportunities. Make no mistake, as our economic liberties disappear, not just our children but our grandchildren and their children will see their political liberties slip further away. Government will become the master of the people, not their servant.

Unfortunately, the spending, taxes, and debt contained in the budget outline submitted by the President and the one reported by the Budget Committee represent a statement that Government knows best, and that we should trust in Government before we trust in a free people.

I will talk about the budget suggested by the President and reported by the Budget Committee interchangeably because they are essentially the same. The only true differences come from the use of budget gimmicks and sleights of hand that attempt to make this budget look more ''responsible'' than the one the President has put forward. They are almost identical. I have a chart that points that out where they are on discretionary outlays and total outlays. They are the same.

The American people deserve an honest discussion of the budget and the spending and taxes it contemplates. They deserve to know that the policies contemplated by this budget will add more to the national debt over the next 10 years than in all the years from the founding of this Nation until 2008. In fact, according to CBO's estimates, the publicly held debt of the United States will triple over the next 10 years under this budget.

It is not simply the dollar amount of the debt that should concern us, it is the size of the publicly held debt in relation to the size of the economy. According to CBO's estimate, the publicly held debt will rise to more than 82 percent of GDP by 2019. That is a level seen only once in our Nation's history—in the extraordinary time of World War II. Yet this comparably massive-sized deficit will come with a significant reduction in defense spending. We did that spending in World War II to pay for war. This has a cut in defense spending.

As bad as these numbers are, I am concerned that the situation this budget will put us in is likely to be worse, not better, to the overall economy. Not only were the economic assumptions used by the President overly optimistic, I am concerned that those used by the CBO in creating the baseline are too optimistic.

I want to talk about this chart. We talk too much about taxes and too much spending, and it goes too much in debt. This tells a lot of that situation. You can see about debt held by the public as a percent of GDP. This is the average—about 35 percent for a long period of time. You can see that at times, we dipped below that at different points, and then you can see what happens in 2008 and that this shoots up in a dramatic way—not to pay for war. What that debt number shoots up to is dramatic.

The point is that this is ''spend it and the taxes will come.'' What are you going to do if you cannot sustain the amount of debt? You are going to raise taxes to pay for that.

While CBO projects a larger decline in GDP during fiscal year 2009 than the blue chip consensus, CBO projects a brighter outlook going forward through 2015. CBO also projects lower inflation, interest rates, and unemployment than the private forecasters. I don't think that is probably likely assumptions to actually happen. For instance, these different assumptions result in significantly higher deficits than forecast by the administration. You can see on the chart of the Obama budget deficit what is projected. These are budget deficits under blue chip assumptions. Even that big number of deficit increases probably—it masks the true picture, which is much worse than that. It results in about $2 trillion more in publicly held debt by 2019 than projected by the administration. You can see these dollar numbers. You can see the side bar being trillions instead of billions and millions. You can see it goes from $8 trillion up to nearly $18 trillion. That is the likely scenario, actually, versus what the Obama administration is saying, around $15 billion, which it would be by 2019. That is $2 trillion more.

This budget spends too much. There are many important priorities that may have to be delayed. It is no different than what American families do when things get difficult. They figure out what the priorities are and they go with it.

Suggesting that the new administration's budget reflects a ''new era of responsibility'' is like bestowing claims of prudence and reliability on the mortgage brokers who contributed to the housing bubble and ensuing economic crisis by carelessly selling unscrupulous and inferior loans. It is neither responsible budget nor fair nor efficient to use the current economic crisis as a means to expand Government spending to unsustainable levels financed entirely through deficit spending and ultimately higher taxes on individuals. The Government is effectively charging its excessive consumption to the taxpayers' credit card, except that the beneficiaries of that consumption will not be the ones who pay off the debt. Rather, today's young workers and future generations will bear the burden of this Government's undisciplined spending. We are essentially forcing upon our young workers, our children, and grandchildren a massive credit card debt—if you can imagine that—resulting from our inability to live within our means. Would any of us do that to our children? Of course not. But that is what this budget does.

This budget contemplates permanently increasing the size of Government to unsustainable levels—especially when you consider the demographic-driven entitlement tsunami that is waiting to overwhelm the American economy. Under this budget, Federal spending as a percentage of GDP will be 28 percent of GDP in this fiscal year. Only 3 times since 1930 has the Government spent a greater share of the Nation's domestic output—1943, 1944, and 1945.

More disturbing than this year's spending is the escalating spending that this budget entails. Even if you give the President and the Budget Committee the benefit of the doubt for this fiscal year, since much of that money has already been appropriated, spending as a percent of GDP will average 23.7 percent over the 2010 to 2019 period. We will average a greater percentage of GDP over those years than we have spent in any single year, except the 1942 to 1945 timeframe. So you have a permanent growth in Government spending, not paying for war, paying for the excesses in our spending that we want to do.

We are going to have to pay that at some point or, more correctly, our children and grandchildren will. I have asked the staff to put together a quick estimate of how high marginal tax rates might have to rise if we are going to balance these budgets. You cannot sustain this amount of debt, and you have spent it, and ''there is nothing so permanent as a temporary Government program,'' as President Ronald Reagan observed. So you have started these on a temporary basis. They are going to balloon up and people get attached. So now you have to raise taxes to pay for it, because you cannot sustain that level of debt.

Here are the answers they came up with: projected tax rates that will have to go up, particularly on our top brackets because the President is saying we are going to tax the top brackets to do that. We are looking at a 65-, 69-percent marginal tax rate.

We have been there before as a country. We have had marginal tax rates up this high. It has never worked. It was economically stagnant for us as a country. People did not invest money, and basically the Government took this money and gave it to the Government instead of having it in productive sectors in the economy. We were looking at rates of 65, 69 percent.

Who is going to work and pay taxes at that rate? People working say: This is not worth it to me. We have been here before. This is a failed policy model. We have done this before. It has failed. We do not want to go back to that failed policy of the past.

Then there is the talk that we will do cap and trade, we will have an energy tax that will help pay for some of these programs. Consumers might not pay it directly, but they will certainly pay it at a rate of more than $3,000 per American family with an energy tax. The cost of living will rise, American industry will become less competitive, unemployment will rise, and the American people will suffer. We do not want that.

Particularly troubling was the suggestion of the majority leader that this is the right time to start health care reform and the same old Government game, trying to tell people: Look at this wonderful thing Government is providing you, and you are going to get it for free.

The reality of economics is that individuals pay corporate taxes in the form of higher taxes. That is simply a fact of life.

Equally troubling is the administration's desire to tax corporations that ship jobs overseas. It is nice rhetoric, but the policy is exactly opposite the one we should be pursuing. We should be pursuing incentives for multinational corporations to repatriate their earnings from abroad. One estimate put the amount of capital that could be repatriated if we instituted a 1-year tax rate of 5 percent on repatriated earnings. We could bring back as much as $500 billion into the U.S. economy.

Instead, the administration is going exactly the other way. We are going to raise these taxes, and instead of bringing that money home, we are going to

drive it overseas. That is what is going to take place. That is what has happened to date.

Over the last several years, many of us have tried working on another issue and put a great deal of effort into eliminating the so-called marriage penalty. I am concerned that the President's proposal and this budget will serve to create economic disincentives for family formation.

I have another chart to show this situation of the rate increases on increasing the marriage penalty that is going to take place under the President's proposed budget. A marriage penalty already exists in present law, and it gets worse under these policies.

The marriage penalty will nearly double in this particular wage earner's case from $2,900 to nearly $5,000. Is that the policy signal we want to send; that if you are going to get married, we are going to double your taxes? That is not a wise way for us to go, and our families are already stressed out the way it is now.

I know the President is calling for limiting deductions for higher income taxpayers. What no one on the other side of the aisle is saying, however, is that these limitations are a backdoor method of expanding the reach and scope of the alternative minimum tax.

Our economy cannot afford the kind of taxation that this budget is requiring in the future. The all-time high for the Government's take in revenue is 20.9 percent. That is the all-time high of the percentage we have taken of the economy, 20.9 percent. That has occurred twice; again, once during World War II and in 2000. The postwar average is 17.9 percent. Normally, we are taking under 18 percent of the economy, and that is high.

Since the spending under this budget and the President's budget is permanent, revenues will have to rise and be sustained at a level of 6 percent of GDP higher than the historical average in order to bring the budget into balance. That is a share of GDP, more than a third higher than the historic average. The historic average is 18 percent. This is going to be 23 percent. We have never been that high before. It is not sustainable. It is harmful to the economy. If you think the economy is in tough shape now, wait until you see the stagnation, the inflation, the unemployment this budget proposal will bring us at 23 percent taxation rates for the overall economy.

This is a bold new vision for America. Yet it is a vision that tries to deny the fundamental laws of economics. It is the same denial of risk on the part of financial institutions that put people in houses they could not afford and encouraged them to run up massive amounts of credit card and other consumer debt and led those sophisticated institutions to take on massive amounts of leverage that even the smallest of losses could not survive.

We are in the situation we are in because of excessive spending by Government and excessive risk-taking by institutions that were allowed to become too big to fail. It is time to face the facts. Too big has failed. This economy simply cannot afford this budget. The American people cannot afford this budget. Future generations cannot afford this budget. This budget asks the American people to buy into a Ponzi scheme based on the promise of returns that we will never be able to pay, while we divert massive sums in an attempt to socially reengineer the economy and the Nation.

Let us heed Thomas Jefferson's warning that I read at the outset and refuse to go down a road that enslaves our descendants for generations to come in the shackles of a mountain of debt, high taxes, and a government that has destroyed any vestige of economic freedom.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, we have heard all week long about this budget, President Obama's budget, and the mantra that it spends too much, it taxes too much, and it borrows too much. I agree with that. But I wish to bring up some other points about this budget that, quite frankly, are counterintuitive to what we have been told by the administration.

The President has said repeatedly in the last 2 weeks, in talking about the American recovery, that his vision for the American recovery is founded in this budget document. I wish to talk about some of the things that have been talked about in this budget document as they relate to the recovery we so desperately need in this country.

For example, I think everyone agrees—Democrats, Republicans, Independents—that what led us into this difficulty is the housing market. Sure, the subprime mortgages were a part of it, but it is the loss of equity that homeowners have all over this country, a decline in value, an escalating foreclosure rate, and a massive amount of short selling and foreclosing that is going on.

It would seem at a time when that is going on, when that is the major cause of the crisis with which we are confronted, you would have policies for home ownership so buyers would come back to the market, they would buy the homes that are distressed and troubled, stabilize the values, and begin to build the equity of the average American family. But this budget portends we would drop the tax deductibility for a first mortgage on a family home that they occupy. So you take away a tax preference that for history and for years the American Government has granted to homeowners to encourage home ownership and you take it away from them at the very time home ownership is under the greatest stress in its history. It is counterintuitive and it is wrong.

The Senator from Kansas made a reference to charity. I just came from a congressional awards reception downstairs where we gave golden awards to young people around this country for the volunteer service they have given to help their fellow man. That is a gift of charity itself.

At that reception were four major corporations that make charitable contributions to the Gold Medal Award Program to encourage these young people to volunteer their time. If you reduce the ability of corporations or high-income wage earners or high-income earners to deduct the charitable donation, you are actually motivating at a time of need less charity on behalf of your people and in turn putting more burden on the back of the Government.

We saw earlier today, with the vote on the Thune amendment, that there is one idea the entire Congress almost appears not to like about this budget, and that is part of this budget portends that we would pay for some of the increased spending by taxing utilities.

The Thune amendment made the statement that the Senate does not believe that is right, and 88 Members of the Senate voted for the Thune amendment. Obviously, that policy is misdirected.

And then we are at a time when values in equities have declined, when American investment is declining, when corporate America is finding great difficulties, and at a time when all those things are going on, this budget portends that we would raise the capital gains tax by 33 percent and, further, that we would raise the dividend tax at the highest marginal rate by three times what it is right now. Penalizing people for investing in stocks that pay dividends at a time when the market is depressed does not make sense to me.

Further, they are saying, for those who have assets or have a profit built in, they are going to raise that tax by 33 percent at a time when the economy is suffering. I think it is, at best, counterintuitive.

I do not like politicians who get up and talk about how bad something is without offering some solutions. We have a responsibility—every Member in this body—to offer some proposals. So if I think these policies driven by this budget proposal are going in the wrong direction, what is the right direction?

I have an amendment that will be offered at the appropriate time. It is amendment No. 762. It is an amendment that creates a placeholder, a deficit-neutral placeholder in this budget proposal for a $15,000 tax credit for any family who buys a home and occupies it as their residence in the next 12-month period following the passage of that amendment.

What will it do? Quite frankly, the Senate unanimously adopted that amendment a few weeks ago on the stimulus, only to find it taken out by the House of Representatives. Why do we need to stimulate home ownership right now? Because it is the single

largest asset of the average American family. It is the basis on which most credit is extended to families. It is fundamentally the foundation of consumer confidence in the United States of America. And right now there isn't any, and there isn't any because the housing market basically collapsed, values have depreciated in some areas by as much as a third, and one in every five houses in America is actually underwater, meaning the debt exceeds the value.

This tax credit is not an original idea by me as a Member of the Senate. In fact, in 1974, when we had the last major housing crisis in America, the Congress—Democratically controlled and a Republican President, Gerald Ford—passed a $2,000 tax credit for the purchase of any standing vacant home in 1975. This country took a declining housing market, with a 3-year supply of houses on the market, back to stability and equilibrium in 12 months, all with the motivation of the tax credit.

I first offered this tax credit in January of last year when we began to see the downward spiral in our economy. It is scored at $34.2 billion. I was told last January that is too much. So we then spent $700 billion in October on the TARP, and the Federal Reserve has spent almost $14 trillion. We are considering spending more, and $34 billion to me does not sound like very much. In fact, economic estimates by experts—not by me—have estimated that the tax credit, if passed by the Congress, would create 700,000 home sales in the first 12 months and 587,000 jobs. I don't know about you, but both of those are awfully good numbers that we certainly would like to be seeing reported on Wall Street and on Main Street.

When I offer this amendment, what I will merely be asking the Senate to do is send a signal. Instead of discouraging home ownership, we want to encourage it because it is the foundation of our recovery. Instead of having a tax policy that is punitive to investment, we want to have a tax policy that is positive to investment, and understanding home ownership and the value of it is still the fundamental key, the economic stability of the American family.

It is my hope the Senate will adopt this amendment and send the message so we can come back after the recess, pass the tax credit, make it effective, and return investment to the housing market and stability to the U.S. economy. So instead of taxing too much, spending too much, and borrowing too much, it is time we encourage investment in the American dream, which always has been and remains the home in which people raise their families, live, and retire.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. 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. SANDERS. Mr. President, tomorrow, I intend to call up an amendment which will be cosponsored by Senators BUNNING, FEINGOLD, and MENENDEZ. This is a very simple amendment, couldn't be simpler. What the amendment is about is that when taxpayers of this country, the American citizenry, put at risk trillions of dollars which go to large financial institutions, they have a right to know who is receiving that money. That is about it, not more complicated.

Earlier this year, Doug Elmendorf, the Director of the Congressional Budget Office, told the Budget Committee that the Federal Reserve has committed nearly $2.3 trillion in taxpayer dollars to deal with the financial crisis. You have no clue, I have no clue, and nobody in America has any clue where that money went, who got it.

It seems to me that right here on the floor of the Senate I have been involved in long, heated debates about whether we spend $20 million on this and $30 million on that. These debates go on forever. Yet when we are prepared to place at risk through the Fed $2.3 trillion, I guess the American people don't have a right to know who is getting that money.

Interestingly, if you go to your computer and you go to the appropriate Web site, you can find out, appropriately enough, which financial institutions and other corporations have received TARP funds. I voted against those bailouts, but the truth is, if you want to know how much Citigroup has gotten, if you want to know how much Bank of America has gotten, there it is. It is in black and white, as it should be. But you will not know and you do not know which institutions received $2.3 trillion.

Earlier this month, I had an opportunity to ask Ben Bernanke, the Chairman of the Fed, about this issue when he testified before the committee. At this hearing, the Chairman told the Budget Committee that since the start of the financial crisis, the Fed has provided loans to ''hundreds and hundreds of banks.'' But Mr. Bernanke declined to name any of these banks, how much assistance they provided to each bank, or what those banks are doing with this money. What the Federal Reserve needs to understand is that this money does not belong to them, it belongs to the American people. It is literally mind-blowing that trillions of dollars have been placed at risk—by whom, for what, going to whom? We don't know.

I hope we have strong bipartisan support for this amendment which simply begins the process of asking for transparency at the Fed, which is probably the most secretive institution in Government.

During the markup of the budget resolution last week, I offered an amendment with Senators BUNNING, FEINGOLD, and MENENDEZ—all of whom serve with me on the Budget Committee—to create a deficit-neutral reserve fund to provide increased transparency at the Federal Reserve. Due to some concerns raised by the Parliamentarian, this amendment was modified and passed the Budget Committee by a voice vote.

The amendment I will be calling up tomorrow is more specific in terms of what type of transparency the Fed should be providing. The Sanders-Bunning-Feingold-Menendez amendment simply puts the Senate on record that the Federal Reserve should publish on its Web site—just as the Treasury Department does with TARP funding—comprehensive information about all of the financial assistance it has provided under the lending facilities it created to deal with the financial crisis since March 24, 2008. What we ask specifically is—and believe me, I don't think the taxpayers in this country are asking too much when they get this information—No. 1, the identity of each business, individual, or entity that the Fed has provided financial assistance to; No. 2, the type of financial assistance provided to that business, individual, or entity; No. 3, the value or amount of that financial assistance; No. 4, the date on which the financial assistance was provided; No. 5, the specific terms of any repayment expected; No. 6, the specific rationale for providing that assistance; and No. 7, what that business, individual, or entity is doing with this financial assistance.

In addition, this amendment also puts the Senate on record in support of providing the GAO with the tools and authority it needs to conduct an independent audit of the Federal Reserve—something I know Senator BUNNING, among others, has been trying to accomplish for several years.

This is a very simple amendment. It is a very important amendment. Anyone who believes in transparency in Government should be supporting it. I hope and expect we are going to have support from both sides of the aisle—from progressives, from conservatives. This really is a commonsense amendment that the American people deserve to see passed.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative 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, for those who are following the action of the Senate, the debate over the budget resolution, this is an annual event that involves planning ahead for our spending for the next fiscal year, which starts October 1, and beyond. Presidents come forward and suggest what

they would like to see us do with the submission of the budget. Then it is up to the Congress to decide, within the confines of the President's budget request, what to do with the money—how to raise it, how to spend it. Naturally, it is a contentious process because there are a lot of different opinions on where money should be spent—how much should be given to this agency or how much should be in tax cuts.

President Obama came to this assignment with a very difficult set of circumstances—the worst economy in 75 years; a nation in recession; the need for us to put money into the economy to create and save jobs, good-paying jobs right here in America, which he did with his Recovery and Reinvestment Act; and then the question about what will our priorities be as a nation as we try to bring ourselves out of this recession and plan ahead.

This week, the Senate is going to vote on its version of the budget resolution for the fiscal year 2010, starting October 1, 2009. We are going to make fundamental decisions about what our economy and the prosperity of our country will be. Of course, those decisions will impact the direction of our Nation, not only next year but beyond.

We need to face facts. This is the hardest budget we have faced in a long time. Because of the deficit which the President inherited from President Bush—the largest in history—we are trying our best to spend our money wisely but not make the debt any worse in the long term. We have taken an important step with the economic recovery package, but there is a lot more we have to do to put the economy back on track.

Now we need to pass a budget that is smart and fair and responsible, one that helps our economy work again and invest in things that will pay off over the long run. The Senate budget resolution reported by Chairman KENT CONRAD of North Dakota would allow us to do that. I certainly do not agree with all of the specifics in his budget resolution. I would write it differently. Every Member of the Senate can say that. But when I look, on balance, I believe this budget resolution really addresses the realities of what we face and the challenge of what lies ahead. It restores fairness for middle-class families, working families across America, it reestablishes responsibility in the budgeting process, and it makes some smart investments in America's future.

The Budget Committee followed the principles laid out in President Obama's proposal to Congress. It sets a path to regain balance that our country once enjoyed—careful investments in our future while creating opportunity for working families who have lost a lot of ground over the last 10 years. It provides the flexibility to authorizing committees to tackle our toughest challenges, and it starts to repair years of neglect and make critical investments in health care, education, energy.

Let's speak to the health care issue for a moment. Our Nation spends more than any other industrialized nation on health care. Yet the United States is the only industrialized nation that does not offer health care coverage to all of its citizens. We can't just throw money at this problem and hope everybody gets good health care. Instead, the President's budget identified specific changes in the current system to improve efficiency. The savings from those changes would then be applied to Congress's efforts at reforming health care. That is smart, it is fair, and it is responsible.

To implement the President's request, the Senate budget resolution includes a deficit-neutral reserve fund that allows the committees here in the Senate to take on the challenge of health care reform. We need to spend our health care dollars more sensibly, and we need to provide quality health care for all Americans.

Let me tell you about one program that kind of tells the story about the debate we have been engaged in over the last several years. President Obama has said we need to take a closer look at the Medicare Advantage program. He said it is time for us to end excessive payments to private insurance companies that administer that program.

From the beginning, Medicare Advantage was sold to Members of Congress as the private sector alternative to Medicare which will prove, as they argued, that if you let the private insurance companies do the Medicare Program, they are going to save the Government money. Those who argued for it started with the premise that when the Government bureaucrats get their hands on it, they are going to make a mess of it, it will cost too much, have too much redtape, and at the end of the day, if you just left it to the market forces and the private sector, you would come out with a much better and cheaper result. Taxpayers would save money if you took away the Government program and replaced it with a private sector program. That was the premise behind Medicare Advantage.

It was a good theory: The competition among private insurance companies would bring down the costs of traditional Medicare. But it turns out to be wrong. Congress passed legislation in 2003 and agreed to pay for-profit insurance companies 12 percent more per beneficiary than regular Medicare would spend to cover the same people. So the premise that private insurance companies would save us money was defeated from the beginning. We started off subsidizing private insurance companies to offer as much coverage as Medicare offered.

We gave them a 12-percent subsidy to prove that the free market works. Today, research from the Medicare Payment Advisory Commission, our official experts on Medicare payments, showed that Government pays private fee-for-service programs 119 percent of the average cost for beneficiaries in traditional Medicare.

If they were setting out to prove that they could do the job of Medicare with competition and private insurance cheaper, they failed, failed by 19 percent. What is it costing us? Last year, a report from the Congressional Budget Office said payments to private health plans in Medicare Advantage rose from $40 billion in 2004 to $56 billion in 2006, $75 billion in 2007.

Federal payments to these private insurance companies are expected to reach $194 billion by 2017. So for 10 years, from 2007 to 2017, the Federal Government is on the hook for $1.5 trillion in an experiment that was supposed to save us money. The share of Medicare spending for Medicare Advantage Plans will increase from 17 percent in 2006 to 27 percent in 2017.

So they end up proving, year after year, that they can reach into and grab more and more Medicare beneficiaries, lure them into private plans that cost the taxpayers more money, when they were supposed to be proving they could save us money.

Insurers claim they are paid more because they offer more than Government-sponsored Medicare. It is true that many plans do offer things that the original Medicare plan did not offer. But in a report issued last year, the Government Accountability Office noted that only a small share of the money that the Government will pay Medicare Advantage Plans over the next 4 years goes to extra benefits; only 11 percent.

It turns out there is much more in profitability and in offering services that do not benefit Medicare beneficiaries. Most of the rest of it goes to out-of-pocket spending, reducing out-of-pocket spending and copays.

Sounds good until you realize that to pay for this reduction, we are now charging higher premiums for the 35 million Medicare beneficiaries who enrolled in traditional Medicare. Follow it? Private companies that are going to show they can run rings around traditional Medicare, offer the same benefits at a lower cost, it turns out, were wrong, and we are paying 19 percent more for private insurance companies to offer Medicare Programs than if traditional Medicare offered it, and the 19 percent is being paid by the seniors in traditional Medicare. They are paying for the subsidy for the private insurance companies.

Each beneficiary enrolled in traditional Medicare sees their premiums increase $3 a month to pay for the reductions in out-of-pocket spending for beneficiaries enrolled in Medicare Advantage. Worse, we do not even know if this program is working. In 2007, CBO Director Peter Orszag, now head of OMB, pointed out in testimony before the Senate Finance Committee that little information is available on the degree to which plans generate better health outcomes than traditional Medicare.

Now, you want to know why and how we are wasting money? Here is one good example. If we are going to bring down the cost of care and maintain its quality, we cannot afford subsidizing private insurance companies that charge us more than traditional Medicare and cannot prove that the outcomes are any better.

The President's budget proposes to cut Federal payments to insurers that run plans by requiring them to competitively bid to offer coverage in a given geographic area. Insurers will be paid according to the average of the bids. If they are as good as they say they are, let's have them compete.

This process will save us $177 billion over 10 years. It is a sacred cow. I recall an alderman from Chicago, a friend of mine, a Hispanic alderman, called me and said: Senator, I have to see you. I just have to see you.

I said: OK. We will set it up. I said: I am coming out of meeting over here in a hotel. If you can meet me in the lobby, I would be glad to talk.

And he did. We sat down and he said: Senator, you just have to save the Medicare Advantage program.

I said to my friend, the alderman: Why in the world did you come to lobby me on this?

Well, he said, it turns out, one of the major insurance companies called me and said that my people liked this plan. And they gave me the names of some people who liked this plan.

I said to the alderman: Do you know this plan costs more than traditional Medicare and your people are not getting anything more for it?

No, I did not know that, he said.

But they went to the lengths, the insurance company, of sending this alderman in, a nice fellow, trying to do the right thing for people he represents, trying to sell an idea that, frankly, costs the Federal Government more money.

That is how you get into the mess we are in with health care in America today. This $177 billion we could save by taking an honest look at Medicare Advantage we can use to expand health insurance protection to the 48 million uninsured people in this country. We can expand and build community health centers. God bless them. These are people who do great work in primary care all across America.

I tell you, I visit these centers, clinics, all across Chicago. Erie Health Clinic is one of my favorites, Alivio Health Clinic. I walk in there and I say to these doctors, face to face, eye to eye: If I were sick, I would be happy to walk through the door of your clinic and have your doctors and nurses see me. They are fine, quality care. And many of the people whom they serve are poor people, uninsured people, folks who have no coverage, no insurance. They are doing great work, and we need to have more of them providing primary care, keeping people out of emergency rooms.

The money we have spent and we have been spending to subsidize Medicare Advantage is money that is wasted, money that, in fact, goes to private health insurance companies. Well, President Obama said: The free ride is over. If you cannot compete and get your prices down to a reasonable level, we are going to stop this subsidy. You set out to prove to us how good the private sector was and how good the free market worked and then you are demanding a subsidy of the Government to keep offering your Medicare Advantage program.

I have a friend of mine, Doug Mayol in Springfield, IL, who knows too well the difficulty this economy can create for someone on their health care. I have a picture of Doug here. I want him to be seen on C–SPAN back in Springfield, IL, or wherever he is watching.

Doug, since 1988, has operated a small business in downtown Springfield selling cards, gifts, knickknacks. And as you can imagine, a self-insured businessman, his profits, many times, are at the mercy of the rising costs of health care. He is fortunate that his only employee in his little shop is over 65 years of age and qualifies for Medicare and also receives spousal benefits from her late husband. If that were not the situation, Doug does not think he could help her pay for her health insurance.

In terms of his own insurance, Douglas has a challenge. Doug has a preexisting condition and fears the possibility of becoming uninsured. Some 30 years ago, Doug was diagnosed with a congenital heart valve defect. He has no symptoms, but without regular health care, he is at the risk of developing a serious problem.

Like most Americans, his health care premiums have risen over the years. But recently it has been shocking. In 2001, Doug paid $200 a month for health insurance. By 2005, it had doubled to $400 a month. When Doug turned 50 years of age in 2006, the monthly rate went up to $750 a month for his health insurance. He tried to work within the system. He chose a smaller network of providers and a higher deductible and brought the monthly premium down from $750 to $650.

Unfortunately, last year, that premium for this small business owner in Springfield, IL, went to $1,037 a month. Only by taking the highest deductible allowed, $2,500, was he able to bring it down to $888 a month. He knows and we know the numbers are going to keep going up.

Because of his high deductible, Doug thought he should open a health savings account, but he could not set aside the $200 a month on top of the $888 premium every month, found it impossible to do.

You know what. He is not a sick person or costly patient. With his high deductible, the insurance does not even pay out, as Doug has never made a claim for an illness or injury except for routine primary care. Yet more affordable insurance carriers reject him because of his preexisting condition, the possibility of high expenditures in the future for things such as surgery.

This condition, or burden you can say, severely limits his choices when it comes to insurance. But he cannot afford not to have health insurance either. With his heart condition, antibiotics are needed before undergoing even a visit to the dentist. Although he should see a cardiologist periodically, Doug avoids it. He fears it would add another red flag to his already tainted medical record in the eyes of the insurance companies.

What kind of system are we operating in America that even those with coverage are delaying care because it costs and the way insurance is structured? Americans need peace of mind of knowing that health insurance companies will not be able to pick and choose whom they cover. We deserve the highest quality care our country has to offer, and President Obama has made a commitment to reach that goal.

This budget resolution lays the foundation for making that commitment a reality. Doug is living his American dream. He has his own business. Having health insurance should not destroy that dream. Doug should not be forced to choose between keeping the shop doors open and paying his insurance premium.

The budget resolution also offers a promising vision for education in America, closely following the President's proposals. The budget fully funds the President's request for a smart, fair, responsible investment in education and training and improves chances to learn.

First, the budget dramatically expands access to quality early childhood education programs. I listened on the floor while Republicans came and criticized the Senate budget resolution for spending too much money.

The major investment and expenditures in this resolution, in terms of new expenditures, are three. We put more money into veterans care because a lot of soldiers are coming back hurt; they need help. They need to have the clinics and hospitals and medical professionals that we promised them we would give them. We put the money in this budget resolution to keep that promise.

The second thing we do is pay for the census. This comes up every 10 years. We have to prepare for it. We cannot escape it. It is required. Let's do it right. We are doing what others have done in the past. That is one of the new areas of spending.

Third is education. This budget dramatically expands access to quality early childhood education. I believe and think most parents understand that the earlier you start teaching a child, the better chance that child has in school or to succeed. Unfortunately, a lot of kids come to kindergarten well behind the other kids in the class. This is especially true for kids from homes where families struggle economically.

That is why early childhood education programs such as Head Start can make a big difference. After a year or two in a preschool setting, these kids start kindergarten ready to learn. If you listen to the stories from Head Start teachers, you will understand how important these programs can be. I do not have a chart here, but I will tell you that Vamyah is a child in Chicago who began in a class taught by Ms. Hardy, as a tearful, timid little girl.

After 2 years in Head Start, Vamyah is singing and playing with the other kids and even attempting to write her name at the writing table. She has progressed so far, she is now helping other kids write letters, numbers, and puzzles. Ms. Hardy reports that when Vamyah goes to kindergarten in the fall, she is going to be missed. But she has a better future ahead of her because of the experience she has had at Head Start.

This budget will give other kids the opportunity to grow and learn before even entering school. Once they begin their schooling, the budget asks us to invest in teachers and innovative programs so all children can succeed in the classroom. We improve student assessments, teacher training, principal preparation, and programs that reward strong teacher performance.

These are initiatives we want to see in our kid's schools and every school. The budget will help us build the education system to compete in the challenging 21st century. Once these kids move on to higher education, the budget would help them afford the high cost of tuition by raising the maximum Pell grant award and streamlining student loan programs.

The cost of college keeps going up. Everyone knows it. This morning, NPR reported that record numbers of kids are enrolled in community colleges. It is the affordable alternative. But as the costs go up, we have to give a helping hand because otherwise these kids will end up with a mountain of debt, pushing them into jobs they may not aspire to.

If a young person wants to be a teacher, we ought to give them a helping hand. Making the Pell grant larger each year will reduce the ultimate debt they face. Financial aid has not kept up with costs. Some 30 years ago, a Pell grant covered 77 percent of public college costs. Now it covers less than half that amount. To fill in the gap, more students have taken out student loans to afford college.

In the early 1990s, fewer than one-third of college graduates had loan debt. Now that number has doubled, more than doubled, to 70 percent, to an average of $20,000 debt per student. This budget increases Pell grants to $5,550.

It currently helps 7 million American kids stay in college.

One of the students who will be helped is Kendra Walker at Southern Illinois University in Edwardsville. She grew up in St. Louis and had a difficult childhood. She and her brother were raised by a single mom who was a crack addict for 12 years. Kendra had to grow up pretty fast, taking care of a little brother and often taking care of her mom. Her mom eventually went to rehab, but things were still pretty tough at home. Kendra worked all through high school to pay the bills and buy groceries when the family needed them. Even as she struggled, she thought: I can do better in my life. She knew her future had to include college. She worked hard in school. She was on the honor roll and graduated fourth in her class from high school. She believed her hard work had paid off when she was accepted at Howard University.

Then reality set in and Kendra knew she would not be able to go because she just didn't have the money. Instead, she started college at St. Louis Community College with plans to transfer to a university.

When her mother passed away suddenly in July of 2007, she had to redouble her efforts. She enrolled at SIU Edwardsville and moved into student housing. Today she is a junior studying criminal justice and political science. She is still struggling to pay the cost of her education, and she has nobody to help her.

As Kendra says: It is just me and the Financial Aid Office.

She has Pell grants, work-study funds, a few scholarships, and too many student loans. It is becoming harder for Kendra to make ends meet. Paying the bills and keeping food on the table is pretty tough. She almost didn't start school because her Pell grant didn't cover all the cost. She was forced to take out even more student loans. She worries about the debt she is piling up, but she knows to quit now without a bachelor's degree is to end up with debt and no diploma. When she graduates next year, Kendra plans to become a probation officer for teenagers so she can help them turn their lives around. She also dreams of attending graduate school, maybe someday going to law school and becoming a defense attorney. What a remarkable young lady.

Look at what she has been through at this point in her life. If a budget talks about a nation's values, this budget shows that we care about students like Kendra. Our budget reflects it.

In her words:

> Without federal financial aid I would just be another statistic. With the help of programs like the Pell Grant, me and others like me can obtain our goals and have bright futures.

We need to help people such as Kendra achieve their college dreams by increasing help through the Pell grant. This budget will do that.

The Republicans come and criticize it: Why are we spending more money? It is another one of those overspending budgets.

We are spending more money to provide more Pell grants so Kendra Walker can finish college, get a job, and contribute back to society. Is that a good investment? I think it is one of the best.

This budget also provides a downpayment on weaning America from foreign energy sources. We know we have to cut back on foreign energy that generates greenhouse gases and makes us dependent on foreign countries. This budget proposes we spend less money heating and cooling with old, inefficient systems in Federal buildings and more money developing smarter ways to use power. It proposes we spend less burning conventional fuels and more money developing cleaner energy sources.

If this budget had already passed and this funding was already available, Lee Celske of Alito, IL, might have been able to put a small portion of that funding to good use.

In this budget, Lee Celske can be helped. Lee is an interesting and entrepreneurial fellow. He has figured out how to create greenhouses out of recycled glass. They can be framed for $30,000, quick to assemble, and a good option for communities. They are energy efficient, can withstand a category 5 hurricane. The factory that makes the houses would employ 30 high-tech, high-paying green-collar workers.

Over the past 14 months, Lee has presold nearly $2 million worth of houses, relying on loan guarantees from the bank that would underwrite the factory once sufficient sales were in place. But then the bank pulled the financing. Lee hasn't done anything wrong. His small company is ahead of schedule on growth targets, and it will create good jobs. Yet his progress has been stopped cold by the freeze in the credit markets. This budget will help finance entrepreneurs such as Lee in Alito, IL.

It contains a deficit-neutral reserve fund to advance the President's goal of expanding renewable energy use, ensuring 10 percent of our electricity comes from renewable sources by 2012 and 25 percent by 2025. There is also money in this budget to green Federal buildings.

Three weeks ago I was a visitor to what was then the Sears Tower, the tallest office building in America. It is now the Willis Tower. I was shown a demonstration where they are about to take this 35-year-old building and make it energy efficient. It starts with replacing 16,000 single-pane windows, energy-inefficient windows, with triple-paned windows, putting in new brackets to sustain the new weight on the building, changing the heating and air-conditioning system, generating electricity with the over 130 elevators that move up and down the old Sears Tower, now the Willis Tower. They will make this investment.

We need to look at our Federal buildings the same way and realize that sticking with old energy-inefficient

buildings is draining money from taxpayers' pockets. Money spent now creating good jobs, making these buildings energy efficient is money well invested. It will reduce the cost in the future of these buildings. Weatherization of homes and office buildings is a critical part of the energy agenda. Mr. President, 60 percent—some say 40 percent, but whatever it is—is a substantial portion of the pollution. It comes from buildings we live in, and we can reduce that pollution if we start dealing with these energy issues honestly.

I listened to the debate on the Senate floor as my colleagues on the Republican side criticized this budget. I will say, in their defense, that writing a budget is not easy. It is hard. There were years when we were in the loyal opposition and couldn't do it, couldn't write it. It diminished our ability to criticize because, frankly, we couldn't put a budget on the table. We just couldn't do it.

Well, the Republicans can't do it this year. They can't produce a budget. They certainly can't produce one to meet the goals they say they want in this budget. So there they stand, emptyhanded, criticizing our work effort, our budget resolution. It does detract from their credibility, if they can't produce their own budget. As I have said, it is hard. There have been times in the past where we in the loyal opposition couldn't.

I encourage colleagues to take a close look at this budget. It makes smart investments in the future. It is fair, particularly to working families. It is responsible. We put on line the actual cost of two wars which the previous President wouldn't even put in his regular budget. We are going to let the American people know what they cost and make sure we make allotments and allocations for them.

I hope when this comes up for a final vote, we can have the support of a sufficient number to pass this budget resolution and move America forward again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I have listened with interest to my friend from Illinois where everything works, every proposal makes sense, every Federal appropriation is carefully handled, and every citizen of the State of Illinois personally prospers. That would be a great world. I hope we can get to it. I don't think this budget takes us there.

I rise to discuss another aspect of this budget, to discuss amendment No. 759, which I have submitted.

I ask unanimous consent that Senators THUNE and ENSIGN be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. This amendment has to do with the tax treatment of charitable contributions. The budget the Senator from Illinois discussed has to be paid for. One of the ways President Obama has proposed that it be paid for is to change the tax treatment of charitable contributions for those evil people in America who earn more than $250,000 a year. I say ''evil'' in a sardonic sense because, in fact, we all recognize they are essential to the economy. Without them, we would not have the tremendous amount of income tax revenue we do have. We understand that they are paying the lion's share of the income tax. We should not demonize them. But some people have in their response to this and say they earn too much, and we should not allow them to accumulate too much.

One way we are going to make sure they don't accumulate too much is to see to it that they are not allowed to deduct the same percentage of their income taxes for charitable contributions that other people are.

Let's talk about this for a moment. Taxpayers with incomes in excess of $250,000 contributed $81 billion to charities, according to the IRS. That is an average contribution of $22,000. The people with incomes below that have made an average contribution of $2,700, nearly 10 times less. So the charitable contributions made in this country clearly come in the bulk from those who earn over $250,000 who would see the tax benefit from making that contribution go down if President Obama has his way.

I have two interesting personal comments to make about that, one from my son who was having a debate with one of his liberal friends. His liberal friend said to him: Jim, you don't earn over $250,000 so this would not affect you. Why are you so concerned?

He responded: I work for a nonprofit. If their contributions are cut as a result of this, it will affect me. More importantly, it will affect those people whom this nonprofit serves.

I take my son Jim as an example. The nonprofits in this country employ 10.2 million people. When we talk about this budget saving jobs, we have to ask: How many of that 10.2 million people will lose their jobs as they see the contributions go down as a result of this change in tax treatment?

President Obama says: You should make the contribution regardless of the tax treatment. The tax treatment should not stand in the way of your doing good work.

I agree with that. But if the tax treatment holds down the amount of money you have available to do good work, it will impact it.

George Washington made this comment with respect to charitable contributions:

> Let your heart feel for affliction and distress of everyone and let your hand give in proportion to your purse.

What is happening is that President Obama is suggesting that the proportion of your purse will go down as a result of Federal action.

Now I go to the second personal experience that comes out of this. I have long been known as one who is a strong supporter of the arts. I supported the arts when some members of my party wanted to eliminate them, particularly the National Endowment for the Arts. I was here on this floor to argue in favor of that and have been happy to see the arts amount go up each year since we saved it as a result of the action we did in the Senate. Our friends in the other body had zeroed it out in their budget, and we did our best and succeeded in saving it.

A group of arts people have been to see me this week, thanked me for the work I have done—and I thanked them for that—and then described their problem. Their problem is, of course, that their contributions are down. Why? Because the economy is down. So they are having to lay people off. They are saying: Can't we get an even bigger Federal contribution to make up for the fact that the private contributions are down?

Step back from those two comments and see how ironic it is. The President is saying: We are going to change the tax treatment so there will be less incentive for private contributions. The people who live on the basis of these contributions are saying: Our contributions are down. Will you please increase the tax contribution so we can make up the difference?

The President's proposal sets up a situation which takes away with one hand and then presumably gives with another. There is a proposal in this deficit for more money for the arts.

I support that proposal, as I say, because I have always been in favor of some money for the arts, but not for enough money from the Federal taxpayer to make up the amount that will be lost if we follow President Obama's proposal. My amendment will deal with that.

Over one-third of the charitable contributions that are paid go to faith-based organizations, to churches. We have always recognized the importance of religion in this country. Freedom of religion is the first item mentioned in the first amendment. The Founding Fathers thought that freedom of religion and saying that Congress shall in no way interfere with religions was the most important thing they could say in the first amendment. It is there ahead of freedom of speech, ahead of freedom of the press, ahead of the right to petition the Government for a redress of your grievances.

We are going to say to those faith-based organizations, all right, the large donors who make the contributions to the church universities or to the major church activities, they are going to be discouraged by virtue of this tax treatment President Obama has proposed. Yes, you can still pass the plate for the small parishioners. And I do not wish in any way to denigrate the importance of the widow's mite, but anyone who has ever run a major fundraising organization knows that you start out with the big contributions first, and

then you try to add to those the smaller contributions and get everybody involved.

I come from a constituency that has a long history of faith-based contributions and that has used those contributions for tremendously valuable purposes. Originally, to bring people to Utah, they organized what was known as the Perpetual Emigration Fund. People of means put money into that fund so people who could not afford to come to Utah could borrow from it; and then, when they were there, they would pay it back. That is why it was called the Perpetual Emigration Fund. We do not need that anymore.

We now have what is known as the Perpetual Education Fund. People of means put substantial amounts into this fund, which then makes loans to those who cannot get an education otherwise. We heard the Senator from Illinois talk about the importance of educational loans and the importance of Pell grants. This is a fund that makes loans of all kinds, primarily to people at the bottom of the economic ladder, to give them a trade, to help them get the skills they need to support their families—mainly young people who do not have families yet and may not be starting families because they are afraid they cannot afford it.

The large contributors who contribute to this fund are now being told: Well, we still need your money. We still need this effort for all of these young people who need this benefit. But the Federal Government is going to take a little more off the top than they used to.

For those who say: Well, I have only so much to give, and I have to reduce it in order to be able to pay the extra tax, it is the Perpetual Education Fund that will pay the price.

So we have submitted this amendment that would make it clear that nothing in this budget could be used to put in place the President's proposal, and I hope when the time comes, all of my Senators will vote for it.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, we are discussing and debating all week on the budget resolution. I stand before the Senate tonight to talk about some amendments I am offering. But this is a budget that President Obama has worked very hard on, as well as Chairman KENT CONRAD, the chairman of our Budget Committee. That work done by the President and his team, as well as by the Budget Committee, has resulted in a series of proposals that focuses on a whole range of issues.

But one of the most important parts about this resolution is that it keeps its focus on recovery for the short term, but long term it focuses on issues we all are concerned about and need to spend a lot of time on—issues such as health care, education, and energy. This budget also cuts the deficit in half over the next couple of years and cuts taxes for working families.

We need to focus on all of those issues, and more, because of what has happened to our economy. Since December of 2007, we have lost 4.4 million jobs. In my home State of Pennsylvania, in February of this year, it was reported we had lost 41,000 jobs—the largest single month job loss for the State in 13 years.

These numbers reveal that not only is the economic downturn ongoing but the pace of job loss is not slowing down. In response to the economic crisis, many of our communities in Pennsylvania have community colleges that have offered at least one semester of free tuition to workers who have lost their jobs as a result of the economic downturn.

The first amendment I am offering creates a deficit-neutral reserve fund to establish a tuition assistance program in the Department of Labor. Voluntary participation in this program will not only help workers in need of skills and training for future employment, it will also strengthen qualifying educational institutions and reinforce their role in workforce development in our complex economy.

It makes perfect sense that when people are losing their jobs because of the economy, because of the recession, they be offered an opportunity for further education. This amendment makes all the sense in the world in light of that reality.

The second amendment I am offering sets forth a fund for accelerated carbon capture and storage and advanced coal technologies. This amendment creates a fund to accelerate the research, development, demonstration, and deployment of advanced carbon capture and storage, known by the acronym CCS, and coal power generation technologies.

Today, coal provides over half of the Nation's electricity and supplies more than 40 percent—40 percent—of worldwide electricity demand. Any domestic program to meet the challenge of climate change must include carbon capture and sequestration. We know coal helps build our businesses, helps keep American homes, factories, airports, schools, and hospitals humming. It creates millions of good-paying jobs across the economy.

We know in addition to addressing our greenhouse gas responsibilities, this amendment I am offering will make the United States a leader in the development and export—and that word is very important: ''export''—of advanced coal technologies to those countries such as China and India that also rely upon coal as their dominant energy source.

I am proud to be joined in this amendment by Senators ROCKEFELLER, BAYH, and STABENOW.

Finally, I have a third amendment which would create a deficit-neutral fund for long-term stability and housing for victims of violence. This would be an amendment that speaks directly to a program authorized under the Violence Against Women Act—a great piece of legislation passed to protect women in America.

I am offering this amendment because I want to highlight two very serious problems in this country and the relationship between the two: domestic violence, on the one hand, and its impact on women and children.

In particular, women and children in high numbers fleeing abusive situations often become homeless. There are many very harmful consequences of homelessness for children, which I will mention in a moment. But first I want to emphasize the nexus between domestic violence, on the one hand, and homelessness on the other. That is the reason I am offering this amendment.

One of the things the National Center on Family Homelessness highlighted in its recent report is how frequently domestic violence is a direct avenue to homelessness for women and children. This is supported by other data from the National Network to End Domestic Violence and many other policy groups and researchers.

Several national and State reports show that between 22 and 57 percent of homeless women report that domestic violence was the immediate cause of their homelessness. Research on domestic violence is well documented that batterers commonly sabotage a woman's economic stability, making abused women more vulnerable to homelessness. This program I am offering an amendment for builds on collaboration between domestic violence service providers and housing providers and developers to leverage existing resources and create housing solutions that meet victims' needs for long-term housing. Helping victims remain safe and stable over time is critical. Victims of domestic violence often return to their abuser because they cannot find long-term housing.

Just to give one example of a real person, a real story from my home county, Lackawanna County, PA: Jean is a 43-year-old survivor who experienced severe domestic violence during her 10-year marriage. She filed for divorce from her abuser in an attempt to find a better life for her and her 2 children, a 4-year-old son and 14-year-old daughter. Unfortunately, as often happens when the victim tries to end the relationship, the violence escalated as her husband stalked her, broke into her home, and severely beat her with a crowbar as her son watched in horror. Her husband was arrested and sentenced to 1 to 4 years.

Following the arrest of her estranged husband, Jean turned to the Women's Resource Center in Scranton, PA. There, she received free and confidential counseling and became an active participant in support groups. Her children joined the children's group at the center, and with legal representation from the center, Jean was able to successfully fight her ex-husband's petition for custody while he was in prison.

Jean's family resided in transitional housing offered by the center while she

got back on her feet financially after the divorce. She returned to school, and this past Mother's Day she graduated with a bachelor's degree in social work. She completed an internship at the center and now works as relief staff member at the center as she prepares to finish graduate school this fall.

Jean says the center is:

> The wind beneath her wings. Everything I've done, I've done because of their help, their encouragement and their empowerment. I am where I am and who I am today only through their incredible support.

So said Jean, a real person living a life of horror that most of us can only imagine.

Her story illustrates the kind of vital help victims of domestic violence and their children can get and need to get. We have a responsibility, every one of us here has a responsibility to victims of domestic violence and to children to keep these programs and services going with the funding they need. These programs save money and literally safe lives. As did Jean, victims of domestic violence and their children can become survivors and go on to live successful, happy lives, free of abuse and free of fear. If we do anything in this budget this year, we should speak directly to those victims who are able to survive horrors that I can't even begin to imagine and go on to lead productive lives.

So with these three amendments, I hope to improve upon what I think is a very good product already—a budget that focuses on our priorities, our fiscal priorities, health care, education, and energy.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, while we are getting set up, I would first ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, this week we are laying out a blueprint for the part Congress will play in America's economic recovery.

Our budget isn't just a list of revenues and expenditures; it is a balance sheet of priorities and values. The line of numbers come together to form a bigger picture, laying out a vision for where we plan to lead the Nation. On a practical level, it gives us a chance to plan how we are going to create jobs, reform health care, make college more affordable, and end our dependence on foreign oil. This is President Obama's vision, and it is a mission we share and seek to make a reality with this budget.

Considering the current state of the economy, the times demand a bold strategy to give immediate help to those damaged by the crisis and create the conditions for recovery in the long term. But as we are moving forward with clarity and confidence, let's not forget how we got where we are today.

We would all prefer not to have the Government run a deficit and a debt. There is no question about that. Unfortunately, my colleagues on the other side of the aisle are a little late in coming to that conclusion. Republican policies were tried in the last Presidency over the last 8 years and were tried in Congress for 10 years. They took a record surplus to a record deficit. They added trillions of dollars in debt, trading away our fiscal health in exchange for subsidies to big oil companies and tax breaks for the wealthy. They rubberstamped a $1 trillion war in Iraq without even accounting for it in the budget.

For those who are proclaiming themselves guardians of fiscal responsibility, where were they when Dick Cheney declared that ''deficits don't matter''? Deficits don't matter.

So let's be very clear: It is a Republican deficit that we are inheriting and that the President inherited. Even if he did absolutely nothing, he would have well over a $1 trillion deficit.

Republican policies got us into the red. As President Obama has made very clear, over the next few years we are going to bring down that deficit he inherited because our long-term financial health depends on it. But right now, there is a bigger question. The question isn't just how do we cut the Republican deficit the Nation inherited; the question is, What kind of country do we want our children to inherit? Do we want them to inherit a country where foreign workers are better trained and better prepared to compete in the global economy or a country where Americans are, bar none, hands-down the best educated, best trained innovators in the world? Should the country they grow up in be one where they stay up at night worrying because one serious illness or injury can drive their family into bankruptcy or one where everybody can sleep soundly, knowing their whole family has health coverage? Is this going to be a nation that is forced to send hundreds of billions of dollars a year to foreign governments to pay for oil or a leader in the development of clean, cheap energy, creating jobs that can't be outsourced in exporting our technologies around the world?

Those are the choices we face, and in this budget we have chosen our path with confidence. We are making health care more affordable for the middle class, investing in clean energy to create jobs that can't be outsourced, helping more middle-class Americans get a college education, and cutting taxes for middle-class Americans. That is the kind of country President Obama has promised to help us build, and it is the kind of country we are choosing to build in this budget. In a sense, if we want to get our economy moving again, we don't really have a choice but to make these investments.

Since this recession began, more than 4 million Americans have lost their jobs, 600,000 people are losing their jobs every month and often their health insurance along with it. The housing market, the epicenter of this crisis, is still unstable. A tsunami of foreclosures is still devastating our neighborhoods and leaving families on the rocks, while homeowners have seen their homes lose a staggering collective $6.1 trillion in value since 2006. While paychecks are shrinking, Americans continue to send hundreds of billions of dollars every year to foreign countries to pay for their oil.

So I don't think there is any doubt that investing in a better future isn't a luxury; it is a necessity. It is time for the kind of reinvestment this country needs to recover our economic dynamism and strengthen the 21st century economy, and that is what this budget does.

Let me talk about middle-class tax relief.

First, this budget brings immediate tax relief to middle-class families. It brings tax relief to married couples, an expanded child tax credit, and a patch for the alternative minimum tax. That tax, the alternative minimum tax, was originally designed to keep the wealthiest Americans from using creative accounting to avoid all taxes, but it was never intended to hit the middle class as hard as it is hitting them right now.

I am proud to have introduced the amendment earlier this year in the stimulus package that passed that saves, for example, in my home State of New Jersey, over a million New Jersey families up to $5,600 a year, and this budget makes a commitment to those taxpayers that they will not be subjected to higher taxes under the alternative minimum tax for the next several years. That is why collectively all of the tax cut benefits—the revenue changes in this budget—are about $825 billion in tax cuts over the next 5 years. That is the kind of relief we need to put money back into people's pockets and give families who are being squeezed some financial breathing room. If you are a middle-class family, there is no doubt that this budget is good for you.

Our budget also makes a strong investment in education. There are few instruments and investments we can make that are as important because it is no secret how closely tied our economic success is to success in the classroom. The country that out-teaches us today out-competes us tomorrow. So if we are going to stay at the apex of the curve of intellect and innovation, we need to invest in human capital and give our young people the skills to thrive in a 21st century economy.

I know what that means personally. I know what Pell grants and other assistance for higher education means for students and their families. I was raised in a tenement—poor, the son of immigrants, the first in my family to go to college. I know I wouldn't be standing here today as one of 100 Senators in a country of 300 million people if it weren't for the Federal Government's support for higher education.

So I am proud that this budget commits to making college more affordable. It boosts Pell grants to $5,550, and it provides a $2,500 credit for higher education through the American opportunity tax credit. That amounts to almost half of tuition at a State college or research university and full tuition at a community college. That is the kind of investment we need to help workers damaged by this crisis as well as to prepare younger people for a brighter future.

Our family budgets, our economic competitiveness, the stability of our climate, and our national security all depend on ending our dependence on foreign oil. The budget builds on the economic recovery package, supporting investments in renewable energy, efficiency and conservation, and modernizing the electric grid. I am proud to have authored provisions that bring funding to our communities to help save energy in the most efficient ways they know. The more we assist our hometowns in energy-efficiency projects, the more it creates jobs, brings down our electric and heating bills, and fights the global warming that threatens our very way of life.

The budget also takes a major step toward making health care more accessible and affordable. It expands coverage, saves on costs by implementing new technologies, puts a stronger emphasis on prevention and wellness, and supports the kind of research that can find a cure for my mom's Alzheimer's. For years, the administration neglected key areas of the Federal health system. This budget restores them to their rightful importance.

We are going to have a National Institutes of Health which will save lives with their innovations. We are going to have an FDA that has the resources to keep the food we put on the table safe to eat and make sure we fully know the risks and rewards of the drugs that come into the market. A larger health care reform is on the way, but up until that happens, our message is very clear: We will not rest until, in this great Nation of ours, no one goes to sleep at night without access to affordable health care.

Let me conclude. There is one thing all economic crises have in common: They all end. While history has shown that government can play a constructive role, a recovery can't come from government alone. The jobs of the 21st century are going to be created by the free market within a regulatory structure that prevents it from collapsing on itself. With the kinds of investments we make in this budget, we are paving the way for the private sector to create jobs and start us on the road to economic recovery.

The budget sends tax relief where it should go: to working middle-class families. It moves us away from the mistakes of the past by accounting for the costs of the war in Iraq until we withdraw in 2010. It makes health care more affordable and brings a college education within reach for millions of young people. It makes the investments to begin to end our dependence on foreign oil that will keep money in our pockets and create jobs here in America. And it will cut the deficit President Bush left us before the end of President Obama's term.

To sum it all up, we put forth a plan to invest in our future and get our economy moving again. It is a plan that puts forth a basic idea about what America should be. It should be a country where anyone willing to work hard can get an education and a job, a country where everyone has access to the medical services that keep them healthy, a country where a lifetime of hard work guarantees the right to retire with dignity, a country that knows its past and cares about its future.

We have a lot of work to do. I am tired of hearing just a chorus of noes, the same old politics, the same old Republican policies that got us to where we are today. As President Obama and we try to move forward in a much better direction for the country, what we hear is no, no, and no. This is about saying yes to a brighter future. This is about saying yes to the fulfillment of the opportunities that each and every American should have. This is about saying yes to a new set of policies, and it is about an opportunity to change the direction of our country.

I have great faith that we will meet these challenges. This is a country that went to war twice in Europe to beat nazism and fascism and did so. This is a country that put a man on the Moon and created a scientific revolution as a result of it. It is a country that cured diseases that were once thought incurable. It started a technological revolution that still is the envy of the world. And with this budget and working with this President, it is a country that, once again, will lead both at home and abroad.

With that, Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I rise today to speak in support of the underlying budget resolution we are considering this week. I first want to thank Chairman CONRAD for all of his leadership and for the good work he and his staff have put into developing this budget resolution.

In November, the American people chose a new direction. That is what President Obama and this 111th Congress are working to deliver. I am proud of what we have been able to accomplish so far: an economic recovery package that is already putting Americans back to work and investing in our communities; a children's health insurance bill that expands access to health insurance to 4 million children who will now be able to receive health care services no matter what the circumstances their families face; the Lilly Ledbetter Fair Pay Act, which ensures that all Americans are paid the same regardless of age, gender, race, or ethnicity; a national service bill that taps into the strong desire of Americans to do their part to help our country recover and prosper through voluntarism; a public lands bill, which is the most significant conservation legislation passed by Congress in 15 years.

We are off to a good start, but we all know we still have a lot of challenges to tackle. We have inherited the worst economic crisis in generations, and we need to get our economy back on track. That means finally addressing challenges that have been ignored for far too long. We have the opportunity to begin this process now by passing a comprehensive and sensible budget to guide our next year.

I support the priorities that President Obama has set out for the budget. Like the President, I believe we must reform our health care system. We must move our country toward energy independence. We must expand the promise of education. We must cut our national deficit in half over the next 4 years.

Right now, we spend 16 percent of the national gross domestic product on a health care system that is broken. This is the time—especially now—when we need to reform health care to bring down costs, expand coverage, and improve the quality of the health care coverage that we all receive.

Our Nation can save billions of dollars through health information technology. I am pleased this budget that we are considering builds on the funding in the economic recovery package that has been dedicated to modernizing health care through the use of electronic medical records.

This budget also makes a significant investment in comparative effectiveness research. It is a long name, but what it essentially means is that we need to look at what is working in health care for the least cost, the research on which Dartmouth College in my home State of New Hampshire has been working hard. The Dartmouth Atlas Project has done some of the best research into looking at what is most effective for health care procedures and remedies in the country.

On energy, we all know our national energy strategy has been on an unsustainable course for a very long time. We are overly dependent on foreign oil, and we must begin to address the threats of climate change.

These challenges call for a paradigm shift in the way we produce and use energy. I am pleased the budget we are considering makes investments in clean energy technology, energy efficiency, and recognizes that we have to modernize our energy infrastructure. I believe these investments in clean energy will create new green-collar jobs

at home that will save consumers money.

We also have to invest in education so our children can compete in this global economy. Senator MENENDEZ talked about that very eloquently a little while ago when he talked about his experiences.

I am one of those kids, too, who, without a public system of higher education, would not have been able to go to college. That is why I am pleased the budget resolution we are considering expands opportunities for students to go to college—to go to college and to graduate—because it increases Pell grants to $5,550 per student and provides education tax incentives for families.

This budget also recognizes the critical importance of the early years in a child's life by providing significant support for early childhood education and title I programs. The long-term strength of our economy is dependent on each of these issues—education, health care, and energy policy. We need to act now to make critical investments to stimulate the economy in the short term. But we also have to do this in a fiscally responsible way that puts us on a path toward reducing our deficit. The budget deficit has been growing for 8 years. This President and this Congress inherited a debt and deficit that are at record highs. We are not going to erase these deficits and debt overnight. But we can work toward significantly cutting the deficit over the next few years. The budget that has been laid out by Senator CONRAD and the Budget Committee puts us on an aggressive course toward a balanced budget.

Spending nearly doubled under the previous administration, and revenues have now fallen to the lowest level as a share of our economy since 1950. The Obama administration inherited these record deficits and a national debt that doubled during the 8 years of the Bush administration.

This Congress, this President, and this budget are reversing course and putting our country back on a path to a balanced budget. This budget cuts the deficit by two-thirds by 2014. At the same time, it makes wise investments that will lead to economic growth in the future.

As a former Governor, I understand how important and difficult it is to balance the budget. It takes a lot of hard work, patience, and compromise.

I never expected the New Hampshire State Legislature to rubberstamp my budget when I submitted it. I knew it would change to reflect the interests and priorities of legislators, and that is exactly what is happening in Congress. But I also understand this Congress is going to send a budget back to the President that I believe will contain those priorities that the President supports and that we support as Members of Congress.

Mr. President, I also want to speak about an amendment I intend to offer this week. My amendment is No. 776. It is simple and straightforward. It would establish a deficit-neutral reserve fund to monitor FHA-approved loans. We have to remember that one of the things that got us into this economic mess is what happened in the housing market. Unfortunately, we need to make sure that doesn't continue to happen going forward.

The Federal Housing Administration is playing an increasingly critical role in promoting home ownership during these tough economic times. The FHA now insures about one-third of all new mortgages.

In the runup to the subprime crisis, many fraudulent lenders pushed borrowers into mortgages and refinancing that they could not afford just to collect commissions and fees. We need to make sure we prevent that from migrating now to federally insured loans, which would put taxpayers at risk of footing the bill for another bailout.

The amendment I am going to offer addresses the need for HUD—Housing and Urban Development—to be able to properly investigate and remove fraudulent lenders from the program whenever they deem it appropriate.

As I said, I am confident that we will be able to pass a budget that invests in the future of America. I am hopeful all of our colleagues will join in that effort because I think it is important to strengthen the middle class, restore fiscal discipline, and make the investments that we need to make to ensure that this country is going to continue to be strong and competitive in the future.

I urge my colleagues to support the 2010 budget resolution, and I hope they will also support the amendment I am offering to address potential fraud in the FHA housing market.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

STAFF SERGEANT TIMOTHY BOWLES

Mr. UDALL of New Mexico. Mr. President, on March 15, Air Force SSG Timothy Bowles decided to help a fellow soldier. A friend was scheduled to visit a school near Kot, Afghanistan, as part of his provincial reconstruction duties, but he was feeling sick. Timothy offered to take his place.

He never returned from that trip. Timothy Bowles was killed when his vehicle was destroyed by a roadside bomb. He was 24.

We all celebrate the remarkable bravery of our men and women in uniform. But Timothy was not just a brave soldier; he was a deeply kind and caring man. He displayed not just the martial virtues of the soldier, but the simple kindness that we all hope to find in our friends, our families, our fellow citizens.

Timothy grew up in the Air Force. His dad, Air Force Msgt Louis Bowles, fought in the first gulf war. As a child, Timothy moved from base to base while his dad served our country. He knew the hardships that the military can bring. But when he turned 18, he quickly signed up to serve.

We tend to think of that decision as one of physical bravery. Every soldier accepts the risk of injury or death. They commit themselves to challenges that many Americans will never know. And they put in the effort that will transform them from civilians into soldiers—the effort that makes the U.S. military the finest fighting force in the world.

But the decision to become a soldier is also an extension of values that we all share. It is the act of a good neighbor pledging to help keep the neighborhood safe. Of a good father telling his family they can count on him. Of a good citizen who puts his community before himself.

Please join me in honoring Timothy Bowles and extending our sympathies to his father Louis, his mother Lisa, his sister Heather, and all of the Bowles family.

Timothy was a good soldier and a good friend—to his fellow soldiers, and to all of us.

AMERICAN RED CROSS MONTH

Mr. BROWNBACK. Mr. President, ''America the Beautiful'' is perhaps one of the most moving anthems that captures the very essence of our Nation. In the fourth verse, Miss Katherine Lee Bates wrote, ''O beautiful for patriot dream that sees beyond the years, thine alabaster cities gleam Undimmed by human tears! America! America! God shed his grace on thee and crown thy good with brotherhood from sea to shining sea!'' From the inception of our Nation, the strength of America has been our unwavering sense of honor, an unshakable belief that we are all created equal ''under God'' and our unrestrained sense of global humanity.

This is the embodiment of the American Red Cross and of the vision articulated by Clara Barton, founder of this wonderful organization that has helped countless individuals in times of crisis whether comforting a wounded soldier during battle, assisting those who are

recovering from a natural disaster, or administering life-saving blood to a sick patient. It is indeed the legacy of this organization to go and serve those in most need—even to the endangerment of the volunteer. Clara Barton once elaborated on importance of service to others, ''I may be compelled to face danger, but never fear it, and while our soldiers can stand and fight, I can stand and feed and nurse them.'' Though the focus of the Red Cross has grown over the years the tenacity to help those in need and who face grave danger has never wavered.

Since 1943, every President of the United States has proclaimed March as American Red Cross Month and in turn, the organization uses this month to promote the services provided to the public each and every day. Communities depend on the Red Cross in times of need and the Red Cross depends on the support of the public to achieve its mission.

I am pleased to join with the Red Cross and highlight the courageous work that this organization accomplishes year after year and celebrate March as American Red Cross Month. As one of the best known humanitarian organizations, the Red Cross has been at the forefront of providing aid to soldiers during times of war and peace and helping individuals and families prevent, prepare for and respond to large and small scale disasters for more than 127 years.

I am very pleased of the work that the Kansas Red Cross has achieved over the years and am especially delighted to highlight the work of the Kansas Capital Area Chapter for their involvement in the creation of the ''Holiday Mail for Heroes.'' This program is a partnership between the Red Cross, Pitney Bowes, and the American people. Holiday Mail for Heroes distributes holiday cards to military veterans and active duty personnel throughout the world. This past year, over 1 million cards were received and sorted by hundreds of Red Cross volunteers. Pitney Bowes boxed and shipped them to different distribution sites—the Kansas Capital Area Chapter being one of them—and I am proud to report, shipped more than 1,000 cards.

In addition, to the focus on veterans, the Red Cross also provides programs that promote health and safety services as well. These vital services help to save lives and strengthen communities through education, training and products that enable people to prevent, prepare for and respond to disasters and other life-threatening emergencies. I know that I am profoundly grateful for the services that the Red Cross has given to my state during our times of challenges with natural disasters.

Last year alone, more than 5 million people took advantage of such educational opportunities, attending Red Cross first aid, cardiopulmonary resuscitation—CPR—and automated external defibrillation—AED—training classes. I know that I am profoundly grateful for the services that the Red Cross has given to my State during our times of challenges with natural disasters.

Other educational programs and services include Aquatics, such as basic swimming lessons, lifeguarding and water safety, care-giving, and HIV/AIDS education.

The American Red Cross has been able to provide services because of the tireless and dedicated work of volunteers, often known as ''Red Crossers.'' Many of these ''Red Crossers'' have been involved in their communities for 10, 20 or even 80 years.

Mr. President, it is very fitting that we celebrate March as American Red Cross Month and continue to advance the principles of this very essential organization.

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:

Our family is being greatly affected by the rising energy prices, especially gasoline; we are average middle income America here and we do not have a lot of extra money to keep up with the rising gas prices. If something could be done such as more development of domestic oil, fossil fuels, nuclear research or anything else, besides depending on OPEC prices, that would be a really boon for our Nation as a whole and help with our correct recession. Have a blessed day.

BRENT and CHARLENE.

My wife Suzanne and I are Idaho natives of 33 years. We have three children who are approaching the teen years. I earn a modest income as a police officer in Caldwell. From the time of our marriage over 13 years ago until last year, Suzanne had served our family as a homemaker and educator of our children. Part of curriculum Suzanne employed involved music lessons, sports, and dance, which required many miles per week of driving from our home to each event. Even though we operate a fuel-efficient vehicle getting over 30 mpg, the transportation costs have always been substantial. Last fall, we made the decision to enroll our children in a local charter school focusing on our children's talents in music. I am proud to say that they tested into the school a grade level above their age and have all received high honors in their first year. This is a testament to Suzanne's hard work and skill as a teacher.

Since Suzanne and I enrolled our children into school, she decided to take a part-time job in Meridian to help our income. At about the same time Suzanne entered the work force, fuel prices began to rise and have never stopped. Now we still have travel for music lessons, sports, and dance, as well as Suzanne's commute to work. Despite our efforts to conserve, Suzanne's income is completely used up and then some paying for higher fuel prices. Each year over the past 5 years or so, I have made more money, but we have had a continually harder time providing for our family's needs. I believe that this is due in large part to the price of fuel.

I hope that this recent fuel price increase will prompt the members of Congress to act and the citizens of our country not to accept less than the best solution to the problem. I am in favor of allowing the free market to solve the energy problem with innovation. I do not support the intrusion of the Federal Government with taxes and regulations. I think the ideas of windfall profits taxes for corporations' amount to no less than theft and would serve only to severely damage our Nation's long-term productivity and morale. I would like to see the following things happen ASAP and believe if implemented that they would solve the fuel shortage very soon, as well as stabilize the market for decades to come without any compromise to the environment:

Build nuclear reactors to produce a clean, long-term supply for electricity. Retire all dams on the Snake River in Idaho and Washington once nuclear reactors are online.

Lift the drilling restrictions on domestic petroleum exploration.

Allow for the construction of enough oil refineries and infrastructure to handle the projected increase in demand and oil production.

Immediately stop production and government subsidy of ethanol. It is not efficient and cannot support itself. Corn is best used for food.

Stop refining so many different grades of gasoline. Refine only 92 octane gasoline and #2 diesel fuel. This will provide fuel for all cars currently in use while increasing current refinery production capacity through consolidation.

Offer tax incentives to auto makers to produce vehicles that get good mpg (35+ for cars, 25+ for trucks). Allowing the free market to solve the problem, which they are already trying to do, is the best and quickest way to get it done.

I hope this letter finds its way to those who can help effect the change necessary to keep our country secure and prosperous. Thank you for time.

SCOTT, *Middleton*.

Fuel is a necessity in our country, just as milk and eggs cannot be traded in futures markets oil should not be speculated on. I work in the transportation industry. Currently, due to high fuel prices, business is poor, reducing my income. There is little or no public transportation available to me so my costs have increased dramatically in spite of my efforts to travel less. I cannot continue on this path much longer without painful sacrifices or perhaps an additional job. Meanwhile it is business as usual in Washington, [partisan arguing without any solutions from people who may be in higher

income brackets than the majority of Americans]. We have the resources we need in this country. Let us have access to what rightfully belongs to the American people. Maybe it takes 10 years for this to have an effect. Where will we be 10 years from now if we do nothing now? New technologies need to be developed, but in the meantime we should use some of the resources that we have available to us, if we do not, those countries who are using the resources available to them (China? Venezuela? Brazil?) will own us. Our government and special interest groups have made it so that we cannot use our own steel, coal, oil, timber, and many other natural resources; we are being regulated back to the days of the horse and buggy. The way I see it, not only is this fuel crisis an economic threat; it is a threat to our national security.

Please share my sentiments with your peers. Better yet, how about having some of us from the middle class come and talk some sense to them. As a regular citizen I do not have the capability to make an ''emergency appropriation'' to cover my shortfalls. Inaction on the part of Congress and the Senate will have serious consequences in the near and long term.

JOHN, *Idaho Falls.*

I appreciate the opportunity to send you my thoughts on the ''Energy Crisis''. Like many Americans our age, my wife and I had dreamed and planned of the time we would retire. While never rich, we were always comfortable. When we retired we had sufficient for our needs and a little to spare.

We have five (5) children and 23 grandchildren. As our children were growing, one of the many happy memories they had of their grandparents was each summer knowing they would come with their 5th wheel trailer and spend time with us. Sometimes we camped with them, other times they just parked in front, or alongside our home and used their trailer as their home away from home. They were then in the same position we are now. Their children had moved from the area seeking jobs and opportunities not found were our parents lived.

For years we planned to be able to live a similar life. Spending time with each of our children and grandchildren building memories and connections of love that would help knit our family into a family similar to the one we shared with our parents.

About 5 years before my retirement, we purchased a modest 5th wheel trailer and a pick-up truck to pull it. We wanted to have everything paid for prior to my retirement. The trailer will never be used as we had planned because the cost to pull it is greater than we feel we can afford. We have one son who lives here in Idaho Falls, and we are able to enjoy his family on an ongoing basis. Our son who with his family lives in Oklahoma will get to see us for a few days once a year. Even driving our car which does get quite good mileage makes the cost for multiple trips per year out of the question. Our daughter and her family who live in the Seattle, WA, area similarly will be able to enjoy an annual visit (again driving our car). Our other daughter and son live in Utah, and because of the relatively close proximity, we are able to visit several times per year.

We had dreamed of being able to take our grandchildren at various times to see some of the wonderful sights of our country, such as Yellowstone Park, Mount Rushmore, Zion National Park and other such areas. With our truck and trailer it would have been a wonderful adventure. By car with the costs of lodging, meals, and especially fuel even that is not a viable option.

Do we suffer with insufficient food, power, or other necessities of life? The answer is no. Do we long to be able to share with our loved ones the time and experiences that our children enjoyed with their grandparents? The answer is definitely yes.

The impact of our situation will influence negatively not only my wife and I but future generations as well. Traditions that were important in our lives will be lost. The connection from one generation to the next and the generations that follow will be weakened.

We feel blessed that we presently have sufficient for our daily needs, and a little to spare, but we also feel betrayed by a series of decisions and events that have taken from us our dreams.

Thank you for allowing me to provide this to you.

ORVILLE and RHEA, *Idaho Falls.*

I work at the INL, and my wife has a painting and decorating business. I ride the bus to work, and my wife has two employees for the summer; they are college students. We have had to use our home equity line of credit to cover the extra cost of fuel and everything it has caused the price to increase on. People we come into contact with at the INL or through the painting business are saying the same thing. People have less money to spend because the cost of everything is going up, due to the fact that the price of oil affects everything, just not driving. With less money to spend, people are doing less, putting off home repairs, vehicle repairs, skipping a visit to the doctor or dentist, the effects are being felt by everyone.

Drilling for oil off our coasts, in Alaska, oil shale and other areas should be a No. 1 priority. The technology exists to do it safely and environmentally friendly. Yes, there should be windmills, ethanol, biodiesel and other alternatives, but those alone will not solve the problem. More oil is being used worldwide, so more needs to be produced. Oil is used in so many things that it will always be in demand. I would rather see my money go to the oil companies, than to the Arab countries. If we are drilling in America, then the money stays in America. I am tired of the lies to the American public that it will take time to drill, how long will it take to get other technologies online. Or the lie that the oil companies have millions of acres of leases. Tell these people to stop the smoke and mirrors game, they were sent to Washington to represent the people, not play games. If they were working for my wife painting, they would have been fired for not getting the job done they were hired to do.

BRIAN.

As a family, we are finding the increase in gasoline prices in Idaho especially difficult as we try to continue our regular activities. We rely so much on our transportation needs as we attempt to take advantage of the many opportunities afforded to us here and serve throughout the community. The costs are beginning to have a negative impact and limit so many of our friends as well, as so often, we are all living with tight budgets each month. Raising a family is expensive and getting much more so as the gas prices are passed on to food, clothing, and other costs.

Our ancestors saw the need to be self-sufficient, to use and re-use and make do with what they had. This is the best and most effective way to be good stewards of our land and happened long before the trend to go ''green''. Indeed, much of the ''green'' activity today borders on the ridiculous. We would really like to see our Nation become self-sufficient, as well by drilling in our own country, eliminating our dependence on foreign oil. Our lands are special to all of us, especially those of us in remoter areas that are still beautiful and pristine, such as Idaho and Alaska. But if we act responsibly, we can continue to preserve our lands and provide for our own people.

We would also like to see some alternative fuel innovations encouraged with incentives to use them.

Thank you for all you do for our State. We know that it is hard work, especially working with a Congress that is often unwilling or unable to see the obvious solutions many in the public can see so clearly.

CHRIS and SHAWNA, *Boise.*

The unacceptable rises in every facet of living is really beginning to affect the quality of life for both myself and my fiancé. We have really noticed the strain on our pocket books despite having paid off several debts thus freeing up more of our money. Because of the prices in gas, we are forced to restrict our more frivolous pursuits. We find it hard to partake in dining out and spending money on entertainment. Travel, which we enjoy doing often, is almost out of the question completely. Our spending habits are becoming more and more conservative and only the necessities are being purchased. I know we are not alone in this, for all of our friends and relatives are cutting back and struggling to make ends meet.

It cannot be good for the American economy when we are forced to spend most of our money on just getting by. We work hard for our money and resent having it stolen from us at the pumps, the grocery store, and at home while using everyday appliances. While oil companies are enjoying record profits, (Exxon making $40.6 billion in 2007; according to US News), Americans are paying record prices for a gallon of gas. Is there any question as to why gas prices are so high?

This madness has to stop. We must pursue other fuel alternatives and fast! Not in 5 or 10 years but today. Our country is heading into a depression and printing more money is not going to solve it. Let us put our Americans to work by making fuels here, at home. It is time we become self-sufficient once again.

ROMA, *Boise.*

Thank you for the fine job you do for Idahoans. We realize current energy prices are wreaking havoc because the cost of transportation impacts prices for everything we buy including food and clothing. Those hardest hit, are the poor, elderly and our working families. My grown children and their kids are pinching every penny to try to make ends meet. It is getting much harder.

In the short term, I would like our country to utilize safe offshore drilling. (I heard the rigs in the Gulf Coast withstood Katrina very well.) At the same time, we need to understand and utilize ''best practices'' with renewable energy. When we were in Europe a few weeks ago, my husband and I learned they use nuclear power. An electrical engineer we met in our travel group tried to help me understand that nuclear power is safe. I would like to believe that is true, but my only concern is that we not leave a mess for our grandchildren and their grandchildren to solve.

Our citizens need to do our part by not buying the gas guzzlers our auto makers so happily design. We can also get off our duffs and walk more and use bicycles. When we were in Holland, my husband and I were amazed at how many people, old and young, use bikes. Kid do not ride school buses; they ride their bikes to school. For that to work here, we need safe bike paths. I would be terrified to let my grandkids use the bike path on our Emerald Connector overpass in Boise.

Thank you and God bless you.

MARJEAN, *Boise.*

I thank you for your efforts concerning the energy problems we face. We live in the very

rural area of Salmon. Public transportation is not an option. Most home sites are within a 10-mile radius of town; however, public trails and non-motorized travel is not an option either. Our family is suffering from the increase in energy costs to the degree that we have had to alter an already modest lifestyle. We live in an area where pickups and SUVs are a way of life. We use our truck to mend fences, irrigate, transport lumber and haul equipment. We have reduced the insurance on this vehicle to liability and only drive it now when we have to. We have purchased a small 1989 ''beater'' car that gets 25 mpg to travel to town. We would purchase a more economical vehicle if we could, in particular, one that utilizes hybrid technology. However, our family cannot afford a $30,000 vehicle; this is a ''luxury'' afforded to the wealthier classes.

On visiting Sun Valley recently, we saw a beautiful trail system, a bus system and pedestrians/bikes everywhere. Their community is unique in Idaho. They have the economic foundation to provide alternatives to their citizens that lessen the burden. It is not safe to travel on bike or scooter along US Hwy 93 and 28 into the town of Salmon. Our populous is too small to support a bus system. We would like to see more support for the development of alternative transportation, in particular, non-motorized travel such as a beltway that would connect the rural outskirts to the center of town. As Salmon grows, we are also seeing more children traveling along these narrow and inadequate strips of highway. We would also be providing a safe means for them to access community services such as the library and swimming pool.

Many of us are already car pooling and we have limited our trips to town as much as possible. Please help us find other means to lessen the burden of living in rural Idaho.

MICHELLE, *Salmon*.

I have been riding a bike to work this is great; however, I am financially strapped to the point where I will not spend any money for anything other than food, gas. We are not traveling; our kids are not entering into sports. We are staying close to home. I am only buying gold and silver for retirement because I suspect Congress and the Senate will never fix the problem of inflation. If the situation worsens, I will become another bankruptcy casualty.

1. Remove the Federal reserve or get us on a two tiered gold standard and a path back to financial responsibility.

2. Bring our troops home no foreign spending on anything but American-A nationalistic view.

3. Incentives for companies to return to America.

4. Drill, drill, drill, blue collar workers state we are being lied to about the amount of oil off of Alaska.

STEVEN, *Nampa*.

ADDITIONAL STATEMENTS

REMEMBERING CURT MENARD

• Mr. BEGICH. Mr. President, I wish to commemorate the life of a very special resident of my home State of Alaska, Curt Menard.

Mayor Curt Menard passed away March 3, 2009, after a long battle with myeloma.

Mayor Menard was the embodiment of a true Alaskan. Honorably serving in our Nation's Air Force took him to our State where he left his mark. Curt and his wife Linda purchased one of the original homesteads in the Matanuska-Susitna—Mat-Su—valley and Curt became one of the first dentists in the area. He devoted his life to the people of the Mat-Su, and for that we are all grateful to this remarkable man.

On behalf of his family and his many friends, I ask today we honor Curt Menard's memory. I ask that his obituary, published March 5, 2009, in the Mat-Su Valley Frontiersman, be printed in the RECORD.

The information follows:

[From the Mat-Su Valley Frontiersman, Mar. 3, 2009]

Curtis Delbert Menard, 64, died March 3 at Mat-Su Regional Medical Center, from complications of multiple myeloma.

A funeral service will be held at 1 p.m. Saturday at Wasilla High School with Pastor Larry Kroon of Wasilla Bible Church officiating. The following are pallbearers: Curtis C. Menard, Larry, Sgt. Maj. Ret. Ritchie, Nancy, Jim, Gabrielle, Tanner, Harrison, Sullivan, Brock, Grant, Jack, Alexandra, Jane and Charles Menard, and Lewis Bradley. Burial will take place later in the spring at the Menard homestead.

Dr. Menard was born June 16, 1944, in Detroit. He graduated from L'Anse High School in 1962, received his undergraduate degree at Marquette University in Milwaukee, Wis., and graduated from Marquette University School of Dentistry Class of 1968.

He had served with Habitat for Humanity, The Alaska Railroad Board, American Legion, Salvation Army Board, and as chairman of the Multi-Use Sports Complex, and was a member of Wasilla Bible Church. He was an honorary member of the Wasilla Rotary Club, was the Wasilla Chamber of Commerce Citizen of the Year, and the Frontiersman Mat-Su Dentist of the year. He enjoyed fishing, hunting, flying, marathons, farming, coaching, politics, and well wishing.

His family wrote, ''Curt Menard was raised in L'Anse, Mich., born to June and Curtis Menard. At 15 years old he met the love of his life, Linda. Linda and Curt moved to Milwaukee, to pursue his life-long dream of becoming a dentist. In 1968 he graduated as class president from Marquette University School of Dentistry. He joined the United States Air Force and was stationed at Elmendorf Air Force Base in Anchorage. He worked exclusively with Vietnam soldiers in preparation for the war. During that time he learned to fly and there his love affair with planes commenced. He flew a 206, Supercub, Citabria and a PA 14. In 1972 he purchased one of the original homesteads in the Mat-Su Valley and built the first professional building and dental office in Wasilla. He especially loved his dental contract in the village of Togiak. Three years later Curt lost his dominant right arm in an electrical accident. With unsurpassed determination, Curt learned to practice dentistry with his left hand. Sen. Curt Menard's public service began as a school board member. Encouraged by his experience, he ran for office and became a state legislator. By this time, he had two thriving dental offices, Palmer and Wasilla Dental Center, 33 employees, five children, and was a respected community leader and politician. He had a love for farming and not only baled 55 acres of hay every summer, but enjoyed cows, chickens, turkeys, homing pigeons, pigs, horses, a cat and many dogs. In 2001, tragedy again struck the family. Curt's son, Dr. Curtis C. Menard II passed away in a plane crash.

''Curt was diagnosed in 2003 with multiple myeloma, an aggressive and painful cancer of the bone. In 2006, in true Curt fashion, he took on the task of running and being elected Mat-Su Borough Mayor. In 2007 he went through a stem cell transplant at the Seattle Cancer Care Alliance. In a selfless manner he put his community before himself and carried out his mayoral responsibilities until the very end. And if you met 'Doc' today, his hook would not be the first thing you would notice. You'd see the twinkle in his eye, feel his zest for life and compassion for his fellow man, share his love of his countryside and then, maybe, you'd notice the hook. But by then you'd be so hooked on the man, it wouldn't matter.''

Survivors are his wife Linda of Wasilla; sons and daughters-in-law, Robert and Gretchen Menard of Milwaukee, Steven Menard of Wasilla, Dr. Dirk and Alicia Menard of Fairbanks; daughter and son-in-law, McKenzy and Jared Boyd of Milwaukee; daughter-in-law, Dr. Carole Menard of Wasilla; grandchildren, Brock, Grant, Jack, Alexandra, Gabrielle, Tanner, Harrison, Sullivan, Jane, and Charles; father, Curtis C. Menard of L'Anse, Mich.,; brothers and sisters-in-law, Larry and Virgie Menard of L'Anse, Sgt. Maj. Ret. Ritchie and Maj. Ret. Joyce Menard of L'Anse, and Jim Menard of Nome; and sister, Nancy Menard of Germantown, Wis. He was preceded in death by his mother, June Menard; and son, Curtis C. Menard II.•

REMEMBERING JOHN HOPE FRANKLIN

• Mrs. BOXER. Mr. President, today I honor the life of a great American, John Hope Franklin, who died last week at the age of 94. Dr. Franklin was a witness, participant and documentarian of the struggle of African Americans for civil rights and the fight to have this country fulfill its promise to become a more perfect union for all of its citizens.

Dr. Franklin once said, ''I want to be out there on the firing line, helping, directing or doing something to try to make this a better world, a better place to live.'' In his life, Dr. Franklin did just that through his work with W. E. B. Du Bois, his efforts on Brown v Board of Education with Thurgood Marshall and by marching from Selma to Montgomery with Dr. Martin Luther King, Jr. How wonderful that this great fighter for civil rights was able to witness the election of Barack Obama as President of the United States.

As a historian and a teacher, Dr. Franklin enriched this Nation by educating us all about race issues. He began his teaching career in 1936 at Fisk and continued teaching over the next six decades, at schools such as Howard University, the University of Chicago, Cambridge University in England, Harvard, Cornell, the University of California Berkeley, Duke, and other institutions. He had a passion for teaching, and I was fortunate enough to sit in on Dr. Franklin's classes at Brooklyn College in the 1960s. Having him there was like having a real star in our midst, and students who were lucky enough to get into his class bragged about him from morning until night.

Dr. Franklin was the author of nearly 20 books, beginning with ''The Free

Negro in North Carolina, 1790–1860,'' which explored slaveholders' hatred and fear of the quarter-million free blacks in the antebellum South. His 1947 ''From Slavery to Freedom: A History of African-Americans,'' remains a classic and one of the most definitive explorations of the American Black experience. Dr. Franklin once said, ''One might argue that the historian is the conscience of the nation, if honesty and consistency are factors that nurture the conscience.'' While many of these studies may have been of the past, they inevitably shed light on the struggles we continue to face as a nation.

Dr. Franklin led a life of firsts, and President Clinton awarded him the Medal of Freedom, the Nation's highest civilian honor, in 1995 for his life's work. Today, I honor his life and ask that all Americans join me in remembering this truly great visionary who never stopped working for change.●

CELEBRATING 100 YEARS OF HIGHER EDUCATION IN ARKANSAS

● Mrs. LINCOLN. Mr. President, tomorrow, April 1, 2009, four Arkansas universities—Arkansas State University in Jonesboro, Arkansas Tech University in Russellville, Southern Arkansas University in Magnolia, and the University of Arkansas at Monticello—will celebrate 100 years of commitment to higher education. On their centennial anniversary, I want to recognize the enormous contributions these institutions have made to Arkansas and our Nation.

In 1909, during the 37th session of the Arkansas General Assembly, Representative J.J. Bellamy of Lawrence County introduced Act 100, a bill to create four agricultural schools in Arkansas, one for each quadrant. The locations of the schools were to be chosen based upon ''the nature of the soil, healthfulness of location, general desirability, and other material inducements offered, such as the donation of buildings, land or money.'' The legislation was signed on April 1, 1909, by Governor George Donaghey.

The four agriculture schools were to teach agriculture, horticulture, and textile making. Although they were secondary schools in their early days, these schools added additional curriculum to better serve their communities and soon were offering junior college classes. In 1925, the state legislature changed the names of the schools to better reflect their new role and the unique status of each school.

The former First District Agricultural School is known today as Arkansas State University. A farm just east of Jonesboro was selected as the location for the school. With enrollment down due to World War I, the school obtained a Student Army Training Corps—SATC—on its campus. Since only junior colleges could participate in the SATC program, the school added faculty and improved its curriculum. It soon became known as the First District Agriculture and Mechanical College; the school received accreditation as a 2-year junior college and conditional status as a 4-year institution in 1925.

In 1931, the A&M College awarded its first baccalaureate degree, and in 1933, the legislature once again changed the name to Arkansas State College—ASC. In fact, Arkansas's first female U.S. Senator, Hattie Caraway, was awarded the school's first honorary doctorate in recognition of her support. The university continued to grow over the decades, and on January 17, 1967, Arkansas Governor Winthrop Rockefeller signed legislation that gave the school its present-day name, Arkansas State University—ASU.

Today, the ASU system serves approximately 18,900 students and includes campuses at Beebe, Mountain Home, and Newport. It also includes degree centers in Heber Springs and Searcy as part of ASU-Beebe; a technical center in Marked Tree; and instructional sites in Paragould and at Little Rock Air Force Base.

On the occasion of the centennial, ASU Chancellor, Robert L. Potts, offered the following thoughts:

> From our origins as an agricultural school serving the First District, we have matured into a comprehensive university offering 42 degrees through the doctoral level in 170 fields of study and ten colleges. Since 1909, we have prepared our students to meet the challenges of their lives by Powering Minds—providing a university experience that educates, enhances, and enriches. We look forward to this Centennial Celebration as a time to focus on our heritage and build upon our successes.

The former Second District Agricultural School is presently called Arkansas Tech University. The location of Russellville was chosen because the town agreed to pledge a minimum of $40,000 and a site of not less than 200 acres. In addition, it offered free electricity and water for three years. In 1925, the state legislature changed the school's name to Arkansas Polytechnic College to accurately reflect its move away from an agriculture curriculum to teacher training and the liberal fine arts.

The school was officially accredited as a junior college in 1929 and remained a 2-year college until 1951. The school continued to grow and in 1976, it officially became Arkansas Tech University. It awarded its first graduate degrees 1 year later. Today, Arkansas Tech includes approximately 7,480 students at its Russellville and Ozark campuses.

After 100 years, Arkansas Tech Chancellor, Robert C. Brown, noted:

> For the last one hundred years, Arkansas Tech University has educated students and prepared them for a successful future. Today, we are uniquely positioned to continue preparing our students for what lies ahead. Because of our commitment to educational excellence and our emphasis on teaching and learning, we are producing what the state and region need the most—college students ready to shape the future for the next one hundred years.

The Third District Agricultural School is now known as Southern Arkansas University. Local farmers in Columbia County ensured that Magnolia was chosen as the site for the school. It became officially known as Magnolia A&M in 1925 and was fully accredited in 1929 with an emphasis on agriculture and home economics.

In 1950, it became a 4-year institution and was renamed Southern State College—SSC—the following year. For 25 years, the school's enrollment and size increased, and in 1976 it was approved for university status. Renamed Southern Arkansas University, it is now a multicampus system with more than 5,000 students and locations in El Dorado and Camden.

For the 100-year celebration, Southern Arkansas University Chancellor F. David Rankin had this to say:

> As the former Third District Agricultural School, Magnolia A&M, and Southern State College, Southern Arkansas University has served its region with a Tradition of Success since 1909. Although our name has changed, our commitment to higher education has not. SAU has roots that run deep in agriculture, but it has grown into a regional, comprehensive, four-year institution with a broad curriculum and a quickly expanding graduate school. As we begin our second century of service, we invite you to be a part of history as we pay tribute to our own.

The final school created by Act 100 was the Fourth District Agricultural School. Monticello was chosen as the site thanks to the donation of land by the William Turner Wells estate. A former plantation, it included 900 fruit trees, a house, and a pond. In 1923, junior college classes were added. It formally changed its name, as the other schools did, in 1925 and became known as the Fourth District Agricultural and Mechanical College. By 1928, it was fully accredited and became a 4-year institution in 1933.

In 1935, the school began unofficially calling itself Arkansas Agricultural & Mechanical College. It remained Arkansas A&M until 1971 when Governor Dale Bumpers signed legislation merging the school with the University of Arkansas. On July 19, 1971, the University of Arkansas at Monticello—UAM was established. Although it is the smallest school in the University of Arkansas system at nearly 3,000 students, the Monticello campus owns the most land of any UA school with 1,036 acres devoted to forestry research and instruction and 300 acres for agricultural teaching and research. In 2003, UAM added campuses and now includes the College of Technology at McGehee and the College of Technology at Crossett.

University of Arkansas at Monticello Chancellor, H. Jack Lassiter, said the following for the centennial celebration:

> As we approach our 100th Anniversary, we are constantly reminded that we have always represented opportunity to generations of people seeking a higher education and a better life. That message resonates as clearly today as it did in 1909. Many of our students are the first in their families to attend college. Others are non-traditional students

who have decided to take advantage of the opportunity to change careers or complete a dream that began years ago. The university is constantly exploring and developing new opportunities to help students open doors to a better life. UAM is truly celebrating a century of opportunity.

Mr. President, what wonderful gifts to the people of Arkansas that our legislators bestowed upon us a century ago. As each university celebrates this year, I want to add my voice to the chorus of Arkansans who celebrate this milestone. We have so much of which to be proud. As we move forward in the 21st century, I know that these four institutions will continue to stand ready to prepare our citizens to compete in the global marketplace for the next century.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, 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 and a withdrawal 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 12:38 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 20. An act to provide for research on, and services for individuals with, postpartum depression and psychosis.

H.R. 479. An act to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

H.R. 756. An act to amend the Public Health Service Act with respect to pain care.

H.R. 1171. An act to amend title 38, United States Code, to reauthorize the Homeless Veterans Reintegration Program for fiscal years 2010 through 2014, and for other purposes.

H.R. 1246. An act to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

H.R. 1377. An act to amend title 38, United States Code, to expand veteran eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility, and for other purposes.

H.R. 1513. An act to increase, effective as of December 1, 2009, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

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

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 60. Concurrent resolution supporting the observance of Colorectal Cancer Awareness Month, and for other purposes.

The message further announced that, pursuant to section 1101 of Public Law 111–5, and the order of the House of January 6, 2009, the Speaker appoints the following member on the part of the House of Representatives to the HIT Policy Committee for a term of 3 years: Mr. Paul Egerman of Weston, Massachusetts.

The message also announced that, pursuant to 46 U.S.C. 51312(b), and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the Board of Visitors to the United States Merchant Marine Academy: Mrs. MCCARTHY of New York; and Mr. KING of New York.

At 3:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the amendments of the Senate to the bill (H.R.1388) entitled ''An Act to reauthorize and reform the national service laws''.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 20. An act to provide for research on, and services for individuals with, postpartum depression and psychosis; to the Committee on Health, Education, Labor, and Pensions.

H.R. 479. An act to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children; to the Committee on Health, Education, Labor, and Pensions.

H.R. 756. An act to amend the Public Health Service Act with respect to pain care; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1171. An act to amend title 38, United States Code, to reauthorize the Homeless Veterans Reintegration Program for fiscal years 2010 through 2014, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1246. An act to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1377. An act to amend title 38, United States Code, to expand veteran eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1513. An act to increase, effective as of December 1, 2009, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1777. An act to make technical corrections to the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 60. Concurrent resolution supporting the observance of Colorectal Cancer Awareness Month, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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–1146. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Quinoxyfen; Pesticide Tolerances'' (FRL–8405–2) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1147. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Prothioconazole; Pesticide Tolerance'' (FRL–8403–9) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1148. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus subtilis MBI 600; Exemption from the Requirement of a Tolerance'' (FRL–8408–7) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1149. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Electronic Filing of Disclosure Documents'' (RIN3038–AC67) received in the Office of the President of the Senate on March 28, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1150. 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 a transaction involving exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–1151. 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 a transaction involving exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–1152. 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 a transaction involving exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–1153. A communication from the Acting Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Digital-to-Analog Converter Box Program to Implement the DTV Delay Act'' (RIN0660–AA19) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1154. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting,

pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque/Bernalillo County'' (FRL–8788–8) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Environment and Public Works.

EC–1155. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Revisions to the Nevada State Implementation Plan; Updated Statutory and Regulatory Provisions; Rescissions'' (FRL–8767–5) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Environment and Public Works.

EC–1156. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Variance Determination for Particulate Matter from a Specific Source in the State of New Jersey'' (FRL–8775–6) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Environment and Public Works.

EC–1157. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Captan, 2,4–D, Dodine, DCPA, Endothall, Fomesafen, Propyzamide, Ethofumesate, Permethrin, Dimethipin, and Fenarimol; Technical Amendment'' (FRL–8407–2) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Environment and Public Works.

EC–1158. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oil Pollution Prevention; Non-Transportation Related Onshore Facilities; Spill Prevention, Control, and Countermeasure Rule—Final Amendments'' (RIN2050–AG16) received in the Office of the President of the Senate on March 27, 2009; to the Committee on Environment and Public Works.

EC–1159. A communication from the Attorney of the Office of Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Battery Chargers and External Power Supplies (Standby Mode and Off Mode)'' (RIN1904–AB75) received in the Office of the President of the Senate on March 26, 2009; to the Committee on Energy and Natural Resources.

EC–1160. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Audit Technique Guide for Sections 48A and 48B; Advanced Coal and Gasification Project Credits'' (LMSB–4–0209–005) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Finance.

EC–1161. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement and Report Concerning Advance Pricing Agreements'' (Announcement 2009–28) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Finance.

EC–1162. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Election and Notice Procedures for Multiemployer Plans under Sections 204 and 205 of WRERA'' (Notice 2009–31) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Finance.

EC–1163. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2009 Calendar Year Resident Population Estimates'' (Notice 2009–21) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Finance.

EC–1164. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to current military, diplomatic, political, and economic measures that are being or have been undertaken to complete our mission in Iraq successfully; to the Committee on Foreign Relations.

EC–1165. A communication from the Assistant General Counsel for Regulations, Office of Safe and Drug Free Schools, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Readiness and Emergency Management for Schools'', received in the Office of the President of the Senate on March 28, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–1166. A communication from the Acting Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration, Department of Defense, and National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–32'' (RIN9000–AL22) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1167. A communication from the Register of Copyrights, Library of Congress, transmitting, pursuant to law, a report entitled ''Analysis and Proposed Copyright Fee Adjustments to Go into Effect on or about August 1, 2009''; to the Committee on the Judiciary.

EC–1168. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–1169. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–1170. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–1171. A communication from the Director of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Posttraumatic Stress Disorder'' (RIN2900–AN04) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Special Report entitled ''Report on the Activities of the Committee on the Judiciary of the United States Senate During the 110th Congress, Pursuant to Rule XXVI of the Standing Rules of the United States Senate'' (Rept. No. 111-11).

By Mr. KERRY, from the Committee on Foreign Relations:

Special Report entitled ''Legislative Activities Report'' (Rept. No. 111-12).

By Mr. BAUCUS, from the Committee on Finance:

Special Report entitled ''Report on the Activities of the Committee on Finance of the United States Senate During the 110th Congress, Pursuant to Rule XXVI of the Standing Rules of the United States Senate'' (Rept. No. 111-13).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 9. A resolution commemorating 90 years of U.S.-Polish diplomatic relations, during which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world.

S. Res. 20. A resolution celebrating the 60th anniversary of the North Atlantic Treaty Organization.

S. Res. 56. A resolution urging the Government of Moldova to ensure a fair and democratic election process for the parliamentary elections on April 5, 2009.

S. Res. 90. A resolution expressing the sense of the Senate regarding the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago, April 17, 18, and 19, 2009.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

Thomas L. Strickland, of Colorado, to be Assistant Secretary for Fish and Wildlife.

By Mr. KERRY for the Committee on Foreign Relations.

*Timothy F. Geithner, of New York, to be United States Governor of the International Monetary Fund for a term of five years; United States Governor of the International Bank for Reconstruction and Development for a term of five years; United States Governor of the Inter-American Development Bank for a term of five years; United States Governor of the African Development Bank for a term of five years; United States Governor of the Asian Development Bank; United States Governor of the African Development Fund; United States Governor of the European Bank for Reconstruction and Development.

*Richard Rahul Verma, of Maryland, to be an Assistant Secretary of State (Legislative Affairs).

*Esther Brimmer, of the District of Columbia, to be an Assistant Secretary of State (International Organization Affairs).

*Philip H. Gordon, of the District of Columbia, to be an Assistant Secretary of State (European and Eurasian Affairs).

*Rose Eilene Gottemoeller, of Virginia, to be an Assistant Secretary of State (Verification and Compliance).

*Karl Winfrid Eikenberry, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Afghanistan.

Nominee: Karl Winfrid Eikenberry.

(The following is a list of all members of my immediate family and their spouses. I

have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Karl W. Eikenberry, None.

2. Ching Y. Eikenberry, None.

3. Children and Spouses: Jennifer Yu (Daughter), None; Lawrence D. G. Tang, None; Kelly Yu (Daughter), None; Will Fikry, None.

4. Parents: Harry Eikenberry, Deceased; Mary Eikenberry, None.

5. Grandparents: William Eikenberry, Deceased; Frieda Eikenberry, Deceased; Edward L. Aul, Deceased; Esther P. Aul, Deceased.

6. Brothers and Spouses: N/A, None.

7. Sisters and Spouses: Karen Glaubiger, None; George Glaubiger, $250, 30 Jan. 08, Elizabeth Dole Committee Inc.; $500, 21 Oct. 08, Elizabeth Dole Committee Inc.

*Christopher R. Hill, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq.

Nominee: Christopher R. Hill.

Post: Ambassador, Republic of Iraq.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Self: N/A.

Spouse: Patricia Whitelaw-Hill: $50, 2008 Obama Presidential Campaign.

Children and Spouses: Nathaniel Hill: N/A; Amelia Hill: N/A; Clara Hill: $25, 2008 Obama Presidential Campaign.

Parents: Deceased.

Grandparents: Deceased.

Brothers and Spouses: Jonathan Hill: N/A; Nicholas Hill: N/A.

Sisters and Spouses: Elizabeth Hill: N/A; Prudence Hill: N/A.

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*Melanne Verveer, of the District of Columbia, to be Ambassador at Large for Women's Global Issues.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: Melanne Verveer

Post: Ambassador-at-large.

Contributions, amount, date, and donee:

1. Self: see addendum.

2. Spouse: see addendum.

3. Children and Spouses: see addendum.

4. Parents: Walter and Mary Starinshak—(deceased)

5. Grandparents: Melanne & Steven Nederoski—(deceased).

6. Brothers and Spouses: Tom Starinshak—(no contributions).

7. Sisters and Spouses: N/A.

1. Self: September 30, 2008—$1000—Barack Obama; October 13, 2008—800—Barack Obama; July 31, 2008—$1000—Barack Obama; January 29, 2007—$4600—Hillary Clinton; March 2, 2005—$1020—Hillary Clinton; June 17, 2005—$1000—Hillary Clinton; September 19, 2005—$950—Hillary Clinton; September 30, 2006—$250—Judith Feder; September 25, 2007—$250—Judith Feder; October 23, 2008—$250—Judith Feder; June 23, 2006—$250—Donna Edwards; August 10, 2006—$250—Donna Edwards.

2. Spouse—Philip Verveer: July 31, 2008—$2300—Barack Obama; September 19, 2008—$500—Barack Obama; January 24, 2007—$4600—Hillary Clinton; March 2, 2005—$950—Hillary Clinton; September 27, 2005—$2000—Bob Casey; May 24, 2006—$1000—Russ Feingold; August 8, 2008—$1000—Russ Feingold; June 15, 2005—$250—Bill Nelson; September 30, 2005—$250—Bill Nelson; February 16, 2006—$1000—Bill Nelson; October 12, 2006—$500—Ben Cardin; September 25, 2007—$1000—Al Frankin; September 21, 2008—$500—Al Frankin; March 11, 2008—$500—Al Frankin; June 11, 2008—$250—Al Frankin; May 8, 2008—$500—Mark Warner; May 30, 2008—$1000—Leonard Boswell; October 15, 2008—$250—Jeanne Shaheen; November 8, 2007—$500—Jeanne Shaheen; March 14, 2005—$500—Maria Cantwell; February 16, 2005—$1000—Doris Matsui; July 22, 2008—$500—Doris Matsui; October 27, 2005—$1000—Jamie Wall; July 11, 2006—$250—Jamie Wall; March 29, 2006—$250—Jamie Wall; December 26, 2007—$1000—Tom Udall; May 30, 2008—$500—Tom Udall; September 17, 2007—$250—Tom Udall; June 16, 2008—$500—Mark Udall; September 27, 2007—$1000—Mark Udall; October 11, 2006—$250—Jon Tester; September 28, 2006—$500—Jon Tester; May 28, 2007—$250—Chris Carney; October 19, 2006—$250—Chris Carney; October 13, 2008—$250—Kay Hagan; October 29, 2008—$250—James Martin; October 11, 2006—$250—Harold Ford; October 11, 2006—$250—Claire McCaskill; October 11, 2006—$250—James Webb; October 11, 2006—$250—Sheldon Whitehouse; October 11, 2006—$250—Tammy Duckworth; September 19, 2006—$1000—John Dingell; February 15, 2005—$500—John Dingell; September 5, 2006—$1000—Sherrod Brown; December 6, 2005—$250—Sherrod Brown; September 26, 2005—$1000—Ed Markey; April 20, 2005—$500—Ed Markey; June 13, 2008—$1000—Ed Markey; April 24, 2007—$500—Jay Rockefeller; October 10, 2007—$500—Frank Lautenberg; September 22, 2006—$500—DSCC July 11, 2007—$500—Chris Van Hollen; June 1, 2007—$250—Carl Levin; March 30, 2007—$2000—DNC Service Corp; March 1, 2006—$250—Patricia Madrid; September 26, 2007—$250—Joe Sestak; March 26, 2006—$250—Paul Aronsohn; October 6, 2005—$250—Paul Aronsohn; August 27, 2006—$250—Paul Aronsohn; March 11, 2006—$250—Lois Herr; June 30, 2007—$250—Victoria Wulsin; September 21, 2008—$250—Victoria Wulsin; November 9, 2006—$500—Progressive Fund; September 20, 2007—$250—Kirsten Gillibrand; October 13, 2008—$250—Jeff Merkley.

3. Child—Elaina Verveer: February 11, 2008—$500—Hillary Clinton; March 15, 2008—20.08—Hillary Clinton; March 30, 2008—$25—Hillary Clinton; April 10, 2008—$50—Hillary Clinton; April 20, 2008—$25—Hillary Clinton; April 22, 2008—$100—Hillary Clinton; May 1, 2008—$250—Hillary Clinton; May 6, 2008—$25—Hillary Clinton; May 21, 2008—$25—Hillary Clinton; August 27, 2008—$50—Hillary Clinton;

Child—Alexandra Verveer: June 21, 2007—$1000—Hillary Clinton; September 29, 2007—$1300—Hillary Clinton; October 21, 2007—$500—Frank Lautenberg; October 30, 2006—$500—DCCC; June 29, 2008—$500—Ed Markey.

Son-in-law—Dominic Bianchi: September 5, 2008—$2300—Barack Obama; November 1, 2008—$300—Obama Victory Fund; March 20, 2007—$1000—Hillary Clinton; December 9, 2007—$1300—Hillary Clinton.

Child—Michael Verveer: March 4, 2007—$54—Russ Feingold; November 27, 2007—$80—Hillary Clinton; September 11, 2007—$2300—Hillary Clinton.

Additional political contributions of Philip L. Verveer:

Kirsten Gillibrand: $200, 10/17/06.

Heath Shuler: $200, 10/16/06.

Act Blue: $100, 10/11/06.

Act Blue: $100, 10/11/06.

Act Blue: $100, 10/11/06.

Act Blue: $200, 10/11/06.

Act Blue: $110, 10/21/06.

Jack Evans: $100, 8/6/08.

Carol Schwartz: $100, 8/5/08.

Beau Biden: $250, 9/17/06.

Deval Patrick: $250, 10/24/06.

Diane Denish: $500, 12/23/07.

Bernard Parks: $500, 3/26/08.

Bernard Parks: $100, 10/28/08.

Russ Feingold: $1,000, 2/25/09.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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 Ms. SNOWE (for herself and Mr. NELSON of Florida):

S. 744. A bill to amend the Internal Revenue Code of 1986 to exclude from an employee's gross income any employer-provided supplemental instructional services assistance, and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 745. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Magna Water District water reuse and groundwater recharge project, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON of Nebraska (for himself and Mr. JOHANNS):

S. 746. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery in the Sarpy County region to serve veterans in eastern Nebraska, western Iowa, and northwest Missouri; to the Committee on Veterans' Affairs.

By Mr. NELSON of Nebraska (for himself and Mr. GRAHAM):

S. 747. A bill to amend title 37, United States Code, to authorize travel and transportation allowances for members of the reserve components of the Armed Forces on leave for suspension of training; to the Committee on Armed Services.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 748. A bill to redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the ''Cesar E. Chavez Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COCHRAN (for himself, Mr. DODD, Mr. ALEXANDER, Mr. AKAKA, Mr. BINGAMAN, Mrs. MURRAY, Mr. WICKER, and Mr. CARDIN):

S. 749. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself and Ms. COLLINS):

S. 750. A bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. SPECTER):

S. 751. A bill to establish a revenue source for fair elections financing of Senate campaigns by providing an excise tax on amounts paid pursuant to contracts with the United States Government; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. SPECTER):

S. 752. A bill to reform the financing of Senate elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. SCHUMER (for himself and Mr. FEINGOLD):

S. 753. A bill to prohibit the manufacture, sale, or distribution in commerce of children's food and beverage containers composed of bisphenol A, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROCKEFELLER (for himself, Mr. CORKER, and Mr. KENNEDY):

S. 754. A bill to provide for increased Federal oversight of methadone treatment; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 755. A bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 756. A bill to provide for prostate cancer imaging research and education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself, Mr. BENNET, and Mr. UDALL of New Mexico):

S. 757. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to expand the category of individuals eligible for compensation, to improve the procedures for providing compensation, and to improve transparency, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. BINGAMAN, Mr. KENNEDY, Mr. DURBIN, Ms. STABENOW, Mrs. BOXER, Mr. BEGICH, Mr. BURRIS, Mr. REID, Mr. SCHUMER, Mr. UDALL of New Mexico, and Mr. BENNET):

S. Res. 92. A resolution honoring the accomplishments and legacy of Cesar Estrada Chavez; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. Res. 93. A bill supporting the mission and goals of 2009 National Crime Victim's Rights Week, to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, and to commemorate the 25th anniversary of the enactment of the Victims of Crime Act of 1984; to the Committee on the Judiciary.

By Mr. AKAKA (for himself, Mr. DODD, Mr. CRAPO, Mr. KENNEDY, Mr. ENZI, Mrs. HAGAN, Mr. CORKER, Mr. LEVIN, Mr. WICKER, Mr. SCHUMER, Mr. INOUYE, Mr. MENENDEZ, Mr. DURBIN, Ms. STABENOW, Mr. JOHNSON, Mr. CARDIN, Mr. CARPER, Mrs. LINCOLN, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. COCHRAN, and Mr. BAUCUS):

S. Res. 94. A resolution designating April 2009 as ''Financial Literacy Month''; considered and agreed to.

By Mr. HARKIN (for himself and Mr. GRASSLEY):

S. Res. 95. A resolution congratulating the University of Iowa men's wrestling team for winning the 2009 National Collegiate Athletic Association Division I Wrestling Championship; considered and agreed to.

By Mr. HARKIN (for himself and Mr. GRASSLEY):

S. Res. 96. A resolution congratulating the Morningside College women's basketball team for winning the 2009 National Association of Intercollegiate Athletics (NAIA) Division II championship; considered and agreed to.

By Mr. PRYOR:

S. Con. Res. 15. A concurrent resolution commending the 39th Infantry Brigade Combat Team of the Arkansas National Guard upon its completion of a second deployment in support of Operation Iraqi Freedom; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 245

At the request of Mr. KOHL, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 245, a bill to expand, train, and support all sectors of the health care workforce to care for the growing population of older individuals in the United States.

S. 372

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 372, a bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

S. 405

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 435

At the request of Mr. CASEY, the names of the Senator from North Carolina (Mr. BURR) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 435, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

S. 456

At the request of Mr. DODD, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 456, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes.

S. 468

At the request of Ms. STABENOW, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 468, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 491

At the request of Mr. WEBB, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 496

At the request of Ms. CANTWELL, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 496, a bill to provide duty-free treatment for certain goods from designated Reconstruction Opportunity Zones in Afghanistan and Pakistan, and for other purposes.

S. 511

At the request of Mr. BROWNBACK, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 511, a bill to amend part B of title XVIII of the Social Security Act to provide for an exemption of pharmacies and pharmacists from certain Medicare accreditation requirements in the same manner as such exemption applies to certain professionals.

S. 540

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 540, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to liability under State and local requirements respecting devices.

S. 543

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 543, a bill to require a pilot program on training, certification, and support for family caregivers of seriously disabled veterans and members of the Armed Forces to provide caregiver services to

such veterans and members, and for other purposes.

S. 574

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. BURRIS) was withdrawn as a cosponsor of S. 574, a bill to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

At the request of Mr. AKAKA, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 574, supra.

S. 599

At the request of Mr. CARPER, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 599, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any certain diseases is the result of the performance of such employee's duty.

S. 602

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 602, a bill to direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national voluntary consensus standards and any barriers to achieving compliance with such standards, and for other purposes.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 635

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 635, a bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System.

S. 639

At the request of Mr. INHOFE, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 639, a bill to amend the definition of commercial motor vehicle in section 31101 of title 49, United States Code, to exclude certain farm vehicles, and for other purposes.

S. 677

At the request of Mr. ENSIGN, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 677, a bill to amend title XVIII of the Social Security Act to require wealthy beneficiaries to pay a greater share of their premiums under the Medicare prescription drug program.

S. 683

At the request of Mr. HARKIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 683, a bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes.

S. 700

At the request of Mr. BINGAMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 701

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 701, a bill to amend title XVIII of the Social Security Act to improve access of Medicare beneficiaries to intravenous immune globulins (IVIG).

S. 705

At the request of Mr. KERRY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 705, a bill to reauthorize the programs of the Overseas Private Investment Corporation, and for other purposes.

S. 717

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 717, a bill to modernize cancer research, increase access to preventative cancer services, provide cancer treatment and survivorship initiatives, and for other purposes.

S. 723

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 723, a bill to prohibit the introduction or delivery for introduction into interstate commerce of novelty lighters, and for other purposes.

S. 729

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. CON. RES. 11

At the request of Ms. COLLINS, the names of the Senator from Colorado (Mr. BENNET), the Senator from Alaska (Mr. BEGICH), the Senator from Nevada (Mr. REID), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Hawaii (Mr. INOUYE) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. Con. Res. 11, a concurrent resolution condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, and for other purposes.

S. RES. 9

At the request of Mr. LUGAR, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. Res. 9, a resolution commemorating 90 years of U.S.-Polish diplomatic relations, during which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world.

S. RES. 20

At the request of Mr. VOINOVICH, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. Res. 20, a resolution celebrating the 60th anniversary of the North Atlantic Treaty Organization.

At the request of Mr. LUGAR, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. Res. 20, supra.

S. RES. 56

At the request of Mr. LUGAR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 56, a resolution urging the Government of Moldova to ensure a fair and democratic election process for the parliamentary elections on April 5, 2009.

AMENDMENT NO. 730

At the request of Mr. REID, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 730 intended to be proposed to S. Con. Res. 13, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

AMENDMENT NO. 732

At the request of Mr. KERRY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Ohio (Mr. VOINOVICH), the Senator from Illinois (Mr. DURBIN), the Senator from

Delaware (Mr. KAUFMAN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Connecticut (Mr. DODD), the Senator from California (Mrs. FEINSTEIN), the Senator from Ohio (Mr. BROWN), the Senator from Vermont (Mr. SANDERS), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of amendment No. 732 intended to be proposed to S. Con. Res. 13, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

AMENDMENT NO. 733

At the request of Mr. CRAPO, the names of the Senator from Texas (Mr. CORNYN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wyoming (Mr. BARRASSO), the Senator from Utah (Mr. BENNETT), the Senator from Utah (Mr. HATCH), the Senator from Wyoming (Mr. ENZI) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 733 intended to be proposed to S. Con. Res. 13, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

AMENDMENT NO. 734

At the request of Mr. CRAPO, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 734 intended to be proposed to S. Con. Res. 13, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

AMENDMENT NO. 735

At the request of Mr. JOHANNS, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Wyoming (Mr. ENZI) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of amendment No. 735 proposed to S. Con. Res. 13, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS ON MARCH 30, 2009

Mr. SPECTER. Mr. President, I ask unanimous consent that the text of S. 740 and S. 741 be printed in the RECORD.

There being no objection, the text of the bills were ordered to be placed in the RECORD, as follows:

S. 740

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

SECTION 1. EXPANSION OF THE HOMEBUYER TAX CREDIT.

(a) ELIMINATION OF FIRST-TIME HOMEBUYER REQUIREMENT.—

(1) IN GENERAL.—Subsection (a) of section 36 of the Internal Revenue Code of 1986 is amended by striking ''who is a first-time homebuyer of a principal residence'' and inserting ''who purchases a principal residence''.

(2) CONFORMING AMENDMENTS.—

(A) Subsection (c) of section 36 of the Internal Revenue Code of 1986 is amended by striking paragraph (1) and by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively.

(B) Section 36 of such Code is amended by striking ''first-time homebuyer credit'' in the heading and inserting ''home purchase credit''.

(C) The table of sections for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 36 and inserting the following new item:

''Sec. 36. Home purchase credit.''.

(D) Subparagraph (W) of section 26(b)(2) of such Code is amended by striking ''homebuyer credit'' and inserting ''home purchase credit''.

(b) MODIFICATION OF CREDIT AMOUNT.—Paragraph (1) of section 36(b) of the Internal Revenue Code of 1986, as amended by the American Recovery and Reinvestment Tax Act of 2009, is amended—

(1) by striking ''$8,000'' each place it appears and inserting ''$15,000'', and

(2) by striking ''$4,000'' in subparagraph (B) and inserting ''$7,500''.

(c) ELIMINATION OF INCOME LIMITATION.—Subsection (b) of section 36 of the Internal Revenue Code of 1986, as amended by this section, is amended—

(1) by striking paragraph (2),

(2) by striking ''LIMITATIONS'' in the heading and inserting ''DOLLAR LIMITATION'',

(3) by redesignating subparagraphs (A), (B), and (C) of paragraph (1) as paragraphs (1), (2), and (3), respectively, and

(4) by striking ''(1) DOLLAR LIMITATION.—''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to residences purchased after the date of the enactment of this Act.

S. 741

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; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Flat Tax Act of 2009''.

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

Sec. 1. Short title; table of contents; amendment of 1986 Code.
Sec. 2. Flat tax on individual taxable earned income and business taxable income.
Sec. 3. Repeal of estate and gift taxes.
Sec. 4. Additional repeals.
Sec. 5. Effective dates.

(c) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. FLAT TAX ON INDIVIDUAL TAXABLE EARNED INCOME AND BUSINESS TAXABLE INCOME.

(a) IN GENERAL.—Subchapter A of chapter 1 of subtitle A is amended to read as follows:

''Subchapter A—Determination of Tax Liability

''PART I. TAX ON INDIVIDUALS.
''PART II. TAX ON BUSINESS ACTIVITIES.

''PART I—TAX ON INDIVIDUALS

''Sec. 1. Tax imposed.
''Sec. 2. Standard deduction.
''Sec. 3. Deduction for cash charitable contributions.
''Sec. 4. Deduction for home acquisition indebtedness.
''Sec. 5. Definitions and special rules.
''Sec. 6. Dependent defined.
''Sec. 7. Inflation adjustment.

''SEC. 1. TAX IMPOSED.

''(a) IMPOSITION OF TAX.—There is hereby imposed on every individual a tax equal to 20 percent of the taxable earned income of such individual.

''(b) TAXABLE EARNED INCOME.—For purposes of this section, the term 'taxable earned income' means the excess (if any) of—

''(1) the earned income received or accrued during the taxable year, over

''(2) the sum of—

''(A) the standard deduction,

''(B) the deduction for cash charitable contributions, and

''(C) the deduction for home acquisition indebtedness, for such taxable year.

''(c) EARNED INCOME.—For purposes of this section—

''(1) IN GENERAL.—The term 'earned income' means wages, salaries, or professional fees, and other amounts received from sources within the United States as compensation for personal services actually rendered, but does not include that part of compensation derived by the taxpayer for personal services rendered by the taxpayer to a corporation which represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually rendered.

''(2) TAXPAYER ENGAGED IN TRADE OR BUSINESS.—In the case of a taxpayer engaged in a trade or business in which both personal services and capital are material income-producing factors, under regulations prescribed by the Secretary, a reasonable allowance as compensation for the personal services rendered by the taxpayer, not in excess of 30 percent of the taxpayer's share of the net profits of such trade or business, shall be considered as earned income.

''SEC. 2. STANDARD DEDUCTION.

''(a) IN GENERAL.—For purposes of this subtitle, the term 'standard deduction' means the sum of—

''(1) the basic standard deduction, plus

''(2) the additional standard deduction.

''(b) BASIC STANDARD DEDUCTION.—For purposes of subsection (a), the basic standard deduction is—

''(1) 200 percent of the dollar amount in effect under paragraph (3) of the taxable year in the case of—

''(A) a joint return, or

''(B) a surviving spouse (as defined in section 5(a)),

''(2) $18,750 in the case of a head of household (as defined in section 5(b)), or

''(3) $12,500 in any other case.

''(c) ADDITIONAL STANDARD DEDUCTION.—For purposes of subsection (a), the additional standard deduction is $6,250 for each dependent (as defined in section 6)—

''(1) whose earned income for the calendar year in which the taxable year of the taxpayer begins is less than the basic standard deduction specified in subsection (b)(3), or

''(2) who is a child of the taxpayer and who—

''(A) has not attained the age of 19 at the close of the calendar year in which the taxable year of the taxpayer begins, or

''(B) is a student who has not attained the age of 24 at the close of such calendar year.

''SEC. 3. DEDUCTION FOR CASH CHARITABLE CONTRIBUTIONS.

''(a) GENERAL RULE.—For purposes of this part, there shall be allowed as a deduction any charitable contribution (as defined in subsection (b)) not to exceed $3,125 (50 percent of such amount in the case of a married individual filing a separate return), payment of which is made within the taxable year.

''(b) CHARITABLE CONTRIBUTION DEFINED.—For purposes of this section, the term 'charitable contribution' means a contribution or gift of cash or its equivalent to or for the use of the following:

''(1) A State, a possession of the United States, or any political subdivision of any of the foregoing, or the United States or the District of Columbia, but only if the contribution or gift is made for exclusively public purposes.

''(2) A corporation, trust, or community chest, fund, or foundation—

''(A) created or organized in the United States or in any possession thereof, or under the law of the United States, any State, the District of Columbia, or any possession of the United States,

''(B) organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals,

''(C) no part of the net earnings of which inures to the benefit of any private shareholder or individual, and

''(D) which is not disqualified for tax exemption under section 501(c)(3) by reason of attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

A contribution or gift by a corporation to a trust, chest, fund, or foundation shall be deductible by reason of this paragraph only if it is to be used within the United States or any of its possessions exclusively for purposes specified in subparagraph (B). Rules similar to the rules of section 501(j) shall apply for purposes of this paragraph.

''(3) A post or organization of war veterans, or an auxiliary unit or society of, or trust or foundation for, any such post or organization—

''(A) organized in the United States or any of its possessions, and

''(B) no part of the net earnings of which inures to the benefit of any private shareholder or individual.

''(4) In the case of a contribution or gift by an individual, a domestic fraternal society, order, or association, operating under the lodge system, but only if such contribution or gift is to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals.

''(5) A cemetery company owned and operated exclusively for the benefit of its members, or any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, if such company or corporation is not operated for profit and no part of the net earnings of such company or corporation inures to the benefit of any private shareholder or individual.

For purposes of this section, the term 'charitable contribution' also means an amount treated under subsection (d) as paid for the use of an organization described in paragraph (2), (3), or (4).

''(c) DISALLOWANCE OF DEDUCTION IN CERTAIN CASES AND SPECIAL RULES.—

''(1) SUBSTANTIATION REQUIREMENT FOR CERTAIN CONTRIBUTIONS.—

''(A) GENERAL RULE.—No deduction shall be allowed under subsection (a) for any contribution of $250 or more unless the taxpayer substantiates the contribution by a contemporaneous written acknowledgment of the contribution by the donee organization that meets the requirements of subparagraph (B).

''(B) CONTENT OF ACKNOWLEDGMENT.—An acknowledgment meets the requirements of this subparagraph if it includes the following information:

''(i) The amount of cash contributed.

''(ii) Whether the donee organization provided any goods or services in consideration, in whole or in part, for any contribution described in clause (i).

''(iii) A description and good faith estimate of the value of any goods or services referred to in clause (ii) or, if such goods or services consist solely of intangible religious benefits, a statement to that effect.

For purposes of this subparagraph, the term 'intangible religious benefit' means any intangible religious benefit which is provided by an organization organized exclusively for religious purposes and which generally is not sold in a commercial transaction outside the donative context.

''(C) CONTEMPORANEOUS.—For purposes of subparagraph (A), an acknowledgment shall be considered to be contemporaneous if the taxpayer obtains the acknowledgment on or before the earlier of—

''(i) the date on which the taxpayer files a return for the taxable year in which the contribution was made, or

''(ii) the due date (including extensions) for filing such return.

''(D) SUBSTANTIATION NOT REQUIRED FOR CONTRIBUTIONS REPORTED BY THE DONEE ORGANIZATION.—Subparagraph (A) shall not apply to a contribution if the donee organization files a return, on such form and in accordance with such regulations as the Secretary may prescribe, which includes the information described in subparagraph (B) with respect to the contribution.

''(E) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this paragraph, including regulations that may provide that some or all of the requirements of this paragraph do not apply in appropriate cases.

''(2) DENIAL OF DEDUCTION WHERE CONTRIBUTION FOR LOBBYING ACTIVITIES.—No deduction shall be allowed under this section for a contribution to an organization which conducts activities to which section 11(d)(2)(C)(i) applies on matters of direct financial interest to the donor's trade or business, if a principal purpose of the contribution was to avoid Federal income tax by securing a deduction for such activities under this section which would be disallowed by reason of section 11(d)(2)(C) if the donor had conducted such activities directly. No deduction shall be allowed under section 11(d) for any amount for which a deduction is disallowed under the preceding sentence.

''(d) AMOUNTS PAID TO MAINTAIN CERTAIN STUDENTS AS MEMBERS OF TAXPAYER'S HOUSEHOLD.—

''(1) IN GENERAL.—Subject to the limitations provided by paragraph (2), amounts paid by the taxpayer to maintain an individual (other than a dependent, as defined in section 6, or a relative of the taxpayer) as a member of such taxpayer's household during the period that such individual is—

''(A) a member of the taxpayer's household under a written agreement between the taxpayer and an organization described in paragraph (2), (3), or (4) of subsection (b) to implement a program of the organization to provide educational opportunities for pupils or students in private homes, and

''(B) a full-time pupil or student in the twelfth or any lower grade at an educational organization located in the United States which normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on, shall be treated as amounts paid for the use of the organization.

''(2) LIMITATIONS.—

''(A) AMOUNT.—Paragraph (1) shall apply to amounts paid within the taxable year only to the extent that such amounts do not exceed $50 multiplied by the number of full calendar months during the taxable year which fall within the period described in paragraph (1). For purposes of the preceding sentence, if 15 or more days of a calendar month fall within such period such month shall be considered as a full calendar month.

''(B) COMPENSATION OR REIMBURSEMENT.—Paragraph (1) shall not apply to any amount paid by the taxpayer within the taxable year if the taxpayer receives any money or other property as compensation or reimbursement for maintaining the individual in the taxpayer's household during the period described in paragraph (1).

''(3) RELATIVE DEFINED.—For purposes of paragraph (1), the term 'relative of the taxpayer' means an individual who, with respect to the taxpayer, bears any of the relationships described in subparagraphs (A) through (G) of section 6(d)(2).

''(4) NO OTHER AMOUNT ALLOWED AS DEDUCTION.—No deduction shall be allowed under subsection (a) for any amount paid by a taxpayer to maintain an individual as a member of the taxpayer's household under a program described in paragraph (1)(A) except as provided in this subsection.

''(e) DENIAL OF DEDUCTION FOR CERTAIN TRAVEL EXPENSES.—No deduction shall be allowed under this section for traveling expenses (including amounts expended for meals and lodging) while away from home, whether paid directly or by reimbursement, unless there is no significant element of personal pleasure, recreation, or vacation in such travel.

''(f) DISALLOWANCE OF DEDUCTIONS IN CERTAIN CASES.—For disallowance of deductions for contributions to or for the use of Communist controlled organizations, see section 11(a) of the Internal Security Act of 1950 (50 U.S.C. 790).

''(g) TREATMENT OF CERTAIN AMOUNTS PAID TO OR FOR THE BENEFIT OF INSTITUTIONS OF HIGHER EDUCATION.—

''(1) IN GENERAL.—For purposes of this section, 80 percent of any amount described in paragraph (2) shall be treated as a charitable contribution.

''(2) AMOUNT DESCRIBED.—For purposes of paragraph (1), an amount is described in this paragraph if—

''(A) the amount is paid by the taxpayer to or for the benefit of an educational organization—

''(i) which is described in subsection (d)(1)(B), and

''(ii) which is an institution of higher education (as defined in section 3304(f)), and

''(B) such amount would be allowable as a deduction under this section but for the fact that the taxpayer receives (directly or indirectly) as a result of paying such amount the

right to purchase tickets for seating at an athletic event in an athletic stadium of such institution.

If any portion of a payment is for the purchase of such tickets, such portion and the remaining portion (if any) of such payment shall be treated as separate amounts for purposes of this subsection.

''(h) OTHER CROSS REFERENCES.—

''(1) For treatment of certain organizations providing child care, see section 501(k).

''(2) For charitable contributions of partners, see section 702.

''(3) For treatment of gifts for benefit of or use in connection with the Naval Academy as gifts to or for the use of the United States, see section 6973 of title 10, United States Code.

''(4) For treatment of gifts accepted by the Secretary of State, the Director of the International Communication Agency, or the Director of the United States International Development Cooperation Agency, as gifts to or for the use of the United States, see section 25 of the State Department Basic Authorities Act of 1956.

''(5) For treatment of gifts of money accepted by the Attorney General for credit to the 'Commissary Funds, Federal Prisons' as gifts to or for the use of the United States, see section 4043 of title 18, United States Code.

''(6) For charitable contributions to or for the use of Indian tribal governments (or subdivisions of such governments), see section 7871.

''SEC. 4. DEDUCTION FOR HOME ACQUISITION INDEBTEDNESS.

''(a) GENERAL RULE.—For purposes of this part, there shall be allowed as a deduction all qualified residence interest paid or accrued within the taxable year.

''(b) QUALIFIED RESIDENCE INTEREST DEFINED.—The term 'qualified residence interest' means any interest which is paid or accrued during the taxable year on acquisition indebtedness with respect to any qualified residence of the taxpayer. For purposes of the preceding sentence, the determination of whether any property is a qualified residence of the taxpayer shall be made as of the time the interest is accrued.

''(c) ACQUISITION INDEBTEDNESS.—

''(1) IN GENERAL.—The term 'acquisition indebtedness' means any indebtedness which—

''(A) is incurred in acquiring, constructing, or substantially improving any qualified residence of the taxpayer, and

''(B) is secured by such residence.

Such term also includes any indebtedness secured by such residence resulting from the refinancing of indebtedness meeting the requirements of the preceding sentence (or this sentence); but only to the extent the amount of the indebtedness resulting from such refinancing does not exceed the amount of the refinanced indebtedness.

''(2) DOLLAR LIMITATION.—The aggregate amount treated as acquisition indebtedness for any period shall not exceed $125,000 (50 percent of such amount in the case of a married individual filing a separate return).

''(d) TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE OCTOBER 13, 1987.—

''(1) IN GENERAL.—In the case of any pre-October 13, 1987, indebtedness—

''(A) such indebtedness shall be treated as acquisition indebtedness, and

''(B) the limitation of subsection (c)(2) shall not apply.

''(2) REDUCTION IN LIMITATION.—The limitation of subsection (c)(2) shall be reduced (but not below zero) by the aggregate amount of outstanding pre-October 13, 1987, indebtedness.

''(3) PRE-OCTOBER 13, 1987, INDEBTEDNESS.—The term 'pre-October 13, 1987, indebtedness' means—

''(A) any indebtedness which was incurred on or before October 13, 1987, and which was secured by a qualified residence on October 13, 1987, and at all times thereafter before the interest is paid or accrued, or

''(B) any indebtedness which is secured by the qualified residence and was incurred after October 13, 1987, to refinance indebtedness described in subparagraph (A) (or refinanced indebtedness meeting the requirements of this subparagraph) to the extent (immediately after the refinancing) the principal amount of the indebtedness resulting from the refinancing does not exceed the principal amount of the refinanced indebtedness (immediately before the refinancing).

''(4) LIMITATION ON PERIOD OF REFINANCING.—Subparagraph (B) of paragraph (3) shall not apply to any indebtedness after—

''(A) the expiration of the term of the indebtedness described in paragraph (3)(A), or

''(B) if the principal of the indebtedness described in paragraph (3)(A) is not amortized over its term, the expiration of the term of the first refinancing of such indebtedness (or if earlier, the date which is 30 years after the date of such first refinancing).

''(e) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) QUALIFIED RESIDENCE.—For purposes of this subsection—

''(A) IN GENERAL.—Except as provided in subparagraph (C), the term 'qualified residence' means the principal residence of the taxpayer.

''(B) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—If a married couple does not file a joint return for the taxable year—

''(i) such couple shall be treated as 1 taxpayer for purposes of subparagraph (A), and

''(ii) each individual shall be entitled to take into account ½ of the principal residence unless both individuals consent in writing to 1 individual taking into account the principal residence.

''(C) PRE-OCTOBER 13, 1987, INDEBTEDNESS.—In the case of any pre-October 13, 1987, indebtedness, the term 'qualified residence' has the meaning given that term in section 163(h)(4), as in effect on the day before the date of enactment of this subparagraph.

''(2) SPECIAL RULE FOR COOPERATIVE HOUSING CORPORATIONS.—Any indebtedness secured by stock held by the taxpayer as a tenant-stockholder in a cooperative housing corporation shall be treated as secured by the house or apartment which the taxpayer is entitled to occupy as such a tenant-stockholder. If stock described in the preceding sentence may not be used to secure indebtedness, indebtedness shall be treated as so secured if the taxpayer establishes to the satisfaction of the Secretary that such indebtedness was incurred to acquire such stock.

''(3) UNENFORCEABLE SECURITY INTERESTS.—Indebtedness shall not fail to be treated as secured by any property solely because, under any applicable State or local homestead or other debtor protection law in effect on August 16, 1986, the security interest is ineffective or the enforceability of the security interest is restricted.

''(4) SPECIAL RULES FOR ESTATES AND TRUSTS.—For purposes of determining whether any interest paid or accrued by an estate or trust is qualified residence interest, any residence held by such estate or trust shall be treated as a qualified residence of such estate or trust if such estate or trust establishes that such residence is a qualified residence of a beneficiary who has a present interest in such estate or trust or an interest in the residuary of such estate or trust.

''SEC. 5. DEFINITIONS AND SPECIAL RULES.

''(a) DEFINITION OF SURVIVING SPOUSE.—

''(1) IN GENERAL.—For purposes of this part, the term 'surviving spouse' means a taxpayer—

''(A) whose spouse died during either of the taxpayer's 2 taxable years immediately preceding the taxable year, and

''(B) who maintains as the taxpayer's home a household which constitutes for the taxable year the principal place of abode (as a member of such household) of a dependent—

''(i) who (within the meaning of section 6, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B)) is a son, stepson, daughter, or stepdaughter of the taxpayer, and

''(ii) with respect to whom the taxpayer is entitled to a deduction for the taxable year under section 2.

For purposes of this paragraph, an individual shall be considered as maintaining a household only if over one-half of the cost of maintaining the household during the taxable year is furnished by such individual.

''(2) LIMITATIONS.—Notwithstanding paragraph (1), for purposes of this part a taxpayer shall not be considered to be a surviving spouse—

''(A) if the taxpayer has remarried at any time before the close of the taxable year, or

''(B) unless, for the taxpayer's taxable year during which the taxpayer's spouse died, a joint return could have been made under the provisions of section 6013 (without regard to subsection (a)(3) thereof).

''(3) SPECIAL RULE WHERE DECEASED SPOUSE WAS IN MISSING STATUS.—If an individual was in a missing status (within the meaning of section 6013(f)(3)) as a result of service in a combat zone and if such individual remains in such status until the date referred to in subparagraph (A) or (B), then, for purposes of paragraph (1)(A), the date on which such individual dies shall be treated as the earlier of the date determined under subparagraph (A) or the date determined under subparagraph (B):

''(A) The date on which the determination is made under section 556 of title 37 of the United States Code or under section 5566 of title 5 of such Code (whichever is applicable) that such individual died while in such missing status.

''(B) Except in the case of the combat zone designated for purposes of the Vietnam conflict, the date which is 2 years after the date designated as the date of termination of combatant activities in that zone.

''(b) DEFINITION OF HEAD OF HOUSEHOLD.—

''(1) IN GENERAL.—For purposes of this part, an individual shall be considered a head of a household if, and only if, such individual is not married at the close of such individual's taxable year, is not a surviving spouse (as defined in subsection (a)), and either—

''(A) maintains as such individual's home a household which constitutes for more than one-half of such taxable year the principal place of abode, as a member of such household, of—

''(i) a qualifying child of the individual (as defined in section 6(c), determined without regard to section 6(e)), but not if such child—

''(I) is married at the close of the taxpayer's taxable year, and

''(II) is not a dependent of such individual by reason of section 6(b)(2) or 6(b)(3), or both, or

''(ii) any other person who is a dependent of the taxpayer, if the taxpayer is entitled to a deduction for the taxable year for such person under section 2, or

''(B) maintains a household which constitutes for such taxable year the principal place of abode of the father or mother of the taxpayer, if the taxpayer is entitled to a deduction for the taxable year for such father or mother under section 2.

For purposes of this paragraph, an individual shall be considered as maintaining a household only if over one-half of the cost of maintaining the household during the taxable year is furnished by such individual.

''(2) DETERMINATION OF STATUS.—For purposes of this subsection—

''(A) an individual who is legally separated from such individual's spouse under a decree of divorce or of separate maintenance shall not be considered as married,

''(B) a taxpayer shall be considered as not married at the close of such taxpayer's taxable year if at any time during the taxable year such taxpayer's spouse is a nonresident alien, and

''(C) a taxpayer shall be considered as married at the close of such taxpayer's taxable year if such taxpayer's spouse (other than a spouse described in subparagraph (B)) died during the taxable year.

''(3) LIMITATIONS.—Notwithstanding paragraph (1), for purposes of this part, a taxpayer shall not be considered to be a head of a household—

''(A) if at any time during the taxable year the taxpayer is a nonresident alien, or

''(B) by reason of an individual who would not be a dependent for the taxable year but for—

''(i) subparagraph (H) of section 6(d)(2), or

''(ii) paragraph (3) of section 6(d).

''(c) CERTAIN MARRIED INDIVIDUALS LIVING APART.—For purposes of this part, an individual shall be treated as not married at the close of the taxable year if such individual is so treated under the provisions of section 7703(b).

''SEC. 6. DEPENDENT DEFINED.

''(a) IN GENERAL.—For purposes of this subtitle, the term 'dependent' means—

''(1) a qualifying child, or

''(2) a qualifying relative.

''(b) EXCEPTIONS.—For purposes of this section—

''(1) DEPENDENTS INELIGIBLE.—If an individual is a dependent of a taxpayer for any taxable year of such taxpayer beginning in a calendar year, such individual shall be treated as having no dependents for any taxable year of such individual beginning in such calendar year.

''(2) MARRIED DEPENDENTS.—An individual shall not be treated as a dependent of a taxpayer under subsection (a) if such individual has made a joint return with the individual's spouse under section 6013 for the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins.

''(3) CITIZENS OR NATIONALS OF OTHER COUNTRIES.—

''(A) IN GENERAL.—The term 'dependent' does not include an individual who is not a citizen or national of the United States unless such individual is a resident of the United States or a country contiguous to the United States.

''(B) EXCEPTION FOR ADOPTED CHILD.—Subparagraph (A) shall not exclude any child of a taxpayer (within the meaning of subsection (f)(1)(B)) from the definition of 'dependent' if—

''(i) for the taxable year of the taxpayer, the child has the same principal place of abode as the taxpayer and is a member of the taxpayer's household, and

''(ii) the taxpayer is a citizen or national of the United States.

''(c) QUALIFYING CHILD.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualifying child' means, with respect to any taxpayer for any taxable year, an individual—

''(A) who bears a relationship to the taxpayer described in paragraph (2),

''(B) who has the same principal place of abode as the taxpayer for more than one-half of such taxable year,

''(C) who meets the age requirements of paragraph (3), and

''(D) who has not provided over one-half of such individual's own support for the calendar year in which the taxable year of the taxpayer begins.

''(2) RELATIONSHIP.—For purposes of paragraph (1)(A), an individual bears a relationship to the taxpayer described in this paragraph if such individual is—

''(A) a child of the taxpayer or a descendant of such a child, or

''(B) a brother, sister, stepbrother, or stepsister of the taxpayer or a descendant of any such relative.

''(3) AGE REQUIREMENTS.—

''(A) IN GENERAL.—For purposes of paragraph (1)(C), an individual meets the requirements of this paragraph if such individual—

''(i) has not attained the age of 19 as of the close of the calendar year in which the taxable year of the taxpayer begins, or

''(ii) is a student who has not attained the age of 24 as of the close of such calendar year.

''(B) SPECIAL RULE FOR DISABLED.—In the case of an individual who is permanently and totally disabled at any time during such calendar year, the requirements of subparagraph (A) shall be treated as met with respect to such individual.

''(4) SPECIAL RULE RELATING TO 2 OR MORE CLAIMING QUALIFYING CHILD.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), if (but for this paragraph) an individual may be and is claimed as a qualifying child by 2 or more taxpayers for a taxable year beginning in the same calendar year, such individual shall be treated as the qualifying child of the taxpayer who is—

''(i) a parent of the individual, or

''(ii) if clause (i) does not apply, the taxpayer with the highest adjusted gross income for such taxable year.

''(B) MORE THAN 1 PARENT CLAIMING QUALIFYING CHILD.—If the parents claiming any qualifying child do not file a joint return together, such child shall be treated as the qualifying child of—

''(i) the parent with whom the child resided for the longest period of time during the taxable year, or

''(ii) if the child resides with both parents for the same amount of time during such taxable year, the parent with the highest adjusted gross income.

''(d) QUALIFYING RELATIVE.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualifying relative' means, with respect to any taxpayer for any taxable year, an individual—

''(A) who bears a relationship to the taxpayer described in paragraph (2),

''(B) with respect to whom the taxpayer provides over one-half of the individual's support for the calendar year in which such taxable year begins, and

''(C) who is not a qualifying child of such taxpayer or of any other taxpayer for any taxable year beginning in the calendar year in which such taxable year begins.

''(2) RELATIONSHIP.—For purposes of paragraph (1)(A), an individual bears a relationship to the taxpayer described in this paragraph if the individual is any of the following with respect to the taxpayer:

''(A) A child or a descendant of a child.

''(B) A brother, sister, stepbrother, or stepsister.

''(C) The father or mother, or an ancestor of either.

''(D) A stepfather or stepmother.

''(E) A son or daughter of a brother or sister of the taxpayer.

''(F) A brother or sister of the father or mother of the taxpayer.

''(G) A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law.

''(H) An individual (other than an individual who at any time during the taxable year was the spouse, determined without regard to section 7703, of the taxpayer) who, for the taxable year of the taxpayer, has the same principal place of abode as the taxpayer and is a member of the taxpayer's household.

''(3) SPECIAL RULE RELATING TO MULTIPLE SUPPORT AGREEMENTS.—For purposes of paragraph (1)(C), over one-half of the support of an individual for a calendar year shall be treated as received from the taxpayer if—

''(A) no one person contributed over one-half of such support,

''(B) over one-half of such support was received from 2 or more persons each of whom, but for the fact that any such person alone did not contribute over one-half of such support, would have been entitled to claim such individual as a dependent for a taxable year beginning in such calendar year,

''(C) the taxpayer contributed over 10 percent of such support, and

''(D) each person described in subparagraph (B) (other than the taxpayer) who contributed over 10 percent of such support files a written declaration (in such manner and form as the Secretary may by regulations prescribe) that such person will not claim such individual as a dependent for any taxable year beginning in such calendar year.

''(4) SPECIAL RULE RELATING TO INCOME OF HANDICAPPED DEPENDENTS.—

''(A) IN GENERAL.—For purposes of paragraph (1)(B), the gross income of an individual who is permanently and totally disabled at any time during the taxable year shall not include income attributable to services performed by the individual at a sheltered workshop if—

''(i) the availability of medical care at such workshop is the principal reason for the individual's presence there, and

''(ii) the income arises solely from activities at such workshop which are incident to such medical care.

''(B) SHELTERED WORKSHOP DEFINED.—For purposes of subparagraph (A), the term 'sheltered workshop' means a school—

''(i) which provides special instruction or training designed to alleviate the disability of the individual, and

''(ii) which is operated by an organization described in section 501(c)(3) and exempt from tax under section 501(a), or by a State, a possession of the United States, any political subdivision of any of the foregoing, the United States, or the District of Columbia.

''(5) SPECIAL RULES FOR SUPPORT.—For purposes of this subsection—

''(A) payments to a spouse which are includible in the gross income of such spouse shall not be treated as a payment by the payor spouse for the support of any dependent, and

''(B) in the case of the remarriage of a parent, support of a child received from the parent's spouse shall be treated as received from the parent.

''(e) SPECIAL RULE FOR DIVORCED PARENTS.—

''(1) IN GENERAL.—Notwithstanding subsection (c)(1)(B), (c)(4), or (d)(1)(C), if—

''(A) a child receives over one-half of the child's support during the calendar year from the child's parents—

''(i) who are divorced or legally separated under a decree of divorce or separate maintenance,

''(ii) who are separated under a written separation agreement, or

''(iii) who live apart at all times during the last 6 months of the calendar year, and

''(B) such child is in the custody of 1 or both of the child's parents for more than one-half of the calendar year, such child shall be treated as being the qualifying child or qualifying relative of the noncustodial parent for a calendar year if the requirements described in paragraph (2) or (3) are met.

''(2) EXCEPTION WHERE CUSTODIAL PARENT RELEASES CLAIM TO EXEMPTION FOR THE YEAR.—For purposes of paragraph (1), the requirements described in this paragraph are met with respect to any calendar year if—

''(A) the custodial parent signs a written declaration (in such manner and form as the Secretary may by regulations prescribe) that such custodial parent will not claim such child as a dependent for any taxable year beginning in such calendar year, and

''(B) the noncustodial parent attaches such written declaration to the noncustodial parent's return for the taxable year beginning during such calendar year.

''(3) EXCEPTION FOR CERTAIN PRE-1985 INSTRUMENTS.—

''(A) IN GENERAL.—For purposes of paragraph (1), the requirements described in this paragraph are met with respect to any calendar year if—

''(i) a qualified pre-1985 instrument between the parents applicable to the taxable year beginning in such calendar year provides that the noncustodial parent shall be entitled to any deduction allowable under section 151 for such child, and

''(ii) the noncustodial parent provides at least $600 for the support of such child during such calendar year.

For purposes of this subparagraph, amounts expended for the support of a child or children shall be treated as received from the noncustodial parent to the extent that such parent provided amounts for such support.

''(B) QUALIFIED PRE-1985 INSTRUMENT.—For purposes of this paragraph, the term 'qualified pre-1985 instrument' means any decree of divorce or separate maintenance or written agreement—

''(i) which is executed before January 1, 1985,

''(ii) which on such date contains the provision described in subparagraph (A)(i), and

''(iii) which is not modified on or after such date in a modification which expressly provides that this paragraph shall not apply to such decree or agreement.

''(4) CUSTODIAL PARENT AND NONCUSTODIAL PARENT.—For purposes of this subsection—

''(A) CUSTODIAL PARENT.—The term 'custodial parent' means the parent having custody for the greater portion of the calendar year.

''(B) NONCUSTODIAL PARENT.—The term 'noncustodial parent' means the parent who is not the custodial parent.

''(5) EXCEPTION FOR MULTIPLE-SUPPORT AGREEMENTS.—This subsection shall not apply in any case where over one-half of the support of the child is treated as having been received from a taxpayer under the provision of subsection (d)(3).

''(6) SPECIAL RULE FOR SUPPORT RECEIVED FROM NEW SPOUSE OF PARENT.—For purposes of this subsection, in the case of the remarriage of a parent, support of a child received from the parent's spouse shall be treated as received from the parent.

''(f) OTHER DEFINITIONS AND RULES.—For purposes of this section—

''(1) CHILD DEFINED.—

''(A) IN GENERAL.—The term 'child' means an individual who is—

''(i) a son, daughter, stepson, or stepdaughter of the taxpayer, or

''(ii) an eligible foster child of the taxpayer.

''(B) ADOPTED CHILD.—In determining whether any of the relationships specified in subparagraph (A)(i) or paragraph (4) exists, a legally adopted individual of the taxpayer, or an individual who is lawfully placed with the taxpayer for legal adoption by the taxpayer, shall be treated as a child of such individual by blood.

''(C) ELIGIBLE FOSTER CHILD.—For purposes of subparagraph (A)(ii), the term 'eligible foster child' means an individual who is placed with the taxpayer by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.

''(2) STUDENT DEFINED.—The term 'student' means an individual who during each of 5 calendar months during the calendar year in which the taxable year of the taxpayer begins—

''(A) is a full-time student at an educational organization described in section 3(d)(1)(B), or

''(B) is pursuing a full-time course of institutional on-farm training under the supervision of an accredited agent of an educational organization described in section 3(d)(1)(B) or of a State or political subdivision of a State.

''(3) DETERMINATION OF HOUSEHOLD STATUS.—An individual shall not be treated as a member of the taxpayer's household if at any time during the taxable year of the taxpayer the relationship between such individual and the taxpayer is in violation of local law.

''(4) BROTHER AND SISTER.—The terms 'brother' and 'sister' include a brother or sister by the half blood.

''(5) SPECIAL SUPPORT TEST IN CASE OF STUDENTS.—For purposes of subsections (c)(1)(D) and (d)(1)(C), in the case of an individual who is—

''(A) a child of the taxpayer, and

''(B) a student, amounts received as scholarships for study at an educational organization described in section 3(d)(1)(B) shall not be taken into account.

''(6) TREATMENT OF MISSING CHILDREN.—

''(A) IN GENERAL.—Solely for the purposes referred to in subparagraph (B), a child of the taxpayer—

''(i) who is presumed by law enforcement authorities to have been kidnaped by someone who is not a member of the family of such child or the taxpayer, and

''(ii) who had, for the taxable year in which the kidnaping occurred, the same principal place of abode as the taxpayer for more than one-half of the portion of such year before the date of the kidnaping, shall be treated as meeting the requirement of subsection (c)(1)(B) with respect to a taxpayer for all taxable years ending during the period that the child is kidnaped.

''(B) PURPOSES.—Subparagraph (A) shall apply solely for purposes of determining—

''(i) the deduction under section 2(c), and

''(ii) whether an individual is a surviving spouse or a head of a household (as such terms are defined in section 5).

''(C) COMPARABLE TREATMENT OF CERTAIN QUALIFYING RELATIVES.—For purposes of this section, a child of the taxpayer—

''(i) who is presumed by law enforcement authorities to have been kidnaped by someone who is not a member of the family of such child or the taxpayer, and

''(ii) who was (without regard to this paragraph) a qualifying relative of the taxpayer for the portion of the taxable year before the date of the kidnaping, shall be treated as a qualifying relative of the taxpayer for all taxable years ending during the period that the child is kidnaped.

''(D) TERMINATION OF TREATMENT.—Subparagraphs (A) and (C) shall cease to apply as of the first taxable year of the taxpayer beginning after the calendar year in which there is a determination that the child is dead (or, if earlier, in which the child would have attained age 18).

''SEC. 7. INFLATION ADJUSTMENT.

''(a) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2010, each dollar amount contained in sections 2(b), 2(c), 3(a), and 4(c)(2) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment for the calendar year in which the taxable year begins.

''(b) COST-OF-LIVING ADJUSTMENT.—For purposes of subsection (a), the cost-of-living adjustment for any calendar year is the percentage (if any) by which—

''(1) the CPI for the preceding calendar year, exceeds

''(2) the CPI for calendar year 2009.

''(c) CPI FOR ANY CALENDAR YEAR.—For purposes of subsection (b), the CPI for any calendar year is the average of the Consumer Price Index as of the close of the 12-month period ending on August 31 of such calendar year.

''(d) CONSUMER PRICE INDEX.—For purposes of subsection (c), the term 'Consumer Price Index' means the last Consumer Price Index for all-urban consumers published by the Department of Labor. For purposes of the preceding sentence, the revision of the Consumer Price Index which is most consistent with the Consumer Price Index for calendar year 1986 shall be used.

''(e) ROUNDING.—If any increase determined under subsection (a) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.

''PART II—TAX ON BUSINESS ACTIVITIES

''Sec. 11. Tax imposed on business activities.

''SEC. 11. TAX IMPOSED ON BUSINESS ACTIVITIES.

''(a) TAX IMPOSED.—There is hereby imposed on every person engaged in a business activity located in the United States a tax equal to 20 percent of the business taxable income of such person.

''(b) LIABILITY FOR TAX.—The tax imposed by this section shall be paid by the person engaged in the business activity, whether such person is an individual, partnership, corporation, or otherwise.

''(c) BUSINESS TAXABLE INCOME.—

''(1) IN GENERAL.—For purposes of this section, the term 'business taxable income' means gross active income reduced by the deductions specified in subsection (d).

''(2) GROSS ACTIVE INCOME.—For purposes of paragraph (1), the term 'gross active income' means gross income other than investment income.

''(d) DEDUCTIONS.—

''(1) IN GENERAL.—The deductions specified in this subsection are—

''(A) the cost of business inputs for the business activity,

''(B) the compensation (including contributions to qualified retirement plans but not including other fringe benefits) paid for employees performing services in such activity, and

''(C) the cost of personal and real property used in such activity.

''(2) BUSINESS INPUTS.—

''(A) IN GENERAL.—For purposes of paragraph (1)(A), the term 'cost of business inputs' means—

''(i) the actual cost of goods, services, and materials, whether or not resold during the taxable year, and

''(ii) the actual cost, if reasonable, of travel and entertainment expenses for business purposes.

''(B) PURCHASES OF GOODS AND SERVICES EXCLUDED.—Such term shall not include purchases of goods and services provided to employees or owners.

''(C) CERTAIN LOBBYING AND POLITICAL EXPENDITURES EXCLUDED.—

''(i) IN GENERAL.—Such term shall not include any amount paid or incurred in connection with—

''(I) influencing legislation,

''(II) participation in, or intervention in, any political campaign on behalf of (or in opposition to) any candidate for public office,

''(III) any attempt to influence the general public, or segments thereof, with respect to elections, legislative matters, or referendums, or

''(IV) any direct communication with a covered executive branch official in an attempt to influence the official actions or positions of such official.

''(ii) EXCEPTION FOR LOCAL LEGISLATION.—In the case of any legislation of any local council or similar governing body—

''(I) clause (i)(I) shall not apply, and

''(II) such term shall include all ordinary and necessary expenses (including, but not limited to, traveling expenses described in subparagraph (A)(iii) and the cost of preparing testimony) paid or incurred during the taxable year in carrying on any trade or business—

''(aa) in direct connection with appearances before, submission of statements to, or sending communications to the committees, or individual members, of such council or body with respect to legislation or proposed legislation of direct interest to the taxpayer, or

''(bb) in direct connection with communication of information between the taxpayer and an organization of which the taxpayer is a member with respect to any such legislation or proposed legislation which is of direct interest to the taxpayer and to such organization, and that portion of the dues so paid or incurred with respect to any organization of which the taxpayer is a member which is attributable to the expenses of the activities carried on by such organization.

''(iii) APPLICATION TO DUES OF TAX-EXEMPT ORGANIZATIONS.—Such term shall include the portion of dues or other similar amounts paid by the taxpayer to an organization which is exempt from tax under this subtitle which the organization notifies the taxpayer under section 6033(e)(1)(A)(ii) is allocable to expenditures to which clause (i) applies.

''(iv) INFLUENCING LEGISLATION.—For purposes of this subparagraph—

''(I) IN GENERAL.—The term 'influencing legislation' means any attempt to influence any legislation through communication with any member or employee of a legislative body, or with any government official or employee who may participate in the formulation of legislation.

''(II) LEGISLATION.—The term 'legislation' has the meaning given that term in section 4911(e)(2).

''(v) OTHER SPECIAL RULES.—

''(I) EXCEPTION FOR CERTAIN TAXPAYERS.—In the case of any taxpayer engaged in the trade or business of conducting activities described in clause (i), clause (i) shall not apply to expenditures of the taxpayer in conducting such activities directly on behalf of another person (but shall apply to payments by such other person to the taxpayer for conducting such activities).

''(II) DE MINIMIS EXCEPTION.—

''(aa) IN GENERAL.—Clause (i) shall not apply to any in-house expenditures for any taxable year if such expenditures do not exceed $2,000. In determining whether a taxpayer exceeds the $2,000 limit, there shall not be taken into account overhead costs otherwise allocable to activities described in subclauses (I) and (IV) of clause (i).

''(bb) IN-HOUSE EXPENDITURES.—For purposes of provision (aa), the term 'in-house expenditures' means expenditures described in subclauses (I) and (IV) of clause (i) other than payments by the taxpayer to a person engaged in the trade or business of conducting activities described in clause (i) for the conduct of such activities on behalf of the taxpayer, or dues or other similar amounts paid or incurred by the taxpayer which are allocable to activities described in clause (i).

''(III) EXPENSES INCURRED IN CONNECTION WITH LOBBYING AND POLITICAL ACTIVITIES.—Any amount paid or incurred for research for, or preparation, planning, or coordination of, any activity described in clause (i) shall be treated as paid or incurred in connection with such activity.

''(vi) COVERED EXECUTIVE BRANCH OFFICIAL.—For purposes of this subparagraph, the term 'covered executive branch official' means—

''(I) the President,

''(II) the Vice President,

''(III) any officer or employee of the White House Office of the Executive Office of the President, and the 2 most senior level officers of each of the other agencies in such Executive Office, and

''(IV) any individual serving in a position in level I of the Executive Schedule under section 5312 of title 5, United States Code, any other individual designated by the President as having Cabinet level status, and any immediate deputy of such an individual.

''(vii) SPECIAL RULE FOR INDIAN TRIBAL GOVERNMENTS.—For purposes of this subparagraph, an Indian tribal government shall be treated in the same manner as a local council or similar governing body.

''(viii) CROSS REFERENCE.—

''For reporting requirements and alternative taxes related to this subsection, see section 6033(e).

''(e) CARRYOVER OF EXCESS DEDUCTIONS.—

''(1) IN GENERAL.—If the aggregate deductions for any taxable year exceed the gross active income for such taxable year, the amount of the deductions specified in subsection (d) for the succeeding taxable year (determined without regard to this subsection) shall be increased by the sum of—

''(A) such excess, plus

''(B) the product of such excess and the 3-month Treasury rate for the last month of such taxable year.

''(2) 3-MONTH TREASURY RATE.—For purposes of paragraph (1), the 3-month Treasury rate is the rate determined by the Secretary based on the average market yield (during any 1-month period selected by the Secretary and ending in the calendar month in which the determination is made) on outstanding marketable obligations of the United States with remaining periods to maturity of 3 months or less.''

(b) CONFORMING REPEALS AND REDESIGNATIONS.—

(1) REPEALS.—The following subchapters of chapter 1 of subtitle A and the items relating to such subchapters in the table of subchapters for such chapter 1 are repealed:

(A) Subchapter B (relating to computation of taxable income).

(B) Subchapter C (relating to corporate distributions and adjustments).

(C) Subchapter D (relating to deferred compensation, etc.).

(D) Subchapter G (relating to corporations used to avoid income tax on shareholders).

(E) Subchapter H (relating to banking institutions).

(F) Subchapter I (relating to natural resources).

(G) Subchapter J (relating to estates, trusts, beneficiaries, and decedents).

(H) Subchapter L (relating to insurance companies).

(I) Subchapter M (relating to regulated investment companies and real estate investment trusts).

(J) Subchapter N (relating to tax based on income from sources within or without the United States).

(K) Subchapter O (relating to gain or loss on disposition of property).

(L) Subchapter P (relating to capital gains and losses).

(M) Subchapter Q (relating to readjustment of tax between years and special limitations).

(N) Subchapter S (relating to tax treatment of S corporations and their shareholders).

(O) Subchapter T (relating to cooperatives and their patrons).

(P) Subchapter U (relating to designation and treatment of empowerment zones, enterprise communities, and rural development investment areas).

(Q) Subchapter V (relating to title 11 cases).

(R) Subchapter W (relating to District of Columbia Enterprise Zone).

(2) REDESIGNATIONS.—The following subchapters of chapter 1 of subtitle A and the items relating to such subchapters in the table of subchapters for such chapter 1 are redesignated:

(A) Subchapter E (relating to accounting periods and methods of accounting) as subchapter B.

(B) Subchapter F (relating to exempt organizations) as subchapter C.

(C) Subchapter K (relating to partners and partnerships) as subchapter D.

SEC. 3. REPEAL OF ESTATE AND GIFT TAXES.

Subtitle B (relating to estate, gift, and generation-skipping taxes) and the item relating to such subtitle in the table of subtitles is repealed.

SEC. 4. ADDITIONAL REPEALS.

Subtitles H (relating to financing of presidential election campaigns) and J (relating to coal industry health benefits) and the items relating to such subtitles in the table of subtitles are repealed.

SEC. 5. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act apply to taxable years beginning after December 31, 2009.

(b) REPEAL OF ESTATE AND GIFT TAXES.—The repeal made by section 3 applies to estates of decedents dying, and transfers made, after December 31, 2009.

(c) TECHNICAL AND CONFORMING CHANGES.—The Secretary of the Treasury or the Secretary's delegate shall, as soon as practicable but in any event not later than 90 days after the date of enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a draft of any technical and conforming changes in the Internal Revenue Code of 1986 which are necessary to reflect throughout such Code the changes in the substantive provisions of law made by this Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Mr. NELSON of Florida):

S. 744. A bill to amend the Internal Revenue Code of 1986 to exclude from an employee's gross income any employer-provided supplemental instructional services assistance, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise to reintroduce legislation to increase access for our Nation's children to affordable, quality tutoring. The Affordable

Tutoring for Our Children Act would enable middle-class families to purchase supplemental instructional services on a pre-tax basis, ensuring greater utilization of critical educational tools. I would like to thank my good friend, Senator NELSON of Florida, for cosponsoring this bill.

A sound education for every American child is fundamental to the well-being and prosperity of our society, both now and in the future. Yet, as we are all acutely aware, not every child learns at the same pace, nor in the same manner, and some face unique challenges that cannot be overcome simply in a typical classroom setting. Many children require—and greatly benefit from—additional help in academics. Regrettably, our Nation's middle-class families are increasingly unable to afford this essential ancillary support for their children. Indeed, according to education market research company Eduventure, the average amount spent annually by a family on private tutoring for a student is $1,110.

Unfortunately, given the considerable and ever-increasing financial strains facing middle-class families, with more and more income going to pay for gasoline, health care, groceries, and a multitude of other expenses, tutoring is often out of reach. In fact, according to a 2007 report from Demos and the Institute on Assets & Social Policy at Brandeis University, more than half of middle-class families have no financial assets, or worse, their debts exceeds their assets.

At present, employees may set aside a portion of their earnings to establish a flexible spending account, or FSA, allowing them to pay for qualified medical or dependent care expenses free from income and payroll taxes. Our legislation would permit employees to use their dependent care FSAs to cover supplemental instructional expenses, thereby saving themselves up to 40 percent of their cost. Critically, this bill is targeted to middle-class families, those who most necessitate our assistance. Indeed, only those employees making $110,000 or less per year would be able to exclude amounts paid for these services from their taxable income. Additionally, supplemental instructional expenses would be subject to a combined $5,000 cap with other dependent care expenses.

This bill would help more middle-class children to receive extra assistance for a host of subjects ranging from English and mathematics to science, government, and foreign languages. At a time when graduates who attain a bachelor's degree earn roughly 96 percent more than high school graduates, according to the U.S. Bureau of the Census, it is vital that our Nation's children get the help they need to succeed.

With middle-class families feeling the squeeze from every angle, our legislation would provide essential relief for those parents seeking to ensure that their children have the best educational experience possible. I urge my colleagues to consider the dramatic advantage our children will gain from this crucial bill, and look forward to its passage in a timely manner.

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 placed in the RECORD, as follows:

S. 744

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 ''Affordable Tutoring of Our Children Act''.

SEC. 2. EXCLUSION OF EMPLOYER-PROVIDED SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE.

(a) IN GENERAL.—Section 129 of the Internal Revenue Code of 1986 (relating to dependent care assistance programs) is amended—

(1) by inserting ''and supplemental instructional services assistance'' after ''dependent care assistance'' each place it appears (except in subsections (d)(4) and (e)(1) thereof), and

(2) by inserting ''and supplemental instructional services'' after ''dependent care services'' both places it appears in subsection (a)(2).

(b) SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE.—Section 129(e) of the Internal Revenue Code of 1986 (relating to definitions and services) is amended by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively, and by inserting after paragraph (1) the following new paragraph:

''(2) SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE.—

''(A) IN GENERAL.—The term 'supplemental instructional services assistance' means the payment of, or provision of, supplemental instructional services to an employee's dependent (as defined in subsection (a)(1) of section 152, determined without regard to subsection (c)(1)(C) thereof) who—

''(i) has attained the age of 5 but not the age of 19 as of the close of the calendar year in which the taxable year of the employee begins, and

''(ii) has not obtained a high school diploma or been awarded a general education degree.

''(B) SUPPLEMENTAL INSTRUCTIONAL SERVICES.—The term 'supplemental instructional services' means instructional or other academic enrichment services which are—

''(i) in addition to instruction provided during the school day,

''(ii) specifically designed to increase the academic achievement of such dependent,

''(iii) in the core academic studies of English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, social studies, and geography, and

''(iv) provided by a State certified instructor or by a State recognized or privately accredited organization.''.

(c) NO EXCLUSION FOR SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE PROVIDED TO HIGHLY COMPENSATED EMPLOYEES.—Section 129(a)(2)(A) of the Internal Revenue Code of 1986 (relating to limitation of exclusion) is amended by inserting '', except that no amount may be excluded under paragraph (1) for supplemental instructional services paid or incurred by an employee who is a highly compensated employee (within the meaning of section 414(q))'' after ''individual)''.

(d) CONFORMING AMENDMENTS.—

(1) Section 21(b)(2)(A) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''Such term shall not include any amount paid for supplemental instructional services (as defined in section 129(e)(2)(B)).''.

(2) The second sentence of section 21(c) of such Code is amended by inserting ''of dependent care assistance'' after ''aggregate amount''.

(3) Section 6051(a)(9) of such Code is amended by inserting ''and supplemental instructional services assistance'' after ''dependent care assistance'' both places it appears.

(e) CLERICAL AMENDMENTS.—

(1) The heading for section 129 of the Internal Revenue Code of 1986 is amended by inserting ''**AND SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE**'' after ''**ASSISTANCE**''.

(2) The item relating to section 129 in the table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting ''and supplemental instructional services assistance'' after ''assistance''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

By Mr. HATCH:

S. 745. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Magna Water District water reuse and groundwater recharge project, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise to speak today regarding a troubling situation facing Magna Water District in Utah. Magna's drinking water is threatened by contamination from an underground plume of perchlorate which is heading towards its wells. The perchlorate is the result of decades of rocket motor production at a Department of Defense site currently operated by Hercules, ATK Launch Systems. In order to address the threat to its water system, the district plans to implement a unique water reuse and groundwater recharge project that would serve to demonstrate a bio-destruction process combining wastewater with a desalination brine stream to destroy the perchlorate. This new technology would give water districts throughout the country a more effective and more economical method of mitigating perchlorate contamination.

The district has already invested a significant amount of its own funds toward the effort, and it is now seeking a 25 percent match from the Federal Government. This funding would preserve the district's crucial water resources while finding an efficient and beneficial use of treated industrial and domestic wastewater. In addition, this funding is vital in order to provide our Nation with a better way to destroy harmful perchlorate plumes that may threaten community water supplies.

As you know, our Nation's clean water supply is a precious asset to our country. In desert places like Utah, the need for the best use of our available water is critical to preserving the limited amounts of clean water available

to us. This water reuse and groundwater recharge technology is crucial to ensure clean drinking water for the citizens of Magna. Not only would this funding benefit the Magna district, but it would provide our Nation with an inexpensive and powerful new tool to clean up contaminated water. This is an investment in our Nation that will be paid back many times over.

I urge my colleagues to lend their support to this important legislation.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 748. A bill to redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the ''Cesar E. Chavez Post Office''; to the Committee on Homeland Security and Governmental Affairs.

Mrs. BOXER. Mr. President, today I join Representative SUSAN DAVIS in commemorating Cesar E. Chavez's 82nd birthday by introducing legislation to name a post office in San Diego, CA, after this extraordinary civil rights activist and union leader.

Today we join millions of people across this Nation in honoring Cesar Chavez's legacy as an educator, environmentalist, and a civil rights leader who was committed to providing fair wages, better working conditions, decent housing, and quality education for all. As an activist, Chavez worked to give a voice to the voiceless, and inspire millions of Americans to stand up and say, ''Si, Se Puede!''

As a migrant farm worker in his youth, Cesar E. Chavez learned about the struggles of farm workers including poor wages, poor medical coverage, and poor working conditions. When he returned from serving his country in the Navy during World War II, Chavez began to work to improve this situation, first by organizing for the Community Service Organization coordinating voter-registration drives and battling racial and economic discrimination.

In 1962 Cesar Chavez founded the National Farm Workers Association, later to become the United Farm Workers, the largest farm workers union in the country. Using nonviolent tactics, such as boycotts, pickets, and strikes, Chavez raised awareness about the plight of farm workers. Cesar Chavez's unflagging determination made great strides in championing the rights of farm workers, but the struggle for farm workers continues. This year, thousands of workers across California are preparing to march, and continue the fight for their rights.

Cesar Chavez's life and legacy should serve not only as an example but an inspiration to us all as we work to address the growing inequality in our nation, as well as the challenges faced by America's working families, including poverty, health care, and education.

Fifteen years ago, President Clinton awarded Cesar Chavez the Presidential Medal of Freedom, in recognition of his great contributions to our Nation. Today we remember his work not only for the U.S., but also for the communities and people of the State of California.

San Diego is a city with a rich cultural heritage, and a history of community organizing and activism that shares its roots with Cesar Chavez's lifelong struggle for justice and equality. Cesar Chavez accomplished a great deal to improve living and working conditions for all people, and I ask my colleagues to join me in supporting this bill to recognize his work and his memory.

By Mr. COCHRAN (for himself, Mr. DODD, Mr. ALEXANDER, Mr. AKAKA, Mr. BINGAMAN, Mrs. MURRAY, Mr. WICKER, and Mr. CARDIN):

S. 749. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

Mr. COCHRAN. Mr. President, today, I am introducing the Teaching Geography is Fundamental Act. I am pleased to be joined by my friend from Connecticut, Mr. DODD. The purpose of this bill is to improve geographic literacy among K–12 students in the U.S. by supporting professional development programs for their teachers that are administered in institutions of higher education and other educational institutions. This bill also assists States in measuring the impact of education in geography.

Former Secretary of State Colin Powell said, ''To solve most of the major problems facing our county today—from wiping out terrorism, to minimizing global environmental problems, to eliminating the scourge of AIDS—will require every young person to learn more about other regions, cultures, and languages.'' We need to do more to ensure that the teachers responsible for the education of our students, from kindergarten through high school graduation, are prepared and trained to teach these critical skills to solve these problems. The Elementary and Secondary Education Act has expressly identified geography as a core academic subject. Yet, when we review No Child Left Behind, geography education is the only subject without a dedicated source of support for educational training and innovation.

This bill prepares students to be good citizens of both our nation and the world. John Fahey, President of the National Geographic Society, stated that ''geographic illiteracy impacts our economic well-being, our relationships with other nations and the environment, and isolates us from the world.'' When students understand their own environment, they can better understand the differences in other places, and the people who live in them. Knowledge of the diverse cultures, environments, and the relationships between states and countries helps our students to understand national and international policies, economies, societies, and political structures on a more global scale.

To expect that Americans will be able to work successfully with the other people in this world, we need to be able to communicate and understand each other. We need to prepare our younger generation for global competition and ensure that they have a strong base of understanding to be able to succeed in the global marketplace.

The 2005 publication, What Works in Geography, reported that elementary school geography instruction significantly improves student achievement and proved that the integration of geography into the elementary school curriculum improves student literacy achievement an average of 5 percent. That is the good news. However, the 2006 National Geographic-Roper Global Geographic Literacy Survey shows that 69 percent of elementary school principals report a decrease in the time spent teaching geography, and less than a quarter of our nation's high school students take a geography course in high school. This survey shows that many of our high school graduates lack the basic skills needed to navigate our international economy, policies, and relationships. According to statistics from the U.S. Bureau of Economic Analysis, 30 percent of the annual U.S. GDP, that is 4.3 trillion dollars, results from international trade. According to the CIA World Factbook of 2005, U.S. workers need geographic knowledge to compete in this global economy. Geographic knowledge is increasingly needed for U.S. businesses in international markets to understand such factors as physical distance, time zones, language differences, and cultural diversity among project teams.

In addition, geospatial technology is an emerging and innovative career available to people with strong geography education. Professionals in geospatial technology are employed in Federal Government agencies, the private sector, and the non-profit sector. These professionals focus on areas such as agriculture, archeology, ecology, land appraisal, and urban planning and development. According to the National Geospatial Intelligence Agency, the information gathering necessary to protect critical infrastructure has resulted in an enormous increase in the demand for geospatial skills and jobs. A strong geography education system is a necessity for this industry's continued advancement. The U.S. Department of Labor has identified geospatial technologies as one of the most important high-growth industries, with the market growing at an annual rate of 35 percent. These are high-tech, high-wage jobs in which America can and must compete.

It has been both the private and nonprofit sectors working to ensure that the critical skills and knowledge provided by geography education are provided to our schools. Over the last 20 years, the National Geographic Society has awarded more than $100 million in grants to educators, universities, State geographic alliances, and others for the purposes of advancing and improving the teaching of geography. Their models are successful, and research shows that students who have benefitted from this teaching out-perform other students. In all 50 States, the District of Columbia and Puerto Rico, there are state geographic alliances and partnerships between higher education and K–12 school systems. Thirty States, including Mississippi and the District of Columbia, are endowed by grants from the National Geographic Society. But these efforts alone are not enough. The bill I am introducing establishes a Federal commitment to enhance the education of our teachers, focuses on geography education research, and develops reliable, advanced technology-based classroom resources. A 5 year, $15,000,000 grant program would be created under the bill to achieve these objectives.

In my State of Mississippi, teachers and university professors are making progress to increase geography education in the schools through additional professional training. To date, there are 555 members of the Mississippi Geographic Alliance who teach geography. Last year, the Mississippi Geographic Alliance conducted a statewide workshop titled Introductory World Geography to help prepare teachers to meet the State's new graduation requirement in geography. The Alliance conducted two, week-long residential summer institutes that provided grade-specific geography content and teaching strategies; provided a field-based local Mississippi geography workshop; and conducted two workshops that introduce pre-service teachers to the scope of modern geography and effective geography teaching strategies.

I hope the Senate will consider the serious need to invest in geography, and I invite other Senators to cosponsor the Teaching Geography is Fundamental Act.

By Mrs. BOXER (for herself and Ms. COLLINS):

S. 750. A bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, the need for health care reform is undeniable and we must undertake comprehensive efforts to provide quality care for our Nation's diverse populations, particularly older Americans. Our aging population is expected to almost double in number, from 37 million people today to about 72 million by 2030. If we fail to prepare, our Nation will face a crisis in providing care to these older Americans. We must start now if we are going to adequately train the health care workforce to meet the needs of an aging America.

Health care providers with the necessary training to give older Americans the best care are in critically short supply. In its landmark report, Retooling for an Aging America, the Institute of Medicine concluded that action must be taken immediately to address the severe workforce shortages in the care of older adults.

According to the Institute of Medicine, only about 7,100 U.S. physicians are certified geriatricians today; 36,000 are needed by 2030. Just 4 percent of social workers and only 3 percent of advance practice nurses specialize in geriatrics. Recruitment and retention of direct care workers is also a looming crisis due to low wages and few benefits, lack of career advancement, and inadequate training.

Preparing our workforce for the job of caring for older Americans is an essential part of ensuring the future health of our nation. Right now, there is a critical shortage of health care providers with the necessary training and skills to provide our seniors with the best possible care. This is a tremendously important issue for American families who are concerned about quality of care and quality of life for their older relatives and friends.

It is clear that there is a need for federal action to address these issues, and that is why Senator COLLINS and I are introducing the Caring for an Aging America Act. This legislation would help attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans by providing them with meaningful loan forgiveness and career advancement opportunities.

Specifically, for health professionals who complete specialty training in geriatrics or gerontology—including physicians, physician assistants, advance practice nurses, social workers, pharmacists and psychologists—the legislation would link educational loan repayment to a service commitment to the aging population, modeled after the successful National Health Services Corps. The bill would also expand loan repayment for registered nurses who complete specialty training in geriatric care and who choose to work in long-term care settings, and expand career advancement opportunities for direct care workers by offering specialty training in long-term care services. Lastly, the legislation would establish a health and long-term care workforce advisory panel for an aging America.

In addition, I was pleased to work with the Alzheimer's Association and the American Geriatrics Society to ensure that this legislation will also help provide a workforce to meet the needs of older Americans with dementia, Alzheimer's and other cognitive disorders.

Ensuring we have a well-trained health care workforce with the skills to care for our aging population is a critical investment in America's future. This legislation offers a modest but important step toward creating the future health care workforce that our Nation so urgently needs.

I look forward to working with Senator COLLINS and our colleagues to ensure that we meet our obligations to the seniors of our Nation to improve their care.

By Mr. DURBIN (for himself and Mr. SPECTER):

S. 751. A bill to establish a revenue source for fair elections financing of Senate campaigns by providing an excise tax on amounts paid pursuant to contracts with the United States Government; to the Committee on Finance.

Mr. DURBIN. Mr. President, we are facing the worst economic crisis since the great depression. Health care costs are exploding. Our education system is in desperate need of reform. All while we continue to fight two wars on the other side of the globe.

At a time like this, our Nation's leaders need to be singularly focused on the challenges at hand. Yet as Senators and Congressmen we find ourselves spending more and more of our time raising money for our own re-elections. That means we spend less and less time focusing on our Nation's policy challenges.

In the last three election cycles, Senate candidates spent nearly $1.3 billion on their races. This is simply unsustainable.

Unless you have enough personal wealth to pay for a campaign by yourself, you have little choice but to spend an enormous amount of your time dialing for dollars to keep up with your competitors. If you do not attend the nightly fundraisers and hit the phones during power hours, your campaign message will be drowned out by your opponent's advertising by Election Day. You will stand little chance of being chosen to continue to work on the challenges you came to Washington to solve.

Worse, the system we currently use to finance Federal campaigns makes candidates far too reliant on the ability of wealthy donors to help raise the mountains of money necessary to compete.

The result is a public who rightly questions whether those that win elections in this system are serving ALL of their constituents and not just their wealthy donors.

We need to finance Federal campaigns differently. There has never been a more critical time for change.

That is why today I am reintroducing the bipartisan Fair Elections Now Act with my friend Senator SPECTER. I am pleased that Congressman LARSON is introducing the companion legislation

in the House with Republican Congressmen TODD PLATTS of Pennsylvania and WALTER JONES of North Carolina.

The Fair Elections Now Act would help restore public confidence in the Congressional election process by providing qualified candidates for Congress with grants, matching funds, and vouchers from the Fair Elections Fund to replace campaign fundraising that largely relies on lobbyists and other special interests. In return, participating candidates would agree to limit their campaign spending to the amounts raised from small-dollar donors plus the amounts provided from the Fund.

Fair Elections for the Senate would have three stages.

To participate, candidates would first need to prove their viability by raising a minimum number and amount of small-dollar qualifying contributions from in-state donors. Once a candidate qualifies, that candidate must limit the amount raised from each donor to $100 per election.

For the primary, participants would receive a base grant that would vary in amount based on the population of the state that the candidate seeks to represent. Participants would also receive a 4-to-1 match for small-dollar donations up to a defined matching cap. The candidate could raise an unlimited amount of $100 contributions if needed to compete against high-spending opponents.

For the general election, qualified candidates would receive an additional grant, further small-dollar matching, and vouchers for purchasing television advertising. The candidate could continue to raise an unlimited amount of $100 contributions if needed.

Under our plan, candidates will no longer be in the fundraising business. Instead, candidates will be in the constituent business, regardless of whether those constituents have the wealth to attend a fundraiser or to donate more than $100 per election. Candidates will be in the policy business, regardless of what policies are preferred by wealthy donors.

This is no naïve theory. It is a system that is already at work. Very similar programs exist in Maine, Arizona, and elsewhere. These programs are bringing new faces and ideas into politics and making more races more competitive. Most importantly, candidates spend more time with constituents and in policy debates and less time with wealthy donors.

I know that some will say that the answer to this problem of time constraints is simply to remove individual contribution limits, so that with a few phone calls to billionaire donors candidates can raise all of the money that they need. I completely disagree. The answer is not to further concentrate influence in the hands of a smaller and smaller group of donors, but rather to remove that source of influence altogether. That is the only way to rebuild the trust of the American people.

Let me be clear: I honestly believe that the overwhelming majority of the people serving in American politics are good, honest people, and I believe that Senators and Congressmen are guided by the best of intentions. But we are nonetheless stuck in a terrible, corrupting system. The perception is that politicians are corrupted by the big money interests . . . and whether that is true or not, that perception and the loss of trust that goes with it makes it incredibly difficult for the Senate to take on tough challenges and have the American public believe that what we are doing is right.

I believe that this problem is fundamental to our democracy, and we must address it. Overwhelming numbers of Americans agree. Recent polling shows that 69 percent of Democrats, 72 percent Republicans, and 60 percent of independents supported a general description of this proposal. The Fair Elections Now Act is supported by several good Government groups, former members of Congress, business leaders, and even lobbyists.

Our Nation's leaders need to be completely focused on getting America back on track. The Fair Elections Now Act will help.

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 placed in the RECORD, as follows:

S. 751

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 ''Fair Elections Revenue Act of 2009''.

SEC. 2. FAIR ELECTIONS FUND REVENUE.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by inserting after chapter 36 the following new chapter:

''CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT CONTRACTS

''Sec. 4501. Imposition of tax.

''SEC. 4501. IMPOSITION OF TAX.

''(a) TAX IMPOSED.—There is hereby imposed on any payment made to a qualified person pursuant to a qualified contract with the Government of the United States a tax equal to 0.50 percent of the amount paid.

''(b) LIMITATION.—The aggregate amount of tax imposed under subsection (a) for any calendar year shall not exceed $500,000.

''(c) QUALIFIED PERSON.—For purposes of this section, the term 'qualified person' means any person which—

''(1) is not a State or local government or a foreign nation, and

''(2) has contracts with the Government of the United States with a value in excess of $10,000,000.

''(d) PAYMENT OF TAX.—The tax imposed by this section shall be paid by the person receiving such payment.

''(e) USE OF REVENUE GENERATED BY TAX.—It is the sense of the Senate that amounts equivalent to the revenue generated by the tax imposed under this chapter should be appropriated for the financing of a Fair Elections Fund and used for the public financing of Senate elections.''.

(b) CONFORMING AMENDMENT.—The table of chapter of the Internal Revenue Code of 1986 is amended by inserting after the item relating to chapter 36 the following:

''CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT CONTRACTS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts entered into after the date of the enactment of this Act.

By Mr. DURBIN (for himself and Mr. SPECTER):

S. 752. A bill to reform the financing of Senate elections, and for other purposes; to the Committee on Rules and Administration.

Mr. DURBIN. 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 placed in the RECORD, as follows:

S. 752

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 ''Fair Elections Now Act''.

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

Sec. 1. Short title; table of contents.

TITLE I—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS

Subtitle A—Fair Elections Financing Program

Sec. 101. Findings and declarations.
Sec. 102. Eligibility requirements and benefits of Fair Elections financing of Senate election campaigns.

''TITLE V—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS

''Subtitle A—General Provisions

''Sec. 501. Definitions.
''Sec. 502. Fair Elections Fund.

''Subtitle B—Eligibility and Certification

''Sec. 511. Eligibility.
''Sec. 512. Qualifying contribution requirement.
''Sec. 513. Contribution and expenditure requirements.
''Sec. 514. Debate requirement.
''Sec. 515. Certification.

''Subtitle C—Benefits

''Sec. 521. Benefits for participating candidates.
''Sec. 522. Allocations from the Fund.
''Sec. 523. Matching payments for qualified small dollar contributions.
''Sec. 524. Political advertising vouchers.

''Subtitle D—Administrative Provisions

''Sec. 531. Fair Elections Oversight Board.
''Sec. 532. Administration provisions.
''Sec. 533. Violations and penalties.

Sec. 103. Prohibition on joint fundraising committees.
Sec. 104. Limitation on coordinated expenditures by political party committees with participating candidates.

TITLE II—IMPROVING VOTER INFORMATION

Sec. 201. Broadcasts relating to all Senate candidates.
Sec. 202. Broadcast rates for participating candidates.
Sec. 203. FCC to prescribe standardized form for reporting candidate campaign ads.

TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION

Sec. 301. Petition for certiorari.

Sec. 302. Filing by Senate candidates with Commission.
Sec. 303. Electronic filing of FEC reports.
TITLE IV—MISCELLANEOUS PROVISIONS
Sec. 401. Severability.
Sec. 402. Effective date.

TITLE I—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS

Subtitle A—Fair Elections Financing Program

SEC. 101. FINDINGS AND DECLARATIONS.

(a) UNDERMINING OF DEMOCRACY BY CAMPAIGN CONTRIBUTIONS FROM PRIVATE SOURCES.—The Senate finds and declares that the current system of privately financed campaigns for election to the United States Senate has the capacity, and is often perceived by the public, to undermine democracy in the United States by—

(1) creating a culture that fosters actual or perceived conflicts of interest by encouraging Senators to accept large campaign contributions from private interests that are directly affected by Federal legislation;

(2) diminishing or appearing to diminish Senators' accountability to constituents by compelling legislators to be accountable to the major contributors who finance their election campaigns;

(3) undermining the meaning of the right to vote by allowing monied interests to have a disproportionate and unfair influence within the political process;

(4) imposing large, unwarranted costs on taxpayers through legislative and regulatory distortions caused by unequal access to lawmakers for campaign contributors;

(5) making it difficult for some qualified candidates to mount competitive Senate election campaigns;

(6) disadvantaging challengers and discouraging competitive elections, because large campaign contributors tend to donate their money to incumbent Senators, thus causing Senate elections to be less competitive; and

(7) burdening incumbents with a preoccupation with fundraising and thus decreasing the time available to carry out their public responsibilities.

(b) ENHANCEMENT OF DEMOCRACY BY PROVIDING ALLOCATIONS FROM THE FAIR ELECTIONS FUND.—The Senate finds and declares that providing the option of the replacement of large private campaign contributions with allocations from the Fair Elections Fund for all primary, runoff, and general elections to the Senate would enhance American democracy by—

(1) reducing the actual or perceived conflicts of interest created by fully private financing of the election campaigns of public officials and restoring public confidence in the integrity and fairness of the electoral and legislative processes through a program which allows participating candidates to adhere to substantially lower contribution limits for contributors with an assurance that there will be sufficient funds for such candidates to run viable electoral campaigns;

(2) increasing the public's confidence in the accountability of Senators to the constituents who elect them, which derives from the program's qualifying criteria to participate in the voluntary program and the conclusions that constituents may draw regarding candidates who qualify and participate in the program;

(3) helping to reduce the ability to make large campaign contributions as a determinant of a citizen's influence within the political process by facilitating the expression of support by voters at every level of wealth, encouraging political participation, and incentivizing participation on the part of Senators through the matching of small dollar contributions;

(4) potentially saving taxpayers billions of dollars that may be (or that are perceived to be) currently allocated based upon legislative and regulatory agendas skewed by the influence of campaign contributions;

(5) creating genuine opportunities for all Americans to run for the Senate and encouraging more competitive elections;

(6) encouraging participation in the electoral process by citizens of every level of wealth; and

(7) freeing Senators from the incessant preoccupation with raising money, and allowing them more time to carry out their public responsibilities.

SEC. 102. ELIGIBILITY REQUIREMENTS AND BENEFITS OF FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS.

The Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

"TITLE V—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS

"Subtitle A—General Provisions

"SEC. 501. DEFINITIONS.

''In this title:

''(1) ALLOCATION FROM THE FUND.—The term 'allocation from the Fund' means an allocation of money from the Fair Elections Fund to a participating candidate pursuant to section 522.

''(2) BOARD.—The term 'Board' means the Fair Elections Oversight Board established under section 531.

''(3) FAIR ELECTIONS QUALIFYING PERIOD.—The term 'Fair Elections qualifying period' means, with respect to any candidate for Senator, the period—

''(A) beginning on the date on which the candidate files a statement of intent under section 511(a)(1); and

''(B) ending on the date that is 30 days before—

''(i) the date of the primary election; or

''(ii) in the case of a State that does not hold a primary election, the date prescribed by State law as the last day to qualify for a position on the general election ballot.

''(4) FAIR ELECTIONS START DATE.—The term 'Fair Elections start date' means, with respect to any candidate, the date that is 180 days before—

''(A) the date of the primary election; or

''(B) in the case of a State that does not hold a primary election, the date prescribed by State law as the last day to qualify for a position on the general election ballot.

''(5) FUND.—The term 'Fund' means the Fair Elections Fund established by section 502.

''(6) IMMEDIATE FAMILY.—The term 'immediate family' means, with respect to any candidate—

''(A) the candidate's spouse;

''(B) a child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate or the candidate's spouse; and

''(C) the spouse of any person described in subparagraph (B).

''(7) MATCHING CONTRIBUTION.—The term 'matching contribution' means a matching payment provided to a participating candidate for qualified small dollar contributions, as provided under section 523.

''(8) NONPARTICIPATING CANDIDATE.—The term 'nonparticipating candidate' means a candidate for Senator who is not a participating candidate.

''(9) PARTICIPATING CANDIDATE.—The term 'participating candidate' means a candidate for Senator who is certified under section 515 as being eligible to receive an allocation from the Fund.

''(10) QUALIFYING CONTRIBUTION.—The term 'qualifying contribution' means, with respect to a candidate, a contribution that—

''(A) is in an amount that is—

''(i) not less than the greater of $5 or the amount determined by the Commission under section 531; and

''(ii) not more than the greater of $100 or the amount determined by the Commission under section 531.

''(B) is made by an individual—

''(i) who is a resident of the State in which such Candidate is seeking election; and

''(ii) who is not otherwise prohibited from making a contribution under this Act;

''(C) is made during the Fair Elections qualifying period; and

''(D) meets the requirements of section 512(b).

''(11) QUALIFIED SMALL DOLLAR CONTRIBUTION.—The term 'qualified small dollar contribution' means, with respect to a candidate, any contribution (or series of contributions)—

''(A) which is not a qualifying contribution (or does not include a qualifying contribution);

''(B) which is made by an individual who is not prohibited from making a contribution under this Act; and

''(C) the aggregate amount of which does not exceed the greater of—

''(i) $100 per election; or

''(ii) the amount per election determined by the Commission under section 531.

"SEC. 502. FAIR ELECTIONS FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury a fund to be known as the 'Fair Elections Fund'.

''(b) AMOUNTS HELD BY FUND.—The Fund shall consist of the following amounts:

''(1) APPROPRIATED AMOUNTS.—

''(A) IN GENERAL.—Amounts appropriated to the Fund.

''(B) SENSE OF THE SENATE REGARDING APPROPRIATIONS.—It is the sense of the Senate that—

''(i) there should be imposed on any payment made to any person (other than a State or local government or a foreign nation) who has contracts with the Government of the United States in excess of $10,000,000 a tax equal to 0.50 percent of amount paid pursuant to such contracts, except that the aggregate tax for any person for any taxable year shall not exceed $500,000; and

''(ii) the revenue from such tax should be appropriated to the Fund.

''(2) VOLUNTARY CONTRIBUTIONS.—Voluntary contributions to the Fund.

''(3) OTHER DEPOSITS.—Amounts deposited into the Fund under—

''(A) section 513(c) (relating to exceptions to contribution requirements);

''(B) section 521(c) (relating to remittance of allocations from the Fund);

''(C) section 533 (relating to violations); and

''(D) any other section of this Act.

''(4) INVESTMENT RETURNS.—Interest on, and the proceeds from, the sale or redemption of, any obligations held by the Fund under subsection (c).

''(c) INVESTMENT.—The Commission shall invest portions of the Fund in obligations of the United States in the same manner as provided under section 9602(b) of the Internal Revenue Code of 1986.

''(d) USE OF FUND.—

''(1) IN GENERAL.—The sums in the Fund shall be used to provide benefits to participating candidates as provided in subtitle C.

''(2) INSUFFICIENT AMOUNTS.—Under regulations established by the Commission, rules similar to the rules of section 9006(c) of the Internal Revenue Code shall apply.

"Subtitle B—Eligibility and Certification

"SEC. 511. ELIGIBILITY.

''(a) IN GENERAL.—A candidate for Senator is eligible to receive an allocation from the

Fund for any election if the candidate meets the following requirements:

''(1) The candidate files with the Commission a statement of intent to seek certification as a participating candidate under this title during the period beginning on the Fair Elections start date and ending on the last day of the Fair Elections qualifying period.

''(2) The candidate meets the qualifying contribution requirements of section 512.

''(3) Not later than the last day of the Fair Elections qualifying period, the candidate files with the Commission an affidavit signed by the candidate and the treasurer of the candidate's principal campaign committee declaring that the candidate—

''(A) has complied and, if certified, will comply with the contribution and expenditure requirements of section 513;

''(B) if certified, will comply with the debate requirements of section 514;

''(C) if certified, will not run as a nonparticipating candidate during such year in any election for the office that such candidate is seeking; and

''(D) has either qualified or will take steps to qualify under State law to be on the ballot.

''(b) GENERAL ELECTION.—Notwithstanding subsection (a), a candidate shall not be eligible to receive an allocation from the Fund for a general election or a general runoff election unless the candidate's party nominated the candidate to be placed on the ballot for the general election or the candidate otherwise qualified to be on the ballot under State law.

''SEC. 512. QUALIFYING CONTRIBUTION REQUIREMENT.

''(a) IN GENERAL.—A candidate for Senator meets the requirement of this section if, during the Fair Elections qualifying period, the candidate obtains—

''(1) a number of qualifying contributions equal to the greater of—

''(A) the sum of—

''(i) 2,000; plus

''(ii) 500 for each congressional district in the State with respect to which the candidate is seeking election; or

''(B) the amount determined by the Commission under section 531; and

''(2) a total dollar amount of qualifying contributions equal to the greater of—

''(A) 10 percent of the amount of the allocation such candidate would be entitled to receive for the primary election under section 522(c)(1) (determined without regard to paragraph (5) thereof) if such candidate were a participating candidate; or

''(B) the amount determined by the Commission under section 531.

''(b) REQUIREMENTS RELATING TO RECEIPT OF QUALIFYING CONTRIBUTION.—Each qualifying contribution—

''(1) may be made by means of a personal check, money order, debit card, credit card, or electronic payment account;

''(2) shall be accompanied by a signed statement containing—

''(A) the contributor's name and the contributor's address in the State in which the contributor is registered to vote;

''(B) an oath declaring that the contributor—

''(i) understands that the purpose of the qualifying contribution is to show support for the candidate so that the candidate may qualify for Fair Elections financing;

''(ii) is making the contribution in his or her own name and from his or her own funds;

''(iii) has made the contribution willingly; and

''(iv) has not received any thing of value in return for the contribution; and

''(3) shall be acknowledged by a receipt that is sent to the contributor with a copy kept by the candidate for the Commission and a copy kept by the candidate for the election authorities in the State with respect to which the candidate is seeking election; and

''(c) VERIFICATION OF QUALIFYING CONTRIBUTIONS.—The Commission shall establish procedures for the auditing and verification of qualifying contributions to ensure that such contributions meet the requirements of this section.

''SEC. 513. CONTRIBUTION AND EXPENDITURE REQUIREMENTS.

''(a) GENERAL RULE.—A candidate for Senator meets the requirements of this section if, during the election cycle of the candidate, the candidate—

''(1) except as provided in subsection (b), accepts no contributions other than—

''(A) qualifying contributions;

''(B) qualified small dollar contributions;

''(C) allocations from the Fund under section 522;

''(D) matching contributions under section 523; and

''(E) vouchers provided to the candidate under section 524;

''(2) makes no expenditures from any amounts other than from—

''(A) qualifying contributions;

''(B) qualified small dollar contributions;

''(C) allocations from the Fund under section 522;

''(D) matching contributions under section 523; and

''(E) vouchers provided to the candidate under section 524; and

''(3) makes no expenditures from personal funds or the funds of any immediate family member (other than funds received through qualified small dollar contributions and qualifying contributions).

For purposes of this subsection, a payment made by a political party in coordination with a participating candidate shall not be treated as a contribution to or as an expenditure made by the participating candidate.

''(b) CONTRIBUTIONS FOR LEADERSHIP PACS, ETC.—A political committee of a participating candidate which is not an authorized committee of such candidate may accept contributions other than contributions described in subsection (a)(1) from any person if—

''(1) the aggregate contributions from such person for any calendar year do not exceed $100; and

''(2) no portion of such contributions is disbursed in connection with the campaign of the participating candidate.

''(c) EXCEPTION.—Notwithstanding subsection (a), a candidate shall not be treated as having failed to meet the requirements of this section if any contributions that are not qualified small dollar contributions, qualifying contributions, or contributions that meet the requirements of subsection (b) and that are accepted before the date the candidate files a statement of intent under section 511(a)(1) are—

''(1) returned to the contributor; or

''(2) submitted to the Commission for deposit in the Fund.

''SEC. 514. DEBATE REQUIREMENT.

''A candidate for Senator meets the requirements of this section if the candidate participates in at least—

''(1) 1 public debate before the primary election with other participating candidates and other willing candidates from the same party and seeking the same nomination as such candidate; and

''(2) 2 public debates before the general election with other participating candidates and other willing candidates seeking the same office as such candidate.

''SEC. 515. CERTIFICATION.

''(a) IN GENERAL.—Not later than 5 days after a candidate for Senator files an affidavit under section 511(a)(3), the Commission shall—

''(1) certify whether or not the candidate is a participating candidate; and

''(2) notify the candidate of the Commission's determination.

''(b) REVOCATION OF CERTIFICATION.—

''(1) IN GENERAL.—The Commission may revoke a certification under subsection (a) if—

''(A) a candidate fails to qualify to appear on the ballot at any time after the date of certification; or

''(B) a candidate otherwise fails to comply with the requirements of this title, including any regulatory requirements prescribed by the Commission.

''(2) REPAYMENT OF BENEFITS.—If certification is revoked under paragraph (1), the candidate shall repay to the Fund an amount equal to the value of benefits received under this title plus interest (at a rate determined by the Commission) on any such amount received.

''Subtitle C—Benefits

''SEC. 521. BENEFITS FOR PARTICIPATING CANDIDATES.

''(a) IN GENERAL.—For each election with respect to which a candidate is certified as a participating candidate, such candidate shall be entitled to—

''(1) an allocation from the Fund to make or obligate to make expenditures with respect to such election, as provided in section 522;

''(2) matching contributions, as provided in section 523; and

''(3) for the general election, vouchers for broadcasts of political advertisements, as provided in section 524.

''(b) RESTRICTION ON USES OF ALLOCATIONS FROM THE FUND.—Allocations from the Fund received by a participating candidate under sections 522 and matching contributions under section 523 may only be used for campaign-related costs.

''(c) REMITTING ALLOCATIONS FROM THE FUND.—

''(1) IN GENERAL.—Not later than the date that is 45 days after an election in which the participating candidate appeared on the ballot, such participating candidate shall remit to the Commission for deposit in the Fund an amount equal to the lesser of—

''(A) the amount of money in the candidate's campaign account; or

''(B) the sum of the allocations from the Fund received by the candidate under section 522 and the matching contributions received by the candidate under section 523.

''(2) EXCEPTION.—In the case of a candidate who qualifies to be on the ballot for a primary runoff election, a general election, or a general runoff election, the amounts described in paragraph (1) may be retained by the candidate and used in such subsequent election.

''SEC. 522. ALLOCATIONS FROM THE FUND.

''(a) IN GENERAL.—The Commission shall make allocations from the Fund under section 521(a)(1) to a participating candidate—

''(1) in the case of amounts provided under subsection (c)(1), not later than 48 hours after the date on which such candidate is certified as a participating candidate under section 515;

''(2) in the case of a general election, not later than 48 hours after—

''(A) the date of the certification of the results of the primary election or the primary runoff election; or

''(B) in any case in which there is no primary election, the date the candidate qualifies to be placed on the ballot; and

''(3) in the case of a primary runoff election or a general runoff election, not later

than 48 hours after the certification of the results of the primary election or the general election, as the case may be.

''(b) METHOD OF PAYMENT.—The Commission shall distribute funds available to participating candidates under this section through the use of an electronic funds exchange or a debit card.

''(c) AMOUNTS.—

''(1) PRIMARY ELECTION ALLOCATION; INITIAL ALLOCATION.—Except as provided in paragraph (5), the Commission shall make an allocation from the Fund for a primary election to a participating candidate in an amount equal to 67 percent of the base amount with respect to such participating candidate.

''(2) PRIMARY RUNOFF ELECTION ALLOCATION.—The Commission shall make an allocation from the Fund for a primary runoff election to a participating candidate in an amount equal to 25 percent of the amount the participating candidate was eligible to receive under this section for the primary election.

''(3) GENERAL ELECTION ALLOCATION.—Except as provided in paragraph (5), the Commission shall make an allocation from the Fund for a general election to a participating candidate in an amount equal to the base amount with respect to such candidate.

''(4) GENERAL RUNOFF ELECTION ALLOCATION.—The Commission shall make an allocation from the Fund for a general runoff election to a participating candidate in an amount equal to 25 percent of the base amount with respect to such candidate.

''(5) UNCONTESTED ELECTIONS.—

''(A) IN GENERAL.—In the case of a primary or general election that is an uncontested election, the Commission shall make an allocation from the Fund to a participating candidate for such election in an amount equal to 25 percent of the allocation which such candidate would be entitled to under this section for such election if this paragraph did not apply.

''(B) UNCONTESTED ELECTION DEFINED.—For purposes of this subparagraph, an election is uncontested if not more than 1 candidate has campaign funds (including payments from the Fund) in an amount equal to or greater than 10 percent of the allocation a participating candidate would be entitled to receive under this section for such election if this paragraph did not apply.

''(d) BASE AMOUNT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the base amount for any candidate is an amount equal to the greater of—

''(A) the sum of—

''(i) $750,000; plus

''(ii) $150,000 for each congressional district in the State with respect to which the candidate is seeking election; or

''(B) the amount determined by the Commission under section 531.

''(2) INDEXING.—In each odd-numbered year after 2012—

''(A) each dollar amount under paragraph (1)(A) shall be increased by the percent difference between the price index (as defined in section 315(c)(2)(A)) for the 12 months preceding the beginning of such calendar year and the price index for calendar year 2011;

''(B) each dollar amount so increased shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election; and

''(C) if any amount after adjustment under subparagraph (A) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.

''SEC. 523. MATCHING PAYMENTS FOR QUALIFIED SMALL DOLLAR CONTRIBUTIONS.

''(a) IN GENERAL.—The Commission shall pay to each participating candidate an amount equal to 400 percent of the amount of qualified small dollar contributions received by the candidate from individuals who are residents of the State in which such participating candidate is seeking election after the date on which such candidate is certified under section 515.

''(b) LIMITATION.—The aggregate payments under subsection (a) with respect to any candidate shall not exceed the greater of—

''(1) 200 percent of the allocation such candidate is entitled to receive for such election under section 522 (determined without regard to subsection (c)(5) thereof); or

''(2) the percentage of such allocation determined by the Commission under section 531.

''(c) TIME OF PAYMENT.—The Commission shall make payments under this section not later than 2 business days after the receipt of a report made under subsection (d).

''(d) REPORTS.—

''(1) IN GENERAL.—Each participating candidate shall file reports of receipts of qualified small dollar contributions at such times and in such manner as the Commission may by regulations prescribe.

''(2) CONTENTS OF REPORTS.—Each report under this subsection shall disclose—

''(A) the amount of each qualified small dollar contribution received by the candidate;

''(B) the amount of each qualified small dollar contribution received by the candidate from a resident of the State in which the candidate is seeking election; and

''(C) the name, address, and occupation of each individual who made a qualified small dollar contribution to the candidate.

''(3) FREQUENCY OF REPORTS.—Reports under this subsection shall be made no more frequently than—

''(A) once every month until the date that is 90 days before the date of the election;

''(B) once every week after the period described in subparagraph (A) and until the date that is 21 days before the election; and

''(C) once every day after the period described in subparagraph (B).

''(4) LIMITATION ON REGULATIONS.—The Commission may not prescribe any regulations with respect to reporting under this subsection with respect to any election after the date that is 180 days before the date of such election.

''(e) APPEALS.—The Commission shall provide a written explanation with respect to any denial of any payment under this section and shall provide the opportunity for review and reconsideration within 5 business days of such denial.

''SEC. 524. POLITICAL ADVERTISING VOUCHERS.

''(a) IN GENERAL.—The Commission shall establish and administer a voucher program for the purchase of airtime on broadcasting stations for political advertisements in accordance with the provisions of this section.

''(b) CANDIDATES.—The Commission shall only disburse vouchers under the program established under subsection (a) to participants certified pursuant to section 515 who have agreed in writing to keep and furnish to the Commission such records, books, and other information as it may require.

''(c) AMOUNTS.—The Commission shall disburse vouchers to each candidate certified under subsection (b) in an aggregate amount equal to the greater of—

''(1) $100,000 multiplied by the number of congressional districts in the State with respect to which such candidate is running for office; or

''(2) the amount determined by the Commission under section 531.

''(d) USE.—

''(1) EXCLUSIVE USE.—Vouchers disbursed by the Commission under this section may be used only for the purchase of broadcast airtime for political advertisements relating to a general election for the office of Senate by the participating candidate to which the vouchers were disbursed, except that—

''(A) a candidate may exchange vouchers with a political party under paragraph (2); and

''(B) a political party may use vouchers only to purchase broadcast airtime for political advertisements for generic party advertising (as defined by the Commission in regulations), to support candidates for State or local office in a general election, or to support participating candidates of the party in a general election for Federal office, but only if it discloses the value of the voucher used as an expenditure under section 315(d).

''(2) EXCHANGE WITH POLITICAL PARTY COMMITTEE.—

''(A) IN GENERAL.—A participating candidate who receives a voucher under this section may transfer the right to use all or a portion of the value of the voucher to a committee of the political party of which the individual is a candidate in exchange for money in an amount equal to the cash value of the voucher or portion exchanged.

''(B) CONTINUATION OF CANDIDATE OBLIGATIONS.—The transfer of a voucher, in whole or in part, to a political party committee under this paragraph does not release the candidate from any obligation under the agreement made under subsection (b) or otherwise modify that agreement or its application to that candidate.

''(C) PARTY COMMITTEE OBLIGATIONS.—Any political party committee to which a voucher or portion thereof is transferred under subparagraph (A)—

''(i) shall account fully, in accordance with such requirements as the Commission may establish, for the receipt of the voucher; and

''(ii) may not use the transferred voucher or portion thereof for any purpose other than a purpose described in paragraph (1)(B).

''(D) VOUCHER AS A CONTRIBUTION UNDER FECA.—If a candidate transfers a voucher or any portion thereof to a political party committee under subparagraph (A)—

''(i) the value of the voucher or portion thereof transferred shall be treated as a contribution from the candidate to the committee, and from the committee to the candidate, for purposes of sections 302 and 304;

''(ii) the committee may, in exchange, provide to the candidate only funds subject to the prohibitions, limitations, and reporting requirements of title III of this Act; and

''(iii) the amount, if identified as a 'voucher exchange' shall not be considered a contribution for the purposes of sections 315 and 513.

''(e) VALUE; ACCEPTANCE; REDEMPTION.—

''(1) VOUCHER.—Each voucher disbursed by the Commission under this section shall have a value in dollars, redeemable upon presentation to the Commission, together with such documentation and other information as the Commission may require, for the purchase of broadcast airtime for political advertisements in accordance with this section.

''(2) ACCEPTANCE.—A broadcasting station shall accept vouchers in payment for the purchase of broadcast airtime for political advertisements in accordance with this section.

''(3) REDEMPTION.—The Commission shall redeem vouchers accepted by broadcasting stations under paragraph (2) upon presentation, subject to such documentation, verification, accounting, and application requirements as the Commission may impose

to ensure the accuracy and integrity of the voucher redemption system.

''(4) EXPIRATION.—

''(A) CANDIDATES.—A voucher may only be used to pay for broadcast airtime for political advertisements to be broadcast before midnight on the day before the date of the Federal election in connection with which it was issued and shall be null and void for any other use or purpose.

''(B) EXCEPTION FOR POLITICAL PARTY COMMITTEES.—A voucher held by a political party committee may be used to pay for broadcast airtime for political advertisements to be broadcast before midnight on December 31st of the odd-numbered year following the year in which the voucher was issued by the Commission.

''(5) VOUCHER AS EXPENDITURE UNDER FECA.—The use of a voucher to purchase broadcast airtime constitutes an expenditure as defined in section 301(9)(A).

''(f) DEFINITIONS.—In this section:

''(1) BROADCASTING STATION.—The term 'broadcasting station' has the meaning given that term by section 315(f)(1) of the Communications Act of 1934.

''(2) POLITICAL PARTY.—The term 'political party' means a major party or a minor party as defined in section 9002(3) or (4) of the Internal Revenue Code of 1986 (26 U.S.C. 9002(3) or (4)).

"Subtitle D—Administrative Provisions

"SEC. 531. FAIR ELECTIONS OVERSIGHT BOARD.

''(a) ESTABLISHMENT.—There is established within the Federal Election Commission an entity to be known as the 'Fair Elections Oversight Board'.

''(b) STRUCTURE AND MEMBERSHIP.—

''(1) IN GENERAL.—The Board shall be composed of 5 members appointed by the President by and with the advice and consent of the Senate, of whom—

''(A) 2 shall be appointed after consultation with the Majority Leader of the Senate;

''(B) 2 shall be appointed after consultation with the Minority Leader of the Senate; and

''(C) 1 shall be appointed upon the recommendation of the members appointed under subparagraphs (A) and (B).

''(2) QUALIFICATIONS.—

''(A) IN GENERAL.—The members shall be individuals who are nonpartisan and, by reason of their education, experience, and attainments, exceptionally qualified to perform the duties of members of the Board.

''(B) PROHIBITION.—No member of the Board may be—

''(i) an employee of the Federal government;

''(ii) a registered lobbyist; or

''(iii) an officer or employee of a political party or political campaign.

''(3) DATE.—Members of the Board shall be appointed not later than 60 days after the date of the enactment of this Act.

''(4) TERMS.—A member of the Board shall be appointed for a term of 5 years.

''(5) VACANCIES.—A vacancy on the Board shall be filled not later than 30 calendar days after the date on which the Board is given notice of the vacancy, in the same manner as the original appointment. The individual appointed to fill the vacancy shall serve only for the unexpired portion of the term for which the individual's predecessor was appointed.

''(6) CHAIRPERSON.—The Board shall designate a Chairperson from among the members of the Board.

''(c) DUTIES AND POWERS.—

''(1) ADMINISTRATION.—

''(A) IN GENERAL.—The Board shall have such duties and powers as the Commission may prescribe, including the power to administer the provisions of this title.

''(2) REVIEW OF FAIR ELECTIONS FINANCING.—

''(A) IN GENERAL.—After each general election for Federal office, the Board shall conduct a comprehensive review of the Fair Elections financing program under this title, including—

''(i) the maximum dollar amount of qualified small dollar contributions under section 501(11);

''(ii) the maximum and minimum dollar amounts for qualifying contributions under section 501(10);

''(iii) the number and value of qualifying contributions a candidate is required to obtain under section 512 to qualify for allocations from the Fund;

''(iv) the amount of allocations from the Fund that candidates may receive under section 522;

''(v) the maximum amount of matching contributions a candidate may receive under section 523;

''(vi) the amount and usage of vouchers under section 524;

''(vii) the overall satisfaction of participating candidates and the American public with the program; and

''(viii) such other matters relating to financing of Senate campaigns as the Board determines are appropriate.

''(B) CRITERIA FOR REVIEW.—In conducting the review under subparagraph (A), the Board shall consider the following:

''(i) QUALIFYING CONTRIBUTIONS AND QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—The Board shall consider whether the number and dollar amount of qualifying contributions required and maximum dollar amount for such qualifying contributions and qualified small dollar contributions strikes a balance regarding the importance of voter involvement, the need to assure adequate incentives for participating, and fiscal responsibility, taking into consideration the number of primary and general election participating candidates, the electoral performance of those candidates, program cost, and any other information the Board determines is appropriate.

''(ii) REVIEW OF PROGRAM BENEFITS.—The Board shall consider whether the totality of the amount of funds allowed to be raised by participating candidates (including through qualifying contributions and small dollar contributions), allocations from the Fund under sections 522, matching contributions under section 523, and vouchers under section 524 are sufficient for voters in each State to learn about the candidates to cast an informed vote, taking into account the historic amount of spending by winning candidates, media costs, primary election dates, and any other information the Board determines is appropriate.

''(C) ADJUSTMENT OF AMOUNTS.—

''(i) IN GENERAL.—Based on the review conducted under subparagraph (A), the Board shall provide for the adjustments of the following amounts:

''(I) the maximum dollar amount of qualified small dollar contributions under section 501(11)(C);

''(II) the maximum and minimum dollar amounts for qualifying contributions under section 501(10)(A);

''(III) the number and value of qualifying contributions a candidate is required to obtain under section 512(a)(1);

''(IV) the base amount for candidates under section 522(d);

''(V) the maximum amount of matching contributions a candidate may receive under section 523(b); and

''(VI) the dollar amount for vouchers under section 524(c).

''(ii) REGULATIONS.—The Commission shall promulgate regulations providing for the adjustments made by the Board under clause (i).

''(D) REPORT.—Not later than March 30 following any general election for Federal office, the Board shall submit a report to Congress on the review conducted under paragraph (1). Such report shall contain a detailed statement of the findings, conclusions, and recommendations of the Board based on such review.

''(d) MEETINGS AND HEARINGS.—

''(1) MEETINGS.—The Board may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Board considers advisable to carry out the purposes of this Act.

''(2) QUORUM.—Three members of the Board shall constitute a quorum for purposes of voting, but a quorum is not required for members to meet and hold hearings.

''(e) REPORTS.—Not later than March 30, 2011, and every 2 years thereafter, the Board shall submit to the Senate Committee on Rules and Administration a report documenting, evaluating, and making recommendations relating to the administrative implementation and enforcement of the provisions of this title.

''(f) ADMINISTRATION.—

''(1) COMPENSATION OF MEMBERS.—

''(A) IN GENERAL.—Each member, other than the Chairperson, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

''(B) CHAIRPERSON.—The Chairperson shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5, United States Code.

''(2) PERSONNEL.—

''(A) DIRECTOR.—The Board shall have a staff headed by an Executive Director. The Executive Director shall be paid at a rate equivalent to a rate established for the Senior Executive Service under section 5382 of title 5, United States Code.

''(B) STAFF APPOINTMENT.—With the approval of the Chairperson, the Executive Director may appoint such personnel as the Executive Director and the Board determines to be appropriate.

''(C) ACTUARIAL EXPERTS AND CONSULTANTS.—With the approval of the Chairperson, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

''(D) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the request of the Chairperson, the head of any Federal agency may detail, without reimbursement, any of the personnel of such agency to the Board to assist in carrying out the duties of the Board. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

''(E) OTHER RESOURCES.—The Board shall have reasonable access to materials, resources, statistical data, and other information from the Library of Congress and other agencies of the executive and legislative branches of the Federal Government. The Chairperson of the Board shall make requests for such access in writing when necessary.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this subtitle.

"SEC. 532. ADMINISTRATION PROVISIONS.

''The Commission shall prescribe regulations to carry out the purposes of this title, including regulations—

''(1) to establish procedures for—

''(A) verifying the amount of valid qualifying contributions with respect to a candidate;

''(B) effectively and efficiently monitoring and enforcing the limits on the raising of qualified small dollar contributions;

''(C) effectively and efficiently monitoring and enforcing the limits on the use of personal funds by participating candidates;

''(D) monitoring the use of allocations from the Fund and matching contributions under this title through audits or other mechanisms; and

''(E) the administration of the voucher program under section 524; and

''(2) regarding the conduct of debates in a manner consistent with the best practices of States that provide public financing for elections.

''SEC. 533. VIOLATIONS AND PENALTIES.

''(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBUTION AND EXPENDITURE REQUIREMENTS.—If a candidate who has been certified as a participating candidate under section 515(a) accepts a contribution or makes an expenditure that is prohibited under section 513, the Commission shall assess a civil penalty against the candidate in an amount that is not more than 3 times the amount of the contribution or expenditure. Any amounts collected under this subsection shall be deposited into the Fund.

''(b) REPAYMENT FOR IMPROPER USE OF FAIR ELECTIONS FUND.—

''(1) IN GENERAL.—If the Commission determines that any benefit made available to a participating candidate under this title was not used as provided for in this title or that a participating candidate has violated any of the dates for remission of funds contained in this title, the Commission shall so notify the candidate and the candidate shall pay to the Fund an amount equal to—

''(A) the amount of benefits so used or not remitted, as appropriate; and

''(B) interest on any such amounts (at a rate determined by the Commission).

''(2) OTHER ACTION NOT PRECLUDED.—Any action by the Commission in accordance with this subsection shall not preclude enforcement proceedings by the Commission in accordance with section 309(a), including a referral by the Commission to the Attorney General in the case of an apparent knowing and willful violation of this title.''.

SEC. 103. PROHIBITION ON JOINT FUNDRAISING COMMITTEES.

Section 302(e) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)) is amended by adding at the end the following new paragraph:

''(6) No authorized committee of a participating candidate (as defined in section 501) may establish a joint fundraising committee with a political committee other than an authorized committee of a candidate.''.

SEC. 104. LIMITATION ON COORDINATED EXPENDITURES BY POLITICAL PARTY COMMITTEES WITH PARTICIPATING CANDIDATES.

(a) IN GENERAL.—Section 315(d)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended—

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

(2) by inserting before subparagraph (B), as redesignated by paragraph (1), the following new subparagraph:

''(A) in the case of a candidate for election to the office of Senator who is a participating candidate (as defined in section 501), the lesser of—

''(i) 10 percent of the allocation from the Fair Elections Fund that the participating candidate is eligible to receive for the general election under section 522(c); or

''(ii) the amount which would (but for this subparagraph) apply with respect to such candidate under subparagraph (B);''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 315(d)(3) of such Act, as redesignated by subsection (a), is amended by inserting ''who is not a participating candidate (as so defined)'' after ''office of Senator''.

TITLE II—IMPROVING VOTER INFORMATION

SEC. 201. BROADCASTS RELATING TO ALL SENATE CANDIDATES.

(a) LOWEST UNIT CHARGE; NATIONAL COMMITTEES.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended—

(1) by striking ''to such office'' in paragraph (1) and inserting ''to such office, or by a national committee of a political party on behalf of such candidate in connection with such campaign,''; and

(2) by inserting ''for pre-emptible use thereof'' after ''station'' in subparagraph (A) of paragraph (1).

(b) PREEMPTION; AUDITS.—Section 315 of such Act (47 U.S.C. 315) is amended—

(1) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively and moving them to follow the existing subsection (e);

(2) by redesignating the existing subsection (e) as subsection (c); and

(3) by inserting after subsection (c) (as redesignated by paragraph (2)) the following:

''(d) PREEMPTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), and notwithstanding the requirements of subsection (b)(1)(A), a licensee shall not preempt the use of a broadcasting station by a legally qualified candidate for Senate who has purchased and paid for such use.

''(2) CIRCUMSTANCES BEYOND CONTROL OF LICENSEE.—If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the station, any candidate or party advertising spot scheduled to be broadcast during that program shall be treated in the same fashion as a comparable commercial advertising spot.

''(e) AUDITS.—During the 30-day period preceding a primary election and the 60-day period preceding a general election, the Commission shall conduct such audits as it deems necessary to ensure that each broadcaster to which this section applies is allocating television broadcast advertising time in accordance with this section and section 312.''.

(c) REVOCATION OF LICENSE FOR FAILURE TO PERMIT ACCESS.—Section 312(a)(7) of the Communications Act of 1934 (47 U.S.C. 312(a)(7)) is amended—

(1) by striking ''or repeated'';

(2) by inserting ''or cable system'' after ''broadcasting station''; and

(3) by striking ''his candidacy'' and inserting ''the candidacy of the candidate, under the same terms, conditions, and business practices as apply to the most favored advertiser of the licensee''.

(d) STYLISTIC AMENDMENTS.—Section 315 of such Act (47 U.S.C. 315) is amended—

(1) by striking ''the'' in subsection (f)(1), as redesignated by subsection (b)(1), and inserting ''BROADCASTING STATION.—'';

(2) by striking ''the'' in subsection (f)(2), as redesignated by subsection (b)(1), and inserting ''LICENSEE; STATION LICENSEE.—''; and

(3) by inserting ''REGULATIONS.—'' in subsection (g), as redesignated by subsection (b)(1), before ''The Commission''.

SEC. 202. BROADCAST RATES FOR PARTICIPATING CANDIDATES.

Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)), as amended by subsection (a), is amended—

(1) in paragraph (1)(A), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following:

''(3) PARTICIPATING CANDIDATES.—In the case of a participating candidate (as defined under section 501(9) of the Federal Election Campaign Act of 1971), the charges made for the use of any broadcasting station for a television broadcast shall not exceed 80 percent of the lowest charge described in paragraph (1)(A) during—

''(A) the 45 days preceding the date of a primary or primary runoff election in which the candidate is opposed; and

''(B) the 60 days preceding the date of a general or special election in which the candidate is opposed.

''(4) RATE CARDS.—A licensee shall provide to a candidate for Senate a rate card that discloses—

''(A) the rate charged under this subsection; and

''(B) the method that the licensee uses to determine the rate charged under this subsection.''.

SEC. 203. FCC TO PRESCRIBE STANDARDIZED FORM FOR REPORTING CANDIDATE CAMPAIGN ADS.

(a) IN GENERAL.—Within 90 days after the date of enactment of this Act, the Federal Communications Commission shall initiate a rulemaking proceeding to establish a standardized form to be used by broadcasting stations, as defined in section 315(f)(1) of the Communications Act of 1934 (47 U.S.C. 315(f)(1)), to record and report the purchase of advertising time by or on behalf of a candidate for nomination for election, or for election, to Federal elective office.

(b) CONTENTS.—The form prescribed by the Commission under subsection (a) shall require, broadcasting stations to report to the Commission and to the Federal Election Commission, at a minimum—

(1) the station call letters and mailing address;

(2) the name and telephone number of the station's sales manager (or individual with responsibility for advertising sales);

(3) the name of the candidate who purchased the advertising time, or on whose behalf the advertising time was purchased, and the Federal elective office for which he or she is a candidate;

(4) the name, mailing address, and telephone number of the person responsible for purchasing broadcast political advertising for the candidate;

(5) notation as to whether the purchase agreement for which the information is being reported is a draft or final version; and

(6) the following information about the advertisement:

(A) The date and time of the broadcast.

(B) The program in which the advertisement was broadcast.

(C) The length of the broadcast airtime.

(c) INTERNET ACCESS.—In its rulemaking under subsection (a), the Commission shall require any broadcasting station required to file a report under this section that maintains an Internet website to make available a link to such reports on that website.

TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION

SEC. 301. PETITION FOR CERTIORARI.

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437d(a)(6)) is amended by inserting ''(including a proceeding before the Supreme Court on certiorari)'' after ''appeal''.

SEC. 302. FILING BY SENATE CANDIDATES WITH COMMISSION.

Section 302(g) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)) is amended to read as follows:

''(g) FILING WITH THE COMMISSION.—All designations, statements, and reports required to be filed under this Act shall be filed with the Commission.''.

SEC. 303. ELECTRONIC FILING OF FEC REPORTS.

Section 304(a)(11) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)) is amended—

(1) in subparagraph (A), by striking ''under this Act—'' and all that follows and inserting ''under this Act shall be required to maintain and file such designation, statement, or report in electronic form accessible by computers.'';

(2) in subparagraph (B), by striking ''48 hours'' and all that follows through ''filed electronically)'' and inserting ''24 hours''; and

(3) by striking subparagraph (D).

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 402. EFFECTIVE DATE.

Except as otherwise provided for in this Act, this Act and the amendments made by this Act shall take effect on January 1, 2011.

By Mr. ROCKEFELLER (for himself, Mr. CORKER, and Mr. KENNEDY):

S. 754. A bill to provide for increased Federal oversight of methadone treatment; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, I rise today with my colleagues, Senator CORKER and Senator KENNEDY, to introduce the Methadone Treatment and Protection Act, legislation that provides a comprehensive solution to our country's growing problem of methadone-related deaths. In recent years, too many families have come to me with heartbreaking stories of mothers and fathers, sisters and brothers who have been seriously injured or who have died as a result of methadone. My State of West Virginia has been particularly hard-hit by the number of lives lost, with just seven methadone-related deaths in 1999 compared to approximately 120 deaths in 2005. In the face of such stark realities, we can no longer stand by and remain content with the status quo. Now is the time for a comprehensive strategy to address the misuse of methadone and prevent any additional avoidable deaths.

Methadone is an FDA approved, synthetic opioid prescription drug that has been extensively tested and used in the U.S. for more than thirty years. While it was first prescribed for pain management, methadone is also widely used as a part of opioid addiction treatment. The high efficacy and low cost of methadone has resulted in a significant rise in the number of methadone prescriptions, up 700 percent since 1998. However, there has also been a steep increase in the number of methadone-related deaths. In 2005, there were 4,462 methadone deaths, representing a 468 percent increase in the number of deaths since 1999.

Currently, oversight of methadone is fragmented between three federal agencies: the Food and Drug Administration, FDA, the Substances Abuse and Mental Health Services Administration, SAMHSA, and the Drug Enforcement Administration, DEA. Currently, these agencies lack the most effective tools necessary to properly monitor methadone usage and effectively prevent methadone-related deaths. The legislation we are introducing today will address this shortcoming in our public health infrastructure by providing the administrative direction, funding, education, and data necessary to effectively monitor for the potential misuse of methadone.

The alarming number of accidental methadone-related overdoses indicates that both patients and practitioners do not fully understand the complex nature of this medication. Therefore, the Methadone Treatment and Protection Act will significantly improve patient and provider information about methadone by mandating the creation of a consumer education campaign and requiring additional training for practitioners who prescribe methadone and other opioids.

The bill will also improve Federal oversight of methadone by creating the Controlled Substances Clinical Standards Commission—with membership comprised of the FDA, SAMHSA, and the National Institutes of Health, NIH. This new Commission will establish safe dosage levels for methadone and other opioids, determine appropriate conversion factors when transferring a patient from one opioid to another, and create specific guidelines for initiating pain management treatment with methadone. To curtail the problems of doctor shopping and diversion, this legislation also adequately funds the National All Schedules Prescription Drug Reporting Act, NASPER. Passed and signed into law in 2005, NASPER requires providers to submit prescribing information for all schedule II, III, and IV drugs to State run controlled substance monitoring programs. NASPER also requires States to share this information with one another. Funding NASPER will serve as a deterrent to those who misuse methadone from crossing State lines in order to avoid being detected.

Finally, to improve access to comprehensive data on methadone-related deaths, this legislation mandates the completion of a standard Model Opioid Treatment Program Mortality Report, and requires its submission to a newly created National Opioid Death Registry. Prior to 1999, methadone did not have separate classification from other opiate-related deaths. Therefore, a study released by the Center for Disease Control and Prevention in 2006 was the first opportunity to examine the trends in methadone exclusively. By creating a National Opioid Death Registry, it will be possible to more carefully track—and hopefully prevent—methadone-related deaths.

It is my belief that the multi-pronged approach provided in the Methadone Treatment and Protection Act will lead to a decrease in the number of opioid and methadone-related deaths. This legislation will improve the coordination of resources and information at the local, State and Federal level to stifle the rising death toll, while at the same time make certain methadone and other opioids remain accessible for those who truly need these medications. In light of the facts and the preventable nature of methadone-related deaths, Congress has a responsibility to the American people to guarantee individuals have access to the treatment they need in a manner that is both safe and effective. The time for action is now, and I urge my colleagues to join us in support of this important bill.

By Mrs. BOXER:

S. 755. A bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, as we engage in the debate on health care reform, it is critical that we address the need to invest in health research and innovation to spur the development of new treatments and cures for diseases. Today, I am proud to introduce two bills, S. 755 and S. 756, that would direct Federal investment in new programs that would develop tools to detect ovarian and prostate cancers.

We know that early and reliable detection of these cancers can save lives. These bills make sure we have the tools we need to catch these cancers early, when they can be treated thereby significantly increasing survival rates.

First, the Ovarian Cancer Biomarker Research Act provides funding for research directed toward the development of reliable screening techniques for ovarian cancer—a critical investment in the future of any woman who will face ovarian cancer.

Though only one in 72 women will face ovarian cancer in their lifetime, this disease ranks fifth in cancer deaths among women and causes more deaths than any other cancer of the female reproductive system. In the last year alone, the National Cancer Institute, NCI, estimated there were 15,520 deaths from ovarian cancer in the U.S.

For many years, ovarian cancer has been called the ''silent killer'' because too often women are diagnosed with this disease too late to be saved. But when ovan cancer is diagnosed early, more than 93 percent of women survive longer than 5 years. Because there is currently no effective screening test available, 4 out of 5 ovarian cancer cases in the U.S. are diagnosed in the later stages, when a woman's chance of surviving more than 5 years drops to 46 percent.

The Ovarian Cancer Biomarker Research Act would authorize NCI to make grants for public or nonprofit entities to establish research centers focused on ovarian cancer biomarkers. Biomarkers are biochemical features within the body that can be used to measure the progress of a disease and predict the effects of treatment. This legislation also authorizes funding for a national clinical trial that will enroll at-risk women in a study to determine the clinical utility of using these validated ovarian cancer biomarkers.

The Society of Gynecologic Oncologists, the American College of Obstetricians and Gynecologists, the Ovarian Cancer National Alliance, and the American College of Surgeons have all joined together in support of this research developing tools to detect ovarian cancer early, because they know it is critical to improving the rate of survival for women struck by this disease.

The second bill, the Prostate Imaging, Research and Men's Education Act, addresses the urgent need for the development of new technologies to detect and diagnose prostate cancer.

Prostate cancer is the second most common cancer in the U.S., and the second leading cause of cancer related deaths in men—striking 1 in every 6 men. In 2008, it was estimated that more than 186,000 men were diagnosed with prostate cancer, and more than 28,000 men died from the disease.

The Prostate Research, Imaging, and Men's Education Act, or PRIME Act, would mirror the investment the Federal Government made in advanced imaging technologies, which led to lifesaving breakthroughs in detection, diagnosis and treatment of breast cancer. This bill directs the Secretary of the Department of Health and Human Services to expand prostate cancer research, and provides the resources to develop innovative advanced imaging technologies for prostate cancer detection, diagnosis, and treatment.

In addition, the PRIME Act would create a national campaign to increase awareness about the need for prostate cancer screening, and works with the Offices of Minority Health at HHS and the Centers for Disease Control and Prevention to ensure that this information reaches the men most at risk from this disease.

The PRIME Act will also promote research that improves prostate cancer screening blood tests. According to a National Cancer Institute study, current blood tests result in false-negative reassurances and numerous false-positive alarms. Some 15 percent of men with normal blood test levels actually have prostate cancer. Even when levels are abnormal, some 88 percent of men end up not having prostate cancer but undergo unnecessary biopsies. Furthermore, the prostate is one of the last organs in a human body where biopsies are performed blindly, which can miss cancer even when multiple samples are taken.

Government initiatives in research and education can be the key to diagnosing prostate or ovarian cancers earlier and more accurately. These two bills would strengthen our efforts to fight these diseases.

These bills are of vital importance to thousands of men and women across our great Nation, and the families and friends who are concerned for their continued health. I look forward to working with my colleagues in the House and Senate to get these bills passed as soon as possible.

By Mr. UDALL of Colorado (for himself, Mr. BENNET, and Mr. UDALL of New Mexico):

S. 757. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to expand the category of individuals eligible for compensation, to improve the procedures for providing compensation, and to improve transparency, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. UDALL of Colorado. Mr. President, today I am introducing the Charlie Wolf Nuclear Workers Compensation Act. It is a bill designed to improve a program to compensate Americans who are gravely ill because they were exposed to radiation or other toxins while working in our Cold War-era nuclear weapons complex.

This is an issue that is important to many Coloradans because of the work done at Rocky Flats outside of Denver. The compensation program has a number of serious flaws, and I have worked on solutions for several years now.

The bill I am introducing includes a number of provisions that I introduced last session in the House of Representatives with my Colorado colleague, Representative ED PERLMUTTER. This year, I expanded on those provisions and added others to help these workers finally get the assistance they deserve under this program.

We named the bill for Charlie Wolf, who was one of thousands of workers during the Cold War era, who risked their health in order to build America's nuclear arsenal. And I believe his story illustrates why we should do better by these workers—and why I have introduced this bill.

Charlie worked as an engineer at Rocky Flats—and before that, at the Savannah River Site in South Carolina. He—and the thousands of other workers like him—are Cold War veterans. As controversial as their work often was, they were also patriotic Americans who did more for our country than collect a paycheck.

They believed that their work was keeping the world safe from the Soviet threat—and keeping this country strong. And they were right.

But their work was also dangerous. As a result of radiation and toxins he was exposed to on the job, Charlie developed brain cancer a little over 6 years ago. He was given 6 months to live—but he hung on for 6 years.

During all of those 6 years, he and his family fought with the Federal government to get the compensation that he was promised—and that he deserved.

Charlie's struggles were documented by the Rocky Mountain News in a series of stories called ''Deadly Denial.'' That title, unfortunately, has come to symbolize the troubles with this compensation program.

I have heard from many former workers, who—like Charlie and his family—have been subjected to repeated delays, lost records, complex exposure formulas, and other roadblocks.

We simply cannot—and should not—subject these workers—patriotic people who put themselves in harm's way to help secure our nation—through these kinds of obstacles and difficulties.

It is shameful and, frankly, enough is enough.

This Congress recognized that we should compensate our Cold Warriors and certain survivors who put their health and life on the line to serve our Nation during the Cold War. We created the EEOICPA program to carry out that compensation.

I was among those who strongly supported the EEOICPA provisions that were finally enacted into law in 2000.

But the next year brought a new administration that, regrettably, did not advocate for the program as the Clinton administration had.

Simply put, the program is not working the way it was intended.

As a result, while many people have received benefits under the program, too many face inexcusable obstacles as they try—often in old age or while struggling with the effects of cancer or other serious illnesses—to prove they qualify for benefits.

More than 9 years after we enacted EEOICPA, workers have died without receiving the health care or compensation they deserve.

In fact, a combination of missing records and bureaucratic red tape has prevented many workers from accessing any compensation for their serious illnesses.

I now look forward to working with the Obama administration to correct problems with this compensation program.

The bill I am introducing this week is part of that ongoing effort.

The Charlie Wolf Act is designed to expand the category of individuals eligible for compensation, improve the procedures for providing compensation and transparency, and grant the Office of the Ombudsman greater authority to help workers.

I would like to explain a couple of the provisions in a little more detail.

First, it would revise the part of the EEOICPA law that specifies which covered workers are part of what is known as a ''special exposure cohort'' designation under the law.

The revision would extend this ''special exposure cohort'' status to Department of Energy employees, Department of Energy contractor employees,

or atomic weapons employees who worked at a nuclear weapons facility prior to January 1, 2006.

Being included in a special exposure cohort would help make it easier for workers to establish that their radiation-linked cancer was the result of working at one of these facilities.

Second, the bill would change the burden of proving that a radiation-linked cancer was the result of workplace exposure to toxic materials.

As the law now stands, before a worker can receive benefits, they must establish that the cancer is as likely as not to have resulted from on-the-job exposure to radiation.

While that sounds like a reasonable requirement, many workers have learned that we have not adequately documented radiation exposures over the years.

In fact, there were serious shortcomings in the monitoring of nuclear weapons plant workers' radiation exposures and in the necessary record-keeping. Also, the current administrative process for determining links between exposure and employment is terribly slow.

Many worker exposures were unmonitored or under-monitored over a nuclear weapons plant's history. As such, the current law requires these workers to seek ''dose reconstructions''—essentially using some extrapolated data modeling to re-create the sorts of exposures experienced.

But ''dose reconstructions'' are extremely difficult, slow and arduous for the worker and the agency. The process drags out, while workers like Charlie suffer and wait for compensation they need—in some cases, to help them pay for cancer treatments or care for other deadly illnesses.

This is wrong. We owe these workers better than that.

My bill fixes that problem by presuming that a worker with a covered radiation-linked cancer is eligible for compensation. And it puts the burden of proof on the agency.

So, unless the agency can show—by clear and convincing evidence—that their cancer was not caused by exposure while working at a nuclear weapons facility, that worker would be eligible for compensation.

It may seem like this is asking to prove a negative, but I believe that it requires the federal agency to prove that the cancer may have been the result of other factors. I think it is more appropriate to place this burden on the federal government—and not the ill worker.

Third, the bill expands the list of cancers for which individuals are eligible to receive compensation. The current law fails to recognize some cancers that could legitimately be caused by exposure to toxic materials at these sites.

The bill also requires the Department of Labor to pay a claimant's estate should a claimant die after filing their claim—but before receiving payment and leaving no survivors.

Finally, the bill makes a number of other changes that are all designed to make this process more user-friendly and helpful to claimants.

It expands the duties of the Ombudsman's Office, providing greater transparency and communication with claimants, and allowing more time to file legal actions should claims be denied.

It also allows claimants who were previously denied to re-file their claims.

Since early in my tenure in Congress, I have worked to make good on promises of a fairer deal for the nuclear-weapons workers who helped America win the Cold War.

That was why enactment and improvement of the compensation act has been one of my top priorities. This is an important matter for our country. It is literally a life-or-death issue for the Coloradans who are sick today because of their work at Rocky Flats.

The Charlie Wolf Act will not remedy all the shortcomings of the current law, but it will make it better.

I hope to work with my colleagues in the Senate, who have constituents who face situations similar to that of Charlie and his family. I hope for swift action from both Congress and the administration to keep our promises to these workers and their families.

Charlie Wolf and his family deserve better, as do all of the Americans who have made similar scarifies and been subjected to similar struggles.

Charlie's widow, Kathy, told me this week that Charlie carried on his fight out of principle because he didn't want other workers to have to fight the country they worked so hard to protect.

I am proud to continue to work on behalf of Charlie's family and his memory. I urge my colleagues to cosponsor or support this worthwhile legislation and honor our Cold War heroes.

I would like to thank Senator MICHAEL BENNET of Colorado and Senator TOM UDALL of New Mexico for joining me as original cosponsors of this bill.

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. 757

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 ''Charlie Wolf Nuclear Workers Compensation Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purpose.
Sec. 3. Specified disease.
Sec. 4. Definitions for program administration.
Sec. 5. Change in presumption for finding of cancer.
Sec. 6. Distribution of information to claimants and potential claimants.
Sec. 7. Enhancement of site profiles of Department of Energy facilities.
Sec. 8. Clarification of covered illnesses.
Sec. 9. Payment of compensation to survivors and estates of contractor employees.
Sec. 10. Wage loss resulting from exposure.
Sec. 11. Expansion of toxic substance exposure for covered illnesses.
Sec. 12. Extension of statute of limitations for judicial review of contractor employee claims.
Sec. 13. Expansion of authority of Ombudsman of Energy Employees Occupational Illness Compensation Program.
Sec. 14. Payment for transportation and personal care services.
Sec. 15. Enhancement of transparency in claims process.
Sec. 16. Extension of time for claimants to respond to requests for information.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) (referred to in this subsection as the ''Act'') was enacted to ensure fairness and equity for the civilian men and women who, for more than 50 years, have performed duties uniquely related to the nuclear weapons production and testing programs of the Department of Energy (including predecessor agencies of the Department of Energy) by establishing a program to provide efficient, uniform, and adequate compensation for—

(A) beryllium-related health conditions; and

(B) heavy metal-, toxic chemical-, and radiation-related health conditions;

(2) the Act (42 U.S.C. 7384 et seq.) provides a process for the consideration of claims for compensation by individuals who were employed at relevant times and at various locations, which includes provisions to designate employees at certain other locations as members of a special exposure cohort the claims of whom are subject to a less-detailed administrative process;

(3) the Act (42 U.S.C. 7384 et seq.) authorizes the President, upon a recommendation by the Advisory Board on Radiation and Worker Health established under section 3624(a)(1) of the Act (42 U.S.C. 7384o(a)(1)), to designate additional classes of employees at facilities under the jurisdiction of the Department of Energy as members of a special exposure cohort if the President determines that—

(A) it is not feasible to estimate with sufficient accuracy the magnitude of the radiation dose that the cohort received; and

(B) there is a reasonable likelihood that the radiation dose may have endangered the health of members of the cohort;

(4) it is not feasible to estimate with sufficient accuracy the magnitude of radiation doses received by employees at facilities under the jurisdiction of the Department of Energy because—

(A) many radiation exposures by employees were unmonitored or were not monitored adequately over the lifetime of each facility, as demonstrated in 2004, when an individual employed during the 1950's agreed to be scanned under the former radiation worker program of the Department of Energy and was found to have a significant internal deposition of radiation that had been undetected and unrecorded for longer than 50 years;

(B) lung counters used for the detection and measurement of plutonium and americium in the lungs of the employees were not available at some facilities until the late 1960's, thus—

(i) preventing the very insoluble oxide forms of plutonium from being detected; and

(ii) leading to a result in which a large number of employees experienced inhalation exposures that went undetected and unmeasured;

(C) exposure to neutron radiation was not monitored at some facilities until the late 1950's, and most of the measurements taken at the facilities from the period beginning in the late 1950's and ending in 1970 have been found to be in error;

(D) in some areas of the facilities, neutron doses were 2 to 10 times as great as the gamma doses received by employees, although only gamma doses were recorded;

(E) the radiation exposures of many employees at certain facilities were not measured, and in some cases estimated doses were assigned, while some records for doses have been destroyed or lost;

(F) as a result of the practices described in subparagraph (E), the available exposure histories and other data are not adequate to properly determine whether employees qualify for compensation under the Act (42 U.S.C. 7384 et seq.); and

(G) the model that has been used for dose reconstruction by the National Institute for Occupational Safety and Health in determining whether certain workers qualify for compensation under the Act (42 U.S.C. 7384 et seq.) contains errors because—

(i) the default values used for particle size and solubility of internally deposited plutonium in employees are in error; and

(ii) the use of those erroneous default values to calculate internal doses for claimants can result in dose calculations that may be 3 to 10 times below the calculations as indicated by the example of the records and autopsy data of the Rocky Flats Environmental Technology Site of the Department of Energy;

(5) the administrative costs arising from claims have been disproportionately high relative to the number of claims that have been approved;

(6) many employees, despite working with tons of plutonium and having known exposures that have lead to serious health effects, have been denied compensation under the Act (42 U.S.C. 7384 et seq.) as a result of—

(A) potentially flawed calculations based on records that are incomplete or in error; and

(B) the use of incorrect models;

(7) the purposes of the Act (42 U.S.C. 7384 et seq.) are more likely to be achieved if claims by the employees described in this subsection are subject to administrative procedures applicable to members of the special exposure cohort;

(8) Charlie Wolf, an employee at the nuclear weapons facilities of the Savannah River Site, the Fernald Site, and the Rocky Flats Environmental Technology Site of the Department of Energy, died in 2009 from complications due to glioblastoma multiform brain tumors;

(9) the difficulties of Mr. Wolf in securing compensation for the illness that he likely incurred from exposures to toxic and radioactive materials at the nuclear weapons facilities described in paragraph (8) reinforce the need to ensure that the Act (42 U.S.C. 7384 et seq.) will be carried out more efficiently and humanely for employees similar to Mr. Wolf;

(10) Mr. Wolf's first tumor was discovered after he had worked for several years at the Rocky Flats Environmental Technology Site of the Department of Energy, during which he served as the director of buildings numbered 771 (which was once considered the most dangerous nuclear facility in the United States), 774, and 779, 3 facilities at which toxic and radioactive materials were present and handled by employees;

(11) prior to working at the Rocky Flats Environmental Technology Site of the Department of Energy, Mr. Wolf ran plutonium metal production lines at the Savannah River Site of the Department of Energy;

(12) Mr. Wolf and his family spent almost 7 years of their lives seeking compensation under the Act (42 U.S.C. 7384 et seq.) although, due to the requirements of the Act (42 U.S.C. 7384 et seq.) and the manner by which the regulations and procedures were carried out, the claims of Mr. Wolf were subjected to lengthy and repeated delays and complications that resulted from the difficulties associated with establishing the reconstruction of radiation doses;

(13) as a result of the experiences of Mr. Wolf, and many others like him, there is a need to reform the Act (42 U.S.C. 7384 et seq.), and the program carried out in accordance with the Act (42 U.S.C. 7384 et seq.), to improve the processing of claims; and

(14) the reforms established through the amendments made by this Act broaden the list of specified cancers, broaden the membership of the special exposure cohort, and change the presumption of cancer due to work-related exposures to help streamline the claims process and help workers like Mr. Wolf and their survivors.

(b) PURPOSE.—The purpose of this Act is to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) to improve the processing of claims for work-related illnesses at facilities under the jurisdiction of the Department of Energy.

SEC. 3. SPECIFIED DISEASE.

Section 4(b)(2) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note; Public Law 101–426) is amended—

(1) by striking ''(other than chronic lymphocytic leukemia)'' and inserting ''(including chronic lymphocytic leukemia)'';

(2) by inserting ''posterior subcapsular cataracts, nonmalignant thyroid nodular disease, parathyroid adenoma, malignant tumors of the brain and central nervous system, brochio-alveolar carcinoma, benign neoplasms of the brain and central nervous system,'' after ''disease),''; and

(3) by striking ''or lung'' and inserting ''lung, skin, kidney, salivary gland, rectum, pharynx, or prostate''.

SEC. 4. DEFINITIONS FOR PROGRAM ADMINISTRATION.

(a) ATOMIC WEAPONS EMPLOYEE.—Section 3621(3)(A) of the Energy Employees Occupational Compensation Program Act of 2000 (42 U.S.C. 7384l(3)(A)) is amended by inserting '', or an individual employed by a contractor or subcontractor of an atomic weapons employer,'' after ''atomic weapons employer''.

(b) ESTABLISHED CHRONIC BERYLLIUM DISEASE.—Section 3621 of the Energy Employees Occupational Compensation Program Act of 2000 (42 U.S.C. 7384l) is amended by striking paragraph (13) and inserting the following:

''(13) ESTABLISHED CHRONIC BERYLLIUM DISEASE.—The term 'established chronic beryllium disease' means chronic beryllium disease, as established by—

''(A) an occupational or environmental history, or epidemiological evidence of beryllium exposure; and

''(B) any 3 of the following criteria:

''(i) Characteristic chest radiographic (or computed tomography) abnormalities.

''(ii) Restrictive or obstructive lung physiology testing or a diffusing lung capacity defect.

''(iii) Lung pathology consistent with chronic beryllium disease.

''(iv) A clinical course consistent with a chronic respiratory disorder.

''(v) An immunologic test demonstrating beryllium sensitivity (with preference given to a skin patch test or a beryllium blood test).''.

(c) MEMBER OF SPECIAL EXPOSURE COHORT.—

(1) IN GENERAL.—Section 3621(14) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(14)) is amended by adding at the end the following:

''(D) The employee—

''(i) is not covered under subparagraph (A), (B), or (C); and

''(ii) was employed by the Department of Energy, or a contractor or subcontractor of the Department of Energy, before January 1, 2006.''.

(2) REAPPLICATION.—A claim for which an individual qualifies, by reason of paragraph (14)(D) of section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l) (as added by paragraph (1)), for compensation or benefits under that Act (42 U.S.C. 7384 et seq.) shall be considered for compensation or benefits notwithstanding any denial of any other claim for compensation with respect to the individual.

(d) SPECIFIED CANCERS.—

(1) IN GENERAL.—Section 3621(17) of the Energy Employees Occupational Compensation Program Act of 2000 (42 U.S.C. 7384l(17)) is amended—

(A) in subparagraph (D), by striking ''(other than chronic lymphocytic leukemia)''; and

(B) by adding at the end the following:

''(E) Basal cell carcinoma.

''(F) Skin cancer.''.

(2) REAPPLICATION.—A claim for which an individual qualifies, by reason of subparagraph (E) or (F) of paragraph (17) of section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l) (as added by paragraph (1)), for compensation or benefits under that Act (42 U.S.C. 7384 et seq.) shall be considered for compensation or benefits notwithstanding any denial of any other claim for compensation with respect to the individual.

SEC. 5. CHANGE IN PRESUMPTION FOR FINDING OF CANCER.

Section 3623(b) of the Energy Employees Occupational Compensation Program Act of 2000 (42 U.S.C. 7384n(b)) is amended by striking ''if, and only if, the cancer specified in that subclause was at least as likely as not related to'' and inserting '', unless it is determined, by clear and convincing evidence, that such cancer was not sustained as a result of''.

SEC. 6. DISTRIBUTION OF INFORMATION TO CLAIMANTS AND POTENTIAL CLAIMANTS.

(a) INDEPENDENT PHYSICIANS FOR PERFORMANCE OF MEDICAL AND IMPAIRMENT SCREENINGS.—Section 3631(b)(2) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384v(b)(2)) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) lists that contain descriptions of physicians who are—

''(i) qualified to perform medical and impairment screenings on matters relating to the compensation program; and

''(ii) identified for purposes of this subparagraph by 1 or more independent medical associations, institutions of higher education, or both that are selected by the President for purposes of this subparagraph; and''.

(b) NOTICE OF AVAILABLE BENEFITS.—Section 3631 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384v) (as amended by subsection (a)) is amended by adding at the end the following:

''(d) NOTICE TO CLAIMANTS REGARDING AVAILABLE BENEFITS.—The President shall provide to an individual who files a claim for compensation under this subtitle or subtitle E a written notice that contains a description of the benefits for which the individual may be eligible under this Act.''.

SEC. 7. ENHANCEMENT OF SITE PROFILES OF DEPARTMENT OF ENERGY FACILITIES.

(a) INCLUSION OF TRADE NAMES OF CHEMICALS IN SITE PROFILES.—Section 3633 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384w–1) is amended by striking subsection (c) and inserting the following:

''(c) DEFINITION OF SITE PROFILE.—In this section, the term 'site profile' means an exposure assessment of a facility that—

''(1) identifies the toxic substances or processes that were commonly used in each building or process of the facility, and the time frame during which the potential for exposure to toxic substances existed; and

''(2) includes the trade name (if any) of any substance described in paragraph (1).''.

(b) PUBLIC ACCESS TO SITE PROFILES AND RELATED INFORMATION.—Section 3633 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384w–1) (as amended by subsection (a)) is amended by adding at the end the following:

''(e) PUBLIC ACCESS TO SITE PROFILES AND RELATED INFORMATION.—The Secretary of Labor shall make available to the public—

''(1) each site profile prepared under subsection (a);

''(2) any other database used by the Secretary of Energy to evaluate claims for compensation under this Act; and

''(3) statistical data regarding the number of claims filed, the illnesses claimed, the number of claims filed for each illness, the number of claimants receiving compensation, and the length of time required to process each claim, as measured from the date on which the claim is filed to the final disposition of the claim.''.

SEC. 8. CLARIFICATION OF COVERED ILLNESSES.

(a) DEFINITION OF COVERED ILLNESS.—Section 3671 of the Energy Employees Occupational Compensation Program Act of 2000 (42 U.S.C. 7385s) is amended by striking paragraph (2) and inserting the following:

''(2) COVERED ILLNESS.—The term 'covered illness' means an illness or death resulting from exposure to a toxic substance, including—

''(A) all forms of cancer;

''(B) silicosis;

''(C) asbestosis;

''(D) mesothelioma;

''(E) lung fibrosis;

''(F) chronic obstructive pulmonary disease;

''(G) chronic renal insufficiency;

''(H) peripheral neuropathy;

''(I) chronic encepathalopathy;

''(J) occupational asthma; and

''(K) pneumoconiosis.''.

(b) REAPPLICATION.—A claim for which an individual qualifies, by reason of section 3671(2) of the Energy Employees Occupational Compensation Program Act of 2000 (42 U.S.C. 7385s(2)) (as amended by subsection (a)), for compensation or benefits under that Act (42 U.S.C. 7384 et seq.) shall be considered for compensation or benefits notwithstanding any denial of any other claim for compensation with respect to the individual.

SEC. 9. PAYMENT OF COMPENSATION TO SURVIVORS AND ESTATES OF CONTRACTOR EMPLOYEES.

Section 3672 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–1) is amended to read as follows:

''SEC. 3672. COMPENSATION.

''(a) CONTRACTOR EMPLOYEES; SURVIVORS.—

''(1) CONTRACTOR EMPLOYEES.—

''(A) IN GENERAL.—In accordance with section 3673, a covered contractor employee of the Department of Energy shall receive contractor employee compensation under this subtitle.

''(B) COMPENSATION AFTER DEATH OF CONTRACTOR EMPLOYEE.—Except as provided in paragraph (2)(B), if the death of a contractor employee described in subparagraph (A) occurs after the date on which the contractor employee applies for compensation under this subtitle, but before the date on which such compensation is paid, the amount of compensation that the contractor employee would have received under this paragraph shall be paid to—

''(i) a survivor of the contractor employee in accordance with section 3674; or

''(ii) if, as of the date of the death of the contractor employee, no survivor of the contractor employee exists, the estate of the contractor employee.

''(2) SURVIVORS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a survivor of a covered contractor employee of the Department of Energy shall receive contractor employee compensation under this subtitle in accordance with section 3674.

''(B) ELECTION OF CONTRACTOR EMPLOYEE COMPENSATION OR SURVIVOR COMPENSATION.—A survivor of a contractor employee described in subparagraph (A) who is otherwise eligible to receive compensation pursuant to subparagraph (A) and paragraph (1)(B) shall—

''(i) receive compensation pursuant to subparagraph (A) or paragraph (1)(B), as elected by the survivor of the contractor employee; and

''(ii) not receive compensation pursuant to both subparagraph (A) and paragraph (1)(B).

''(b) APPLICABILITY.—Subsection (a) is subject to each other provision of this subtitle.''.

SEC. 10. WAGE LOSS RESULTING FROM EXPOSURE.

Section 3673(a)(2)(A)(i) of the Energy Employees Occupational Compensation Program Act of 2000 (42 U.S.C. 7385s–2(a)(2)(A)(i)) is amended by inserting ''that contributed to the wage loss of the employee'' after ''that employee''.

SEC. 11. EXPANSION OF TOXIC SUBSTANCE EXPOSURE FOR COVERED ILLNESSES.

Section 3675(c)(1) of the Energy Employees Occupational Compensation Program Act of 2000 (42 U.S.C. 7385s–4(c)(1)) is amended—

(1) in subparagraph (A), by inserting ''(including radiation or a combination of a toxic substance, including heavy metals, and radiation)'' after ''toxic substance''; and

(2) in subparagraph (B), by inserting ''(including radiation or a combination of a toxic substance and radiation)'' after ''toxic substance''.

SEC. 12. EXTENSION OF STATUTE OF LIMITATIONS FOR JUDICIAL REVIEW OF CONTRACTOR EMPLOYEE CLAIMS.

Section 3677(a) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–6(a)) is amended, in the first sentence, by striking ''within 60 days'' and inserting ''not later than 1 year''.

SEC. 13. EXPANSION OF AUTHORITY OF OMBUDSMAN OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

Section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) DUTIES.—The Office shall—

''(1) assist individuals in making claims under this subtitle and subtitle B;

''(2) provide information regarding—

''(A) the benefits available under this subtitle and subtitle B; and

''(B) the requirements and procedures applicable to the provision of the benefits described in subparagraph (A);

''(3) function as an advocate on behalf of individuals seeking benefits under this subtitle and subtitle B;

''(4) make recommendations to the Secretary regarding the location of centers (to be known as 'resource centers') for the acceptance and development of claims for benefits under this subtitle and subtitle B; and

''(5) carry out such other duties as the Secretary may require.'';

(2) in subsection (d), by inserting ''and subtitle B'' after ''this subtitle'';

(3) in subsection (e), by inserting ''and subtitle B'' after ''this subtitle'' each place it appears; and

(4) by striking subsection (g) and inserting the following:

''(g) CONTRACT AUTHORITY.—The Ombudsman may enter into 1 or more service contracts with individuals who possess expertise in any matter that the Ombudsman considers appropriate for the performance of the duties of the Office, including matters relating to health physics, medicine, industrial hygiene, and toxicology.''.

SEC. 14. PAYMENT FOR TRANSPORTATION AND PERSONAL CARE SERVICES.

(a) DEFINITION OF COVERED INDIVIDUAL.—In this section, the term ''covered individual'' means an individual who receives medical benefits under section 3629(a) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t(a)).

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Labor shall promulgate regulations to provide for the direct payment to providers of the costs to covered individuals of—

(1) personal care services (as that term is used in section 30.403 of title 20, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act)) authorized pursuant to section 3629 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t); and

(2) necessary and reasonable transportation expenses incident to securing medical services, appliances, or supplies pursuant to section 3629(c) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t(c)).

SEC. 15. ENHANCEMENT OF TRANSPARENCY IN CLAIMS PROCESS.

(a) INFORMATION PROVIDED ON DENIAL OF CLAIM; REQUIREMENTS RELATING TO CORRESPONDENCE.—Not later than 90 days after the date of enactment of this Act, the President shall promulgate regulations to ensure that—

(1) any notification to an individual making a claim under the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) that the claim of the individual has been denied, and all other correspondence with the individual relating to the claim, are written in language that is clear, concise, and easily understandable; and

(2) any notification described in paragraph (1) contains—

(A) an explanation of each reason for the denial of the claim described in that paragraph; and

(B) a description of the information, if any, that the individual could have submitted that could have resulted in approval of the claim.

(b) DOCUMENT RETENTION.—Not later than 90 days after the date of enactment of this Act, the Secretary of Labor and the Secretary of Energy shall jointly promulgate regulations to ensure that the Department of Labor and the Department of Energy—

(1) retain each original document in the possession of the Department of Labor or the Department of Energy relating to a facility under the jurisdiction of the Department of Energy if—

(A) any employee of the facility might reasonably be expected to file a claim for compensation under the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.); and

(B) the document might reasonably be expected to be used by any employee described in subparagraph (A) in making a claim for compensation under the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.); and

(2) provide each employee described in paragraph (1)(A) with access to each document described in that paragraph.

SEC. 16. EXTENSION OF TIME FOR CLAIMANTS TO RESPOND TO REQUESTS FOR INFORMATION.

If the Secretary of Labor submits to an individual who has filed a claim for compensation under the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) a request for information that relates to the claim for compensation, the individual shall be required to respond to the request by not earlier than 120 days after the date on which the individual receives the request.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 92—HONORING THE ACCOMPLISHMENTS AND LEGACY OF CÉSAR ESTRADA CHÁVEZ

Mr. MENENDEZ (for himself, Mr. BINGAMAN, Mr. KENNEDY, Mr. DURBIN, Ms. STABENOW, Mrs. BOXER, Mr. BEGICH, Mr. BURRIS, Mr. REID, Mr. SCHUMER, Mr. UDALL, of New Mexico, and Mr. BENNET) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 92

Whereas César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona, where he spent his early years on his family's farm;

Whereas at the age of 10, César Estrada Chávez joined the thousands of migrant farm workers laboring in fields and vineyards throughout the Southwest, when his family lost their farm due to a bank foreclosure;

Whereas César Estrada Chávez, after attending more than 30 elementary and middle schools and achieving an eighth-grade education, left to work full-time as a farm worker to help support his family;

Whereas at the age of 17, César Estrada Chávez entered the United States Navy and served the Nation with distinction for 2 years;

Whereas in 1948, César Estrada Chávez returned from military service to marry Helen Fabela, whom he met working in the vineyards of central California, and had 8 children;

Whereas as early as 1949, César Estrada Chávez committed himself to organizing farm workers to campaign for safe and fair working conditions, reasonable wages, decent housing, and the outlawing of child labor;

Whereas in 1952, César Estrada Chávez joined the Community Service Organization, a prominent Latino civil rights group, and worked to coordinate voter registration drives and conduct campaigns against discrimination in East Los Angeles, and later served as the national director of the organization;

Whereas in 1962, César Estrada Chávez left the Community Service Organization to found the National Farm Workers Association, which eventually became the United Farm Workers of America;

Whereas César Estrada Chávez was a strong believer in the principles of nonviolence practiced by Mahatma Gandhi and Dr. Martin Luther King, Jr.;

Whereas César Estrada Chávez effectively utilized peaceful tactics, such as fasting in 1968 for 25 days, in 1972 for 25 days, and in 1988 for 38 days, to call attention to the terrible working and living conditions of farm workers in the United States;

Whereas under the leadership of César Estrada Chávez, the United Farm Workers of America organized thousands of migrant farm workers to fight for fair wages, health care coverage, pension benefits, livable housing, and respect;

Whereas through his commitment to nonviolence, César Estrada Chávez brought dignity and respect to the farm workers who organized themselves, and became an inspiration and a resource to other people in the United States and people engaged in human rights struggles throughout the world;

Whereas the influence of César Estrada Chávez extends far beyond agriculture and provides inspiration for those working to better human rights, to empower workers, and to advance an American Dream that includes all its inhabitants of the United States;

Whereas César Estrada Chávez died on April 23, 1993, in San Luis, Arizona, only miles from his birthplace of 66 years earlier;

Whereas more than 50,000 people attended the funeral services of César Estrada Chávez in Delano, California, and he was laid to rest at the headquarters of the United Farm Workers of America, known as Nuestra Señora de La Paz, located in the Tehachapi Mountains at Keene, California;

Whereas since his death, schools, parks, streets, libraries, and other public facilities, and awards and scholarships have been named in honor of César Estrada Chávez;

Whereas since his death, 10 States and dozens of communities across the Nation honor the life and legacy of César Estrada Chávez on March 31 of each year, the day of his birth;

Whereas César Estrada Chávez was a recipient of the Martin Luther King, Jr. Peace Prize during his lifetime, and after his death was awarded the Presidential Medal of Freedom on August 8, 1994; and

Whereas the United States should not cease its efforts to ensure equality, justice, and dignity for all people in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the accomplishments and example of a great American hero, César Estrada Chávez;

(2) pledges to promote the legacy of César Estrada Chávez; and

(3) encourages the people of the United States to commemorate the legacy of César Estrada Chávez, and to always remember his great rallying cry, ''Sí, se puede!''.

SENATE RESOLUTION 93—A BILL SUPPORTING THE MISSION AND GOALS OF 2009 NATIONAL CRIME VICTIM'S RIGHTS WEEK, TO INCREASE PUBLIC AWARENESS OF THE RIGHTS, NEEDS, AND CONCERNS OF VICTIMS AND SURVIVORS OF CRIME IN THE UNITED STATES, AND TO COMMEMORATE THE 25TH ANNIVERSARY OF THE ENACTMENT OF THE VICTIMS OF CRIME ACT OF 1984.

Mr. SCHUMER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 93

Whereas approximately 25,000,000 individuals in the United States are victims of crime each year, including more than 6,000,000 victims of violent crime;

Whereas a just society acknowledges the impact of crime on individuals, families, and communities by ensuring that rights, resources, and services are available to help rebuild lives;

Whereas although the Nation has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of these gains;

Whereas the Nation must do more to ensure that services are available for underserved segments of the population, including crime victims with disabilities, with mental illness, teenaged victims, elderly victims, and victims from urban areas, rural areas, and communities of color;

Whereas observing victims' rights and treating victims with dignity and respect serves the public interest by engaging victims in the justice system, inspiring respect for public authorities, and promoting confidence in public safety;

Whereas the people of the United States recognize that homes, neighborhoods, and communities are made safer and stronger by serving victims of crime and ensuring justice for all;

Whereas 2009 marks the 25th anniversary of the enactment of the Victims of Crime Act of 1984 (VOCA) (42 U.S.C. 10601 et seq.), the hallmark of the Federal Government's recognition of its commitment to supporting rights and services for victims of all types of crime that established the Crime Victims Fund, which is paid for through criminal fines and penalties, rather than by taxpayers' dollars;

Whereas since its inception, the Crime Victims Fund has collected more than $9,000,000,000 from offender fines and penalties to be used exclusively to help victims of crime;

Whereas VOCA supports direct assistance and financial compensation to more than 4,000,000 victims of crime every year;

Whereas VOCA's imaginative transformation of offender fines into programs of victim rehabilitation has inspired similar programs throughout the worldwide crime victims' movement;

Whereas the theme of 2009 National Crime Victims' Rights Week, celebrated April 26, 2009 through May 2, 2009, is ''25 Years of Rebuilding Lives: Celebrating the Victims of Crime Act'', which highlights VOCA's significant achievements and contributions in advancing rights and services for all crime victims; and

Whereas National Crime Victims' Rights Week provides an opportunity for the Nation to strive to reach the goal of justice for all by ensuring that all victims are afforded legal rights and provided with assistance to face the financial, physical, spiritual, psychological, and social impact of crime: Now, therefore, be it

Resolved, That the Senate—

(1) supports the mission and goals of 2009 National Crime Victims' Rights Week to increase public awareness of the impact of crime on victims and survivors, and of the constitutional and statutory rights and needs of victims;

(2) recognizes the 25th anniversary of the enactment of the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.); and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the Office for Victims of Crime within the Office of Justice Programs of the Department of Justice.

SENATE RESOLUTION 94—DESIGNATING APRIL 2009 AS ''FINANCIAL LITERACY MONTH''

Mr. AKAKA (for himself and Mr. DODD, Mr. CRAPO, Mr. KENNEDY, Mr. ENZI, Mrs. HAGAN, Mr. CORKER, Mr. LEVIN, Mr. WICKER, Mr. SCHUMER, Mr. INOUYE, Mr. MENENDEZ, Mr. DURBIN, Ms. STABENOW, Mr. JOHNSON, Mr. CARDIN, Mr. CARPER, Mrs. LINCOLN, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. COCHRAN, and Mr. BAUCUS) submitted the following resolution; which was considered and agreed to:

S. RES. 94

Whereas, in September 2008, consumer bankruptcy filings in the United States increased more than 30 percent from the same period in 2006, according to the Administrative Office of the United States Courts;

Whereas there were more than 1,000,000 personal bankruptcy filings in the United States in 2008, the most since bankruptcy laws were amended in 2005, according to the Administrative Office of the United States Courts;

Whereas, according to a 2008 ''Flow of Funds'' report by the Federal Reserve, the net worth of households in the United States fell for the 4th consecutive quarter, dropping $2,800,000,000,000, the largest decline in the 57-year history of the report;

Whereas, according to a 2008 ''Flow of Funds'' report by the Federal Reserve, household debt in the United States reached $14,000,000,000;

Whereas the 2008 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that the percentage of workers who were ''very confident'' about having enough money for a comfortable retirement decreased sharply, from 27 percent in 2007 to 18 percent in 2008, the biggest 1-year decline in the 18-year history of the survey;

Whereas the Department of the Treasury sponsored the 2008 National Financial Literacy Challenge, an examination testing knowledge of high school students of important personal finance concepts;

Whereas the average score on the examination was an ''F'', only 56 percent;

Whereas the 2007 ''Survey of the States'' compiled by the Council for Economic Education found that only 22 States require an economics test as a high school graduation requirement, 3 fewer than in 2004;

Whereas many students who graduate from high school lack basic skills in the management of personal financial affairs and are unable to balance a checkbook, according to the Jumpstart Coalition for Personal Financial Literacy;

Whereas, according to the National Foundation for Credit Counseling, fewer than half the people in the United States accessed their credit report in 2008, despite the fact that such report can be obtained for free and contains critically important information for consumers;

Whereas approximately 76,000,000 adults say they do not have any non-retirement savings, according to the National Foundation for Credit Counseling;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing finances and building wealth;

Whereas quality personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and to become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by an increasingly complex economy;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth;

Whereas, in 2003, Congress found it important to coordinate Federal financial literacy efforts and formulate a national strategy; and

Whereas, in light of that finding, Congress passed the Financial Literacy and Education Improvement Act of 2003 (Public Law 108–159; 117 Stat. 2003) establishing the Financial Literacy and Education Commission and designating the Office of Financial Education of the Department of the Treasury to provide support for the Commission: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2009 as ''Financial Literacy Month'' to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate programs and activities.

SENATE RESOLUTION 95—CONGRATULATING THE UNIVERSITY OF IOWA MEN'S WRESTLING TEAM FOR WINNING THE 2009 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WRESTLING CHAMPIONSHIP

Mr. HARKIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 95

Whereas on March 21, 2009, in St. Louis, Missouri, the University of Iowa Hawkeyes won the 2009 National Collegiate Athletic Association (NCAA) Division I Wrestling Championship with a total of 96.5 team points;

Whereas the University of Iowa is one of the premier academic institutions in the State of Iowa;

Whereas the University of Iowa men's wrestling team was ranked number 1 in the Nation upon entering the tournament;

Whereas the Hawkeyes are back-to-back champions and have won 22 national wrestling titles in the program's history;

Whereas on March 9, 2009, the Hawkeyes won their second straight Big Ten Championship;

Whereas University of Iowa wrestling head coach Tom Brands has led the team to 2 straight victories in only 3 years as head coach;

Whereas the Hawkeyes finished the regular season undefeated for the 12th time in as many years; and

Whereas University of Iowa students, alumni, faculty, and fans are committed to keeping alive the tradition of wrestling in Iowa and bringing pride to the State of Iowa as well as the University of Iowa: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Iowa Hawkeyes for winning the 2009 NCAA Division I Wrestling Championship; and

(2) recognizes the achievements and efforts of the wrestlers, coaches, fans, and staff that helped the team to achieve this significant victory.

SENATE RESOLUTION 96—CONGRATULATING THE MORNINGSIDE COLLEGE WOMEN'S BASKETBALL TEAM FOR WINNING THE 2009 NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS (NALA) DIVISION II CHAMPIONSHIP

Mr. HARKIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 96

Whereas on March 17, 2009, at the Tyson Event Center in Sioux City, Iowa, the Morningside College Mustangs won the national title game for the NAIA Division II women's basketball with a 68-63 win over the Hastings College Broncos;

Whereas Morningside College Mustangs captured the Great Plains Athletic Conference (GPAC) championship title with an 18-0 record;

Whereas Morningside College women's basketball Head Coach Jamie Sale was named NAIA Division II Coach of the Year;

Whereas 7 members of the Morningside College women's basketball team were named 2009 Daktronics-NAIA Scholar-Athletes for maintaining a minimum GPA of 3.50 and having at least a junior academic status: Cara Anderson, Autumn Bartel, Emily Christen, Sarah Culp, Mackenzi Mendlik, Roni Miller, and Brittany Williamson;

Whereas Autumn Bartel, a senior guard for Morningside College, was named Most Valuable Player of the NAIA Division II tournament;

Whereas Dani Gass, a senior guard for Morningside College, was named NAIA Division II Player of the Year;

Whereas the Morningside College women's basketball team was the unanimous number 1 vote in the final NAIA Division II Women's Basketball Coaches' Top 25 Poll, receiving 312 points and all 12 first place votes; and

Whereas the Mustangs finished the 2009 season with an undefeated record of 38-0, and was only the second team in NAIA Division II history to do so: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Morningside College Mustangs for winning the NAIA Division II national championship; and

(2) recognizes the achievements of the players, coaches, and staff whose hard work

and dedication helped the Morningside College Mustangs win the championship.

SENATE CONCURRENT RESOLUTION 15—COMMENDING THE 39TH INFANTRY BRIGADE COMBAT TEAM OF THE ARKANSAS NATIONAL GUARD UPON ITS COMPLETION OF A SECOND DEPLOYMENT IN SUPPORT OF OPERATION IRAQI FREEDOM

Mr. PRYOR submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 15

Whereas the 39th Infantry Brigade Combat Team, known as the Bowie Brigade, of the Arkansas National Guard is headquartered in Little Rock, Arkansas, and is made up of some 3,200 selfless, brave, and dedicated Arkansans from all 4 congressional districts and every major city of the State;

Whereas the 39th Infantry Brigade Combat Team has a distinguished history of service to the United States, beginning with World War I and continuing through the Hurricane Katrina relief and recovery efforts;

Whereas the 39th Infantry Brigade Combat Team was most recently mobilized in January 2008, and departed for Iraq in March 2008, becoming the first National Guard Brigade Combat Team to be recalled and deployed twice in support of Operation Iraqi Freedom;

Whereas, while deployed, the 39th Infantry Brigade Combat Team logged more than 2,000,000 convoy security miles;

Whereas, while deployed, the 39th Infantry Brigade Combat Team searched more than 2,000,000 vehicles at entry control points;

Whereas the 39th Infantry Brigade lost no members in combat and suffered only 2 casualties, not related to combat;

Whereas the members of the 39th Infantry Brigade Combat Team are now returning to Arkansas to their proud families and to an appreciative and admiring Nation;

Whereas the strength and unflinching support of the families of the members of the 39th Brigade Combat Team have made the United States as strong as it is today; and

Whereas the 39th Brigade Combat Team has served with courage, compassion, and selflessness, and earned the respect, not only of Arkansans, but of all people of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) commends the members of the 39th Brigade Combat Team of the Arkansas National Guard for their exemplary service to the United States and the completion of their second deployment in support of Operation Iraqi Freedom; and

(2) recognizes the service and sacrifice of the 39th Brigade Combat Team members and their families.

AMENDMENTS SUBMITTED AND PROPOSED

SA 739. Mr. GREGG proposed an amendment to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

SA 740. Mr. VOINOVICH (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 741. Mr. BARRASSO (for himself, Mr. INHOFE, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 742. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 743. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 744. Mr. INHOFE (for himself, Mr. VITTER, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 745. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 746. Mr. UDALL, of Colorado submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 747. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 748. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 749. Mrs. BOXER proposed an amendment to the concurrent resolution S. Con. Res. 13, supra.

SA 750. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 751. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 752. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 753. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 754. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 755. Mr. CASEY (for himself, Ms. STABENOW, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 756. Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 757. Mr. GRAHAM (for himself, Mr. MCCAIN, Mr. MARTINEZ, Ms. COLLINS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 13, supra; which was ordered to lie on the table.

SA 758. Mr. BROWN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 759. Mr. BENNETT (for himself, Mr. THUNE, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 760. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 761. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 762. Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 763. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. BENNET, Mr. BINGAMAN, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KYL, Mr. PRYOR, Mr. UDALL, of New Mexico, and Mr. UDALL, of Colorado) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res . 13, supra.

SA 764. Mr. CARPER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 765. Mr. BARRASSO (for himself, Mr. INHOFE, Mr. BENNETT, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 766. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 767. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 768. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 769. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 770. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 771. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 772. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 773. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 774. Mrs. LINCOLN (for herself, Ms. COLLINS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 775. Mrs. LINCOLN (for herself, Mr. CRAPO, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 776. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 777. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 778. Mr. BENNETT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 779. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 780. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 781. Mr. COBURN submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 782. Ms. COLLINS (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 783. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 784. Mr. BOND submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 785. Mr. BOND submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 786. Mr. BOND submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 787. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 788. Mr. BARRASSO (for himself, Mr. WYDEN, Mr. CRAPO, Mr. MERKLEY, Mr. KYL, Mr. ENZI, Mr. BENNETT, and Mr. HATCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 789. Mr. BARRASSO (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 790. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 791. Mr. CRAPO (for himself, Mr. INHOFE, and Mr. RISCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 792. Mr. ALEXANDER (for himself, Mr. ENZI, Mr. GREGG, Mr. JOHANNS, Mr. BUNNING, Mr. GRAHAM, Mr. ISAKSON, Ms. MURKOWSKI, Mr. CORKER, and Mr. THUNE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 793. Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 794. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 795. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 796. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 797. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 798. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 799. Mr. BENNET (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 800. Mr. SANDERS (for himself, Mr. BUNNING, Mr. FEINGOLD, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res . 13, supra; which was ordered to lie on the table.

SA 801. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 802. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 803. Mr. THUNE (for himself, Mr. BENNET, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 804. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 739. Mr. GREGG proposed an amendment to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; as follows:

On page 68, after line 4, insert the following:

SEC. _____. LIMITATION ON BUDGET RESOLUTIONS INCREASING THE PUBLIC DEBT.

(a) POINT OF ORDER.—In the Senate, it shall not be in order to consider any budget resolution, or amendment thereto, or conference report thereon, that shows an increase in the public debt, for the period of the current fiscal year through the next 10 years, equal to or greater than the debt accumulated from 1789 to January 20, 2009.

(b) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(c) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels of net direct spending shall be determined on the basis of estimates provided by the Committee on the Budget of the Senate.

(f) SUNSET.—This section shall expire on September 30, 2010.

SA 740. Mr. VOINOVICH (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 49, after line 3, insert the following:

SEC. ____. DEFICIT NEUTRAL RESERVE FUND FOR A BIPARTISAN PROCESS TO REDUCE THE LONG-TERM FISCAL GAP.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that provide for the creation of a bipartisan commission, task force, or other entity, with a membership that includes sitting Members of Congress, to recommend solutions that Congress will consider under expedited procedures to—

(1) address the long-term fiscal imbalance;

(2) increase net national savings to spur investment and growth; and

(3) improve the budget process to emphasize the long term;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 741. Mr. BARRASSO (for himself, Mr. INHOFE, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON GENERATION OF REVENUES FROM CERTAIN INDIVIDUALS AND ENTITIES.

Notwithstanding any other provision of this Act, no revenue shall be generated pursuant to this Act from any individual or entity as a result of a tax or fee imposed on the individual or entity under a program to regulate carbon dioxide, nitrogen oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

SA 742. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 57, strike line 23 and insert the following:

casting; and

(3) for the Department of Veterans Affairs for the Medical Services, Medical Administration, Medical Facilities, and Medical and Prosthetic Research accounts of the Veterans Health Administration.

SA 743. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 33, line 1, after ''energy,'' insert ''increase domestic energy exploration and production,''.

SA 744. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR MAINTENANCE OF ON-GOING DETAINEE OPERATIONS AT NAVAL STATION GUANTANAMO BAY, CUBA.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide funding of detainee operations at Naval Station Guantanamo Bay, Cuba, and prohibit funding of the transfer of detainees at Naval Station Guantanamo Bay, Cuba, to any facility in the United States or its territories, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 745. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 68, between lines 4 and 5, insert the following:

SEC. 306. LIMITATIONS ON LEGISLATION THAT WOULD DECREASE DOMESTIC ENERGY EXPLORATION OR PRODUCTION.

(a) DEFINITION OF LEGISLATION.—In this section, the term ''legislation'' means a bill, joint resolution, amendment, motion, or conference report.

(b) POINT OF ORDER.—

(1) IN GENERAL.—If the Senate is considering legislation, on a point of order being made by any Senator against the legislation, or any part of the legislation, as a result of which a determination described in paragraph (2) is made, and the point of order is sustained by the Presiding Officer, the Senate shall cease consideration of the legislation.

(2) DETERMINATION.—The determination described in this paragraph means a determination made by the Director of the Congressional Budget Office, in consultation with the Energy Information Administration and other appropriate Federal Government agencies, on the request of a Senator for review of the legislation, that the legislation, or portion of the legislation, would, if enacted, decrease domestic energy exploration or production.

(c) WAIVERS AND APPEALS.—

(1) WAIVERS.—

(A) IN GENERAL.—Before the Presiding Officer rules on a point of order described in subsection (b)(1), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment.

(B) VOTE.—A point of order described in subsection (a)(1) is waived only by the affirmative vote of 60 Members of the Senate, duly chosen and sworn.

(2) APPEALS.—

(A) IN GENERAL.—After the Presiding Officer rules on a point of order described in subsection (b)(1), any Senator may appeal the ruling of the Presiding Officer on the point of order as the ruling applies to all or part of the provisions on which the Presiding Officer ruled.

(B) VOTE.—A ruling of the Presiding Officer on a point of order described in subsection (b)(1) is sustained unless 60 Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(3) DEBATE.—

(A) IN GENERAL.—Debate on the motion to waive under paragraph (1) or on an appeal of the ruling of the Presiding Officer under paragraph (2) shall be limited to 1 hour.

(B) DIVISION.—The time shall be equally divided between, and controlled by, the Majority leader and the Minority Leader of the Senate, or designees.

SA 746. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR WILDLAND FIRE MANAGEMENT ACTIVITIES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would—

(1) allow wildland fire management funds for hazardous fuels reduction and hazard mitigation activities in areas at high risk of catastrophic wildfire to be distributed to areas demonstrating highest priority needs, as determined by the Chief of the Forest Service; and

(2) provide that no State matching funds are required for the conduct of activities described in paragraph (1).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 747. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; as follows:

On page 68, after line 4, insert the following:

SEC. ____. LIMIT ON PUBLIC DEBT.

(a) FEDERAL SPENDING LIMIT POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any budget resolution, bill, joint resolution, amendment, or conference report that would exceed the limit on public debt for any fiscal year covered therein.

(2) WAIVER OR SUSPENSION.—This subsection may be waived or suspended in the Senate only by the affirmative roll call vote of three-fifths of the Members, duly chosen and sworn.

(3) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(4) FORM OF POINT OF ORDER.—A point of order under this subsection may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974

(b) DEFINITIONS.—In this section:

(1) LIMIT ON PUBLIC DEBT.—The term ''limit on public debt'' means a level of public debt for a fiscal year in the resolution where the ratio of the public debt to GDP is 90 percent.

(2) GDP.—The term ''GDP'' means the gross domestic product for the relevant fiscal year.

SA 748. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 4, line 14, decrease the amount by $4,000,000.

On page 4, line 15, decrease the amount by $6,000,000.

On page 4, line 16, decrease the amount by $2,000,000.

On page 4, line 18, increase the amount by $1,000,000.

On page 4, line 23, decrease the amount by $587,000,000.

On page 4, line 24, increase the amount by $409,000,000.

On page 4, line 25, increase the amount by $132,000,000.

On page 5, line 1, increase the amount by $34,000,000.

On page 5, line 2, increase the amount by $1,000,000.

On page 5, line 7, decrease the amount by $587,000,000.

On page 5, line 8, increase the amount by $409,000,000.

On page 5, line 9, increase the amount by $132,000,000.

On page 5, line 10, increase the amount by $34,000,000.

On page 5, line 11, increase the amount by $1,000,000.

On page 5, line 17, decrease the amount by $587,000,000.

On page 5, line 18, decrease the amount by $178,000,000.

On page 5, line 19, decrease the amount by $46,000,000.

On page 5, line 20, decrease the amount by $12,000,000.

On page 5, line 21, decrease the amount by $11,000,000.

On page 5, line 25, decrease the amount by $587,000,000.

On page 6, line 1, decrease the amount by $178,000,000.

On page 6, line 2, decrease the amount by $46,000,000.

On page 6, line 3, decrease the amount by $12,000,000.

On page 6, line 4, decrease the amount by $11,000,000.

On page 18, line 24, increase the amount by $670,000,000.

On page 18, line 25, increase the amount by $20,000,000.

On page 19, line 4, increase the amount by $482,000,000.

On page 19, line 8, increase the amount by $134,000,000.

On page 19, line 12, increase the amount by $34,000,000.

On page 24, line 24, decrease the amount by $670,000,000.

On page 24, line 25, decrease the amount by $603,000,000.

On page 25, line 3, decrease the amount by $67,000,000.

On page 26, line 24, decrease the amount by $4,000,000.

On page 26, line 25, decrease the amount by $4,000,000.

On page 27, line 3, decrease the amount by $6,000,000.

On page 27, line 4, decrease the amount by $6,000,000.

On page 27, line 7, decrease the amount by $2,000,000.

On page 27, line 8, decrease the amount by $2,000,000.

On page 27, line 15, increase the amount by $1,000,000.

On page 27, line 16, increase the amount by $1,000,000.

SA 749. Mrs. BOXER proposed an amendment to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; as follows:

On page 33, line 21, after ''economy,'', insert ''without increasing electricity or gasoline prices or increasing the overall burden on consumers, through the use of revenues and policies provided in such legislation,''.

SA 750. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 32, line 10, after ''increases;'' insert ''or'' and the following:

(4) provide for a long-term solution to the Sustainable Growth Rate (SGR) formula under section 1848 of the Social Security Act that will protect patient access and provide a more stable source of funding for physicians;

SA 751. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 33, line 8, after ''legislation'', insert the following:

''would not increase the cost of producing energy from domestic sources, including oil and gas from the Outer Continental Shelf or other areas; would not increase the cost of energy for American families; would not increase the cost of energy for domestic manufacturers, farmers, fishermen, or other domestic industries; and would not enhance foreign competitiveness against U.S. businesses; and''

SA 752. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR A NONREFUNDABLE TAX CREDIT FOR LONG-TERM CARE INSURANCE PREMIUMS.

(a) IN GENERAL.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for the application of the provisions described in subsection (b), provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) PROVISIONS DESCRIBED.—The provisions described in this subsection include the allowance of a nonrefundable tax credit for 50 percent of so much of the amount of long-term care insurance premiums paid by the taxpayer as does not exceed $4,000 for—

(1) any dependent beneficiary of the taxpayer, or

(2) any nondependent beneficiary whose adjusted gross income for the taxable year does not exceed 300 percent of the Federal poverty line for such taxable year.

SA 753. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. SENSE OF CONGRESS REGARDING THE SECURE TRANSPORTATION OF FIREARMS ON PASSENGER TRAINS.

It is the sense of Congress that this resolution assumes that Federal financial assistance will not be provided to Amtrak unless Amtrak allows its passengers to securely transport firearms in their checked baggage.

SA 754. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR NONREFUNDABLE TAX CREDIT FOR HURRICANE MITIGATION PROPERTY.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for a nonrefundable tax credit for 25 percent of so much of the hurricane mitigation property expenditures on a taxpayer's principal residence as does not exceed $5,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 755. Mr. CASEY (for himself, Ms. STABENOW, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2____. DEFICIT NEUTRAL RESERVE FUND TO PROVIDE FOR ACCELERATED CARBON CAPTURE AND STORAGE AND ADVANCED CLEAN COAL POWER GENERATION RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels and limits in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would accelerate the research, development, demonstration, and deployment of advanced technologies to capture and store carbon dioxide emissions from coal-fired power plants and other industrial emission sources and to use coal in an environmentally acceptable manner.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 756. Mr. GRAHAM submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR CONSTRUCTION OF SPENT NUCLEAR FUEL RECYCLING FACILITIES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would authorize the construction of 1 or more spent nuclear fuel recycling facilities.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 757. Mr. GRAHAM (for himself, Mr. MCCAIN, Mr. MARTINEZ, Ms. COLLINS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR REFUNDING OF PAYMENTS MADE FOR DEPOSIT IN NUCLEAR WASTE FUND.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would refund any amount paid by an entity to the Secretary of Energy under section 302 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222) for deposit in the Nuclear Waste Fund.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 758. Mr. BROWN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 20, line 24, increase the amount by $5,000,000.

On page 21, line 3, increase the amount by $10,000,000.

On page 21, line 4, increase the amount by $5,000,000.

On page 21, line 7, increase the amount by $10,000,000.

On page 21, line 8, increase the amount by $15,000,000.

On page 21, line 12, increase the amount by $25,000,000.

On page 21, line 16, increase the amount by $20,000,000.

On page 27, line 23, decrease the amount by $5,000,000.

On page 28, line 2, decrease the amount by $10,000,000.

On page 28, line 3, decrease the amount by $5,000,000.

On page 28, line 6, decrease the amount by $10,000,000.

On page 28, line 7, decrease the amount by $15,000,000.

On page 28, line 11, decrease the amount by $25,000,000.

On page 28, line 15, decrease the amount by $20,000,000.

SA 759. Mr. BENNETT (for himself, Mr. THUNE, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 31, line 9, after ''purposes,'' insert ''provided that such legislation would not result in diminishing a taxpayers' ability to deduct charitable contributions as an offset to pay for such purposes, and'',

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SA 760. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR REDUCING FOREIGN OIL DEPENDENCE.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would allow—

(1) the construction of at least 100 new nuclear power plants by calendar year 2030;

(2) the electrification of at least ½ of the cars and trucks in the United States during the 20-year period beginning on the date of approval of this resolution;

(3) making solar power cost-competitive with power from fossil fuels;

(4) the capture and storage of carbon dioxide emissions from coal power plants;

(5) the safe reprocessing and storage of nuclear waste;

(6) making advanced biofuels cost-competitive with gasoline;

(7) the conservation and efficient use of energy by buildings; and

(8) the development of oil and natural gas resources beneath the outer Continental Shelf.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 761. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR ASSISTANCE FOR WORKFORCE RECOVERY.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that establish a tuition assistance program for qualifying workers who become unemployed as a result of the recent economic recession to enable those workers to obtain education and training to contribute to the economic recovery, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 762. Mr. ISAKSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR PROVIDING A NONREFUNDABLE FEDERAL INCOME TAX CREDIT FOR THE PURCHASE OF A PRINCIPAL RESIDENCE DURING A 1-YEAR PERIOD.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would provide a one-time nonrefundable Federal income tax credit for the purchase of a principal residence during a 1-year period in the amount of the lesser of $15,000 or 10 percent of the purchase price of such residence, exclusive of any other credit available for the purchase of a residence, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 763. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. BENNET, Mr. BINGAMAN, Mrs. FEINSTEIN, Mrs.

HUTCHISON, Mr. KYL, Mr. PRYOR, Mr. UDALL of New Mexico, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; as follows:

On page 17, line 22, increase the amount by $ 30,000,000.
On page 17, line 23, increase the amount by $ 3,000,000.
On page 18, line 3, increase the amount by $ 11,000,000.
On page 18, line 7, increase the amount by $ 9,000,000.
On page 18, line 11, increase the amount by $ 7,000,000.
On page 24, line 24, increase the amount by $ 520,000,000.
On page 24, line 25, increase the amount by $ 406,000,000.
On page 25, line 4, increase the amount by $ 62,000,000.
On page 25, line 8, increase the amount by $ 52,000,000.
On page 27, line 23, decrease the amount by $ 550,000,000.
On page 27, line 24, decrease the amount by $ 409,000,000.
On page 28, line 3, decrease the amount by $ 73,000,000.
On page 28, line 7, decrease the amount by $ 61,000,000.
On page 28, line 11, decrease the amount by $ 7,000,000.

SA 764. Mr. CARPER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 49, between lines 3 and 4, insert the following:

SEC. _____. DEFICIT-REDUCTION RESERVE FUND FOR THE ELIMINATION AND RECOVERY OF IMPROPER PAYMENTS.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings by requiring that Federal departments and agencies eliminate improper payments and increase the use of the recovery audits and uses such savings to reduce the deficit, by the amount of such savings, provided that such legislation would decrease the deficit.

SA 765. Mr. BARRASSO (for himself, Mr. INHOFE, Mr. BENNETT, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 33, lines 19 and 20, after ''emissions'' insert the following: ''(without regulating carbon dioxide, nitrogen oxide, water vapor, or methane emissions from biological processes associated with livestock production)''.

SA 766. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 4, line 14, decrease the amount by $4,000.
On page 4, line 15, decrease the amount by $6,000.
On page 4, line 16, decrease the amount by $2,000.
On page 4, line 18, increase the amount by $1,000.
On page 4, line 23, decrease the amount by $587,000.
On page 4, line 24, increase the amount by $409,000.
On page 4, line 25, increase the amount by $132,000.
On page 5, line 1, increase the amount by $34,000.
On page 5, line 2, increase the amount by $1,000.
On page 5, line 7, decrease the amount by $587,000.
On page 5, line 8, increase the amount by $409,000.
On page 5, line 9, increase the amount by $132,000.
On page 5, line 10, increase the amount by $34,000.
On page 5, line 11, increase the amount by $1,000.
On page 5, line 17, decrease the amount by $587,000.
On page 5, line 18, decrease the amount by $178,000.
On page 5, line 19, decrease the amount by $46,000.
On page 5, line 20, decrease the amount by $12,000.
On page 5, line 21, decrease the amount by $11,000.
On page 5, line 25, decrease the amount by $587,000.
On page 6, line 1, decrease the amount by $178,000.
On page 6, line 2, decrease the amount by $46,000.
On page 6, line 3, decrease the amount by $12,000.
On page 6, line 4, decrease the amount by $11,000.
On page 18, line 24, increase the amount by $670,000.
On page 18, line 25, increase the amount by $20,000.
On page 19, line 4, increase the amount by $482,000.
On page 19, line 8, increase the amount by $134,000.
On page 19, line 12, increase the amount by $34,000.
On page 24, line 24, decrease the amount by $670,000.
On page 24, line 25, decrease the amount by $603,000.
On page 25, line 3, decrease the amount by $67,000.
On page 26, line 24, decrease the amount by $4,000.
On page 26, line 25, decrease the amount by $4,000.
On page 27, line 3, decrease the amount by $6,000.
On page 27, line 4, decrease the amount by $6,000.
On page 27, line 7, decrease the amount by $2,000.
On page 27, line 8, decrease the amount by $2,000.
On page 27, line 15, increase the amount by $1,000.
On page 27, line 16, increase the amount by $1,000.

SA 767. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2010 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2009 and 2011 through 2019.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2010.
TITLE I—RECOMMENDED LEVELS AND AMOUNTS
Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Postal Service discretionary administrative expenses.
Sec. 104. Major functional categories.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2009 through 2019:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2009: $1,506,214,000,000
Fiscal year 2010: $1,620,923,000,000
Fiscal year 2011: $1,891,235,000,000
Fiscal year 2012: $2,191,642,000,000
Fiscal year 2013: $2,328,923,000,000
Fiscal year 2014: $2,428,728,000,000
Fiscal year 2015: $2,553,559,000,000
Fiscal year 2016: $2,657,797,000,000
Fiscal year 2017: $2,772,027,000,000
Fiscal year 2018: $2,875,005,000,000
Fiscal year 2019: $2,981,919,000,000

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2009: −$26,356,000,000
Fiscal year 2010: −$45,063,000,000
Fiscal year 2011: −$197,396,000,000
Fiscal year 2012: −$168,750,000,000
Fiscal year 2013: −$186,414,000,000
Fiscal year 2014: −$204,930,000,000
Fiscal year 2015: −$222,393,000,000
Fiscal year 2016: −$239,232,000,000
Fiscal year 2017: −$256,958,000,000
Fiscal year 2018: −$275,802,000,000
Fiscal year 2019: −$297,114,000,000

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2009: $3,806,249,000,000
Fiscal year 2010: $3,010,132,000,000
Fiscal year 2011: $2,873,802,000,000
Fiscal year 2012: $2,968,495,000,000
Fiscal year 2013: $3,166,721,000,000
Fiscal year 2014: $3,366,006,000,000
Fiscal year 2015: $3,536,722,000,000
Fiscal year 2016: $3,744,651,000,000
Fiscal year 2017: $3,908,438,000,000
Fiscal year 2018: $4,082,775,000,000
Fiscal year 2019: $4,336,528,000,000

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2009: $3,481,404,000,000
Fiscal year 2010: $3,115,189,000,000
Fiscal year 2011: $2,983,337,000,000
Fiscal year 2012: $2,981,825,000,000
Fiscal year 2013: $3,148,301,000,000
Fiscal year 2014: $3,333,492,000,000
Fiscal year 2015: $3,495,975,000,000
Fiscal year 2016: $3,704,268,000,000
Fiscal year 2017: $3,863,815,000,000
Fiscal year 2018: $4,029,783,000,000
Fiscal year 2019: $4,289,666,000,000

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2009: −$1,975,190,000,000
Fiscal year 2010: −$1,494,266,000,000
Fiscal year 2011: −$1,092,102,000,000
Fiscal year 2012: −$790,183,000,000
Fiscal year 2013: −$819,378,000,000
Fiscal year 2014: −$904,764,000,000
Fiscal year 2015: −$942,416,000,000
Fiscal year 2016: −$1,046,471,000,000
Fiscal year 2017: −$1,091,788,000,000
Fiscal year 2018: −$1,154,778,000,000
Fiscal year 2019: −$1,307,747,000,000

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2009: $12,326,613,000,000
Fiscal year 2010: $13,888,337,000,000
Fiscal year 2011: $15,128,912,000,000
Fiscal year 2012: $16,263,504,000,000
Fiscal year 2013: $17,380,767,000,000
Fiscal year 2014: $18,622,494,000,000
Fiscal year 2015: $19,874,761,000,000
Fiscal year 2016: $21,211,167,000,000
Fiscal year 2017: $22,601,575,000,000
Fiscal year 2018: $23,455,122,000,000
Fiscal year 2019: $25,047,452,000,000

(6) DEBT HELD BY THE PUBLIC.—the appropriate levels of debt held by the public are as follows:

Fiscal year 2009: $7,986,743,000,000
Fiscal year 2010: $9,319,225,000,000
Fiscal year 2011: $10,292,347,000,000
Fiscal year 2012: $11,055,470,000,000
Fiscal year 2013: $11,770,311,000,000
Fiscal year 2014: $12,627,557,000,000
Fiscal year 2015: $13,508,242,000,000
Fiscal year 2016: $14,490,799,000,000
Fiscal year 2017: $15,522,867,000,000
Fiscal year 2018: $16,012,579,000,000
Fiscal year 2019: $17,277,376,000,000

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2009: $653,117,000,000
Fiscal year 2010: $668,208,000,000
Fiscal year 2011: $694,864,000,000
Fiscal year 2012: $726,045,000,000
Fiscal year 2013: $766,065,000,000
Fiscal year 2014: $802,166,000,000
Fiscal year 2015: $833,660,000,000
Fiscal year 2016: $864,219,000,000
Fiscal year 2017: $897,639,000,000
Fiscal year 2018: $ 932,416,000,000
Fiscal year 2019: $ 968,428,000,000

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2009: $ 513,029,000,000
Fiscal year 2010: $ 543,632,000,000
Fiscal year 2011: $ 563,612,000,000
Fiscal year 2012: $ 585,701,000,000
Fiscal year 2013: $ 610,568,000,000
Fiscal year 2014: $ 637,346,000,000
Fiscal year 2015: $ 667,742,000,000
Fiscal year 2016: $ 704,079,000,000
Fiscal year 2017: $ 745,446,000,000
Fiscal year 2018: $ 790,460,000,000
Fiscal year 2019: $ 838,736,000,000

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2009:
(A) New budget authority, $ 5,296,000,000
(B) Outlays, $ 4,945,000,000
Fiscal year 2010:
(A) New budget authority, $ 6,072,000,000
(B) Outlays, $ 5,934,000,000
Fiscal year 2011:
(A) New budget authority, $ 6,568,000,000
(B) Outlays, $ 6,433,000,000
Fiscal year 2012:
(A) New budget authority, $ 6,895,000,000
(B) Outlays, $ 6,809,000,000
Fiscal year 2013:
(A) New budget authority, $ 7,223,000,000
(B) Outlays, $ 7,148,000,000
Fiscal year 2014:
(A) New budget authority, $7599,000,000.
(B) Outlays, $7,517,000,000.
Fiscal year 2015:
(A) New budget authority, $7,859,000,000.
(B) Outlays, $7,793,000,000.
Fiscal year 2016:
(A) New budget authority, $8,129,000,000.
(B) Outlays, $8,071,000,000.
Fiscal year 2017:
(A) New budget authority, $8,409,000,000.
(B) Outlays, $8,348,000,000.
Fiscal year 2018:
(A) New budget authority, $8,701,000,000.
(B) Outlays, $8,637,000,000.
Fiscal year 2019:
(A) New budget authority, $9,003,000,000.
(B) Outlays, $8,937,000,000.

SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2009:
(A) New budget authority, $253,000,000.
(B) Outlays, $253,000,000.
Fiscal year 2010:
(A) New budget authority, $262,000,000.
(B) Outlays, $262,000,000.
Fiscal year 2011:
(A) New budget authority, $267,000,000.
(B) Outlays, $267,000,000.
Fiscal year 2012:
(A) New budget authority, $272,000,000
(B) Outlays, $272,000,000
Fiscal year 2013:
(A) New budget authority, $277,000,000
(B) Outlays, $277,000,000
Fiscal year 2014:
(A) New budget authority, $283,000,000
(B) Outlays, $283,000,000
Fiscal year 2015:
(A) New budget authority, $291,000,000
(B) Outlays, $291,000,000
Fiscal year 2016:
(A) New budget authority, $299,000,000
(B) Outlays, $299,000,000
Fiscal year 2017:
(A) New budget authority, $309,000,000
(B) Outlays, $309,000,000
Fiscal year 2018:
(A) New budget authority, $318,000,000
(B) Outlays, $318,000,000
Fiscal year 2019:
(A) New budget authority, $329,000,000
(B) Outlays, $329,000,000

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2009 through 2019 for each major functional category are:

(1) National Defense (050):
Fiscal year 2009:
(A) New budget authority, $693,557,000,000.
(B) Outlays, $671,725,000,000.
Fiscal year 2010:
(A) New budget authority, $692,033,000,000,
(B) Outlays, $695,958,000,000.
Fiscal year 2011:
(A) New budget authority, $620,107,000,000.
(B) Outlays, $663,045,000,000.
Fiscal year 2012:
(A) New budget authority, $629,135,000,000.
(B) Outlays, $642,573,000,000.
Fiscal year 2013:
(A) New budget authority, $639,895,000,000.
(B) Outlays, $641,785,000,000.
Fiscal year 2014:
(A) New budget authority, $653,828,000,000.
(B) Outlays, $647,204,000,000.
Fiscal year 2015:
(A) New budget authority, $668,701,000,000.
(B) Outlays, $659,186,000,000.
Fiscal year 2016:
(A) New budget authority, $683,838,000,000.
(B) Outlays, $677,476,000,000.
Fiscal year 2017:
(A) New budget authority, $699,413,000,000.
(B) Outlays, $688,746,000,000.
Fiscal year 2018:
(A) New budget authority, $715,461,000,000.
(B) Outlays, $700,004,000,000.
Fiscal year 2019:
(A) New budget authority, $731,938,000,000.
(B) Outlays, $720,483,000,000.

(2) INTERNATIONAL AFFAIRS (150):
Fiscal year 2009:
(A) New budget authority, $55,333,000,000.
(B) Outlays, $38,011,000,000.
Fiscal year 2010:
(A) New budget authority, $ 50,670,000,000.
(B) Outlays, $ 48,856,000,000.
Fiscal year 2011:
(A) New budget authority, $ 54,536,000,000.
(B) Outlays, $ 54,103,000,000.
Fiscal year 2012:
(A) New budget authority, $ 59,170,000,000.
(B) Outlays, $ 57,964,000,000.
Fiscal year 2013:
(A) New budget authority, $ 64,624,000,000.
(B) Outlays, $ 61,581,000,000.
Fiscal year 2014:
(A) New budget authority, $ 69,909,000,000.
(B) Outlays, $ 64,942,000,000.
Fiscal year 2015:
(A) New budget authority, $ 75,829,000,000
(B) Outlays, $ 69,191,000,000.
Fiscal year 2016:
(A) New budget authority, $ 77,429,000,000.
(B) Outlays, $ 71,890,000,000.
Fiscal year 2017:
(A) New budget authority, $ 79,053,000,000.
(B) Outlays, $ 73,955,000,000.
Fiscal year 2018:
(A) New budget authority, $ 80,702,000,000.
(B) Outlays, $ 75,719,000,000.
Fiscal year 2019:
(A) New budget authority, $ 82,386,000,000.
(B) Outlays, $ 77,394,000,000.

(3) GENERAL SCIENCE, SPACE, AND TECHNOLOGY (250):
Fiscal year 2009:
(A) New budget authority, $ 35,389,000,000.

(B) Outlays, $ 30,973,000,000.
Fiscal year 2010:
(A) New budget authority, $31,139,000,000.
(B) Outlays, $32,467,000,000.
Fiscal year 2011:
(A) New budget authority, $31,493,000,000.
(B) Outlays, $32,407,000,000.
Fiscal year 2012:
(A) New budget authority, $33,373,000,000.
(B) Outlays, $32,465,000,000.
Fiscal year 2013:
(A) New budget authority, $34,419,000,000.
(B) Outlays, $33,614,000,000.
Fiscal year 2014:
(A) New budget authority, $35,686,000,000.
(B) Outlays, $34,835,000,000.
Fiscal year 2015:
(A) New budget authority, $37,061,000,000.
(B) Outlays, $35,852,000,000.
Fiscal year 2016:
(A) New budget authority, $38,516,000,000.
(B) Outlays, $37,643,000,000.
Fiscal year 2017:
(A) New budget authority, $38,934,000,000.
(B) Outlays, $38,429,000,000.
Fiscal year 2018:
(A) New budget authority, $39,565,000,000.
(B) Outlays, $39,063,000,000.
Fiscal year 2019:
(A) New budget authority, $40,210,000,000.
(B) Outlays, $39,711,000,000.
(4) Energy (270):
Fiscal year 2009:
(A) New budget authority, $43,919,000,000.
(B) Outlays, $2,952,000,000.
Fiscal year 2010:
(A) New budget authority, $4,489,000,000.
(B) Outlays, $6,258,000,000.
Fiscal year 2011:
(A) New budget authority, $4,404,000,000.
(B) Outlays, $8,936,000,000.
Fiscal year 2012:
(A) New budget authority, $19,427,000,000.
(B) Outlays, $12,286,000,000.
Fiscal year 2013:
(A) New budget authority, $19,619,000,000.
(B) Outlays, $13,746,000,000.
Fiscal year 2014:
(A) New budget authority, $19,540,000,000.
(B) Outlays, $14,539,000,000.
Fiscal year 2015:
(A) New budget authority, $19,454,000,000.
(B) Outlays, $13,633,000,000.
Fiscal year 2016:
(A) New budget authority, $19,374,000,000.
(B) Outlays, $14,857,000,000.
Fiscal year 2017:
(A) New budget authority, $19,300,000,000.
(B) Outlays, $17,355,000,000.
Fiscal year 2018:
(A) New budget authority, $18,664,000,000.
(B) Outlays, $17,643,000,000.
Fiscal year 2019:
(A) New budget authority, $18,096,000,000.
(B) Outlays, $17,506,000,000.
(5) NATURAL RESOURCES AND ENVIRONMENT (300):
Fiscal year 2009:
(A) New budget authority, $56,009,000,000.
(B) Outlays, $36,834,000,000.
Fiscal year 2010:
(A) New budget authority, $37,293,000,000.
(B) Outlays, $40,361,000,000.
Fiscal year 2011:
(A) New budget authority, $38,509,000,000.
(B) Outlays, $40,146,000,000.
Fiscal year 2012:
(A) New budget authority, $39,159,000,000.
(B) Outlays, $39,968,000,000.
Fiscal year 2013:
(A) New budget authority, $39,257,000,000.
(B) Outlays, $39,663,000,000.
Fiscal year 2014:
(A) New budget authority, $39,924,000,000.
(B) Outlays, $39,864,000,000.
Fiscal year 2015:
(A) New budget authority, $40,075,000,000.
(B) Outlays, $39,889,000,000.
Fiscal year 2016:
(A) New budget authority, $40,843,000,000.
(B) Outlays, $40,612,000,000.
Fiscal year 2017:
(A) New budget authority, $41,217,000,000.
(B) Outlays, $41,027,000,000.
Fiscal year 2018:
(A) New budget authority, $42,342,000,000.
(B) Outlays, $40,973,000,000.
Fiscal year 2019:
(A) New budget authority, $43,007,000,000.
(B) Outlays, $41,424,000,000.
(6) AGRICULTURE (350):
Fiscal year 2009:
(A) New budget authority, $24,974,000,000.
(B) Outlays, $23,070,000,000.
Fiscal year 2010:
(A) New budget authority, $23,610,000,000.
(B) Outlays, $23,871,000,000.
Fiscal year 2011:
(A) New budget authority, $23,697,000,000.
(B) Outlays, $23,534,000,000.
Fiscal year 2012:
(A) New budget authority, $20,494,000,000.
(B) Outlays, $16,374,000,000.
Fiscal year 2013:
(A) New budget authority, $20,893,000,000.
(B) Outlays, $20,464,000,000.
Fiscal year 2014:
(A) New budget authority, $21,616,000,000.
(B) Outlays, $20,603,000,000.
Fiscal year 2015:
(A) New budget authority, $21,016,000,000.
(B) Outlays, $19,968,000,000.
Fiscal year 2016:
(A) New budget authority, $21,123,000,000.
(B) Outlays, $20,225,000,000.
Fiscal year 2017:
(A) New budget authority, $21,362,000,000.
(B) Outlays, $20,412,000,000.
Fiscal year 2018:
(A) New budget authority, $21,967,000,000.
(B) Outlays, $20,998,000,000.
Fiscal year 2019:
(A) New budget authority, $22,599,000,000.
(B) Outlays, $21,455,000,000.
(7) COMMERCE AND HOUSING CREDIT (370):
Fiscal year 2009:
(A) New budget authority, $819,699,000,000.
(B) Outlays, $790,671,000,000.
Fiscal year 2010:
(A) New budget authority, $186,483,000,000.
(B) Outlays, $210,215,000,000.
Fiscal year 2011:
(A) New budget authority, $25,624,000,000.
(B) Outlays, $37,544,000,000.
Fiscal year 2012:
(A) New budget authority, $8,132,000,000.
(B) Outlays, $7,478,000,000.
Fiscal year 2013:
(A) New budget authority, $15,716,000,000.
(B) Outlays, $4,304,000,000.
Fiscal year 2014:
(A) New budget authority, $9,594,000,000.
(B) Outlays, −$3,892,000,000.
Fiscal year 2015:
(A) New budget authority, $10,013,000,000.
(B) Outlays, −$5,730,000,000.
Fiscal year 2016:
(A) New budget authority, $9,855,000,000.
(B) Outlays, −$5,690,000,000.
Fiscal year 2017:
(A) New budget authority, $14,860,000,000.
(B) Outlays, $27,000,000.
Fiscal year 2018:
(A) New budget authority, $15,379,000,000.
(B) Outlays, −$1,512,000,000.
Fiscal year 2019:
(A) New budget authority, $17,999,000,000.
(B) Outlays, $4,842,000,000.
(8) TRANSPORTATION (400):
Fiscal year 2009:
(A) New budget authority, $134,760,000,000.
(B) Outlays, $87,784,000,000.
Fiscal year 2010:
(A) New budget authority, $87,942,000,000.
(B) Outlays, $95,695,000,000.
Fiscal year 2011:
(A) New budget authority, $89,253,000,000.
(B) Outlays, $96,474,000,000.
Fiscal year 2012:
(A) New budget authority, $89,643,000,000.
(B) Outlays, $95,851,000,000.
Fiscal year 2013:
(A) New budget authority, $91,221,000,000.
(B) Outlays, $96,150,000,000.
Fiscal year 2014:
(A) New budget authority, $92,775,000,000.
(B) Outlays, $96,793,000,000.
Fiscal year 2015:
(A) New budget authority, $94,696,000,000.
(B) Outlays, $96,856,000,000.
Fiscal year 2016:
(A) New budget authority, $96,599,000,000.
(B) Outlays, $96,111,000,000.
Fiscal year 2017:
(A) New budget authority, $98,514,000,000.
(B) Outlays, $96,420,000,000.
Fiscal year 2018:
(A) New budget authority, $100,492,000,000.
(B) Outlays, $98,064,000,000.
Fiscal year 2019:
(A) New budget authority, $102,536,000,000.
(B) Outlays, $99,820,000,000.
(9) COMMUNITY AND REGIONAL DEVELOPMENT (450):
Fiscal year 2009:
(A) New budget authority, $ 23,811,000,000.
(B) Outlays, $29,983,000,000.
Fiscal year 2010:
(A) New budget authority, $21,308,000,000.
(B) Outlays, $29,876,000,000.
Fiscal year 2011:
(A) New budget authority, $21,232,000,000.
(B) Outlays, $28,283,000,000.
Fiscal year 2012:
(A) New budget authority, $21,311,000,000.
(B) Outlays, $26,559,000,000.
Fiscal year 2013:
(A) New budget authority, $21,202,000,000.
(B) Outlays, $24,599,000,000.
Fiscal year 2014:
(A) New budget authority, $21,270,000,000.
(B) Outlays, $22,980,000,000.
Fiscal year 2015:
(A) New budget authority, $16,636,000,000.
(B) Outlays, $20,935,000,000.
Fiscal year 2016:
(A) New budget authority, $16,971,000,000.
(B) Outlays, $19,034,000,000.
Fiscal year 2017:
(A) New budget authority, $17,313,000,000.
(B) Outlays, $17,851,000,000.
Fiscal year 2018:
(A) New budget authority, $17,667,000,000.
(B) Outlays, $17,433,000,000.
Fiscal year 2019:
(A) New budget authority, $18,021,000,000.
(B) Outlays, $17,368,000,000.
(10) EDUCATION, TRAINING, EMPLOYMENT, AND SOCIAL SERVICES (500):
Fiscal year 2009:
(A) New budget authority, $164,276,000,000.
(B) Outlays, $73,219,000,000.
Fiscal year 2010:
(A) New budget authority, $84,977,000,000.
(B) Outlays, $133,544,000,000.
Fiscal year 2011:
(A) New budget authority, $104,983,000,000.
(B) Outlays, $130,791,000,000.
Fiscal year 2012:
(A) New budget authority, $114,521,000,000.
(B) Outlays, $114,631,000,000.
Fiscal year 2013:
(A) New budget authority, $122,120,000,000.
(B) Outlays, $118,776,000,000.
Fiscal year 2014:
(A) New budget authority, $129,488,000,000.
(B) Outlays, $124,931,000,000.
Fiscal year 2015:
(A) New budget authority, $133,201,000,000.
(B) Outlays, $131,051,000,000.
Fiscal year 2016:
(A) New budget authority, $139,280,000,000.
(B) Outlays, $135,723,000,000.
Fiscal year 2017:

(A) New budget authority, $144,024,000,000.
(B) Outlays, $140,644,000,000.
Fiscal year 2018:
(A) New budget authority, $148,225,000,000.
(B) Outlays, $145,027,000,000.
Fiscal year 2019:
(A) New budget authority, $152,421,000,000.
(B) Outlays, $149,147,000,000.
(11) HEALTH (550):
Fiscal year 2009:
(A) New budget authority, $380,193,000,000.
(B) Outlays, $354,432,000,000.
Fiscal year 2010:
(A) New budget authority, $383,930,000,000.
(B) Outlays, $388,765,000,000.
Fiscal year 2011:
(A) New budget authority, $365,072,000,000.
(B) Outlays, $367,790,000,000.
Fiscal year 2012:
(A) New budget authority, $370,436,000,000.
(B) Outlays, $369,140,000,000.
Fiscal year 2013:
(A) New budget authority, $390,298,000,000.
(B) Outlays, $384,938,000,000.
Fiscal year 2014:
(A) New budget authority, $400,972,000,000.
(B) Outlays, $400,694,000,000.
Fiscal year 2015:
(A) New budget authority, $424,001,000,000.
(B) Outlays, $421,531,000,000.
Fiscal year 2016:
(A) New budget authority, $448,920,000,000.
(B) Outlays, $446,380,000,000.
Fiscal year 2017:
(A) New budget authority, $480,597,000,000.
(B) Outlays, $477,913,000,000.
Fiscal year 2018:
(A) New budget authority, $511,467,000,000.
(B) Outlays, $508,708,000,000.
Fiscal year 2019:
(A) New budget authority, $545,067,000,000.
(B) Outlays, $542,020,000,000.
(12) MEDICARE (570):
Fiscal year 2009:
(A) New budget authority, $427,076,000,000.
(B) Outlays, $426,736,000,000.
Fiscal year 2010:
(A) New budget authority, $449,168,000,000.
(B) Outlays, $449,663,000,000.
Fiscal year 2011:
(A) New budget authority, $505,060,000,000.
(B) Outlays, $505,182,000,000.
Fiscal year 2012:
(A) New budget authority, $513,741,000,000.
(B) Outlays, $513,808,000,000.
Fiscal year 2013:
(A) New budget authority, $558,013,000,000.
(B) Outlays, $558,459,000,000.
Fiscal year 2014:
(A) New budget authority, $615,870,000,000.
(B) Outlays, $616,140,000,000.
Fiscal year 2015:
(A) New budget authority, $646,347,000,000.
(B) Outlays, $646,087,000,000.
Fiscal year 2016:
(A) New budget authority, $708,661,000,000.
(B) Outlays, $708,707,000,000.
Fiscal year 2017:
(A) New budget authority, $740,700,000,000.
(B) Outlays, $740,379,000,000.
Fiscal year 2018:
(A) New budget authority, $769,611,000,000.
(B) Outlays, $769,180,000,000.
Fiscal year 2019:
(A) New budget authority, $851,759,000,000.
(B) Outlays, $851,275,000,000.
(13) INCOME SECURITY (600):
Fiscal year 2009:
(A) New budget authority, $520,123,000,000.
(B) Outlays, $503,020,000,000.
Fiscal year 2010:
(A) New budget authority, $536,117,000,000.
(B) Outlays, $539,829,000,000.
Fiscal year 2011:
(A) New budget authority, $519,481,000,000.
(B) Outlays, $522,126,000,000.
Fiscal year 2012:
(A) New budget authority, $515,362,000,000.
(B) Outlays, $515,467,000,000.
Fiscal year 2013:
(A) New budget authority, $520,201,000,000.
(B) Outlays, $519,445,000,000.
Fiscal year 2014:
(A) New budget authority, $522,447,000,000.
(B) Outlays, $520,649,000,000.
Fiscal year 2015:
(A) New budget authority, $527,230,000,000.
(B) Outlays, $525,649,000,000.
Fiscal year 2016:
(A) New budget authority, $539,536,000,000.
(B) Outlays, $538,059,000,000.
Fiscal year 2017:
(A) New budget authority, $544,442,000,000.
(B) Outlays, $542,999,000,000.
Fiscal year 2018:
(A) New budget authority, $549,439,000,000.
(B) Outlays, $547,832,000,000.
Fiscal year 2019:
(A) New budget authority, $566,575,000,000.
(B) Outlays, $564,691,000,000.
(14) SOCIAL SECURITY (650):
Fiscal year 2009:
(A) New budget authority, $31,820,000,000.
(B) Outlays, $31,264,000,000.
Fiscal year 2010:
(A) New budget authority, $20,255,000,000.
(B) Outlays, $20,378,000,000.
Fiscal year 2011:
(A) New budget authority, $23,380,000,000.
(B) Outlays, $23,513,000,000.
Fiscal year 2012:
(A) New budget authority, $26,478,000,000.
(B) Outlays, $26,628,000,000.
Fiscal year 2013:
(A) New budget authority, $29,529,000,000.
(B) Outlays, $29,679,000,000.
Fiscal year 2014:
(A) New budget authority, $32,728,000,000.
(B) Outlays, $32,728,000,000.
Fiscal year 2015:
(A) New budget authority, $35,875,000,000.
(B) Outlays, $35,875,000,000.
Fiscal year 2016:
(A) New budget authority, $39,021,000,000.
(B) Outlays, $39,021,000,000.
Fiscal year 2017:
(A) New budget authority, $42,449,000,000.
(B) Outlays, $42,449,000,000.
Fiscal year 2018:
(A) New budget authority, $46,094,000,000.
(B) Outlays, $46,094,000,000.
Fiscal year 2019:
(A) New budget authority, $49,994,000,000.
(B) Outlays, $49,994,000,000.
(15) VETERANS BENEFITS AND SERVICES (700):
Fiscal year 2009:
(A) New budget authority, $97,705,000,000.
(B) Outlays, $94,831,000,000.
Fiscal year 2010:
(A) New budget authority, $105,734,000,000.
(B) Outlays, $104,934,000,000.
Fiscal year 2011:
(A) New budget authority, $112,176,000,000.
(B) Outlays, $111,750,000,000.
Fiscal year 2012:
(A) New budget authority, $107,991,000,000.
(B) Outlays, $107,404,000,000
Fiscal year 2013:
(A) New budget authority, $113,076,000,000.
(B) Outlays, $112,430,000,000.
Fiscal year 2014:
(A) New budget authority, $115,276,000,000.
(B) Outlays, $114,740,000,000.
Fiscal year 2015:
(A) New budget authority, $118,103,000,000.
(B) Outlays, $117,475,000,000.
Fiscal year 2016:
(A) New budget authority, $124,711,000,000.
(B) Outlays, $124,233,000,000.
Fiscal year 2017:
(A) New budget authority, $124,454,000,000.
(B) Outlays, $123,967,000,000.
Fiscal year 2018:
(A) New budget authority, $123,935,000,000.
(B) Outlays, $123,379,000,000.
Fiscal year 2019:
(A) New budget authority, $132,408,000,000.
(B) Outlays, $131,780,000,000.
(16) ADMINISTRATION OF JUSTICE (750):
Fiscal year 2009:
(A) New budget authority, $55,783,000,000.
(B) Outlays, $49,853,000,000.
Fiscal year 2010:
(A) New budget authority, $52,857,000,000.
(B) Outlays, $51,630,000,000.
Fiscal year 2011:
(A) New budget authority, $53,892,000,000.
(B) Outlays, $55,503,000,000.
Fiscal year 2012:
(A) New budget authority, $53,738,000,000.
(B) Outlays, $55,441,000,000.
Fiscal year 2013:
(A) New budget authority, $53,569,000,000.
(B) Outlays, $54,526,000,000.
Fiscal year 2014:
(A) New budget authority, $53,452,000,000.
(B) Outlays, $53,563,000,000.
Fiscal year 2015:
(A) New budget authority, $54,399,000,000.
(B) Outlays, $54,305,000,000.
Fiscal year 2016:
(A) New budget authority, $55,374,000,000.
(B) Outlays, $55,217,000,000.
Fiscal year 2017:
(A) New budget authority, $56,374,000,000.
(B) Outlays, $56,175,000,000.
Fiscal year 2018:
(A) New budget authority, $59,207,000,000.
(B) Outlays, $58,985,000,000.
Fiscal year 2019:
(A) New budget authority, $61,626,000,000.
(B) Outlays, $61,401,000,000.
(17) GENERAL GOVERNMENT (800):
Fiscal year 2009:
(A) New budget authority, $30,405,000,000.
(B) Outlays, $24,629,000,000.
Fiscal year 2010:
(A) New budget authority, $22,266,000,000.
(B) Outlays, $23,023,000,000.
Fiscal year 2011:
(A) New budget authority, $22,500,000,000.
(B) Outlays, $23,333,000,000.
Fiscal year 2012:
(A) New budget authority, $22,884,000,000.
(B) Outlays, $23,940,000,000.
Fiscal year 2013:
(A) New budget authority, $22,898,000,000.
(B) Outlays, $23,636,000,000.
Fiscal year 2014:
(A) New budget authority, $23,565,000,000.
(B) Outlays, $23,776,000,000.
Fiscal year 2015:
(A) New budget authority, $25,015,000,000.
(B) Outlays, $25,029,000,000.
Fiscal year 2016:
(A) New budget authority, $25,834,000,000.
(B) Outlays, $25,849,000,000.
Fiscal year 2017:
(A) New budget authority, $26,706,000,000.
(B) Outlays, $26,382,000,000.
Fiscal year 2018:
(A) New budget authority, $27,584,000,000.
(B) Outlays, $27,200,000,000.
Fiscal year 2019:
(A) New budget authority, $28,559,000,000.
(B) Outlays, $27,998,000,000.
(18) NET INTEREST (900):
Fiscal year 2009:
(A) New budget authority, $289,623,000,000.
(B) Outlays, $289,623,000,000.
Fiscal year 2010:
(A) New budget authority, $288,716,000,000.
(B) Outlays, $288,716,000,000.
Fiscal year 2011:
(A) New budget authority, $331,507,000,000.
(B) Outlays, $331,507,000,000.
Fiscal year 2012:
(A) New budget authority, $399,947,000,000.
(B) Outlays, $399,947,000,000.
Fiscal year 2013:
(A) New budget authority, $490,049,000,000.

(B) Outlays, $490,049,000,000.
Fiscal year 2014:
(A) New budget authority, $590,257,000,000.
(B) Outlays, $590,257,000,000.
Fiscal year 2015:
(A) New budget authority, $673,846,000,000.
(B) Outlays, $673,846,000,000.
Fiscal year 2016:
(A) New budget authority, $747,041,000,000.
(B) Outlays, $747,041,000,000.
Fiscal year 2017:
(A) New budget authority, $815,463,000,000.
(B) Outlays, $815,463,000,000.
Fiscal year 2018:
(A) New budget authority, $896,364,000,000.
(B) Outlays, $896,364,000,000.
Fiscal year 2019:
(A) New budget authority, $976,346,000,000.
(B) Outlays, $976,346,000,000.
(19) ALLOWANCES (920):
Fiscal year 2009:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2010:
(A) New budget authority, −$11,000,000.
(B) Outlays, −$6,000,000.
Fiscal year 2011:
(A) New budget authority, −$1,016,000,000.
(B) Outlays, −$542,000,000.
Fiscal year 2012:
(A) New budget authority, −$1,367,000,000.
(B) Outlays, −$1,019,000,000.
Fiscal year 2013:
(A) New budget authority, −$1,763,000,000.
(B) Outlays, −$1,428,000,000.
Fiscal year 2014:
(A) New budget authority, −$2,040,000,000.
(B) Outlays, −$1,766,000,000.
Fiscal year 2015:
(A) New budget authority, −$2,074,000,000.
(B) Outlays, −$1,951,000,000.
Fiscal year 2016:
(A) New budget authoriy, −$2,108,000,000.
(B) Outlays, −$2,034,000,000.
Fiscal year 2017:
(A) New budget authority, −$1,943,000,000.
(B) Outlays, −$1,984,000,000.
Fiscal year 2018:
(A) New budget authority, −$1,978,000,000.
(B) Outlays, −$1,969,000,000.
Fiscal year 2019:
(A) New budget authority, −$2,015,000,000.
(B) Outlays, −$1,985,000,000.
(20) UNDISTRIBUTED OFFSETTING RECEIPTS (950):
Fiscal year 2009:
(A) New budget authority, −$78,206,000,000.
(B) Outlays, −$78,206,000,000.
Fiscal year 2010:
(A) New budget authority, −$68,844,000,000.
(B) Outlays, −$68,844,000,000.
Fiscal year 2011:
(A) New budget authority, −$72,088,000,000.
(B) Outlays, −$72,088,000,000.
Fiscal year 2012:
(A) New budget authority, −$75,080,000,000.
(B) Outlays, −$75,080,000,000.
Fiscal year 2013:
(A) New budget authority, −$78,115,000,000.
(B) Outlays, −$78,115,000,000.
Fiscal year 2014:
(A) New budget authority, −$80,151,000,000.
(B) Outlays, −$80,151,000,000.
Fiscal year 2015:
(A) New budget authority, −$82,702,000,000.
(B) Outlays, −$82,702,000,000.
Fiscal year 2016:
(A) New budget authority, −$86,167,000,000.
(B) Outlays, −$86,167,000,000.
Fiscal year 2017:
(A) New budget authority, −$94,794,000,000.
(B) Outlays, −$94,794,000,000.
Fiscal year 2018:
(A) New budget authority, −$99,412,000,000.
(B) Outlays, −$99,412,000,000.
Fiscal year 2019:
(A) New budget authority, −$103,004,000,000.
(B) Outlays, −$103,004,000,000.

SA 768. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 33, line 23, after ''purposes,'' insert ''provided that such legislation would not result in a direct or indirect increase in energy prices to individuals with adjusted gross incomes of less than $200,000 or families with adjusted gross incomes of less than $250,000, and''.

SA 769. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 3, line 14, decrease the amount by $8,608,000,000.
On page 3, line 15, decrease the amount by $105,822,000,000.
On page 4, line 8, increase the amount by $8,608,000,000.
On page 4, line 9, increase the amount by $105,822,000,000.
On page 4, line 17, increase the amount by $179,046,000.
On page 4, line 18, increase the amount by $2,901,367,000.
On page 5, line 1, increase the amount by $179,046,000.
On page 5, line 2, increase the amount by $2,901,367,000.
On page 5, line 10, increase the amount by $8,787,046,000.
On page 5, line 11, increase the amount by $108,723,367,000.
On page 5, line 20, increase the amount by $8,787,046,000.
On page 5, line 21, increase the amount by $117,510,413,000.
On page 6, line 3, increase the amount by $8,787,046,000.
On page 6, line 4, increase the amount by $117,510,413,000.
On page 27, line 11, increase the amount by $179,046,000.
On page 27, line 12, increase the amount by $179,046,000.
On page 27, line 15, increase the amount by $2,901,367,000.
On page 27, line 16, increase the amount by $2,901,367,000.

SA 770. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR A COMPREHENSIVE INVENTORY OF OUTER CONTINENTAL SHELF OIL AND NATURAL GAS RESOURCES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would—

(1) allow the Secretary of the Interior to conduct the comprehensive inventory of the outer Continental Shelf under section 357 of the Energy Policy Act of 2005 (42 U.S.C. 15912);

(2) provide that the inventory conducted under paragraph (1) would not affect the current 5-year program or the program for 2010-2015 developed under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344); and

(3) provide that the Secretary of the Interior shall conduct a lease sale in any prospective area identified through the inventory and analysis conducted under paragraph (1).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 771. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. BORDER FENCE CONSTRUCTION.

(a) IN GENERAL.—If a bill or joint resolution, which appropriates an amount for fiscal year 2010 that is less than $2,600,000,000 for activities described in section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), is reported in the Senate, the Chairman of the Committee on the Budget of the Senate shall reduce the discretionary spending limits under section 301, allocations to the Committee on Appropriations of the Senate (pursuant to section 302(a) of the Congressional Budget Act of 1974), and budgetary aggregates by the difference between $2,600,000,000 and the amount provided in such bill or joint resolution for fiscal year 2010 for such activities.

(b) REVISIONS.—Following any adjustment under subparagraph (a), the Committee on Appropriations of the Senate shall report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out the activities described in section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

SA 772. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels

for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; as follows:

On page 4, line 14, decrease the amount by $34,170,000,000.
On page 4, line 15, decrease the amount by $38,847,000,000.
On page 4, line 16, decrease the amount by $45,300,000,000.
On page 4, line 17, decrease the amount by $50,655,000,000.
On page 4, line 18, decrease the amount by $57,729,000,000.
On page 4, line 23, decrease the amount by $23,170,000,000.
On page 4, line 24, decrease the amount by $37,847,000,000.
On page 4, line 25, decrease the amount by $43,300,000,000.
On page 5, line 1, decrease the amount by $49,655,000,000.
On page 5, line 2, decrease the amount by $56,729,000,000,000.
On page 5, line 7, decrease the amount by $23,170,000,000.
On page 5, line 8, decrease the amount by $37,847,000,000.
On page 5, line 9, decrease the amount by $43,300,000,000.
On page 5, line 10, decrease the amount by $49,655,000,000.
On page 5, line 11, decrease the amount by $56,729,000,000,000.
On page 5, line 17, decrease the amount by $23,170,000,000.
On page 5, line 18, decrease the amount by $61,018,000,000.
On page 5, line 19, decrease the amount by $104,317,000,000.
On page 5, line 20, decrease the amount by $153,972,000,000.
On page 5, line 21, decrease the amount by $210,701,000,000.
On page 5, line 25, decrease the amount by $23,170,000,000.
On page 6, line 1, decrease the amount by $61,018,000,000.
On page 6, line 2, decrease the amount by $104,317,000,000.
On page 6, line 3, decrease the amount by $153,972,000,000.
On page 6, line 4, decrease the amount by $210,701,000,000.
On page 26, line 24, decrease the amount by $170,000,000.
On page 26, line 25, decrease the amount by $170,000,000.
On page 27, line 3, decrease the amount by $847,000,000.
On page 27, line 4, decrease the amount by $847,000,000.
On page 27, line 7, decrease the amount by $2,300,000,000.
On page 27, line 8, decrease the amount by $2,300,000,000.
On page 27, line 11, decrease the amount by $4,655,000,000.
On page 27, line 12, decrease the amount by $4,655,000,000.
On page 27, line 15, decrease the amount by $7,729,000,000.
On page 27, line 16, decrease the amount by $7,729,000,000.
On page 27, line 23, decrease the amount by $34,000,000,000.
On page 27, line 24, decrease the amount by $23,000,000,000.
On page 28, line 2, decrease the amount by $38,000,000,000.
On page 28, line 3, decrease the amount by $37,000,000,000.
On page 28, line 6, decrease the amount by $43,000,000,000.
On page 28, line 7, decrease the amount by $41,000,000,000.
On page 28, line 10, decrease the amount by $46,000,000,000.
On page 28, line 11, decrease the amount by $45,000,000,000.
On page 28, line 14, decrease the amount by $50,000,000,000.
On page 28, line 15, decrease the amount by $49,000,000,000.
On page 50, line 13, decrease the amount by $34,000,000,000.
On page 50, line 14, decrease the amount by $23,000,000,000.

SA 773. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR THE EXTENSION OF THE TOP INDIVIDUAL TAX RATES FOR SMALL BUSINESSES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that maintains the rates of tax under section 1 of the Internal Revenue Code of 1986 for the highest two rate brackets at 33 percent and 35 percent, respectively, for individuals who receive more than 50 percent of income from a small business concern (as defined under section 3 of the Small Business Act), by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 774. Mrs. LINCOLN (for herself, Ms. COLLINS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING CHILD WELFARE.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by one or more bills, joint resolutions, amendments, motions, or conference reports that would make improvements to child welfare programs, including strengthening the recruitment and retention of foster families, or make improvements to the child support enforcement program, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 775. Mrs. LINCOLN (for herself, Mr. CRAPO, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 41, line 24, insert after ''Indemnity Compensation,'' the following: ''enhance servicemember education benefits for members of the National Guard and Reserve by ensuring those benefits keep pace with the national average cost of tuition,''.

SA 776. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR MONITORING OF FHA-INSURED LENDING.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase the capacity of the Inspector General of the Department of Housing and Urban Development to investigate cases of mortgage fraud of Federal Housing Administration loans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 777. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATIONS ON LEGISLATION THAT WOULD PERMIT THE SECRETARY OF VETERANS AFFAIRS TO RECOVER FROM A PRIVATE HEALTH INSURER OF A DISABLED VETERAN AMOUNTS PAID FOR TREATMENT OF SUCH DISABILITY.

(a) POINT OF ORDER.—If the Senate is considering legislation, upon a point of order being made by any Senator against the legislation, or any part of the legislation, that the legislation, if enacted, would result in providing authority to the Secretary of Veterans Affairs to recover from a private health insurer of a veteran with a service-connected disability amounts paid by the Secretary for the furnishing of care or treatment for such disability, and the point of

order is sustained by the Presiding Officer, the Senate shall cease consideration of the legislation.

(b) WAIVERS AND APPEALS.—

(1) WAIVERS.—

(A) IN GENERAL.—Before the Presiding Officer rules on a point of order described in subsection (a), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment.

(B) VOTE.—A point of order described in subsection (a) is waived only by the affirmative vote of 60 Members of the Senate, duly chosen and sworn.

(2) APPEALS.—

(A) IN GENERAL.—After the Presiding Officer rules on a point of order described in subsection (a), any Senator may appeal the ruling of the Presiding Officer on the point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(B) VOTE.—A ruling of the Presiding Officer on a point of order described in subsection (a) is sustained unless 60 Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(3) DEBATE.—

(A) IN GENERAL.—Debate on the motion to waive under paragraph (1) or on an appeal of the ruling of the Presiding Officer under paragraph (2) shall be limited to 1 hour.

(B) DIVISION.—The time shall be equally divided between, and controlled by, the Majority leader and the Minority Leader of the Senate, or their designees.

(c) LEGISLATION DEFINED.—In this section, the term ''legislation'' means a bill, joint resolution, amendment, motion, or conference report.

(d) TERMINATION.—The provisions of this section shall terminate on December 31, 2012.

SA 778. Mr. BENNETT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TARP OFFSET.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a bill, resolution, amendment, or conference report that provides additional funding for the TARP program unless the measure provides an offsetting reduction in the discretionary spending caps set forth in section 301 of this resolution.

(b) MATTER STRICKEN.—If the point of order prevails under subsection (a), the provision shall be stricken in accordance with the procedures provided in section 313(e) of the Congressional Budget Act of 1974.

(c) WAIVERS AND APPEALS.—

(1) WAIVER OR SUSPENSION.—This section may be waived or suspended in the Senate only by the affirmative rollcall vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 779. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE REGARDING UNWARRANTED TAXPAYER FUNDED BONUSES.

(a) FINDINGS.—The Senate finds the following:

(1) Taxpayers are outraged that American International Group Inc. (AIG), the insurer bailed out with $182.5 billion from the United States Government, awarded $165 million of bonuses to the Financial Products unit, which nearly bankrupted the company. The bonuses were paid less than 2 weeks after AIG reported a $61.7 billion loss for the fourth quarter, the largest in United States corporate history.

(2) The $165 million of bonuses paid to AIG employees is dwarfed by the billions of dollars of bonuses paid out to Federal contractors and senior government officials responsible for projects and programs that were over budget or failed to meet basic performance requirements.

(3) The Department of Defense paid $8 billion in unwarranted bonuses to contractors for weapons programs that had severe cost overruns, performance problems, and delays between 1999 and 2004.

(4) The Centers for Medicare and Medicaid Services pays more than $312 million per year in quality-of-care bonuses to nursing homes that provide below average care and have past violations of health-and-safety regulations.

(5) The National Aeronautics and Space Administration (NASA) paid Boeing a bonus of $425.3 million for work on the space station that ran 8 years late and cost more than twice what was expected. Boeing estimates that it will incur an additional $76 million in overruns by the time the contract is completed.

(6) NASA paid Raytheon a $103.2 million bonus for the Earth Observing System Data and Information System despite the project costing $430 million more and taking 2 years longer to complete than expected.

(7) Lockheed collected a $17 million bonus from NASA for the Landsat-7 satellite even though the project was delayed 9 months even and the costs rose 20 percent to $409.6 million.

(8) The Department of Commerce selected Northrop Grumman in 2002 to build a $6.5 billion satellite system that would conduct both weather surveillance and military reconnaissance that was supposed to save the Federal Government $1.6 billion. The first launch was scheduled for 2008 but hasn't happened, the project's budget has doubled to $13.1 billion, and Northrop's performance has been deemed unsatisfactory. Yet, from 2002 to 2005, the Federal Government awarded Northrop $123 million worth of bonuses.

(9) In 2007, Harris Corp. developed a handheld device to collect data for the 2010 Census that failed to work properly and was $198 million over budget. Despite this costly failure that could cause delays in preparing for the nationwide head count, the Department of Commerce's Census Bureau awarded Harris $14.2 million in bonuses.

(10) The Federal National Mortgage Association, a government sponsored mortgage enterprise better known as Fannie Mae, suffered $59 billion in losses last year and has requested $15 billion in taxpayer assistance. Yet it plans to pay $4.4 million or more in bonuses to its top executives. Fannie Mae's Chief Operating Officer is expected to receive a $1.3 million bonus, the Deputy Chief Financial Officer is slated for $1.1 million, and 2 executive vice presidents are each in line for $1 million each.

(11) In 2006, more than $3.8 million in bonuses were paid out to senior officials at the Department of Veterans Affairs months after a $1 billion budget shortfall threatened to imperil the care of thousands of injured veterans returning from combat in Iraq and Afghanistan. Among those receiving bonuses were some who crafted the VA's flawed budget that was based on misleading accounting and the Deputy Undersecretary for Benefits, who helped manage a disability claims system that had a backlog of cases and delays averaging 177 days in getting benefits to injured veterans. The bonuses were awarded after Federal Government investigators had determined the VA repeatedly miscalculated, if not deliberately misled, taxpayers with questionable budgeting.

(12) In 2006, the Department of Treasury abandoned a $14.7 million computer project intended to help detect terrorist money laundering. The failed project was 65 percent over its original budget, but the vendor, Electronic Data Systems Corp., was awarded a $638,126 bonus.

(13) The repair and restart a Tennessee Valley Authority (TVA) nuclear reactor cost $90 million more than what the Federal utility budgeted, but TVA paid the primary contractors on the project, Bechtel Power Corp. and Stone and Webster Construction Inc., an extra $42 million in bonuses and other fees last year.

(14) In 2008, the San Diego Unified school district spent more than $3 million in Federal funding for low-income students, child nutrition, and other Department of Education programs on bonuses for employees leaving the school district.

(15) In 2008, the Department of Education paid nearly $1.7 million in bonuses to Denver Public Schools principals and assistant principals, including those at some of the lowest-performing schools in the city and 6 schools that have been closed because of poor performance.

(16) The United States Postal Service is expecting a deficit of $6 billion in 2009, following deficits of $2.8 billion in 2008 and $5.1 billion in 2007 and, as a result, may increase the price of first-class mail stamps by 2 cents and end mail delivery 1 day a week. The Postmaster General, however, was paid a $135,000 bonus in 2008.

(17) In 2008, 3 top executives in the Office of the Inspector General of the Department of Defense each received a cash bonus of $30,000 for outstanding leadership even though their agency has a history of weak management and strained relations between employees and supervisors.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress and the President should enact legislation that would save the taxpayers billions of dollars every year by—

(1) ensuring that all new contracts using award fees and bonuses link such fees and bonuses to acquisition outcomes, which should be defined in terms of program cost, schedule, performance, and outcome;

(2) ensuring that no award fee or bonus is paid for contractor performance that is judged to be below satisfactory performance or performance that does not meet the basic requirements of the contract or significantly exceeds the original cost estimate;

(3) providing that all award fees and bonuses are posted on a public website which would include an itemized, searchable databases of such award fees and bonuses, the amount of each, to whom the award fees and bonuses were paid, the reasons for the awards, and the name of the Department and agency that paid each such award;

(4) prohibiting bonuses from being paid to agency and department managers and grant recipients overseeing a program with performance or over budget costs; and

(5) directing the bipartisan congressional sunset commission established via a deficit-neutral reserve fund under section 212 of the fiscal year 2010 concurrent budget resolution to examine the number and total cost of unwarranted bonuses and award fees paid to contractors and Federal Government executives as part of the panel's review of nonperforming government programs.

SA 780. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE REGARDING PERFORMANCE MEASURES.

(a) FINDINGS.—Congress finds the following:

(1) The fiscal year 2010 budget funds all Federal Government functions, including every program administered by each Federal department or agency across the country.

(2) The Catalogue of Federal Domestic Assistance lists over 1,800 Federal Government subsidy programs across 63 departments and agencies.

(3) The number of Federal Government subsidy programs has grown by 54 percent since 1990.

(4) President Barack Obama stated, ''The Federal Government has an overriding obligation to American taxpayers. It should perform its functions efficiently and effectively while ensuring that its actions result in the best value for the taxpayers.''.

(5) President Barack Obama has proposed opening up the insular performance measurement process to the public, Congress, and outside experts.

(6) President Barack Obama has proposed creating the position of Chief Performance Officer to improve results and outcomes for Federal Government programs while eliminating waste and inefficiency.

(7) President Barack Obama has proposed working with Congress to address Federal Government efficiency by creating performance teams to reform programs, replacing existing management at Federal agencies, demanding improvement action plans, and cutting program budgets or eliminating programs entirely.

(8) In national polls, less than ⅓, or only 27 percent, of Americans gave a positive rating of the performance of Federal departments and agencies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) research-based, quantifiable performance measures are necessary to evaluate program effectiveness;

(2) each Federal department and agency should develop performance measures for all programs receiving Federal assistance under its jurisdiction; and

(3) the performance measures developed under paragraph (2) should—

(A) to the maximum extent practicable, draw on research-based, quantitative data;

(B) take into account program purpose and program design;

(C) include criteria to evaluate the cost effectiveness of programs;

(D) include criteria to evaluate the administration and management of programs; and

(E) include criteria to evaluate oversight and accountability of recipients of assistance under such programs.

SA 781. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE ON COMPETITIVE BIDDING.

(a) FINDINGS.—The Senate makes the following findings:

(1) Last year, then-candidate Barack Obama stated that ''for too long, Washington politicians have wasted billions on no-bid contracts'' and promised to ''end abusive no-bid contracts.'' As part of his ''Blueprint for Change,'' candidate Obama pledged to ''ensure that Federal contracts over $25,000 are competitively bid''.

(2) According to the most recent figures compiled by the Federal Government, Federal agencies annually award over $1,000,000,000,000 in financial assistance alone, with $496,000,000,000 in grants awarded in fiscal year 2008 and $518,000,000,000 in contracts and $29,000,000,000 in direct loans awarded in fiscal year 2007.

(3) A non-competitive grant or contract is Federal funding that is provided directly to an entity, bypassing the standard process for awarding Federal funding in which competing bids are solicited in order to select the most cost-efficient and qualified entity to perform a service.

(4) The volume of non-competitive contracts awarded using Federal funds has risen from $49,000,000,000 in 2000 to $134,000,000,000 in 2008, an increase of 176 percent.

(5) The Senate voted 97 to zero in support of competitive bidding for contracts and grants in a Senate-passed amendment to H.R. 1, the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

(6) The competitive process helps ensure that the Federal Government receives the highest-quality products for the least amount of money.

(7) This resolution includes a deficit-neutral reserve fund for Defense acquisition and contracting reform and a deficit-neutral reserve fund for a comprehensive investigation into the current financial crisis.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that all Senators support President Obama's pledge to end abusive no-bid contracts by requiring all Federal contracts to be competitively bid.

SA 782. Ms. COLLINS (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 34, line 13, insert ''by investing in programs such as the programs under chapters 1 and 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq., 1070a–21 et seq.)'' after ''students''.

SA 783. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO FULLY FUND THE LONG-TERM STABILITY/HOUSING FOR VICTIMS PROGRAM.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would fully fund the Long-Term Stability/Housing for Victims Program under the Violence Against Women Act which builds collaborations between domestic violence service providers and housing providers and developers to leverage existing resources and create housing solutions that meet victims' need for long-term housing at the authorized level, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 784. Mr. BOND submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 33, line 21, after ''economy,'' insert ''without causing significant job loss in regions of the United States vulnerable to manufacturing or energy-intensive job loss such as the coal-dependent Midwest, Great Plains and South,''.

SA 785. Mr. BOND submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 33, line 21, after ''economy,'' insert ''without increasing fertilizer, diesel, gasoline, electricity or natural gas prices,''.

SA 786. Mr. BOND submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 33, line 21, after ''economy,'' insert ''without increasing residential retail electricity, natural gas or home heating oil prices,''.

SA 787. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 4, line 13, decrease the amount by $116,626,400,000.

On page 4, line 14, decrease the amount by $23,103,200,000.

On page 4, line 15, decrease the amount by $4,939,200,000.

On page 4, line 16, decrease the amount by $7,053,600,000.

On page 4, line 17, decrease the amount by $9,575,200,000.

On page 4, line 18 decrease the amount by $12,156,800,000.

On page 4, line 22, decrease the amount by $116,626,400,000.

On page 4, line 23, decrease the amount by $23,103,200,000.

On page 4, line 24, decrease the amount by $4,939,200,000.

On page 4, line 25 decrease the amount by $7,053,600,000.

On page 5, line 1, decrease the amount by $9,575,200,000.

On page 5, line 2, decrease the amount by $12,156,800,000.

On page 5, line 6, decrease the amount by $116,626,400,000.

On page 5, line 7, decrease the amount by $23,103,200,000.

On page 5, line 8, decrease the amount by $4,939,200,000.

On page 5, line 9, decrease the amount by $7,053,600,000.

On page 5, line 10, decrease the amount by $9,575,200,000.

On page 5, line 11, decrease the amount by $12,156,800,000.

On page 5, line 16, decrease the amount by $116,626,400,000.

On page 5, line 17, decrease the amount by $139,729,600,000.

On page 5, line 18, decrease the amount by $144,668,800,000.

On page 5, line 19, decrease the amount by $151,722,400,000.

On page 5, line 20, decrease the amount by $161,297,600,000.

On page 5, line 21, decrease the amount by $173,454,400,000.

On page 5, line 24, decrease the amount by $116,626,400,000.

On page 5, line 25, decrease the amount by $139,729,600,000.

On page 6, line 1, decrease the amount by $144,668,800,000.

On page 6, line 2, decrease the amount by $151,722,400,000.

On page 6, line 3, decrease the amount by $161,297,600,000.

On page 6, line 4, decrease the amount by $173,454,400,000.

On page 15, line 17, decrease the amount by $116,000,000,000

On page 15, line 18, decrease the amount by $116,000,000,000.

On page 15, line 21, decrease the amount by $20,000,0000,000.

On page 15, line 22, decrease the amount by $20,000,000,000.

On page 26, line 20, decrease the amount by $626,400,000.

On page 26, line 21, decrease the amount by $626,400,000.

On page 26, line 24, decrease the amount by $3,103,200,000.

On page 26, line 25, decrease the amount by $3,103,200,000.

On page 27, line 3, decrease the amount by $4,939,200,000.

On page 27, line 4, decrease the amount by $4,939,200,000.

On page 27, line 7, decrease the amount by $7,053,600,000.

On page 27, line 8, decrease the amount by $7,053,600,000.

On page 27, line 11, decrease the amount by $9,575,200,000.

On page 25, line 12, decrease the amount by $9,575,200,000.

On page 27, line 15, decrease the amount by $12,156,800,000.

On page 27, line 16, decrease the amount by $12,156,800,000.

SA 788. Mr. BARRASSO (for himself, Mr. WYDEN, Mr. CRAPO, Mr. MERKLEY, Mr. KYL, Mr. ENZI, Mr. BENNETT, and Mr. HATCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 13, line 21, increase the amount by $200,000,000.

On page 13, line 22, increase the amount by $140,000,000.

On page 14, line 1, increase the amount by $60,000,000.

On page 27, line 23, decrease the amount by $200,000,000.

On page 27, line 24, decrease the amount by $140,000,000.

On page 28, line 3, decrease the amount by $60,000,000.

SA 789. Mr. BARRASSO (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 13, line 17, increase the amount by $50,000,000.

On page 13, line 18, increase the amount by $50,000,000.

On page 27, line 19, decrease the amount by $50,000,000.

On page 27, line 20, decrease the amount by $50,000,000.

SA 790. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASED INSPECTION OF IMPORTED SEAFOOD AND ENFORCEMENT OF OUR TRADE LAWS REGARDING IMPORTED SEAFOOD.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for bills, joint resolutions, amendments, motions, or conference reports that would—

(1) require tougher inspection and testing requirements for imported seafood products to ensure that imported seafood products do not contain chemicals, antibiotics, or any substances that are banned in the United States;

(2) end the practice of ''port shopping,'' which is used by many seafood importers seeking to avoid the safety standards required of domestic seafood producers, by nsuring that shipments of seafood rejected for any safety violation be clearly mark as rejected and that other U.S. ports are promptly notified of the rejected shipment; or

(3) increase the enforcement of our trade laws and address the problem of (antidumping duties that are owed but are not collected, especially on imported seafood products from China;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase deficit over either the total of the period of fiscal years 2009 through 2014 or the period of the total of fiscal years of 2009 through 2019.

SA 791. Mr. CRAPO (for himself, Mr. INHOFE, and Mr. RISCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 12, line 21, strike ''$4,489,000,000'' and insert ''$4,939,000,000''.

On page 12, line 22, strike ''$6,210,000,000'' and insert ''$6,650,000,000''.

On page 12, line 25, strike ''$4,404,000,000'' and insert ''$4,844,000,000''.

On page 13, line 1, strike ''$8,906,000,000'' and insert ''$8,346,000,000''.

On page 13, line 4, strike ''$4,427,000,000'' and insert ''$4,346,000,000''.

On page 13, line 5, strike ''$10,341,000,000'' and insert ''$10,781,000,000''.

On page 13, line 8, strike ''$4,619,000,000'' and insert ''$5,059,000,000''.

On page 13, line 9, strike ''$5,613,000,000'' and insert ''$6,053,300,000''.

On page 13, line 12, strike ''$4,540,000,000'' and insert ''$4,980,000,000''.

On page 13, line 13, strike ''$484,000,000'' and insert ''$924,000,000''.

On page 25, line 24, strike ''$22,321,000,000'' and insert ''$21,871,000,000''.

On page 25, line 25, strike ''$23,021,000,000'' and insert ''$22,773,000,000''.

On page 26, line 3, strike ''$22,477,000,000'' and insert ''$22,037,000,000''.

On page 26, line 4, strike ''$23,322,000,000'' and insert ''$22,882,000,000''.

On page 26, line 7, strike ''$22,707,000,000'' and insert ''$22,267,000,000''.

On page 26, line 8, strike ''$23,806,000,000'' and insert ''$23,366,000,000''.

On page 26, line 11, strike ''$22,437,000,000'' and insert ''$21,997,000,000''.

On page 26, line 12, strike ''$23,252,000,000'' and insert ''$22,812,000,000''.

On page 26, line 15, strike ''$22,808,000,000'' and insert ''$22,368,000,000''.

On page 26, line 16, strike ''$23,109,000,000'' and insert ''$22,669,000,000''.

At the appropriate place, insert the following:

SEC. _____. CONTINUATION OF REQUIRED LICENSING ACTIVITIES TO SUPPORT FINAL DISPOSAL OF CERTAIN MATERIALS AT YUCCA MOUNTAIN REPOSITORY.

Notwithstanding any other provision of law, for each of fiscal years 2010 through 2014, there is authorized to be appropriated to the Secretary of Energy and the Chairperson of the Nuclear Regulatory Commission for the continuation of required licensing activities to support the final disposal at the Yucca Mountain Repository of spent nuclear fuel and high-level radioactive waste an amount equal to the increase in amounts made available under Function 270 by the modifications made by this amendment.

SA 792. Mr. ALEXANDER (for himself, Mr. ENZI, Mr. GREGG, Mr. JOHANNS, Mr. BUNNING, Mr. GRAHAM, Mr. ISAKSON, Ms. MURKOWSKI, and Mr. CORKER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 34, line 10, strike ''affordable,'' and insert ''affordable while maintaining a competitive student loan program that provides students and institutions of higher education with a comprehensive choice of loan products and services,''.

SA 793. Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 31, line 9, insert ''does not curb growth in health care spending by using data obtained from comparative effectiveness research to deny coverage of items or services under Federal health care programs, ensures that comparative effectiveness research accounts for advancements in genomics and personalized medicine, the unique needs of health disparity populations, and differences in the treatment response and the treatment preferences of patients, and'' after legislation.

SA 794. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 49, between lines 3 and 4, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUNDS TO ENHANCE DRUG-CONTROL EFFORTS WITHIN OUR COMMUNITIES AND ALONG OUR BORDERS.

(a) HIDTA.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase the number of counties designated as High Intensity Drug Trafficking Areas to provide coordination, equipment, technology, and additional resources to combat drug trafficking and its harmful consequences in critical regions of the United States by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) DRUG SMUGGLING.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase drug interdiction funding at the Department of Homeland Security to combat drug smuggling across international borders by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 795. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 37, between lines 8 and 9, insert the following:

(d) FLOOD CONTROL PROJECTS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for levee modernization, maintenance, repair, and improvement, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 796. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 49, between lines 3 and 4, insert the following:

SEC. 2____. DEFICIT-NEUTRAL RESERVE FUND FOR PREKINDERGARTEN OPPORTUNITIES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that augment or establish a Federal program that provides—

(1) assistance to States that—

(A) offer not less than 1 year of free prekindergarten to children of families who meet the low-income criteria established by the program; and

(B) offer not less than 1 year of subsidized prekindergarten to children of families who meet any other income criteria established by the program; and

(2) as much flexibility as is practicable to the States in carrying out the prekindergarten programs described in paragraph (1), within a construct of incentives and requirements that each such prekindergarten program shall include a strong pre-academic curriculum, employ qualified prekindergarten teachers, and provide for strong program accountability measures,

provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 797. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 19, line 24, increase the amount by $850,000,000.

On page 19, line 25, increase the amount by $170,000,000.

On page 20, line 4, increase the amount by $476,000,000.

On page 20, line 8, increase the amount by $136,000,000.

On page 20, line 12, increase the amount by $51,000,000.

On page 20, line 16, increase the amount by $17,000,000.

On page 27, line 23, decrease the amount by $850,000,000.

On page 27, line 24, decrease the amount by $170,000,000.

On page 28, line 3, decrease the amount by $476,000,000.

On page 28, line 7, decrease the amount by $136,000,000.

On page 28, line 11, decrease the amount by $51,000,000.

On page 28, line 15, decrease the amount by $17,000,000.

SA 798. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 37, between lines 8 and 9, insert the following:

(d) ALLOWING AMTRAK PASSENGERS TO SECURELY TRANSPORT FIREARMS ON PASSENGER TRAINS.—None of amounts made available in the reserve fund authorized under this section may be used to provide financial assistance for the National Railroad Passenger Corporation (Amtrak) unless Amtrak passengers are allowed to securely transport firearms in their checked baggage.

SA 799. Mr. BENNET (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE SYSTEMIC INEQUITIES OF MEDICARE AND MEDICAID REIMBURSEMENT THAT LEAD TO ACCESS PROBLEMS IN RURAL AREAS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would address the systemic inequities of Medicare and Medicaid reimbursement that lead to access problems in rural areas, including access to primary care and outpatient services, hospitals, and an adequate supply of providers in the workforce, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 800. Mr. SANDERS (for himself, Mr. BUNNING, Mr. FEINGOLD, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE TO INCREASE TRANSPARENCY OF THE FEDERAL RESERVE SYSTEM.

(a) FINDINGS.—The Senate finds that—

(1) on January 28, 2009, Doug Elmendorf, the Director of the Congressional Budget Office, provided testimony to the Committee on the Budget of the Senate, that the Board of Governors of the Federal Reserve System (in this section referred to as the ''Board'') has committed nearly $2,300,000,000,000, more than 3 times the cost of the Troubled Asset Relief Program, to programs it created to deal with the financial crisis, with the potential for such taxpayer assistance to grow to at least $4,500,000,000,000;

(2) on March 7, 2009, Bloomberg News reported that ''Government loans, spending or guarantees to rescue the country's financial system total more than $11.7 trillion since the international credit crisis began in August 2007.'';

(3) unlike the Troubled Asset Relief Program, the American public does not know the names of the recipients of more than $2,200,000,000,000 in taxpayer assistance provided by the Board since the beginning of the current United States financial crisis;

(4) while Congress has spent numerous hours of debate on the merits of Federal investments totaling less than $1,000,000,000, not one significant debate has been held on the floor of the Senate or the House of Representatives in Congress on whether the Board should be exposing American taxpayers to more than $2,200,000,000,000 in risk;

(5) on March 3, 2009, Chairman of the Board, Ben Bernanke, told the Committee on the Budget of the Senate that since the start of the financial crisis, the Board had provided assistance to ''hundreds and hundreds of banks,'' but would not name the banks, how much assistance they have received, what they are doing with the taxpayer assistance, or what the specific terms of the assistance were;

(6) the American people have a right to know to whom the Board is lending over $2,200,000,000,000 taxpayer dollars, how much they are receiving, and what the Board is asking in return for such money;

(7) since the creation of the Federal Reserve System in 1913, there has not been a single, comprehensive independent audit of the Federal Reserve System or the Federal Reserve banks; and

(8) during the worst financial crisis in our nation's history since the Great Depression, a crisis which has led to the largest taxpayer bailout ever, the Board has a responsibility to the American people to explain what they are doing with their hard-earned taxpayer dollars.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Comptroller General of the United States should be provided with the resources and authority necessary to conduct a comprehensive audit of the Board and the Federal reserve banks; and

(2) the Board should publish on its website, with respect to all lending and financial assistance facilities it has created to address the financial crisis since March 24, 2008—

(A) the identity of each business, individual, or entity to which the Board has provided such assistance;

(B) the type of financial assistance provided to that business, individual, or entity;

(C) the value or amount of that financial assistance;

(D) the date on which the financial assistance was provided;

(E) the specific terms of any repayment expected, including the repayment time period, interest charges, collateral, limitations on executive compensation or dividends, and other material terms;

(F) the specific rationale for providing assistance in each instance; and

(G) what that business, individual, or entity is doing with such financial assistance.

SA 801. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 49, after line 3, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR THE UNITED STATES ARMY AND UNITED STATES MARINE CORPS TO REPLACE AND RESET EQUIPMENT.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) establish a balanced process that systematically restores deployed Army and Marine Corps units to a level or personnel and equipment readiness that permits the resumption of training for future missions;

(2) ensure procurement of new equipment to replace battle losses, wash outs, and critical equipment deployed and left in theater;

(3) rebuild or repair equipment to a level commensurate with required performance specifications; and

(4) accomplish reset repair for sustainment and field maintenance to a desired field-level environment for combat capability appropriate with a unit's readiness and future missions;

by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SA 802. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTHCARE PROFESSIONALS FOR THE VETERANS HEALTH ADMINISTRATION.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

(1) increase the number of healthcare professionals in the Veterans Health Administration to meet the needs of the expanding

number of veterans and to fill healthcare professional positions in the Veterans Health Administration that are currently vacant; and

(2) provide enhanced incentives for healthcare professionals of the Veterans Health Administration who serve in rural areas;

by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2009 through 2014 or the period of the total of fiscal years of 2009 through 2019.

SA 803. Mr. THUNE (for himself, Mr. BENNET, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 68, after line 4, insert the following:

SEC. ___. POINT OF ORDER ON LEGISLATION THAT INCREASES REVENUE ABOVE THE LEVELS ESTABLISHED IN THE BUDGET RESOLUTION.

(a) IN GENERAL.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, resolution, amendment between Houses, motion, or conference report that would cause revenues to be more than the level of the revenues set forth, prior to any adjustment made pursuant under any reserve fund, for that first fiscal year or for the total of that fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974.

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 804. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; which was ordered to lie on the table; as follows:

On page 68, after line 4, insert the following:

SEC. ___. POINT OF ORDER AGAINST LEGISLATION THAT RAISES TAXES ON MIDDLE-INCOME TAXPAYERS.

(a) IN GENERAL.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, resolution, amendment between Houses, motion, or conference report that—

(1) would cause revenues to be more than the level of revenues set forth for that first fiscal year or for the total of that fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974, and

(2) includes a Federal tax increase which would have widespread applicability on middle-income taxpayers.

(b) DEFINITIONS.—In this subsection:

(1) MIDDLE-INCOME TAXPAYERS.—The term ''middle-income taxpayers'' means single individuals with $200,000 or less in adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) and married couples filing jointly with $250,000 or less in adjusted gross income (as so defined).

(2) WIDESPREAD APPLICABILITY.—The term ''widespread applicability'' includes the definition with respect to individual income taxpayers in section 4022 (b)(1) of the Internal Revenue Service Restructuring and Reform Act of 1998.

(3) FEDERAL TAX INCREASE.—The term ''Federal tax increase'' means—

(A) any amendment to the Internal Revenue Code of 1986 that, directly or indirectly, increases the amount of Federal tax; or

(B) any legislation that the Congressional Budget Office would score as an increase in Federal revenues.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, March 31, 2009 at 9:30 a.m. in room 328A of the Russell Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 31, 2009 at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 31, 2009 at 2:30 p.m. to conduct an Economic Policy Subcommittee hearing entitled ''Lessons from the New Deal.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, March 31, 2009, at 10:15 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a business meeting on Tuesday, March 31, 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. CONRAD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, March 31, 2009, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 31, 2009, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 31, 2009, at 2:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CONRAD. 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 on Tuesday, March 31, 2009, at 10 a.m. in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate to continue on Tuesday, March 31, 2009, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 31, 2009 at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, be authorized to meet during the session of the Senate on Tuesday, March 31, 2009, at 10 a.m. to conduct a hearing entitled, ''Stability through Scandal—a Review of the Office of the Chief Financial Officer.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND WILDLIFE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Water and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, March 31, 2009 at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, ''EPA's Role in Promoting Water Use Efficiency.''

THE PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. CASEY. Mr. President, I ask unanimous consent that Tom Feeley of my staff be granted floor privileges for the remainder of the consideration of the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that Lea Anderson, a detailee with the Environment and Public Works Committee, be granted the privilege of the floor during consideration of Senate Concurrent Resolution 13.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL AUCTIONEERS DAY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to S. Res. 86.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 86) designating April 18, 2009, as ''National Auctioneers Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 86) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 86

Whereas auctions have played an important role in the sale and exchange of goods for nearly 2,000 years;

Whereas auctions have been an integral part of the marketplace in the United States and around the world;

Whereas auctioneers sold nearly $268,400,000,000 in goods and assets in 2008;

Whereas the National Auctioneers Association has 5,000 members and has its headquarters in Overland Park, Kansas;

Whereas, in 2008, members of the National Auctioneers Association raised $16,000,000,000 for charity through benefit auctions;

Whereas auctions are growing in popularity and are used with increasing frequency in the marketplace;

Whereas, through competitive bidding, auctions demonstrate how the free enterprise system establishes fair market value;

Whereas trained professional auctioneers ensure that auctions are conducted in a manner that is fair to both buyers and sellers;

Whereas, in the past, Federal, State, and local governments have designated days and weeks to celebrate auctioneers; and

Whereas the designation by the Senate of April 18, 2009, as ''National Auctioneers Day'' will heighten awareness of the contributions made by auctions and auctioneers to the economy, culture, and way of life of the people of the United States: Now, therefore, be it

Resolved, That the Senate designates April 18, 2009, as ''National Auctioneers Day''.

FINANCIAL LITERACY MONTH

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 94, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 94) designating April 2009 as ''Financial Literacy Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. AKAKA. Mr. President, I rise in support of a resolution to designate April as Financial Literacy Month. First, I would like to thank my cosponsors, Senators DODD, CRAPO, KENNEDY, ENZI, HAGAN, CORKER, LEVIN, WICKER, SCHUMER, INOUYE, MENENDEZ, DURBIN, STABENOW, JOHNSON, CARDIN, CARPER, LINCOLN, MURRAY, and GILLIBRAND. As in past years, I am once again pleased to work with my colleagues on both sides of the aisle to promote financial literacy for people of all ages across America.

This resolution highlights the need to promote financial literacy in our homes, schools, workplaces, and communities. Education in personal finance means empowerment, because it can provide people with the tools they need for sound decision-making and future economic opportunities. Unfortunately, many individuals do not understand even the basics of our increasingly complex economic system. Although much continues to be done to provide Americans with an education in personal finance and economics, a number of troubling indicators show that many people are not equipped to negotiate financial choices.

For instance, according to the Jump$tart Coalition for Personal Financial Literacy, many students who graduate from high school lack basic skills in the management of personal finances such as the ability to effectively balance their checking account. The average score of high school students in the Department of the Treasury sponsored 2008 National Financial Literacy Challenge was a 56 percent—an ''F.'' While some States have begun to recognize the need for economic or personal finance in their curriculum, according to a 2007 ''Survey of the States'' compiled by the Council for Economic Education only 22 States require an economics test as a high school graduation requirement. We must do more to invest in financial literacy now for our young men and women in order to ensure a knowledgeable, prosperous generation of future American leaders.

On the other end of the spectrum, the 2008 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that the percentage of workers who were ''very confident'' about having enough money for a comfortable retirement decreased sharply, from 27 percent in 2007 to 18 percent in 2008. This is the biggest 1-year decline in the 18-year history of the survey. To further illustrate this problem, approximately 76 million adults say they do not have any nonretirement savings, according to the National Foundation for Credit Counseling. These findings suggest a serious problem exacerbated by the fact that most workers have not calculated how much they need to save for retirement, even if they believe they are behind schedule in their retirement savings.

Increased financial and economic literacy can help people navigate around the countless pitfalls that confront working families. In September 2008, consumer bankruptcy filings in the United States increased more than 30 percent from the same period in 2006, and there were more than 1,000,000 personal bankruptcy filings in the United States in 2008, according to the Administrative Office of the United States Courts. This was the highest personal bankruptcy mark since bankruptcy laws were amended in 2005. The current market turmoil underscores the critical need for improved financial literacy in the United States.

As leaders and policymakers, we need to champion financial literacy efforts year round. However, identifying April as Financial Literacy Month will allow us to focus our attention on this critical issue. We must continue to address financial literacy by educating Americans of all ages throughout their lifetime to better protect consumers and expand access to economic empowerment opportunities. Once again, I thank my colleagues for their support of this resolution.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the resolution

be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD, without further intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 94) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 94

Whereas, in September 2008, consumer bankruptcy filings in the United States increased more than 30 percent from the same period in 2006, according to the Administrative Office of the United States Courts;

Whereas there were more than 1,000,000 personal bankruptcy filings in the United States in 2008, the most since bankruptcy laws were amended in 2005, according to the Administrative Office of the United States Courts;

Whereas, according to a 2008 ''Flow of Funds'' report by the Federal Reserve, the net worth of households in the United States fell for the 4th consecutive quarter, dropping $2,800,000,000,000, the largest decline in the 57-year history of the report;

Whereas, according to a 2008 ''Flow of Funds'' report by the Federal Reserve, household debt in the United States reached $14,000,000,000;

Whereas the 2008 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that the percentage of workers who were ''very confident'' about having enough money for a comfortable retirement decreased sharply, from 27 percent in 2007 to 18 percent in 2008, the biggest 1-year decline in the 18-year history of the survey;

Whereas the Department of the Treasury sponsored the 2008 National Financial Literacy Challenge, an examination testing knowledge of high school students of important personal finance concepts;

Whereas the average score on the examination was an ''F'', only 56 percent;

Whereas the 2007 ''Survey of the States'' compiled by the Council for Economic Education found that only 22 States require an economics test as a high school graduation requirement, 3 fewer than in 2004;

Whereas many students who graduate from high school lack basic skills in the management of personal financial affairs and are unable to balance a checkbook, according to the Jump$tart Coalition for Personal Financial Literacy;

Whereas, according to the National Foundation for Credit Counseling, fewer than half the people in the United States accessed their credit report in 2008, despite the fact that such report can be obtained for free and contains critically important information for consumers;

Whereas approximately 76,000,000 adults say they do not have any non-retirement savings, according to the National Foundation for Credit Counseling;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing finances and building wealth;

Whereas quality personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and to become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by an increasingly complex economy;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth;

Whereas, in 2003, Congress found it important to coordinate Federal financial literacy efforts and formulate a national strategy; and

Whereas, in light of that finding, Congress passed the Financial Literacy and Education Improvement Act of 2003 (Public Law 108–159; 117 Stat. 2003) establishing the Financial Literacy and Education Commission and designating the Office of Financial Education of the Department of the Treasury to provide support for the Commission: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2009 as ''Financial Literacy Month'' to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate programs and activities.

CONGRATULATING THE UNIVERSITY OF IOWA MEN'S WRESTLING TEAM

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 95, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 95) congratulating the University of Iowa men's wrestling team for winning the 2009 National Collegiate Athletic Association Division I Wrestling Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GRASSLEY. Mr. President, I rise today to congratulate the University of Iowa wrestling team for their national championship victory two weekends ago.

On March 21, 2009 wrestling fans all across the country were treated to an exceptional match in St. Louis, MO, while watching the University of Iowa clinch the NCAA Division I Wrestling Championship. Throughout the year, the Hawkeyes maintained an overall No. 1 ranking in the Nation.

This year's wrestling team finished the season with a perfect record for the 12th time in the school's history. The outstanding grapplers and coaches produced a great season, winning numerous awards and praise throughout the country. I also want to take a special moment and congratulate the University of Iowa wrestling head coach Tom Brands, who has led the team to two straight national championships in only 3 years at the helm of the Hawkeye wrestling team.

The University of Iowa students, alumni, faculty and fans are committed to keeping alive the tradition of wrestling in Iowa and bringing pride to the state, as well as the University of Iowa. I want to congratulate the University of Iowa Hawkeyes for winning the 2009 NCAA Division I Wrestling Championship and recognize the achievements and efforts of the wrestlers, coaches, fans and staff who helped the team achieve this significant victory.

I also want to speak to congratulate the Morningside College women's basketball team for winning the 2009 National Association of Intercollegiate Athletics—NAIA—Division II national championship.

On March 27, 2009, the Morningside College Mustangs won the national title game over the Hastings College Broncos in Sioux City. Just a day before, the Mustangs captured the Great Plains Athletic Conference—GPAC—championship title and finished with a perfect 18–0 record.

A couple of individual congratulations are in order here today also. Head Coach Jamie Sale was named NAIA Division II National Coach of the Year, senior Autumn Bartel was named Most Valuable Player (MVP) of the NAIA Division II national championship, and senior Dani Gass was also named NAIA Division II Player of the Year.

Of special recognition are the seven members of the Mustangs team who were named 2009 Daktronics-NAIA Scholar-Athletes for maintaining a minimum grade point average of 3.5. These members included Cara Anderson, Autumn Bartel, Emily Christen, Sarah Culp, Mackenzi Mendlik, Roni Miller, and Brittany Williamson.

The Morningside College Mustangs received a unanimous number one ranking in the final NAIA Division II Women's Basketball Coaches Top 25 Poll while finishing the season with a perfect 38–0 record, only the second team in NAIA Division II women's basketball history to do so.

I want to congratulate these athletes on demonstrating exceptional accomplishments both in the classroom and on the court.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 95) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 95

Whereas on March 21, 2009, in St. Louis, Missouri, the University of Iowa Hawkeyes won the 2009 National Collegiate Athletic Association (NCAA) Division I Wrestling Championship with a total of 96.5 team points;

Whereas the University of Iowa is one of the premier academic institutions in the State of Iowa;

Whereas the University of Iowa men's wrestling team was ranked number 1 in the Nation upon entering the tournament;

Whereas the Hawkeyes are back-to-back champions and have won 22 national wrestling titles in the program's history;

Whereas on March 9, 2009, the Hawkeyes won their second straight Big Ten Championship;

Whereas University of Iowa wrestling head coach Tom Brands has led the team to 2 straight victories in only 3 years as head coach;

Whereas the Hawkeyes finished the regular season undefeated for the 12th time in as many years; and

Whereas University of Iowa students, alumni, faculty, and fans are committed to keeping alive the tradition of wrestling in Iowa and bringing pride to the State of Iowa as well as the University of Iowa: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Iowa Hawkeyes for winning the 2009 NCAA Division I Wrestling Championship; and

(2) recognizes the achievements and efforts of the wrestlers, coaches, fans, and staff that helped the team to achieve this significant victory.

CONGRATULATING MORNINGSIDE COLLEGE WOMEN'S BASKETBALL TEAM

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 96, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read the resolution as follows:

A resolution (S. Res. 96) congratulating the Morningside College women's basketball team for winning the 2009 National Association of Intercollegiate Athletics (NAIA) Division II championship.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 96) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 96

Whereas on March 17, 2009, at the Tyson Event Center in Sioux City, Iowa, the Morningside College Mustangs won the national title game for the NAIA Division II women's basketball with a 68–63 win over the Hastings College Broncos;

Whereas Morningside College Mustangs captured the Great Plains Athletic Conference (GPAC) championship title with an 18–0 record;

Whereas Morningside College women's basketball Head Coach Jamie Sale was named NAIA Division II Coach of the Year;

Whereas 7 members of the Morningside College women's basketball team were named 2009 Daktronics-NAIA Scholar-Athletes for maintaining a minimum GPA of 3.50 and having at least a junior academic status: Cara Anderson, Autumn Bartel, Emily Christen, Sarah Culp, Mackenzi Mendlik, Roni Miller, and Brittany Williamson;

Whereas Autumn Bartel, a senior guard for Morningside College, was named Most Valuable Player of the NAIA Division II tournament;

Whereas Dani Gass, a senior guard for Morningside College, was named NAIA Division II Player of the Year;

Whereas the Morningside College women's basketball team was the unanimous number 1 vote in the final NAIA Division II Women's Basketball Coaches' Top 25 Poll, receiving 312 points and all 12 first place votes; and

Whereas the Mustangs finished the 2009 season with an undefeated record of 38–0, and was only the second team in NAIA Division II history to do so: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Morningside College Mustangs for winning the NAIA Division II national championship; and

(2) recognizes the achievements of the players, coaches, and staff whose hard work and dedication helped the Morningside College Mustangs win the championship.

ORDERS FOR WEDNESDAY, APRIL 1, 2009

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Wednesday, April 1; that following the prayer and 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 resume consideration of S. Con. Res. 13, the concurrent resolution on the budget.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mrs. SHAHEEN. Mr. President, under an agreement reached earlier today, when the Senate resumes consideration of the budget resolution tomorrow, 20 hours of the statutory time remains, with each side controlling 10 hours.

ORDER FOR ADJOURNMENT

Mrs. SHAHEEN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order, following the remarks of Senator CARPER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. 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. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. CARPER. Mr. President, I rise this evening to address, as others have today, the fiscal year 2010 budget resolution that is currently being considered by this body. We take up this budget under the specter of—some would say gloomy, some would say perilous—economic conditions amidst a credit crisis that threatens long-term damage to our economy—not just to the economy in our country but to economies all over the world. As a result, this budget is very likely probably not the most important vote we cast in the time we serve here but certainly one of the most important we will vote on this year, and maybe in this Congress.

I wish to begin this evening by reminding my colleagues—I know we have been reminded already today and we will be reminded tomorrow—that our friend, former colleague, Barack Obama, took office just 70 days or so ago. Not since the inauguration of Franklin Delano Roosevelt has an American President inherited such far-reaching economic turmoil and been asked to do so much in such a short period of time.

Over these last 10 weeks, President Obama has become very well acquainted with the economic mess he inherited from the previous administration. On the day his predecessor took office—this was about 8 years ago—our Federal Government enjoyed multibillion-dollar surpluses as far as the eye could see. We were on track, believe it or not, if you recall, on track to actually pay down our national debt, which at the time was a little under $6 trillion. Since then, sadly, we have seen those surpluses disappear, and they have been replaced instead by the largest budget deficits I think we have witnessed in our country's history. In fact, we ran up as much new debt in the last 28 years as I think we did in the first 220 years of our Nation's history.

When President Bush left office earlier this year, our Nation and the new President were left—and us, here in the Senate and the House—to bear the cost of two wars, tax cuts that tend to favor the wealthiest among us, an increase of more than 50 percent in Government spending, and $10.6 trillion in debt. Again, that is roughly twice what former President Bush inherited on his first day on the job.

The fact is that our badly damaged credit system, our banking system, along with rising unemployment numbers and a contracting economy, have threatened to reduce future revenues to the point where the burgeoning budget deficits of the last 8 years could become a permanent fixture if we are not careful.

The damage of these potential deficits cannot be overlooked. I believe the deficits matter. I think our Presiding Officer knows the deficit matters—it matters for all of us.

Last year, American taxpayers paid some quarter of a trillion dollars, $250

billion, in interest payments—not principal, just interest payments—to creditors at home and around the world. I am told each citizen's share of today's debt amounts to more than $36,000 per person. Beyond our own borders, we now owe some $740 billion to China. That is almost three-quarters of a trillion dollars. We owe about $635 billion to Japan. We owe $133 billion to Brazil. The list goes on and on.

In all likelihood, the large deficits will eventually drive up interest rates for consumers. They will raise prices for goods and services, and they will combine to weaken America's financial competitiveness.

The bigger our deficits become, the fewer resources we have for investments in energy, education and health care, and we will have fewer resources to help provide tax relief for the middle class and for small businesses that need it the most.

Thankfully, both this President's budget and the Senate Budget Committee's proposed budget for fiscal year 2010, the year that begins this October 1, seek to reverse the trend set in motion by the previous administration. Under both plans, annual deficits will be cut in half over the next 4 years, by 2012.

During his Fiscal Responsibility Summit, which I was fortunate to be able to attend along with Democratic and Republican colleagues, the President said these words:

> This will not be easy. It will require us to make difficult decisions.

There is an understatement.

He went on to say we will:

> . . . face challenges we have long neglected.

He went on to add:

> But I refuse to leave our children with a debt they cannot repay—and that means taking responsibility right now, in this administration—

And, I might add, in this Congress—

> for getting our spending under control.

The President is right. Meeting this budget goal will not be easy and will require tough choices and discipline by all of us. Some of these tough choices will come from the spending side, and in a difficult economic times, we have to make sure every dollar we collect from the taxpayers is spent wisely and effectively.

As chairman of the Federal Financial Management Subcommittee of the Homeland Security and Governmental Affairs Committee, I have worked with Senate and House colleagues, including the Presiding Officer, to identify areas of Government spending that are wasteful and in many cases inefficient. One of these areas involves something called improper payments.

According to data reported to the Office of Management and Budget by Federal agencies in their most recent financial statements, the Federal Government made something like $72 billion last fiscal year in overpayments—actually, improper payments, mostly overpayments. During a series of hearings held by my subcommittee, my colleagues and I learned from GAO that some agencies are not taking seriously their responsibility to properly account for Federal dollars they spend. We also learned that others may not have the resources they need to address their improper payments problem.

Just think about this. This is a big budget. This is a budget that is hundreds of billions of dollars. But $72 billion was improperly paid, mostly overpayments.

I plan to introduce legislation in the near future that will direct agencies to focus more of their time and more of their resources on eliminating improper payments—and not just that, but to develop better improper payments remediation plans so they don't continue to make the same mistakes—and finally becoming more aggressive in the use of recovery auditing.

I say to my sons, who are now 19 and 20, there is nothing wrong with making mistakes. We all make mistakes. The only people who don't make mistakes are the people who don't do anything. And if we are doing anything important, a lot of times we make mistakes. But the key here, on improper payments, is to figure out why we are making these mistakes on the improper payments and figure out how not to continue to make the same mistakes and, third, if we made overpayments, to figure out how to go out and recover taxpayers' moneys that have been overpaid.

The proposal we will be introducing with bipartisan support will increase the use of recovery auditing, and the positive impact that recovery auditing will have on Government spending will be measured in billions of dollars.

Even in a day and age where we are looking at a trillion-dollar-plus deficit, billions of dollars still count. A recent test of recovery auditing in just three States' Medicare Programs led to the recovery of $1 billion.

The Presiding Officer heard me talk about this a time or two, along with the President, when he came to our luncheon last Wednesday here in the Capitol. Three years ago, we started doing I call postaudit recoveries in Medicare to try to identify moneys overpaid in Medicare. We went to three States—California, Texas, Florida—and began to try to recover moneys that were overpaid. The first year, we didn't get much of anything. The second year, we captured a little bit of money. Last year, it was close to $1 billion in just three States. What I suggested to the President and my colleagues: We should not just be doing this in three States; we should do it in all 50 States and recover real money. The other thing we ought to do is consider the Medicaid Program and see whether there is some way we can do with Medicaid, in terms of recovering misspent moneys, overpayments—we do that, take the same lessons from Medicare and apply them to Medicaid.

I am pleased to see that the Senate budget makes a number of tough choices when it comes to Federal spending. Senator CONRAD has shown great leadership and fiscal discipline in his drafting of this Senate resolution, and his counterpart over in the House, our old friend Congressman JOHN SPRATT from South Carolina, has managed to do the same in the House. The Senate Budget Committee has sent us a lean budget this year, relatively speaking, that increases discretionary spending, I am told, by about 5 percent over the fiscal 2009 level, despite calls to do much more. Frankly, that is a bit less than was asked for by our President.

While making sure the taxpayer funds are spent wisely is crucial, I would just add that I, for one, reject the philosophy held by some that discretionary spending is the culprit—maybe the major or even the only culprit for our fiscal mess.

Balanced budgets will not come just from reductions in discretionary spending. Fundamental reform of our major entitlement programs, coupled with some changes in our tax codes, must occur if we are to restore fiscal sanity to our Federal budget.

On the entitlement side, the Presiding Officer, among a number of centrist Democrats, met today with our budget director OMB Director Peter Orszag. Among the things we talked about were entitlement programs and entitlement spending.

The entitlement spending on health care consumes an ever-increasing percentage of our GDP, with the U.S. currently spending over $2 trillion a year on health care. That is about 17 percent of GDP, and we are on a track to get up to about 20 percent in the next several years—20 percent of GDP just for health care.

I am told that if you look at three programs now, three entitlement programs, Social Security, Medicare and Medicaid, if you gather the amounts, they are about 10 percent of our GDP. And we are on a track that in about 25 years, those three programs alone will amount to 25 percent of GDP, and 20 percent of GDP is historically our whole budget—in just three programs. That is obviously not sustainable.

And while we spend a whole ton of money, $2 trillion a year on health care, a number of folks suggest that about $700 billion, $700 billion of that money, that is about 35 percent of it, does not really improve our health outcomes.

We spend more money than any other developed nation for health care and we certainly do not get better results. This cost growth raises the pricetag associated, as I said, with entitlement programs such as Medicaid as well.

And I repeat myself that the current path we are on is clearly not sustainable, both for our fiscal health and for our medical health, and it is not sustainable as far as our being competitive with the rest of the world and our

businesses trying to compete, whether building cars or windmills or building electronic equipment. It makes us uncompetitive around the world.

America must reform its health care system. We have responsibility to help do that so we can reverse the rise in health care costs, while we improve the quality of care. We simply cannot afford to continue on this trajectory. As I have said, and I am sure my colleague presiding has, doing nothing is not an option.

I wanted to commend tonight not only Senator CONRAD, but I wanted to commend the Senate Budget Committee for including a deficit-neutral reserve fund in the Senate budget that will enable us to advance a health care reform bill and reduce Medicare and Medicaid's contribution to our budget deficit.

Now, on the tax side, I am pleased the Senate budget provides middle-class taxpayers with a measure of tax relief. They still have to pay taxes, but in this budget package and this spending plan they receive a measure of tax relief, something of which this President is a champion.

Taxpayers need certainty, though, when it comes to making middle-class tax provisions permanent. Taxpayers need certainty when it comes to the alternative minimum tax. And taxpayers certainly need certainty when it comes to the estate tax.

The idea that we are going to have an estate tax this year, we are not going to have one next year, and then a year later after that we are going to go back to the same estate tax we had in 2001 does not make a whole lot of sense to us and to our constituents. But this budget begins the process of addressing those issues, and I look forward to working with my colleagues, both in the Finance Committee and on the Senate floor, in addressing them.

On the estate tax, this budget includes a proposal that looks a lot like one I introduced a year or two ago. And it would permanently extend the 2009 rate of 45 percent, and an exemption of $7 million per couple. It would index that amount, that is exempted from taxes by the rate of inflation each year. So it is not going to be $7 million that is the exempt number forever; it will go up each year by the rate of inflation. And that which is not covered within that exemption is taxed at the rate of 45 percent, which is really right about where we are this year. I think this proposal represents a sensible way to balance our two critical goals, and seems fair and reasonable, is what Fox says.

It helps us to avoid hitting middle-class taxpayers and small businesses. It helps us to avoid the problems we have had with the alternative minimum tax, where we have not indexed it in over 30 years.

Finally middle-class families are finding out they are subject to the alternative minimum tax. And someday the same thing will happen to the estate tax if we do not index it.

In addition to the estate tax provision, this budget extends the previous administration's 2001 and 2003 tax cuts for the middle class. We are not throwing out everything we have done in 2001 and 2003 in the Bush administration if it is meritorious. And that is an example—those are examples of things we want to preserve. We think that preserving tax relief for the middle class is a high-yield, low-risk investment. It will be the middle class, we think, who lifts the economy out of the recession and ushers us through the decade of innovation and hopefully to prosperity. I believe this extension of these tax cuts will go a long way toward bolstering a resurgence.

While many of these provisions seek to help stimulate growth through revenue modifications, we also need to make some other changes to our current tax policy in order to help increase revenues that will pay down our budget deficit. One way to do this is to close something we call the tax gap, which I am pleased to say is a high priority of this budget resolution. Most Americans, if they knew that something like $400 billion of taxes that are owed to the Federal Government are not being collected—and most people in this country pay their fair share of taxes—the idea that, gosh, almost a half a trillion is not being collected on an annual basis makes my blood boil, and I suspect makes it boil for a lot of other people.

As it turns out, there are a number of things that we can do to address the tax gap. I am delighted in the budget document that we are seeing, it reflects a whole lot of steps we can take. Through my subcommittee that I chair on the Homeland Security and Governmental Affairs and through my work on the Finance Committee, I have been helped by a bunch of people to enable us to craft legislation—I will be introducing it soon—that helps close the tax gap, and we do it by focusing on improving compliance.

I would say this. You and I, most people, if taxes are withheld from our income, we comply. We have a compliance rate of about 99 percent of paying our fair share of taxes. When our income is reported to the IRS on, say, a 1099, there is about a 90-percent, maybe 95 percent, compliance with paying our fair share of taxes.

When there is not withholding of taxes, where there is not reporting of income, the rate of compliance drops way down—as low as 50 percent, even lower than that.

I am looking forward to working with our new President and my colleagues, Democrats and Republicans, in a nonpartisan way, of putting together a package of proposals to meet the goals that are laid out in this budget, particularly with respect to making sure people pay their fair share of taxes.

While the Senate budget does extend the Bush tax cuts for the middle class beyond fiscal year 2010, it does not do the same for some of our most affluent Americans. During the previous administration, some of the wealthiest Americans shouldered disproportionately less tax burden than do many members of the middle class.

The budget before us seeks to restore a fairer balance while also providing the revenue needed to close our budget deficits over the next several fiscal years.

Finally, I commend Senator CONRAD and the President for acknowledging that we have to do more to address climate change in this budget—something with which I know our Presiding Officer agrees—keeping open all of our options, including a cap-and-trade system which I have worked on for a number of years for reducing greenhouse gas emissions.

Unfortunately, some of my colleagues have likened a climate cap-and-trade program to a carbon tax. I always find it interesting that people around here seem to embrace the idea or propose the idea of a carbon tax instead of a cap-and-trade approach on climate change. Most of the people that seem to propose and embrace a carbon tax would not vote for one if they had the chance to, which is kind of ironic.

Let me be clear. On a cap-and-trade system—and where we basically say for carbon dioxide emissions, we are going to put a cap on how much can be emitted—over time we are going to bring that cap down, and we are going to give folks, the emitters, the chance to trade as they reduce their emissions, to have an opportunity to trade with other emitters, and find ways to harness economic forces to reduce, in an effective way, an efficient way, our emissions of CO_2.

But among the advantages of a cap-and-trade system, it is flexible within our economy. It interacts with folks like in Europe who have been doing this cap-and-trade stuff for a while. It ensures that we get the needed pollution reductions.

A great example of a cap-and-trade program is the Acid Rain Program. It was not set up by a Democrat. It was not set up by Bill Clinton. It was set up by former President Bush. George Herbert Walker Bush set it up in 1990.

That cap-and-trade program, the Acid Rain Program, has reduced sulfur dioxide emissions at half the estimated cost and quicker than expected, making it one of the most successful environmental programs in our Nation's history.

I hope my friends here will not forget that cap and trade is a valuable market tool that has been proven to secure air quality improvements at half the cost. It is not a tax.

We have a chance to test this baby, see how it works. We have seen it work very well.

Let me add in closing that this budget resolution puts the brakes on some of the budgetary tactics used in recent budgets and puts our Nation back on a path toward fiscal discipline. While we can't solve all our budget problems in 1 year, this bill represents the opening

salvo in a multiyear battle to reduce our deficits and prevent our children from bearing the cost of ever greater deficits.

At the President's first fiscal summit a month or so ago, he noted:

> While we are making important progress toward fiscal responsibility this year, in this budget, this is just the beginning. In the coming years, we'll be forced to make more tough choices and do much to address our long-term challenges.

He is right. To paraphrase Robert Frost, we have miles to go before we sleep.

I stand ready to help this President, to work with my colleagues, Republican and Democrat, House and Senate, to make some of those tough choices and to tackle the challenges in the years to come.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 8:46 p.m., adjourned until Wednesday, April 1, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF ENERGY

INES R. TRIAY, OF NEW MEXICO, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT), VICE JAMES A. RISPOLI, RESIGNED.

DEPARTMENT OF COMMERCE

LAWRENCE E. STRICKLING, OF ILLINOIS, TO BE ASSISTANT SECRETARY OF COMMERCE FOR COMMUNICATIONS AND INFORMATION, VICE JOHN M. R. KNEUER.

DEPARTMENT OF THE INTERIOR

HILARY CHANDLER TOMPKINS, OF NEW MEXICO, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR, VICE DAVID LONGLY BERNHARDT, RESIGNED.

DEPARTMENT OF JUSTICE

THOMAS E. PEREZ, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE WAN J. KIM.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 31, 2009 withdrawing from further Senate consideration the following nomination:

JONATHAN Z. CANNON, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE MARCUS C. PEACOCK, RESIGNED, WHICH WAS SENT TO THE SENATE ON MARCH 11, 2009.

EXTENSIONS OF REMARKS

IN MEMORY OF ARCHIE GREEN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Ms. PELOSI. Madam Speaker, I rise to pay tribute to Archie Green, a distinguished San Franciscan, who died on March 22, 2009.

Born on June 29, 1917, Archie went on to a long and unique career. A scholar-worker, as he called himself, he blended his participation in the Civilian Conservation Corps, his service in the United States Navy during World War II, his experience as a shipwright and union member, his dedication to the study of workers' culture, his responsibilities as a family man, his scholarly training that resulted in a Ph.D. in folklore, his experience as a university professor and, above all, his unwavering dedication to social justice.

Archie Green's contributions are many and I wish to mention a few of the most prominent ones. Archie envisioned a national center that would preserve and present American folklife and spent years lobbying the Congress tirelessly for the passage of federal legislation that would make this a reality. In time, this effort was successful and the American Folklife Preservation Act was unanimously passed by Congress and signed into law by President Ford in 1976. This led to the establishment of the American Folklife Center at the Library of Congress. For this work, Archie was honored in 2007 with the Library of Congress' Living Legend Award.

Archie wrote many books and articles about the diverse traditions of working people and other ordinary Americans. In our city of San Francisco, he worked diligently to draw attention to the contributions of all working people. He was instrumental in the preservation of structures along the waterfront that are a direct link to shipping, longshoring and other maritime occupations that were so important to the city's growth. He was also a leader in the effort to erect plaques identifying other important labor landmarks around the city.

In 2000, he was one of the founders of the nonprofit Fund for Labor Culture & History, a national organization dedicated to promoting a greater understanding of ''laborlore,'' which has convened meetings that bring together activists, trade unionists, scholars, and artists to discuss their various perspectives on workers' culture.

While we mourn the loss of our friend, we celebrate the life of a generous and inspirational person who used his many skills to raise the nation's awareness of the traditions of working people and the indispensable role they have played in forging our personal identities and our national heritage.

I hope it is a comfort to his wife, Louanne Green, his three sons, his sister, his four grandchildren, and to his many family and friends that so many in our country mourn their loss and are praying for them at this sad time.

HONORING JAMES SABIN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate James Sabin upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. Mr. Sabin was honored on Saturday, January 31, 2009.

Mr. Sabin graduated from Huntington Beach High School in 1958 and soon after graduation he joined the U.S. Navy. He completed Navy boot camp and was on his way to Norman, Oklahoma for training at the Aviation Fundamental School. Upon completion of training he was designated as an Aviation Mechanic and was sent the Naval Air Station in Corpus Christi, Texas. He served at Corpus Christi for twenty-six months then was assigned to Guantanamo Bay, Cuba. The Soviet Union and Cuba had entered into a close alliance and Soviet Premier Nikita Khrushchev had begun secretly installing Soviet missile sites in Cuba. Conflict was coming and Mr. Sabin found himself on the front line. The Navy sent battle groups into the area while the Army and Marines prepared to send airborne and amphibious units into Cuba.

Mr. Sabin served in Guantanamo Bay for fourteen months, between 1961 and 1962. For his service he was awarded the National Defense Service Medal, the Armed Forces Expeditionary Medal and the Good Conduct Medal. Upon exiting the military he attended junior college and worked as a salesman for a soft drink company. He also became involved with the ministry and in 1981 he became Pastor of the Cathedral of Faith in Chowchilla. He has been involved in the ministry for thirty-seven years. He became a funeral director for the Worden Funeral Chapel in 1992, serving the needs of families at times of great sorrow with sincere compassion.

Mr. Sabin and his wife, Sandra, have two children and four grandchildren. He is a life member of the Chowchilla Veterans of Foreign Wars, Post 9896, where he serves as Post Chaplain and a member of the First Assembly of God Church.

Madam Speaker, I rise today to commend and congratulate James Sabin upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Mr. Sabin many years of continued success.

NUCLEAR FORENSICS AND ATTRIBUTION ACT

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. HOLT. Mr. Speaker, I am pleased that the House has passed the Nuclear Forensics bill.

This bill seeks to deter terrorists' use of nuclear weapons or radiological material by creating international mechanisms for identifying and tracking such materials back to their source, ideally before they are used.

We have talked for decades now about the need to secure ''loose nukes'' and radiological material, and we have taken some concrete if underfunded steps to do so, such as the Cooperative Threat Reduction Program. We have not expended a similar effort to widely deploy technologies and implement international agreements to make the tracking of such material so easy and reliable as to make such measures a deterrent themselves.

As the American Physical Society and the American Association for the Advancement of Science noted in a 2008 report on this topic:

> A believable attribution capability may help to discourage behavior that could lead to a nuclear event. The chain of participants in a nuclear terrorist event most likely includes a national government or its agents, since nearly all nuclear weapons usable material is at least notionally the responsibility of governments. A forensics capability that can trace material to the originating reactor or enrichment facility could discourage state cooperation with terrorist elements and encourage better security for nuclear weapon usable materials. In addition, most terrorist organizations will not have members skilled in all aspects of handling nuclear weapons or building an improvised nuclear device. That expertise is found in a small pool of people and a credible attribution capability may deter some who are principally motivated by financial, rather than ideological, concerns.

This bill would, among other things, establish within the Department of Homeland Security a National Technical Nuclear Forensics Center to provide centralized stewardship, planning, assessment, gap analysis, exercises, improvement, and integration for all federal nuclear forensics activities. There is a clear need to centralize this activity within the federal government, and this provision is a first step in that direction.

At the international level, the bill encourages the President to pursue bilateral and multilateral international agreements to establish an international framework for determining the source of any confiscated nuclear or radiological material or weapon, as well as the source of any detonated weapon and the nuclear or radiological material used in such a weapon. U.S. leadership will be essential to the success of this program, and I will certainly be looking at the President's detailed

Fiscal Year 2010 budget submission to see whether this effort will receive the kind of funding it needs to be successful.

Mr. Speaker, I support this bill and I encourage my colleagues to do likewise.

HEALTH INSURANCE RESTRICTIONS AND LIMITATIONS CLARIFICATION ACT OF 2009

SPEECH OF

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 2009

Mr. STUPAK. Mr. Speaker, this legislation does one simple thing, Mr. Speaker—it requires health insurance companies to be upfront and honest with their policy holders when they place limitations and restrictions on benefits prior to selling them an insurance policy.

Currently, the way insurance regulations are set, many Americans are unaware that their health insurance may not cover injuries resulting from certain recreational activities because their policy is unclear or very broad.

This lack of clarity has created a confusing situation for individuals that may ride motorcycles, horses, snowmobiles, or participate in other recreational activities.

While millions of Americans enjoy these activities safely every year, when an individual is injured, they often find that their insurance will not cover their medical expenses.

H.R. 1253 would require that any limitations and restrictions on insurance benefits be explicit and clear. Insurance companies would be required to make available to participants and beneficiaries in an easily understandable manner a description of the limitations and restrictions included in the policy.

By passing this straightforward legislation, we will protect our constituents that ride motorcycles, horses, snowmobiles, or participate in other recreational activities from being caught by surprise when they thought that their policy covered any possible injuries from their accident.

I encourage all of my colleagues to vote in support of this legislation.

I want to thank Congressman BURGESS for his work on this legislation as well as Chairman WAXMAN, DINGELL and BARTON.

RECOGNIZING 30TH ANNIVERSARY OF EGYPT-ISRAEL PEACE TREATY

SPEECH OF

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 2009

Mr. PAUL. Mr. Speaker, I rise in reluctant opposition to this resolution. I do so not because I oppose our recognizing peace as preferable to, and more productive than, war. On the contrary, too seldom do we celebrate and encourage the end of violence and warfare on this Floor so I welcome any such endorsement of peace in international relations. However, I cannot agree with the final ''resolved'' clause of this resolution, which states that:

. . . the House of Representatives calls for recognition of the peace treaty between Egypt and Israel as a model mechanism upon which partner nations may build to overcome longstanding barriers to peace and effective mutual cooperation.

What the resolution fails to mention, and the reason we should not endorse the treaty as a model, is that at the time the peace was being negotiated at Camp David the United States committed itself to an enormous financial aid package to both Egypt and Israel in exchange for their accession to the treaty. Over the past thirty years, the United States taxpayer has transferred to—some might say ''bribed''—Israel and Egypt more well over $100 billion as a payoff for their leaders' signature on the treaty. Particularly in this time of economic hardship, where so many Americans are out of work and facing great financial challenges, I hardly believe we should be celebrating that which increases the strain on taxpayers. I believe we should cease all foreign aid to all countries, as it is a counterproductive and unconstitutional transfer of wealth from U.S. taxpayers to governments overseas.

I do believe we should, where possible and without meddling, encourage nations and regions at war or in conflict to work toward peace. But I also believe we should lead by example: that we should demonstrate by our actions the benefits of friendly relations and trade with all nations which seek the same. I strongly oppose the idea that we should bribe the rest of the world to do what we demand. Therefore, while I celebrate the achievement of peace between Egypt and Israel, I do not believe this ''model'' to be productive or in the best interests of the United States. I urge my colleagues to reject this resolution.

HONORING PAUL HARVEY

SPEECH OF

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 2009

Mr. PENCE. Madam Speaker, I would like to honor a man whose iconic voice forever changed broadcast radio and to whom our Nation will be forever indebted.

As a high school student, Paul Harvey began his storied career in his hometown of Tulsa, Oklahoma. Spending time to help clean the studios of KVOO, Paul was eventually given the opportunity to fill-in on the air. It quickly became clear that Paul Harvey was a gifted broadcaster as he was soon promoted to become the station's program director.

After spending time covering World War II and serving in the United States Army Air Corps, Paul Harvey moved to Chicago where he began broadcasting for ABC. He quickly became a fixture on Chicago's airwaves and on April 1, 1951, 'Paul Harvey News and Comment' debuted. Eventually gathering an audience that spanned 1,200 stations and well over 25 million people, Paul Harvey was often the ''largest one-man network in the world.''

Madam Speaker, the list of awards and honors to the credit of Paul Harvey is long and distinguished. His election to the National Association of Broadcasters Radio Hall of Fame reflects a career that spanned more than 70 years. In October 2005, Paul Harvey was awarded the Presidential Medal of Freedom, our nation's most prestigious civilian decoration.

Illustrating the extent to which Paul Harvey captured the American voice, his broadcasts and newspaper columns have been reprinted in the CONGRESSIONAL RECORD more than those of any other commentator.

Because of my time in radio, I am especially thankful for the life and character of Paul Harvey. There is no doubt that every broadcaster has taken inspiration from the unique style and unparalleled legacy of Paul Harvey. Epitomizing the values and ideals of everyday Americans, Paul Harvey was a master of his craft and a pioneer in the format of broadcast radio that many Americans continue to rely on.

Paul Harvey, Good Day.

OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 25, 2009

Mr. BLUMENAUER. Madam Speaker, I am pleased to vote ''yes'' on the Omnibus Public Land Management Act of 2009. This bill will designate more than 2 million acres of wilderness in nine states, including 127,000 acres on Mt. Hood and in the Columbia River Gorge. It also includes wilderness protection for other Oregon treasures in the Cascade Siskiyou, Oregon Badlands, Spring Basin, and Copper Salmon areas.

It is worth noting that in addition to wilderness on Mt. Hood, the legislation contains nearly 80 miles of Wild and Scenic Rivers, including stretches of Fish Creek, which contains crucial habitat for endangered fish, the East Fork of the Hood River, where wildlife habitat and low impact recreation opportunities abound, and Fifteen Mile Creek, another critical area for fish and wildlife, recreation, and scenic beauty. The bill designates 34,000 acres of new National Recreation Areas in the Mt. Hood National Forest and creates a long term transportation plan to address the challenges of getting to and from the mountain. It also directs the Forest Service to participate in three land conveyances. These exchanges will provide additional protection for the North side of Mt. Hood, the Pacific Crest Trail, and a parcel of land that is critical to the community in Clackamas County.

In 2003, I worked with other members of the Oregon delegation to hold a Mt. Hood Summit at Timberline Lodge, inviting local stakeholders to share their vision for the challenges and opportunities facing the Mt. Hood National Forest. Over the past six years a committed group of citizens, organizations, Native Americans, local, state and federal jurisdictions, and private interests have spent countless hours negotiating a long term stewardship and protection plan for Mt. Hood's forests and rivers.

Oregonians have worked tirelessly and waited years to have these treasured natural areas protected. I am extremely pleased that the hard work of so many committed local stakeholders is coming to fruition, and I hope that we pass this bill today and send it swiftly to President Obama for his signature.

RECOGNIZING 188TH ANNIVERSARY OF GREEK INDEPENDENCE

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. ISRAEL. Mr. Speaker, I rise today to honor the glorious contributions of Greek civilization to the world, and to congratulate the people of Greece on the 188th anniversary of their independence.

I can speak no more simply than Edith Hamilton who wrote in her classic 1930 study of Greek civilization that ''the Greeks came into being and the world, as we know it, began.''

I stand here as the Member of an institution whose very existence is owed to the Greek imagination and beneath a dome supported by columns of Greek inspiration. The principles of democratic governance, the ones which our Founders drew upon heavily to establish this republic, were first expounded upon in ancient Greece, and it is to that first age of reason that all democratic civilizations owe a debt of gratitude.

But it was not only the political philosophy of Greek civilization that left its mark on the world. One cannot walk the streets of this city without noticing its obvious tribute to the architecture of our democratic forebears. Stone columns line our most important buildings and stand guard our most cherished documents.

In addition to the philosophical and physical structures we honor in our own time from Greece, we also pay tribute on this day to its legacy in the arts and sports. The epic of Homer, the poetry of Pericles, Pindar and Aeschylus, the comedy of Aristophanes, the history of Herodotus, the Olympics and the marathon—any simple recitation will be incomplete and not wholly do justice to the accomplishments of centuries. But, let it be said that time has shown the greats of their time to be the greats of all time.

Our more recent histories our bound together as well. Just as our independence was a tribute to the ideas of ancient Greece, so too was Greek independence inspired by the American Revolution. Greek Commander in Chief Petros Mavromichalis, founder of the modern Greek state said to the citizens of the United States in 1821 that ''it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you.''

Since that kind and graceful message so long ago, the relationship between the United States and Greece—allies in times of both peace and conflict—grows stronger. Generations of Greek-Americans have maintained their traditions here, just as other civilizations for centuries have passed on the guiding lights of Ancient Greece. I am proud to join the Greek-Americans of New York's Second District in celebrating the 188th anniversary of their independence day.

82ND ANNIVERSARY OF THE BIRTH OF CESAR CHAVEZ

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. ORTIZ. Madam Speaker, I rise today to honor the life, work, and 82nd anniversary of the day Cesar Chavez was born.

He was born on March 31, 1927 near Yuma, Arizona. Chavez was a civil rights, Latino, farm worker, and labor leader. To some he was also a religious and spiritual figure; and to all, he was a community servant and a crusader for nonviolent social change. He also spent his time as an environmentalist and consumer advocate. But above all, he was a person who had the strength and courage to fight for what he knew was right and to try and rid the world of injustice.

After spending most of his childhood as a migrant farm worker with his parents, Chavez joined the U.S. Navy in 1946 and served in the Western Pacific just after WWII.

For more than three decades Chavez led the first successful farm workers union in American history, achieving dignity, respect, fair wages, medical coverage, pension benefits, and humane living conditions, as well as countless other rights and protections for hundreds of thousands of farm workers. Against previously insurmountable odds, he led successful strikes and boycotts that resulted in the first industry-wide labor contracts in the history of American agriculture. His union's efforts brought about the passage of the groundbreaking 1975 California Agricultural Labor Relations Act to protect farm workers. Today, it remains the only law in the nation that protects the farm workers' right to unionize. We must continue to protect farm and agricultural workers who are a dedicated labor force and a vital contributor to our economy.

As I reflect on his life and work, I am privileged to be a fellow Veteran of the U.S. Armed Services and a fellow Mexican American. It was my honor to serve the country that we both felt strongly enough to continue to fight for its betterment. Chavez not only fought for Latinos, but he fought for the dignity of this nation, and for that we are forever grateful.

PERSONAL EXPLANATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Ms. BERKLEY. Mr. Speaker, I was unable to vote on rollcall Nos. 163 through 165. Had I been present, I would have voted ''yea'' on each.

HONORING AAUW OF NAPA COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. THOMPSON of California. Madam Speaker, I rise today to honor the American Association of University Women of Napa County on the occasion of the 80th anniversary of their founding. AAUW–Napa County has done visionary work to serve the community as well as fulfill their charter of advancing justice and equality for women.

Over 80 years ago, inaugural President Stella Linscott and a band of determined Napans started the AAUW Napa County branch with the goal of promoting equity for women and girls through advocacy, education and research. This organization that began as a response to sexism and discrimination in our society has become a pillar of our community.

Their endless contributions to the Napa Valley over the years include annual scholarships for local women, voter education forums, the Adopt-A-Road program and contributions to AAUW's Legal Advocacy Fund and Educational Foundations. The Napa County Branch of AAUW is an important component of a statewide organization that has played a crucial role in finally achieving gender equity in college enrollment in California.

Madam Speaker, it is appropriate at this time that we thank AAUW–Napa County for the remarkable work they have done for everyone in our County. It is through the hard work and generous contributions of many members of our community that this branch has thrived for the past 80 years, and I know that we will continue to see progress for many years to come.

EARMARK DECLARATION

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. WAMP. Madam Speaker, as a leader on earmark reform among House Republicans, I am committed to honoring House Republican rules that provide for greater transparency. H.R. 1105 The Fiscal Year 2009 Omnibus Appropriations contains the following funding that I requested:

Requesting Member: Rep. ZACH WAMP

Account: Army Corp of Engineers—Construction

Legal Name of Requesting Entity: United States Army Corp of Engineers—Nashville District

Address: 110 9th Avenue South Nashville, Tennessee 37203–3863

Description of Request: Funding in the amount of $42 million is required for the U.S. Army Corp of Engineers to replace the Chickamauga Lock. The lock is a major economic engine in the Tennessee Valley region. Commodities passing through the lock have origins and destinations in 17 states in the South, Midwest and Mid-Atlantic regions, traveling an average 1,400 miles. Over the last several years, 2.5 million tons passed through the lock annually, and the forecasted traffic demand is expected to grow considerably. The U.S. Army Corp of Engineers indicates that replacement of the existing lock is far more economical than continuing costly maintenance and repair.

Distribution of funding:

Construction: 100%

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. PASCRELL. Madam Speaker, on March 30th, I was detained in my district and therefore missed the three rollcall votes of the day. Had I been present I would have voted ''yea'' on rollcall vote No. 163 on the Motion to Table the Privileged Resolution. Had I been present I would have also voted ''yea'' on rollcall vote No. 164 on the Motion to Suspend the Rules and Pass H.R. 20—Melanie Blocker Stokes Mom's Opportunity to Access Health, Education, Research, and Support for Postpartum Depression Act. Lastly, had I been present I would have voted ''yea'' on rollcall vote No. 165 on the Motion to Suspend the Rules and Pass H.R. 479—Wakefield Act.

HONORING HANK PITTMAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Hank Pittman upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. Mr. Pittman was honored on Saturday, January 31, 2009.

Mr. Pittman was born in Madera, California in September 1947. He was raised in Chowchilla, graduated from Chowchilla High School in 1965 and immediately enlisted in the U.S. Navy. He completed Navy boot camp in San Diego and was designated as a shipfitter. He was assigned to the USS *Long Beach*, a guided missile cruiser, and in 1966 was deployed to the Western Pacific. The cruiser served in the Gulf of Tonkin to detect enemy aircraft attempting to evade identification by hiding among U.S. aircraft returning from missions over North Vietnam. The USS *Long Beach* also provided support for Search and Rescue helicopter units that rescued downed fliers. During this tour, the ship was responsible for downing Soviet-made North Vietnamese An–2 planes attempting to fire on South Vietnamese Navy units. In July 1967 the USS *Long Beach* was re-deployed to the Gulf of Tonkin and shot down two MiG fighters with RIM–8 Talos missiles. Crew members were awarded a Meritorious Unit Commendation for these actions.

Upon returning to the U.S., Mr. Pittman was selected for a two month training course at the Navy Divers' School in San Diego. When he completed the course he was designated as a Hull Maintenance Technician (Diver). His next duty station was with the USS *Simon Lake*, a submarine tender in Holy Loch, Scotland. During the next eighteen years he completed more courses and steadily progressed in rank while serving on a number of ships, naval air stations and bases.

In 1976, while serving aboard the USS *Holland*, Mr. Pittman received a letter of commendation for superior performance in critical operations repairing the hull of the USS *Batfish*, a nuclear-powered attack submarine. Two years later he successfully completed a seventeen week Deep Sea Diving and Salvage Course at the Washington Navy Yard. Mr. Pittman was promoted to Chief. Throughout his career he served on many ships and at many stations around the U.S., Southeast Pacific, Europe, the Indian Ocean, Australia, the North Atlantic, Africa, Panama and the Caribbean. Chief Pittman retired in February 1987. For his service he was awarded the Navy Achievement Medal, the National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal with Device, three Meritorious Unit Commendations, four awards for the Good Conduct Medal, the Navy Expeditionary Medal, the M–14 Rifle Ribbon, the .45 Pistol Ribbon and the Sea Service Deployment Ribbon.

After retiring from the Navy, Mr. Pittman worked as a security officer, forklift operator and wood cutter. He is a life member of the Veterans of Foreign Wars, Post 9896, where he served six years as Post Commander and attends the Church of Latter Day Saints. He has three children and three grandchildren.

Madam Speaker, I rise today to commend and congratulate Hank Pittman upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Mr. Pittman many years of continued success.

REMEMBERING BILL TATUM IN THE PAGES OF THE NEW YORK CARIB NEWS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. RANGEL. Madam Speaker, I rise today to submit a New York CARIB News tribute to the late Wilbert Bill Tatum, honoring the journalistic heavyweight for his commitment to his craft, his community, and to social justice and equality. He passed away in late February, ending a decades-long tenure as the owner, chairman, and publisher of the Amsterdam News—a premier and pioneering Black newspaper in the heart of Harlem. He wielded his pen as a sword, holding public servants' feet to the fire and rarely mincing his words in pursuit of truth. A philanthropist of formidable character and impassioned conviction, Tatum lent a powerful voice to the African American community through his words and his inspiration. The following article—''Wilbert Tatum Remembered,'' published on March 17 and written by Victoria Horsford—details the legacy of the great Bill Tatum.

WILBERT TATUM REMEMBERED

Wilbert Bill Tatum, Amsterdam News Chairman/CEO and publisher emeritus died, a long way from home, on February 26 in Croatia. The ultimate Fourth Estater, Bill Tatum was equal parts race relations maven, humanist, entrepreneur, and warrior. He left a legacy of integrity and passion in journalism.

Tatum was a face in the proactive Harlem crowd for almost four decades, which predates the $2.3 million purchase of the Amsterdam News in 1971, by him, Percy Sutton and other business associates. In 1983, Tatum assumes full control of the paper. By 1996, Tatum bought out all of his AmNews partners, became the sole owner and Begins the Tatum Era. Founded on December 4, 1909, the Amsterdam News emerged as one of the most important Black newspapers in the U.S. on par with the Pittsburgh Courier, The Afro-American, and The Chicago Defender. Tatum kept burnishing the paper's image while keeping a watchful eye as events unfolded of special interest to the Amsterdam News readers.

Tatum's editorials railed against inequities vis-à-vis the Black community re: housing, employment, term limits, the NYPD, immigration. No one nor organizations was off limits to the acidic Tatum editorial. He relished a good fight taking on mayors and local corrupt community leaders, businessmen and untoward clergy. For years, he ran acid-tinged ''Mayor Ed Koch must go'' editorials. In the 90s, he began a long run of ''Mayor Rudy Giuliani must go'' editorials. He allocated equal editorial space to unsung community heroes and contributed regularly to scores of charities.

Tatum was one of a few publishers who believed in the innocence of the young Black men convicted in the racially marred Central Park jogger rape case. He was best when he was opinionated and tapping into instincts. The AmNews had taken on a new life during his watch. It was the World According to Bill Tatum. And what a delightfully, crazy, unpredictable, diabolical, lovable, plot-rich moral world it was. He ceded control of the paper to his daughter Elinor in 1997. Last Friday, 2/27 during a NY1 TV interview, Elinor said ''My dad loved the Amsterdam News,'' she added. ''He was born in North Carolina, was one of 13 children, a descendant of sharecroppers whose granddad started a newspaper. He wanted to make this world a better place for people who looked like him.'' A Lincoln University and Occidental College alum, Tatum had a master's degree in Urban Studies.

The following are remembrances of Bill Tatum. Governor David Paterson reflects on Tatum ''as a decent person who stood out amongst the giants of NYC for his commitment to justice and social equality.'' Mayor Michael Bloomberg intones. ''The paper was really heard across the city...and on many occasions, around the world. He covered issues of concern to African Americans in ways that other media opportunities they might not otherwise have had. He was a real character in the nicest sense of the word!'' NYC Comptroller Bill Thompson says. ''Bill was a pioneer in publishing...who always stood up for causes he believed in and spoke out against injustice and highlighted issues too often forgotten and ignored. Bill always let you know when he disagreed with you in a genuine forthrightness,'' Manhattan Borough President Scott Stringer says. ''NY lost one of our great citizens. . . . Bill wore many hats at the Amsterdam and its success is due to his dedication and vision.''

Reverend Al Sharpton remembers. ''Bill Tatum was an iconic and vitally important figure in both journalism and civil rights. We have lost a great advocate, a penetrating writer and unmatchable institution builder and for me a great friend and father figure.''

Survived by his wife Susan and his daughter Elinor, Bill Tatum's wake was held on Thursday, March 5, at the Provenzano Lanzo Funeral Home at 43 Second Avenue. His funeral was held Friday, March 6 at 10 am at Harlem's Riverside Church at 490 RSD, near 120 Street.

The family requests that you make donations to the Amsterdam News Educational Foundation, 34 East Third Street, NYC 10003.

PERSONAL EXPLANATION

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. RUPPERSBERGER. Madam Speaker, on Thursday, March 26, 2009, during the debate on the FLAME ACT, I inadvertently voted ''aye'' on rollcall 161, the Rep. Goodlatte Amendment. I meant to vote ''no.''

IN RECOGNITION OF DAVID WARREN

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. WILSON of South Carolina. Madam Speaker, when David Warren came to the Richland County Public Library (RCPL) in Columbia, S.C., in 1979, he brought leadership and vision that would expand and transform the library and reintroduce it to the Richland community. Since that time, the RCPL has grown in size and scope—including the construction of a 242,000-square-foot Main Library, the expansion of five and the construction of 2 new branches, an increase in the circulation of materials to 3.3 million and the library's collection to over 1.3 million pieces.

As executive director of the Richland County Public Library, Warren has been recognized across the country and internationally for his leadership and strength in library management. His reputation as an innovator has led to numerous appointments with local, state, and national organizations. Under Warren's leadership, RCPL was named the National Library of the Year in 2001, bringing positive national attention to the Midlands and South Carolina. His vision and ability to think outside the box has enabled RCPL to set a new standard for public library systems in South Carolina and the Southeast.

Named Librarian of the Year by the South Carolina Library Association in 1991 and Public Administrator of the Year by the South Carolina Chapter of the American Society for Public Administrators for 1992/1993, Warren's leadership and commitment to his community has justly earned him this recognition and much appreciation from those who have benefited from his tremendous efforts.

I congratulate David Warren on his retirement and wish him many more years of success and service.

IN MEMORY OF JOHN WOODWARD, JR.

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. GALLEGLY. Madam Speaker, I rise in memory of John Woodward, Jr., whose very life proved that one could be gentle, kind, civil and honest—and financially successful.

John Woodward became an entrepreneur relatively late in life. After serving in Guam and Okinawa with the U.S. Army during World War II, John was drafted by Chrysler Corporation while he was still a business major at the University of Southern California.

He spent the next few decades working his way up the auto industry corporate ladder, including about a decade traveling around the country establishing dealership franchises. Then, in 1976, John and his wife, Nada, who he had met during World War II when she was an Army nurse, moved their family to Thousand Oaks, California, where he opened Westoaks Chrysler Dodge.

The dealership's motto was, ''Where People Care.'' By all accounts, John made sure the dealership lived up to that motto right up until he sold it last year.

In addition to opening his own dealership, John also was instrumental in starting the Thousand Oaks Auto Mall. As an active member of the Thousand Oaks-Westlake Village Regional Chamber of Commerce, John led the fundraising drive for the Chamber's first building.

But John's civic mindedness did not end with business promotion. He believed in his community and worked tirelessly on its behalf. John was a key donor to the Community Conscience of Conejo Valley and supported a multitude of children's sports teams, civic groups and charitable organizations. Among his many accolades was being named the Chamber's Man of the Year.

My wife, Janice, and I were privileged to call him our friend.

Madam Speaker, John's wife of nearly sixty years died four years ago. Many were touched by their legacy of honesty and civility, but none more than their three children, Ginny, Nancy and John III; and their four grandchildren. I know my colleagues will join Janice and me in offering our condolences to John's family and all who knew him and called him a friend.

Godspeed, John.

HONORING ALLEN BUSHMAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Allen Bushman upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. Mr. Bushman was honored on Saturday, January 31, 2009.

Allen Bushman was born in March 1930 in Fairview, Utah, and at age eighteen he enlisted in the newly formed United States Air Force. He completed his basic training at Lackland Air Force Base in Texas. He went on to serve in a variety of assignments, including an aircraft engineering mechanic for the B–29 and B–36 bombers and the KC–97 Stratotanker. These aircrafts were instrumental during the Korean War, completing missions from Japan and Okinawa to bomb targets in North Korea. After the war, Mr. Bushman completed Aircraft Maintenance Technician School and qualified as an Inflight Air Refueling Boom Operator. The Stratotanker was an aerial refueling tanker; it was vital to the Air Force as the B–47 became the primary bomber for world-wide strategic operations.

During the 1960s, Mr. Bushman completed courses at the USAF Advanced Flying School and was selected for advanced training for the KC–135 and completed the Combat Crew Training Squadron Course. He also completed the Management Course for Air Force Supervisors and the Special Vehicle Repairman Course. Mr. Bushman was assigned as the boom operator on the KC–135 where he flew on missions from Okinawa and Guam, refueling the B–52 and other aircraft flying to and returning from missions over North Vietnam. During his twenty-two years of service he served with a number of wings and squadrons including 22nd Bomb Wing, 98th Bomb Wing, 111th Bomb Wing, 95th Bomb Wing, 90th Air Refueling Squadron, 99th Air Refueling Squadron and 924th Air Refueling Training Squadron.

Master Sergeant Bushman retired from the Air Force at Castle Air Force Base on February 28, 1970. He was awarded with the Air Force Commendation Medal for Meritorious Service, the Air Medal with two Oak Leaf Clusters, the Korean Service Medal, Vietnam Service Medal, Air Force Good Conduct Medal, Air Force Outstanding Unit Award, National Defense Service Medal and the Air Force Longevity Service Award for his service during the Korean War, Vietnam War and the Cold War. Upon his retirement, he completed a two year business management course at Merced College and became a fence contractor. He is a life member of Chowchilla Veterans of Foreign Wars, Post 9896, and a member of the Church of Latter Day Saints. He and his wife, Carla Gene, continue to live in Chowchilla, California; they have nine children, twenty-seven grandchildren and six great-grandchildren.

Madam Speaker, I rise today to commend and congratulate Allen Bushman upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Mr. Bushman many years of continued success.

SPREAD THE WORD TO END THE WORD CAMPAIGN

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. KENNEDY. Madam Speaker, today I rise to recognize and commend the efforts of the Spread the Word to End the Word Campaign; a grassroots organization founded by college and high school students toward promoting greater awareness and respect for people with intellectual disabilities.

Created by young people with and without intellectual disabilities, Spread the Word to End the Word promotes the undeniable truth that everyone matters, everyone is accepted and, most importantly, everyone is valued. Today, young activists across the country are leading local efforts to raise awareness and collect pledges from peers and the community to vow not to use the ''R-word'' and recognize March 31, 2009 as a national awareness day for The Spread the Word to End the Word campaign.

In 1966, speaking at the University of Cape Town in South Africa, my uncle, Robert Kennedy said, ''Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a

tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.'' It is with great honor that I am able to speak about this amazing group of young activists who are spreading hope each and every day; not just in their own communities but across the country, to those who suffer from intellectual disabilities and their families.

Too often the power of our words is underestimated and misunderstood. Today marks the culmination of a month long campaign to educate all of us about the positive and negative effects that our words can have. It is with great joy today, that I am able to use my words to support their courage and activism.

Thank you to all who pledge today to think of others before they speak and thank you to all who strive each day to promote universal human dignity.

RECOGNIZING THE CONTRIBUTIONS OF LAREDO FBI SUPERVISORY SENIOR AGENT NORMAN A. TOWNSEND

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. CUELLAR. Madam Speaker, I rise today to recognize Norman A. Townsend for his service to the people of the State of Texas and the nation as a whole. As he prepares to move forward with his career of public service with the FBI, we proudly honor him for his five years of service to the Laredo Resident Agency where he has served as a senior supervisory agent.

Mr. Townsend earned a Bachelor's Degree in Accounting and a Master's in Criminology from Central Oklahoma University in Edmond before he began his career with the FBI on July 5, 1977. He worked as a fingerprint examiner and an accounting technician in Oklahoma City before attending the FBI Academy in Quantico, Virginia in 1984. Later that year he was assigned as a special agent to the Houston Division in Beaumont, Texas where he performed a number of investigations and continued his dedicated service to the bureau.

On August 4, 2003, Mr. Townsend transferred to the San Antonio Division in Laredo, Texas where he worked as a Supervisory Senior Agent. For the past five years, he has served the community, the state, and our country under the Federal Bureau of Investigation in Laredo. He has supervised agents, task force officers, and support personnel as they conducted investigations on public corruption, white collar crime, and joint task force terrorist investigations.

Madam Speaker, please join me in honoring Norman Townsend for his five years of dedicated service to the FBI Laredo Resident Agency and his 31 years of service to the FBI as he prepares to move forward with his career in the bureau.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed recorded votes on the House floor on Monday, March 30, 2009. Had I been present, I would have voted ''Present'' on rollcall vote No. 163 (on motion to table H. Res. 295), ''yea'' on rollcall vote No. 164 (Motion to Suspend the Rules and Agree to H.R. 20), ''yea'' on rollcall vote No. 165 (Motion to Suspend the Rules and Agree to H.R. 479).

ARKANSAS STATE UNIVERSITY'S 100TH ANNIVERSARY

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. BERRY. Madam Speaker, I rise here today to pay tribute to one of Arkansas's finest educational institutions, Arkansas State University. The University will commemorate its 100th anniversary this month. This achievement is a significant milestone for this school and all who helped shape its history.

On April 1st, 2009, the Jonesboro Community will gather at Arkansas State University to commemorate the 100th anniversary of the passage of Act 100, which established the first four agricultural schools in Arkansas. Over the past several decades, ASU has been the beneficiary of a foundation of excellence, built by the hard work and dedication from faculty, alumni, administrators and the community. Many individuals have invested in ensuring the success of the school, and thanks to their efforts we are also here today to thank them for their service.

To build a great school, time and patience are needed to attract and sustain a great faculty, develop a strong academic program, and foster an alumni network. The process is long and arduous, but Arkansas State University is resilient and continues to produce distinguished alumni and groundbreaking achievements year after year.

Arkansas State University with its first-rate, innovative style of education provides an unparalleled learning experience for their students. The growing strength of the school is demonstrated by the success of its students after they graduate and its world renowned reputation. Most importantly, the ideas and achievements from ASU's alumni will continue to transform and benefit our nation for generations.

I stand here today to ask my colleagues in the United States Congress to join me in congratulating Arkansas State University on this significant milestone. Arkansas State University has been powering the minds of its students for 100 years. The University has come a long way, has much to celebrate, and more successes to anticipate in the years to come.

RECOGNITION OF MICHAEL J. MANGINI'S E-911 INSTITUTE INDUSTRY PROFESSIONAL AWARD

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. MCGOVERN. Madam Speaker, a week ago today, I had the privilege of attending the E–911 Institute's 6th Annual Honors Gala Dinner Program to present my constituent, Michael J. Mangini, with the organization's prestigious industry professional award. I am grateful to have had the opportunity to personally recognize the extraordinary contributions Michael has made to public safety during the course of his remarkable career. I respectfully request that my remarks from that evening be printed in the CONGRESSIONAL RECORD as a lasting and enduring tribute to this very special man. Thank you.

Good evening. I'm pleased to be here tonight with my colleagues for this occasion. I am proud to be a member of the E–911 Caucus and am very grateful for the important work that the E–911 Institute does on behalf emergency preparedness all across the country. I am especially honored to have been invited to present your association's prestigious industry professional award this year to one of the true unsung heroes of your profession and a constituent of mine from Hopkinton, Massachusetts, Michael Mangini.

To those of you not from Massachusetts, Hopkinton is best known as the starting place for the Boston Marathon. I can't drive 26 miles never mind run it but I wanted to share that fun fact with all of you nonetheless. Michael is joined here tonight by his wife, Susan; their daughter Christina; and his very proud parents, Mr. & Mrs. Mangini. I also want to point out Michael's friend and colleague at Plant CML, Paul Fahey, who nominated Mike for this award. Paul's parents are also constituents of mine from Worcester, Massachusetts so this is like an episode of ''All in the Family'' for me tonight.

In all seriousness, Michael Mangini is truly deserving of the honor you bestow on him tonight. He has devoted his entire professional career to improving emergency communications in both the public and private sectors. First, as Director of Technical Services for the City of Boston's Emergency Services Department, Michael earned the respect and admiration of the entire public safety community. His conscientious commitment to his job, his extraordinary expertise in the field and his unfailing professionalism garnered the attention of no less than the Governor of Massachusetts who asked him to serve as a founding member of the first state-wide emergency telecommunications board in 1991. As Chair of the Board's Standards Committee, Michael was principally responsible for the development and implementation of one of the largest and most successful E–911 programs in the nation. He served on the state's emergency telecommunications board for fully eleven years, and his contributions in that role have undeniably made the Commonwealth of Massachusetts a safer place to live for all of its citizens.

In addition to his service to the state, Michael has been an active member of the Association of Public Communications Officials (APCO) International since 1986 and is a past recipient of its highest honor, the Presidential Award. Michael has also been a member of the National Emergency Number Association (NENA) since 1987 and served as

President of the Massachusetts Chapter. Today, Michael serves as Director of Solutions Engineering at Plant CML where he is responsible for leading the company's largest and most complex projects.

Other than the love of family, I don't think there is any greater honor in life than to receive the recognition of your peers in your chosen profession. Michael Mangini is not only a worthy recipient of this industry professional award, he is also owed a debt a gratitude for his service to his community, his Commonwealth and his country. I am very proud to be able to present him with this award.

TRIBUTE TO CÉSAR E. CHÁVEZ

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mrs. DAVIS of California. Madam Speaker, I rise today to honor a great man who stood up for justice and fair treatment for all Americans.

During his life, César E. Chávez was committed to providing fair wages, better working conditions, decent housing, and quality education for all. Mr. Chávez also served the United States proudly in the Navy during World War II. His spirit and his vision are still alive today and I am determined to celebrate what he stood for and his great accomplishments.

Madam Speaker, today, I introduce legislation to rename the post office located at 2777 Logan Avenue in the Barrio Logan section of San Diego as the "César E. Chávez Post Office." This is the least we can do to honor such a great but humble man dedicated to justice. Please join me in giving Mr. Chávez his rightful place in American history.

HONORING THE 25TH ANNIVERSARY OF THE INDIANA CHILDREN'S WISH FUND

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. CARSON of Indiana. Madam Speaker, I rise today to honor the Indiana Children's Wish Fund on its 25th anniversary and for its mission of fulfilling the dreams of children suffering from life-threatening illnesses.

Children forced to battle terminal diseases rarely get to experience a normal childhood and are forced to grow up quickly. By granting their wishes, this organization seeks to bring a smile to these children's faces by bringing laughter, joy and normalcy to their lives.

Since 1984, this organization has granted 2,000 wishes to Indiana children between the ages of 3–18. Each year, it assists approximately 140 children, many of whom are referred to the Wish Fund by hospitals, social workers and families from across the state. With the average cost of a wish being $5500, the Wish Fund would not have been able to provide these services without the generous support of its community.

I ask my colleagues to join me in congratulating the Indiana Children's Wish Fund as it celebrates 25 years of service and for its commitment to helping children realize their dreams.

BEST-IN-CLASS APPLIANCE BILL

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Ms. HARMAN. Madam Speaker, Congressman MIKE ROGERS of Michigan and I have coauthored H.R. 1786, a bill that will help Americans transition from older, energy-wasting washing machines, refrigerators, and other household appliances to newer, super-efficient versions.

According to the Department of Energy, appliances currently account for about 20 percent of energy bills in a typical household. Many of these "clunkers" are the products of another era—manufactured years (sometimes decades) ago, when technology was antiquated and efficiency a low priority. Removing old, inefficient appliances from circulation will go a long way toward cutting energy consumption and reducing greenhouse gas emissions.

Our bill will task the DOE with creating a "Best-in-Class" appliance program to provide financial "bonuses" to retailers for every Best-in-Class product sold (defined as the top 10 percent of models in the product class, in terms of efficiency), and to manufacturers that mass produce Best-in-Class appliances.

Retailers who participate in the program must provide a government-funded "bounty" (a reduction in price for a new, more efficient appliance) to consumers who surrender old appliances. Experience shows that many consumers hoard old appliances—perhaps moving them from the kitchen to the basement—eliminating the potential energy savings resulting from the purchase of a newer appliance. This trade-in feature will help take these clunkers completely out of circulation, substantially accelerating our transition to an energy-efficient economy.

This bill is a consensus product, and is endorsed by the NRDC and leading industry groups. We urge its swift passage.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. JOHNSON of Illinois. Madam Speaker, on March 30, 2009, I was unable to cast my votes on the Motion to Table H. Res. 295, H.R. 20, and H.R. 479 and wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 163, on the Motion to Table H. Res. 295, Raising a question of the privileges of the House, I would have voted "nay."

Had I been present for rollcall No. 164, on suspending the Rules and passing H.R. 20, the Melanie Blocker Stokes MOTHERS Act, I would have voted "yea."

Had I been present for rollcall No. 165, on suspending the Rules and passing H.R. 479, the Wakefield Act, I would have voted "yea."

TRIBUTE TO ALVIN SYKES

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. MOORE of Kansas. Madam Speaker, on April 24th, the Olathe, Kansas, Human Rights Commission will pay tribute to Alvin Sykes, a tireless crusader for civil rights within the Kansas City metropolitan region, who recently persuaded the U.S. Congress to approve, and President Bush to sign, legislation establishing a permanent "cold case" unit in the U.S. Department of Justice to review approximately 100 unsolved murders, including the notorious killing of 14 year old Emmett Till in Mississippi in 1955. Both as chairman of the Emmett Till Justice Campaign and as a leader of numerous other struggles for human rights and racial justice in the Kansas City area, Alvin Sykes has received much-deserved national attention for his efforts, as is detailed in two articles from USA Today and wolfmanproductions.com, which I am including with this tribute. I join with the Olathe Human Rights Commission in paying tribute to this important leader within the Kansas City community and I know that all members of the U.S. House of Representatives join with me in celebrating this tireless activist for social justice.

[From USA Today]

PERSEVERANCE PAYS OFF FOR CIVIL RIGHTS ACTIVIST

(By Laura Parker)

WASHINGTON.—Alvin Sykes holds none of the standard credentials to wield influence in the power corridors of this political city. He is a 51-year-old high school dropout with no steady job.

Yet senators listen to him. Prosecutors return his calls. As a self-made civil rights activist, Sykes persuaded the Justice Department to re-investigate the 1955 slaying of 14-year-old Emmett Till, and he deserves a fair share of the credit for the department's recent decision to review as many as 100 old murders in 14 states.

Attorney General Alberto Gonzales announced the investigation as Congress prepares to vote on a bill that would set up a permanent cold case unit in the Justice Department to probe those old crimes.

Last year, Sykes, as chairman of the Emmett Till Justice Campaign, persuaded his then-home-state senator, Jim Talent, R–Mo., to introduce the bill. Since then, Sykes and other civil rights leaders have helped sell it. Although Talent lost his seat in last fall's election, the bill—which authorizes $11.5 million to fund the unit—has new sponsors and has gained momentum in both houses and parties.

"He reflects the spirit of the civil rights movement, where ordinary people found a way to make a difference," says Brenda Jones, spokeswoman for Rep. John Lewis, D–Ga., whose beating during a protest march through Selma, Ala., in 1965 helped propel the Voting Rights Act through Congress. Lewis is sponsoring the House version of the Till bill.

Sykes is described by those who know him as tenacious and informed. "He's a very pragmatic man," says Donald Burger, a retired Justice Department mediator who met Sykes in the 1970s during battles to desegregate Kansas City, Mo., schools.

U.S. Attorney Jim Greenlee of Mississippi's northern district in Oxford had never heard of Sykes when Sykes asked him in 2004 to reopen the Till case.

The case was legendary. Most of the principals were dead or old and in poor health. The statute of limitations on applicable federal laws had expired. Only state charges related to murder or manslaughter remained possible.

Sykes arrived in Oxford armed with a legal argument that laid out why the FBI had jurisdiction to proceed with a new federal probe. ''He was extremely informed and very logically presented why it should be looked into,'' Greenlee says.

Sykes grew up poor and sickly in Kansas City, the product of a 14-year-old mother and a father he never knew. ''When I first met him, he was in his casket,'' Sykes says of his father. ''I was 27.''

Prone to schoolyard fights, Sykes dropped out of school in the ninth grade. Although he once dreamed of becoming a lawyer, he got most of his education from the public library. To support himself, Sykes found a job managing a local R&B band, Threatening Weather.

After campaigning to desegregate Kansas City schools, he helped persuade Missouri legislators to lower the age of jurors from 21 to 18, thus widening the pool of potential jurors.

He also persuaded the Justice Department to re-investigate the mysterious death of a black teenager in Kansas City in 1985.

Although the report was inconclusive, the federal involvement helped calm local residents, who had been skeptical of the local police investigation, Burger says.

He adds: ''That would never have happened if it hadn't been for Alvin.''

Sykes' major achievement involved the 1980 murder of a local jazz musician named Steve Harvey, who was beaten to death with a baseball bat. The man charged with the murder had been acquitted.

Sykes thumbed through library law books and found an obscure federal statute that essentially said a person couldn't be deprived of his use of a public facility because of race. Using contacts he had made at the Justice Department during the school desegregation struggle, Sykes contacted Richard Roberts, the attorney in the civil rights division who was looking into the Harvey case.

''He said, 'Send me everything you've got,' '' Sykes says. In 1983, Roberts won the conviction of Raymond Bledsoe on federal civil rights violation charges. He is now serving a life sentence.

''He didn't just call once,'' says Roberts, now a federal district judge in Washington, D.C. ''Ordinarily, people who want to know about a case will go to their local U.S. attorney. I was struck by the fact that Sykes did not rest with that. He pressed forward with more research on his own. His questions to me were pointed and showed someone who had done his homework.''

The murder of young Emmett Till, who was killed in Mississippi after whistling at a white woman in a store, galvanized the civil rights movement.

Although Till's killers were known—Roy Bryant and J.W. Milam were acquitted a month after Till's death and later confessed in an interview with Look magazine—subsequent investigations centered on whether the men acted alone. Trial testimony suggested that Bryant's then-wife might have been with her husband and brother-in-law when Till was abducted.

Sykes pored over library law books and consulted with his Justice Department contacts. They steered him to a 1976 opinion by Antonin Scalia, then an assistant attorney general and now a Supreme Court justice, that gave the federal government jurisdiction to conduct further investigation into President Kennedy's assassination. The same opinion was used to investigate Martin Luther King Jr.'s murder.

''Even if the statute of limitations had run out, it meant that there could be an investigation for Till,'' Sykes says.

A Mississippi grand jury last month declined to indict Bryant's ex-wife, Carolyn Bryant Donham.

To Sykes, that doesn't mean the end of the Till case. He says he made that promise to Till's mother, Mamie Till Mobley, before she died in 2003.

The FBI has compiled 8,000 pages of notes and interviews. Now Sykes wants the Justice Department to publish a report of the investigation.

''I made that pledge to Mrs. Mobley before she died that we would get the truth out,'' he says.

[From wolfmanproductions.com]

ALVIN SYKES: SELF-MADE CIVIL RIGHTS ACTIVIST

Alvin Sykes holds none of the standard credentials to wield influence in the power corridors of Washington, D.C. He is not a lobbyist or an attorney, nor did he graduate from a prestigious college. In fact, he is a high school dropout.

Yet senators listen to him. Prosecutors return his calls. As a self-made civil rights activist, Sykes persuaded the Justice Department to re-investigate the 1955 slaying of 14-year-old Emmett Till, and he deserves a fair share of the credit for the department's recent decision to review as many as 100 old murders in 14 states.

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INTRODUCTION OF ILLEGAL IMMIGRANTS AND SENSE OF CONGRESS RESOLUTIONS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. FRELINGHUYSEN. Madam Speaker, one of the primary responsibilities of each Member of Congress is to protect our nation and our citizens. Representing New Jersey, a "9–11 State," it is an important duty, whether the issue concerns funding for programs designed to protect areas which are prime terrorist targets, or ensuring that our military forces and intelligence agencies are fully supported, or securing our borders and reforming our broken immigration system.

In addition to restoring our economy with an effective stimulus that is targeted, timely and temporary, these are among the most important issues facing the nation today.

But on occasion, serious events develop in a Member's Congressional District that must be brought to the attention of this House and the nation. My District in northern New Jersey is witnessing developments that cry out for correction.

In April 2008, a 20-year old foreign national was arrested and charged with endangering the welfare of a child and aggravated sexual assault following an alleged attack on a 12-year-old girl. He was remanded to the Morris County, New Jersey jail where he remained until August when he was able to secure his release from Morris County custody by posting $50,000 bail. Aware that the Department of Homeland Security's Bureau of Immigration and Customs Enforcement (ICE) had a "detainer" on the suspect, the Morris County Sheriffs Department transferred custody of the suspect to ICE.

In September of 2008, the suspect was transferred to an ICE detention center in Louisiana where he appeared before an immigration judge and was ordered deported. Appropriate officials in New Jersey were never informed that this potentially dangerous suspect was about to be or was subsequently deported.

Of course, the suspect failed to appear for his preliminary hearing in November 2008 in New Jersey, prompting a warrant to be issued for his arrest. He has subsequently been indicted on charges related to aggravated sexual assault on a minor.

Of course, the deportation of this suspect will delay, if not prevent, the suspect from ever answering these serious charges in an appropriate U.S. court. As a result, a young New Jersey victim and her family have been denied justice.

Clearly, the interaction between the state criminal code and federal immigration law is multi-layered and complex. In this incident, and another similar case where another foreign national charged with assaulting a nine-year-old girl is facing deportation,

Madam Speaker, today I introduce two measures designed to bring the glare of public attention onto these outrageous situations.

I am introducing legislation that provides an important new tool to states and local judicial officials as they work to bring to trial illegal immigrants charged with a serious crime. Our legislation would allow a state's chief executive or chief law enforcement officer, or that of a political subdivision, to request that the Department of Homeland Security stay the removal of an alien charged with an aggravated felony.

This solution is by no means perfect but it attempts to strike a balance between our national desire to deport as many illegal aliens as possible as quickly as possible and the ability of victims of serious crimes to have their rights protected. Simply put, the federal government needs to think twice before handing the alien suspect in an aggravated felony a "get out of jail free" card. These matters are too important to be put on auto-pilot!

I am also introducing a Sense of Congress resolution which directs DHS and ICE to develop an effective and efficient system of communication that allows state and local law enforcement and prosecutors to know, in a timely manner, when suspects charged in their jurisdictions with aggravated felonies are in the final stages of the deportation process.

My colleagues, these measures are not parochial in their nature. These are not issues confined to one county in one state. I suspect that if Morris County, New Jersey is grappling with the dueling conflict between state criminal law and federal immigration process, then so are counties in your Congressional District. I urge you to check with your law enforcement and prosecutors back home and then co-sponsor these two measures.

HONORING THE LIFE OF BISHOP THOMAS J. WELSH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. WOLF. Madam Speaker, I rise today to honor the life of Thomas J. Welsh, the founding bishop of the Catholic Dioceses of Arlington, Virginia. He passed away on February 19 at the age of 87, from pulmonary fibrosis.

Bishop Welsh served as Arlington's bishop from 1974 to 1983. He established six additional area parishes: St. Stephen the Martyr in Middleburg; St. Catherine of Siena in Great Falls; St. John Neumann in Reston; St. Elizabeth Ann Seton in Lake Ridge; Our Lady of the Blue Ridge in Madison; and Holy Martyrs of Vietnam in Arlington County. Bishop Welsh dedicated 11 new churches during his years with the Catholic Dioceses of Arlington.

Other notable achievements in his career as Arlington's bishop include helping to establish Christendom College in Front Royal and Catholic Distance University in Hamilton, both of which are in Virginia's 10th District. He also approved the purchase of the building for Paul VI Catholic High School in Fairfax. Bishop Welsh believed in the importance of Catholic education, both at school and at home. He founded the Arlington Catholic Herald newspaper in 1975 and established the Family Life Bureau in 1977. The Family Life Bureau worked to organize various pro-life activities within the Arlington diocese.

After leaving Arlington in 1983, Bishop Welsh became the second bishop of the diocese of Allentown, Pennsylvania. He retired from Allentown in 1997.

His dedication and ministry will be missed by all who knew and worked with him. In the homily given at his funeral Mass, Msgr. Anthony D. Muntone, pastor of St. Elizabeth Parish in Whitehall, Pennsylvania, quoted one of Bishop Welsh's favorite saints, St. Thomas More, who said: "Pray for me and I will pray for thee that one day we will meet merrily in heaven." I believe Bishop Welsh, as a dedicated believer and servant to the Catholic Church, will indeed be met merrily in heaven. His memory will live on through all the lives he touched and the legacy he left in both Arlington and Allentown.

HONORING RESURRECTION CATHOLIC MIDDLE SCHOOL

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. PUTNAM. Madam Speaker, I rise today to congratulate Resurrection Catholic Middle School in Lakeland, Florida, on winning the Polk County Middle School E-Team Academic Tournament. In addition to winning the overall award, Resurrection Catholic School won the eighth-grade competition. This victory is the first for Resurrection, after taking second place in the previous two years.

Teams of sixth, seventh and eighth graders represented their schools and tested their knowledge of economic terms, language arts, mathematics and social studies. Thirty one schools participated in the competition this year with only six schools advancing on to the final round.

Coleman Cavanah, Alanna Wehle, Andrew Noonan, Tanner Donahoo, Matthew Murphy, Keegan Rand, Zoe Holmquist, Matthew Patterson, Emily Collins, Courtney Krakowski, Justin Lucas, Gabe Tone, Gabby Dilullo, Jarrad Pazda, Andrew Goding, Jacob Murphy, Riley Perrow, and Andreana Paz were all a part of the Resurrection E-Team. These students spent countless hours after school, studying an array of subjects and taking many practice tests over a course of nine weeks. Their dedication truly exemplifies academic excellence.

I would like to recognize Principal Nancy Genzel and Coaches Maryellen Krakowski, Cindy Stanford, and Lisha Fletcher for the positive example they set and for the leadership they provide. Their diligent work properly prepared these students for the competition and led them to this amazing success.

I commend Resurrection Catholic School for leading the way in excellence and for their commitment to empowering young minds. Congratulations on your success!

HONORING THE WHITE FAMILY

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Thomas B. White Sr. and his family, who have selflessly served our country by enforcing the law in Southeastern Pennsylvania for over 100 years.

Thomas B. White Sr. started his career with the Philadelphia Police Department on March

16th, 1909, and retired in April 1941. He was born in Ireland and immigrated to the United States in 1896, where he worked primarily on the Philadelphia Police Department's foot traffic unit.

James "Bud" White, Tom's son, became employed with the Pennsylvania State Police in 1937 and was there until 1942, when he was transferred to the Philadelphia Police Department. There, Bud served on the patrol, accident investigation, crime scene, and stake out units. He worked in this capacity until 1962, when he joined the Philadelphia School District Police. Bud remained until retirement in 1972.

Joseph P. White, Bud's son, began his career with the Philadelphia Police Department in 1966. He worked on the uniform patrol and juvenile aide/gang control units until 1970, when he joined the detective division. After serving in the major crimes/dignitary protection unit, Joe retired in 1988.

Ann Thomson Wisnewski, Joe's cousin, became employed with the Philadelphia Police Department in 1970, where she served as one of the first female police officers. Ann worked in the juvenile aide division, dignitary protection unit, and stakeout unit, before retiring in 1980 as a sergeant.

Kevin J. O'Rourke, Ann's cousin, started his career in the Philadelphia Police Department in 1973, and worked on the patrol and vice units. He also served in the District Attorney's Office until 1990, where he was promoted to Detective Sergeant in the special investigations and homicide unit. Kevin then went on to serve with the Pennsylvania Office of Inspector General, Pennsylvania Board of Probation and Parole, and Pennsylvania Gaming Commission before retiring in 2008.

Stephen J. White, Kevin's cousin, became employed with the U.S. Capitol Police in 1972, where he served until 1974. The same year, he started working as a patrol officer with the Doylestown Township Police, before being promoted to Sergeant in 1975, Lieutenant in 1978, and then finally Chief of Police in 1988. He continues to serve in this capacity today.

Through multiple generations, the White family has contributed enormously to our communities in Southeastern Pennsylvania. I have the utmost gratitude for their 100 years of dedication and service. Madam Speaker, I am proud to recognize the White family for their extraordinary accomplishments, and am extremely honored to serve as their Congressman.

AVERY HART HADDOCK MAKES HER MARK ON THE WORLD

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. ETHERIDGE. Madam Speaker, I rise today to congratulate Justin and Sally Haddock on the birth of their daughter, Avery Hart Haddock. Avery was born on Thursday, March 19, 2009. She weighed 7 pounds and 2 ounces and measured 19.5 inches. My wife Faye joins me in wishing Justin and Sally, and Avery's grandparents Tommy and Donna Haddock, great happiness upon this new addition to their family.

As the father of three, I know the joy and pride that Justin and Sally feel at this special time. Children remind us of the incredible miracle of life, and they keep us young-at-heart. Every day they show us a new way to view the world. I know the Haddocks look forward to the changes and challenges that their new daughter will bring to their lives while taking pleasure in the many rewards they are sure to receive as they watch Avery grow.

I welcome young Avery into the world and wish Justin and Sally all the best.

HONORING DON GWARTNEY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Don Gwartney upon being named as a "Distinguished Life Member" by the Veterans of Foreign Wars, Post 9896. Mr. Gwartney was honored on Saturday, January 31, 2009.

Don Gwartney was born in Clinton, Oklahoma during the Great Depression. As a young man his family moved to Chowchilla, California where he attended Chowchilla High School. He graduated from Chowchilla High School in 1956 at the age of seventeen. Upon graduation he wanted to join the United States Navy to "see the world," but at seventeen he had to convince his mother to sign the enlistment form. She agreed, and Mr. Gwartney completed Navy Boot Camp at San Diego and was sent to fire fighting school. He was ordered to Washington and aboard the USS Princeton, an aircraft carrier with a crew of 3,448 officers and men. The ship had completed a conversion to conduct anti-submarine operations in the eastern Pacific and was sent to its home port in Long Beach, California. In July 1957 the USS Princeton completed a seven month mission, making port in Hawaii, Yokasuka, Sasebo, Okinawa, Tokyo, Hong Kong, and the Philippines. In January 1958, they stopped briefly in Singapore and were sent to Ceylon on a humanitarian mission to assist flood victims. The ship returned from a successful mission in February 1958.

With increasing tension between Communist China and the Nationalist Chinese, the United States government began positioning more ships in the region and in July 1959 the USS Princeton sailed to join the fleet of four other battle groups off of the coast of Taiwan. The ship was responsible for launching planes to search for Chinese submarines in the area and crew members were working a stressful six hours on, six hours off schedule throughout the crisis. After several weeks, Communist China suddenly stopped all military operations and the USS Princeton traveled to Subic Bay in the Philippines. From there they sailed to the Bering Sea in pursuit of a Soviet nuclear submarine, which they obtained intelligence on.

In March 1959, the Princeton underwent a new configuration and was designed to serve as an amphibious assault ship for Marines. In September 1959, Mr. Gwartney was released from active duty, but was called back just fifteen months later and was assigned to Naval Air Station Alameda. He was released in October of the same year. Mr. Gwartney has been awarded the Armed Forces Expeditionary Medal, the Good Conduct Medal, National Defense Service Medal, he received 823 Badge of Honor Medals, a commendation from the Republic of China and a letter of appreciation from the Taipei Economic and Cultural Office.

Upon retiring from the Navy, Mr. Gwartney attended college classes; he worked at Yosemite National Park and at Valley Feed and Fuel in Chowchilla. He was employed in the maintenance department at Chowchilla Union High School in March 1970, and was soon after promoted to Supervisor of Custodians, a position he held until retiring in December 2000. He served as a volunteer fire fighter for five years. He is a member of the Cathedral of Faith, where he was a Royal Ranger Leader for five years and a Sunday school teacher for ten years. He is a life member of the Chowchilla Veterans of Foreign Wars, Post 9896. He is married to Betty Edwards and they have made their home in Chowchilla for forty-three years.

Madam Speaker, I rise today to commend and congratulate Don Gwartney upon being named as a "Distinguished Life Member" by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Mr. Gwartney many years of continued success.

THE EDWARD M. KENNEDY SERVE AMERICA ACT

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. KENNEDY. Madam Speaker, I rise today in support of The Edward M. Kennedy Serve America Act, which will renew our nation's commitment to promoting service and volunteerism.

Public service is something my family knows a little bit about. Nearly five decades ago, my uncle, President John F. Kennedy, challenged the nation's youth to serve their country. When he said that famous line, "Ask not what your country can do for you; ask what you can do for your country" he sent a message on the necessity for everyone to take an active role in our society.

It is my hope that with the passage of the Edward M. Kennedy Serve America Act, Congress and President Obama will create a new era of public service that goes beyond any one generation. The bill we are considering today expands opportunities for volunteerism to include disadvantaged youth, seniors and people with disabilities. It is my belief that if we are going to regain a sense of community and shared responsibility in this country, we must encourage national service among all people.

There's an old saying that reads, "The most sacred thing one person can give another, outside of their love, is their labor." That goes to the core of why supporting programs that promote volunteerism and community service is so important. Specifically, today's bill will renew our focus on inclusion by investing $20 million in programs that encourage participation of people with disabilities.

The Edward M. Kennedy Serve America Act will create new programs like the Clean Energy Corps, to focus on environmental conservation. This new program will work in conjunction with our economy as we forge a new direction in energy. This legislation creates a

separate Veteran's Corps designed to help veterans meet the needs of their fellow servicemen and women; such as providing programs that help provide education, mentoring, and job training to fellow veterans.

More than 4,400 seniors in Rhode Island contribute their time and talents in one of three Senior Corps programs which will be expanded within the Serve America Act. Foster Grandparents in Rhode Island serve more than 3,200 young people who have special needs. I am pleased that this bill authorizes $115 million to encourage these efforts not only in my state of Rhode Island, but nationwide. In addition, The Edward M. Kennedy Serve America Act will allow seniors to earn a $1,000 education award for 350 hours of service, that may be passed on to their children, foster child or grandchildren.

I am pleased that this bill provides new incentives for middle and high school students to volunteer in their communities, and will allow them to earn up to $1,000 in education awards to be used for college. The Edward M. Kennedy Serve America Act will also establish Youth Engagement Zones, a service-learning program to engage low-income high school students and out-of-school youth in volunteer efforts.

In my home state of Rhode Island, programs like YouthBuild Providence will benefit from this important legislation through funding for the recruitment, training and professional development of coordinators for the program. The Edward M. Kennedy Serve America Act will also increase the number of AmeriCorps volunteers and increase the education reward to $5,350 for 2010, to match the maximum Pell Grant scholarship award.

Currently, more than 14,000 people of all ages and backgrounds are helping to meet local needs, strengthen communities, and increase civic engagement through 53 national service projects across Rhode Island. This year, the Corporation for National and Community Service will commit more than $7,300,000 to support Rhode Island communities through national service initiatives.

The benefits that this legislation would bring to our struggling communities, across this country, and in my home state of Rhode Island, are endless.

Like its namesake, this bill dedicates itself toward the promotion of solidarity, selflessness and courage. I will be proud to vote in favor of this bill, and I urge my colleagues to do the same.

HONORING THE VOLUNTEER EFFORTS OF CHEYNE VALENTINE AND PAMELA FAWNS WITH THE PRUDENTIAL SPIRIT OF COMMUNITY AWARD

HON. DENNY REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. REHBERG. Madam Speaker, I rise to congratulate and honor two young students from my district who have achieved national recognition for exemplary volunteer service in their communities. Cheyne Valentine of Bigfork, Montana and Pamela Fawns of Corvallis, Montana, have been named as Montana's top youth volunteers by The 2009 Prudential Spirit of Community Awards program. This is an annual honor conferred on the most impressive student volunteers in each state and the District of Columbia.

Mr. Valentine was nominated by the American Red Cross of Montana in Great Falls, and Pamela was nominated by the Ravalli County 4-H in Hamilton. As State Honorees, each will receive $1,000, an engraved silver medallion and an all-expenses-paid trip in early May to Washington, D.C., where they will join honorees from each of the other states and District of Columbia for several days of national recognition events. Ten of them will be named America's top youth volunteers for 2009 at that time.

As a member of the American Red Cross of Montana and a senior at Bigfork High School, Cheyne helped spearhead a community campaign that collected $4,400 to purchase two heart defibrillators for his school and provide CPR training for coaches, after his best friend suffered a heart attack during football practice and later died. When his friend, Jeff, collapsed on the field, Cheyne discovered that school personnel had neither the training nor equipment to deal with such an emergency. "I am certain that if the coach had been trained in CPR and there had been a defibrillator on the field, the outcome for my friend would have been different," he said. Cheyne began seeking donations to pay for two automatic external defibrillators and training for his school's coaches. He and his mother posted 500 fliers, spoke to hundreds of community members and wrote columns and letters to editors of local newspapers. The defibrillators purchased with the donations from the fundraising drive were presented to Bigfork High School in December, 2008. Meanwhile, Cheyne also has begun working to persuade state legislators to pass a law requiring AEDs at all school athletic events and training for all coaches in Montana. "I have started the ball rolling in this community," said Cheyne, "and it will continue until all schools in Montana make these safety changes."

Ms. Fawns, a member of the Ravalli County 4-H and a seventh grader at Valley Oak Academy High School in Corvallis, creates floral arrangements to promote and raise funds for 4-H and other school projects. " I have always had a joy in creating art with flowers because flower arrangements lighten up your mood and can make people feel happy when they are ill or sad," said Pamela, who comes from a long line of horticulturists. To gain more experience in floral design, Pamela persuaded a local florist to let her work as a volunteer intern. After learning first-hand about selecting, processing and arranging flowers, she started to think about ways she could use her skills to raise money for community projects. Through flower sales, Pamela was able to generate funds for a community meal project and new sports equipment for her school. She also realized how effective flowers are in motivating volunteers, so she began making arrangements for adult volunteers in her community. "I recognized that flowers, unlike other gifts, could really have a brightening effect on people's lives," she said.

In light of numerous statistics indicating Americans today are less involved in their communities than they once were, it is vital that we encourage and support the kind of selfless contributions these young citizens have 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 own communities. Young volunteers like Cheyne and Pamela are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow.

The program that brought these young volunteers to our attention—The Prudential Spirit of Community Awards—was created by Prudential Financial in partnership with the National Association of Secondary School Principals in 1995 to impress upon all youth volunteers that their contributions are critically important and highly valued, and to inspire other young people to follow their example. Over the past 14 years, the program has become the nation's largest youth recognition effort based solely on community service and has honored more than 80,000 young volunteers at the local, state and national level.

Mr. Valentine and Ms. Fawns should be extremely proud to have been singled out from the thousands of dedicated volunteers who participated in this year's program. I heartily applaud both of them for their initiative in seeking to make their communities better places to live. Their actions show that young Americans can—and do—play important roles in our communities.

HONORING JEANNETTE VARELA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to honor Jeannette Varela, a successful entrepreneur with a commitment to her community.

Born in Barranquilla, Colombia, Jeannette was the second of eight children. At the age of eighteen, Jeannette left her home country with just thirty dollars and a limited grasp of English. She came to the United States seeking a new life in the "land of opportunity." Jeannette found work in various jobs to make ends meet, eventually working in the heavy equipment industry in Miami, Florida.

She has a heart for helping others, has been recognized for her philanthropic endeavors and is a respected community leader.

As we celebrate Women's History Month, I ask you to join me in honoring Jeannette Varela.

HOMELESS VETERANS REINTEGRATION PROGRAM REAUTHORIZATION ACT OF 2009

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H.R. 1171, "Homeless Veterans Reintegration Program Reauthorization Act of 2009." I want to thank my colleague Congressman JOHN BOOZMAN of Arkansas for introducing this legislation.

I firmly believe that we should celebrate our veterans after every conflict, and I remain committed, as a Member of Congress, to both

meeting the needs of veterans of previous wars, and to providing a fitting welcome home to those who are now serving. All too many of our veterans are left without the help and support they need to transition from the horrors they bravely face on the front lines of battle to successful civilian life.

H.R. 1171, ''Homeless Veterans Reintegration Program Reauthorization Act of 2009,'' reauthorizes, through FY2014, the Department of Veterans Affairs homeless veterans reintegration programs such as job training, counseling, and placement services to expedite the reintegration of homeless veterans into the labor force. Furthermore, this bill directs the Secretary of Labor to make grants to programs and facilities that provide dedicated services for homeless women veterans and homeless veterans with children, and requires grant funds to be used to provide job training, counseling, placement services, and child care services to expedite the reintegration of such veterans into the labor force.

Veterans are some of America's most valued members of society. These are people who served our Nation in a time of need, people who risked their lives to protect our own. Yet, many of these same veterans who fought so bravely and risked so much in lands far abroad have come back to their Nation and are now homeless. The problem of homeless veterans is far more prevalent than we would like to believe. About one-third of the entire adult homeless population has served their country in the Armed Services. On any given day, as many as 250,000 veterans, both male and female, are living on the streets or in shelters, and perhaps twice as many experience homelessness at some point during the course of a year. There are approximately 16,000 homeless veterans spread across the state of Texas.

Many other veterans are considered near homeless or at risk because of their poverty, lack of support from family and friends, and dismal living conditions in cheap hotels or in overcrowded or substandard housing.

This legislation is necessary not only because this problem is so devastating and prevalent, but also because homeless veterans have special needs that are unique from those faced by the rest of the homeless population. Almost all homeless veterans are male, with three percent being female, the vast majority are single, and most come from poor, disadvantaged backgrounds. Homeless veterans tend to be older and more educated than homeless non-veterans. But similar to the general population of homeless adult males, about 45% of homeless veterans suffer from mental illness and slightly more than 70% suffer from alcohol or other drug abuse problems. Roughly 56% are African American or Hispanic.

Madam Speaker, H.R. 1171 helps to address the homeless veteran population by increasing and extending through FY 2014 the authorization of appropriations for homeless assistance to veterans furnished through the Department of Veterans Affairs. The Homeless Veterans Reintegration Program Reauthorization Act of 2009 gives authority to the Department of Veterans Affairs through FY 2014 to make grants to furnish assistance to homeless veterans through: outreach; rehabilitative services; vocational counseling and training; and transitional housing. I hope we will all take the time to show appreciation to those who have answered the call to duty. As Winston Churchill famously stated, ''Never in the field of human conflict was so much owed by so many to so few.''

I urge my colleagues to support the Homeless Veterans Reintegration Program Reauthorization Act of 2009 because this comprehensive program is needed if we are to fight this scourge that is a blight upon our Nation. Our Nation's veterans did not risk their lives abroad so that they could come home and feel a cold shoulder. We must all have outrage that so many of our Nation's veterans live this way, only then can we find a way to correct this injustice.

COMMEMORATING THE LIFE AND LEGACY OF PEDRO ZAMORA, WORLD RENOWNED HIV/AIDS EDUCATOR AND ACTIVIST

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a resolution that pays tribute to Pedro Zamora, a world renowned educator and activist who moved millions to confront their fears and misconceptions about HIV/AIDS and the Lesbian, Gay, Bisexual, and Transgender (LGBT) community.

Pedro Pablo Zamora y Díaz was born on February 29, 1972, in the outskirts of Havana, Cuba, the eighth and youngest child of a tight-knit family. Like countless others, the Zamora family left Cuba's shores for a better life. And on May 30, 1980, Pedro, his brother, sister, and parents boarded a crowded boat and began the 25-hour treacherous voyage to Hialeah, Florida, a suburb of Miami. Pedro was eight years old.

Five years later, tragedy struck the Zamora family when Pedro lost his beloved mother to skin cancer. The precocious teenager responded by immersing himself in academics and extracurricular activities, becoming an honor student, president of the science club and captain of the cross-country team, and was voted ''most intellectual'' and ''most all around'' by his peers.

However, it was Pedro's actions outside of school which changed the course of his life. Struggling with being gay and seeking to fill the void that was created by his mother's death, the 14-year-old honor student began having unprotected sex with multiple men.

Unbeknown to Pedro, the first Surgeon General's report on HIV/AIDS was issued around the same time. At the height of the Reagan era and the ''War on Drugs'' another war was being waged against a new disease that was killing an alarming number of people in the gay community and beyond.

Ironically, the Surgeon General's report stated that comprehensive sex education was the most powerful weapon against HIV/AIDS and should begin at the lowest grade possible. The report also mentioned the importance of teaching children about healthy heterosexual and homosexual relationships, and acknowledged that HIV/AIDS had a disproportionate effect among Latinos and blacks.

And yet, this lifesaving message failed to trickle down into many classrooms across the country. The sex education that Pedro Zamora received within his Miami school stigmatized HIV/AIDS, portrayed homosexuality as shameful, and failed to provide him and other students with a relevant, factual and thorough understanding of HIV/AIDS.

On November 9, 1989, Pedro Zamora received confirmation that he had contracted the HIV virus. He was 17 years old.

Refusing to let the devastating news damper his spirit, Zamora joined a Miami-based HIV/AIDS resource center called Body Positive, where he met others who were living with HIV/AIDS. A new desire to educate others about AIDS was ignited, and Pedro decided to devote his talents as a thinker and communicator to a career in AIDS education.

Pedro began raising awareness about HIV/AIDS within the Latino community in South Florida. He lectured at schools from the primary to collegial level, churches, community centers, and other venues around the country. He spoke about the need for evidence-based education for preventing and managing HIV/AIDS, forming healthy relationships, de-stigmatizing HIV/AIDS and combating homophobia.

In mid-1993, Pedro Zamora sent his audition tape to the producers of MTV's television reality series The Real World. Out of more than 25,000 applicants, he was chosen to live in front of the camera along with six other cast-mates in San Francisco for over four months.

In the following year, Zamora made history on The Real World as one of the first openly gay men living with HIV/AIDS featured on a television series in the United States. Pedro's activism, charisma, struggles with HIV/AIDS and relationships were captured on film—including a blossoming romance with Sean Sasser, another man of color living with HIV/AIDS. In another historical first, the two pledged their love to each other in a commitment ceremony on the show.

Soon, Pedro's story and efforts received national attention from The Wall Street Journal, Geraldo, and Oprah Winfrey. But, Pedro had his sights set on Washington, D.C. In 1993, Zamora spoke about living with AIDS as a gay man of color at a Capitol Hill reception, and in 1994, he testified during a Congressional hearing on HIV/AIDS prevention. In the following months, President Bill Clinton and Secretary of Health and Human Services Donna Shalala personally recognized and thanked Pedro Zamora for his leadership and work on the AIDS Action Council Board and for humanizing and personalizing those living with HIV/AIDS.

However, this gifted and courageous young man, like many others, was uninsured. And his lack of insurance proved to be as deadly as the virus that was plaguing his body. In August 1994, Pedro Zamora checked into St. Vincent's Hospital in New York City and was diagnosed with a rare and fatal viral inflammation of the brain resulting from a severely suppressed immune system. At the age of 22, Pedro was told that he had three to four months to live.

On November 11, 1994, Pedro Zamora died in the company of his family, partner Sean, and friends. He was buried two days later in Miami Lakes, Florida. Numerous memorial funds and fellowships have been established in Pedro's memory, and in 2008, a film that dramatized his life and legacy was completed.

Madam Speaker, 15 years after Pedro's death, HIV/AIDS has become one of the most

serious global health concerns in modern history and has spread to every continent, infecting and affecting people across the lines of race, class, religion, and sexual orientation. Sadly, a quarter of HIV/AIDS infected persons are unaware of their status and less than 30% of HIV-infected persons receive anti-retroviral treatment. Latinos and blacks are still disproportionately contracting and dying from AIDS. My home state of Florida has consistently ranked third in the nation in the number of cases of HIV/AIDS. And, the majority of infected persons reside in South Florida, which also has the highest concentration of uninsured people in the state.

In the absence of a cure, prevention, education, and antiretroviral drugs still remain our best weapons against HIV/AIDS. Culturally competent and age appropriate education about sex, sexually transmitted infections (STI), and treatment and prevention options must be available in our nation's schools, prisons and communities. And, the de-stigmatization of HIV/AIDS, sexual behavior, and sexuality remain no less important today than it was a decade and a half ago.

During his testimony before Congress, 22-year-old Pedro Zamora said, "What we need is the collective will to care about young people and about people with different backgrounds and make sure that one day people grow up in a world without AIDS." His words are timeless, and challenge us to be diligent in our efforts to stop HIV/AIDS, and the disease of intolerance in this country. I urge my colleagues to support this resolution commemorating the life, sacrifices, and grace of a remarkable man and teacher who has left an enduring memory and legacy that will inspire generations to come.

WOMEN ARE IMPORTANT TO OUR ECONOMIC RECOVERY

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. CARNAHAN. Madam Speaker, today, as Women's History Month comes to a close it is a good time to reflect on the many accomplishments women have been part of and to address what needs to be done further to fully carry out equality for all and get our economy back on track.

As we experience the most serious economic crisis since the Great Depression we will need the leadership of all Americans including strong leaders like Speaker NANCY PELOSI who was the first woman chosen as Speaker by her colleagues and Secretary of State Hillary Clinton who ran an historic campaign for the presidency. Both who have broken and shattered the glass ceiling have demonstrated remarkable accomplishment the nation can be confident in during these tough times.

This nation has faced multiple challenges that we have faced with the help of strong women. And today many women face challenges of succeeding in the workplace, caring for their family including their aging parents. I am proud of the work this Congress has done in a short amount of time for American working women.

It is telling that President Barack Obama's first bill signed into law was the Lilly Ledbetter Fair Pay Act that reverses a Supreme Court ruling that made it more difficult for Americans to pursue pay discrimination claims. At a time when too many workers are seeing their jobs and wages slashed, we've got to make sure that all Americans are paid fairly for their hard work.

Congress has also passed significant tax cuts for working women and major investments in health care. To help get us out of this economic mess we also created thousands of jobs where women have new opportunities including contracting opportunities and the availability of small business loans.

Speaker PELOSI said it best: "Women want what men want: an equal opportunity to succeed, a safe and prosperous America, good paying jobs, better access to affordable health care, and the best possible education for our children."

President Obama and this Congress have made progress with all those issues in the American Recovery and Reinvestment Act and will continue to build upon those accomplishments with the passage of the President's budget blueprint, which makes investments in health care, energy and education—all intended to create jobs.

EARMARK DECLARATION

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. BUYER. Madam Speaker, consistent with the Republican Leadership's policy on earmarks, I hereby certify that my Substitute Amendment to H.R. 1256 does not contain any earmarks.

BEST BUDDIES EMPOWERMENT FOR PEOPLE WITH INTELLECTUAL DISABILITIES ACT OF 2009

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. HOYER. Madam Speaker, I am proud to introduce this bill supporting Best Buddies, an organization dedicated to the social integration of children and adults with intellectual disabilities. Founded in 1989 by Anthony Kennedy Shriver, Best Buddies is the first social and recreational program of its kind in the United States; it has already reached hundreds of thousands of Americans, both with and without disabilities, a total that is set to reach half a million by 2010. Best Buddies fosters and supports friendships and mentorships between participants from kindergarteners to adult professionals, sponsoring more than one thousand volunteer-led chapters at schools and workplaces. Not only do volunteers gain valuable leadership training—they learn first-hand about the important contributions made by their fellow-citizens with intellectual disabilities. And participants with disabilities learn that they are valuable members of our communities, capable of forming a wide range of real and lasting friendships.

This legislation authorizes a total of $10 million for grants, contracts, or cooperative agreements to be distributed to Best Buddies by the Department of Education in Fiscal Year 2010, along with such sums as may be necessary for each of the four succeeding fiscal years. These funds will enable this important organization to reach hundreds of thousands more potential volunteers and participants, promoting the crucial values of shared participation in community and social equality. I want to thank Congressman BLUNT for co-sponsoring this bill, and I urge my colleagues to pass it as soon as possible.

HONORING CELIA CRUZ

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to honor the life and work of Celia Cruz, an icon of Latin culture and Cuban music. Despite her passing in 2003, Celia's contributions continue to shape music and inspire others. She lives on as one of the most successful Cuban performers of the 20th century.

Known around the world as the Queen of Salsa, Celia Cruz dedicated her life to music and the arts. Her 50 year career included 70 albums, countless gold and platinum records, hundreds of awards from prestigious institutions worldwide and three Grammy Awards and four Latin Grammy Awards.

Born in Havana, Cuba, she enrolled in the National Music Conservatory at a young age and studied musical theory, voice and piano. In the 1950s she joined the legendary group La Sonora Matancera and wrote many songs that have come to define Afrocuban music. In 1960 she left Cuba in search of freedom and in 1961 came to the U.S. By then she was recognized worldwide and the Salsa phenomenon soon spread across the U.S. and Europe.

In 1987, Celia Cruz was given a star in the Hollywood Walk of Fame, and years later Miami's famed "Calle Ocho" was named "Celia Cruz Way." Among other honors, including Lifetime Achievement Awards, Celia was invited to the White House in 1994 by President Bill Clinton and awarded the National Medal of the Arts, the highest honor our country bestows upon an artist. Most recently, her life and work were featured in ¡Azucar! The Life and Music of Celia Cruz, an exhibit at the Smithsonian's National Museum of American History in D.C.

Celia Cruz is remembered for many things, including her distinct voice and unique style, but her trademark remains the popular word she often chanted: Azucar, Spanish for sugar. Celia added sugar, spice and Latin flare to everything she did in life and never failed to surprise her audience. Despite her many professional accomplishments, many consider her marriage to lifelong partner and husband, Pedro Knight, her biggest success.

Celia Cruz's death on July 16, 2003 brought to an end a life filled with a love for art, culture and music, but her legacy lives on each time her music is played. She has undoubtedly left a footprint on Latin music and her influence will forever be felt through the work of artists around the world. As we celebrate Women's History Month, I ask you to join me in honoring the life, work and music of Celia Cruz,

our Queen of Salsa, so that her legacy may live on for generations to come.

BUD SHUSTER PROMOTES WELLNESS

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, our former colleague, Bud Shuster has taken on a new challenge to promote wellness through his central Pennsylvania region. As a trustee at Saint Francis University in Loretto, PA, he's spearheading the creation of Community Wellness Fairs through the exciting new DiSepio Institute for Rural Health and Wellness located at the university.

The extraordinary story of Bud's survival and recovery from a broken neck and other injuries suffered in a car crash several years ago recently appeared in the Altoona Mirror, and I'm pleased to insert it into the RECORD:

RUN FOR YOUR LIFE

(By Congressman Bud Shuster, M.C. (Ret.))

Twenty-seven years ago on my way to a Rotary speech in Altoona a speeding car swerved around the bend on a rain-slicked road and smashed head-on into our car where I was a front seat passenger. The crash broke my neck and six ribs. The neurosurgeon who put me back together said I was less than a millimeter away from being a paraplegic. If I had not been wearing my seatbelt I would have been killed.

He also said if I had not been in shape through my daily running and weightlifting regimen, I might not have survived the multiple, lengthy, and delicate surgeries required.

But within a year I was back running and working out, and now in my seventies, I'm still feeling great, running and working out every day.

So it's probably no surprise that I'm thrilled to participate in a wonderful new opportunity that is being created to promote our health and well-being right here in our region.

The DiSepio Institute for Rural Health and Wellness will be formally dedicated next month at Saint Francis University in Loretto, Pa. as part of the university's Health Sciences Program thanks to the generosity of Joseph and Marguerite DiSepio, with whom I have the privilege of serving on the Board of Trustees.

The multi-million dollar institute, designed by the architectural firm of Celli-Flynn Brennan, and being built by Leonard S. Fiore, Inc., is dedicated to improving medical technology and wellness opportunities, not only on campus, but also throughout the region and across America. It includes a world-class fitness center for training, teaching and research, as well as human performance, cardiovascular-metabolic, and kinesiology/biomechanical labs. A Faculty-Student Practice in health and behavioral sciences, along with a conference center and spiritual wellness center also are included. In short, it will be a premier facility of its kind in America.

The challenge now is to capitalize on this wonderful endeavor by carrying its message to promote a healthy lifestyle throughout the communities of our region.

So, the university in cooperation with private funding is creating ''The Bud Shuster Run For Your Life Program'' to which I have happily agreed to lend my name and effort.

The purpose will be to take the program into our communities, our schools, service clubs, senior centers, health facilities and other organizations to promote wellness through gatherings and events including running, jogging, walking and other fitness challenges, coupled with health screenings such as blood pressure, asthma, body fat, posture, etc.

But a fitness program is only half the wellness story. Dr. Kenneth Cooper, considered the father of aerobics, writes that no amount of exercising can make up for bad nutrition or obesity. A cholesterol reading of 240 triples your odds of having a heart attack compared to a reading below 200, and a systolic blood pressure of 160 quadruples the chance of a heart attack compared with one below 120. At his Cooper Clinic in Dallas, Texas, he focuses on a lifetime ''Positive Eating Plan'' or PEP. There's nothing fancy about it, and the Saint Francis Wellness Program pretty much follows it: limiting animal fats, sugar, alcohol, and paying attention to calories. It's taken me half a lifetime to find, through trial and error, a PEP plan that works for me, and hopefully the Saint Francis Wellness Program can work for you.

We're delighted that the Hollidaysburg Area YMCA, under the leadership of Tom Kopriva, has agreed to team-up with us for the inaugural Community Wellness Fair on Saturday, April 25th at the Hollidaysburg Y.

Starting with the race at 8 AM, it will be a fun-filled day to promote healthy kids and families. Professionals from the university's DiSepio Institute for Rural Health and Wellness will be providing health screenings and sessions including healthy eating, sports injury prevention and physical activity recommendations. A healthy Kids Day will include sports activities led by the university's football, basketball and soccer teams.

I'm thrilled to provide a friendly challenge to young and old alike—to join me on Saturday, April 25th, in running or walking and participating in this exciting Community Wellness Fair. There will be prizes for everyone. But the best prize will be a long and healthy life.

HONORING REMEDIOS DIAZ-OLIVER

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to honor a true professional, entrepreneur and a woman who has broken barriers in the business world as the only female Floridian to sit on the Board of Directors of three Fortune 500 companies simultaneously, Remedios Diaz-Oliver.

After leaving Cuba in 1961 seeking freedom, Remedios started a new life in the U.S. working during the day and attending school at night. She dedicated her career to learning the business of importing, exporting and trade and later went on to open her own business. In 1991, she founded All American Containers, Inc., a company she built from the ground up. Today she is President and CEO, oversees 167 employees and sales of up to $105 million, and takes on full administrative and financial responsibilities. Her lifelong partner and husband Fausto Diaz-Oliver stands by her side and serves as COO. Her son, daughter and granddaughter also work in the business.

Remedios has made All American Containers, Inc., a leading supplier of glass, plastic and metal containers with operations in Miami, Tampa, Atlanta, Dallas, Puerto Rico and Mexico and a network spanning across the globe to Central and South America, the Caribbean, Europe, Asia, Africa, Australia and New Zealand. Her clients include companies such as McCormick, Schering, Pepsi Cola, Coca Cola and Seven-Up.

She is a pioneer in the packaging industry and has served on the Board of Directors for Avon Products, Inc. and Barnett Bank (Bank of America). Prior to starting her own business, she was President of the Association of Exporters, Freight Forwarders and Manufacturers of Greater Miami and of Emmer Importing & Exporting, Inc. She has also been a member of the National Advisory Council of the Small Business Administration and the National Hispanic Leadership Agenda. In 1988 she was appointed as a member of the Advisory Board for Trade Policy, Negotiations and International Policy for the President of the United States and again in 1992.

Remedios keeps strong ties to the community she serves and her civic involvements include the Round Table, the Cuban Liberty Council, the United Way and the Public Health Trust.

As we celebrate Women's History Month, I ask that you to join me in congratulating Remedios Diaz-Oliver, an exceptional business woman, wife, mother and friend who is proof that in America anything is possible. Many say it's a man's world, but in the words of Remedios herself ''it was a man's world.''

NATIONAL PAIN CARE POLICY ACT OF 2009

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 756, the ''National Pain Care Policy Act of 2009.'' I would like to thank Congresswoman LOIS CAPPS from California for this important health care legislation.

BACKGROUND

This legislation requires the Secretary of Health and Human Services to seek an agreement with the Institute of Medicine to convene a Conference on Pain that:

(1) Increases the recognition of pain as a significant public health problem in the United States;

(2) Evaluates the adequacy of assessment, diagnosis, treatment, and management of acute and chronic pain;

(3) Identifies barriers to appropriate pain care; and

(4) Establishes an agenda to reduce such barriers and significantly improve the state of pain care research, education, and clinical care in the United States by allowing the Secretary to enter into an agreement with another appropriate entity if the Institute of Medicine declines.

This legislation will also amend the Public Health Service Act to require the Director of the National Institutes of Health (NIH) to continue and expand, through the Pain Consortium, an aggressive program of basic and clinical research on the causes of and potential treatments for pain.

The Secretary will be required to establish the Interagency Pain Research Coordinating Committee to:

(1) Develop a summary of advances in federal pain care research relevant to the diagnosis, prevention, and treatment of pain and diseases and disorders associated with pain; and

(2) Identify critical gaps in basic and clinical research on the symptoms and causes of pain.

Most importantly, it allows the Secretary to provide for education and training to health care professionals in pain care including the requirement to establish and implement a national pain care education outreach and awareness campaign to educate consumers, patients, their families, and other caregivers.

GENERAL

The American Pain Foundation provides its members and the public with several tips to dealing with pain relief, they advise pain sufferers to be active in their pain management.

Sufferers should not be afraid to speak up. Only you know the extent of your pain and how it affects your quality of life.

Knowledge is power. There are a variety of drug and non-drug therapies (e.g., physical therapy, yoga, meditation) available to effectively control pain; these are typically used in combination. People need to ask their healthcare providers about ways to relax and cope with pain.

Tell your provider what over-the-counter medications, vitamins and supplements you take, at what dose and how often. Also let him or her know about other personal health habits (e.g., smoking tobacco, alcohol use), which can interfere with some pain treatments and increase pain levels.

Write down questions you have before each appointment, and tell your provider(s) if there is something you don't understand and bring a relative or friend to the appointments for support.

It is often the little things that make all the difference in pain management. I urge my colleagues to remember that everyday persistent pain can interfere with people's enjoyment of life. It can make it hard to sleep, work, socialize with friends and family and accomplish everyday tasks. When your ability to function is limited, you may become less productive. People find themselves avoiding hobbies and other activities that normally bring them happiness in order to prevent further injury or pain. Ongoing pain can cause you to lose your appetite, feel weak and depressed. This legislation provides more resources to manage their pain and reclaim their life.

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

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, I stand in support of our veterans and in support of H.R. 1513, the Veterans' Compensation Cost-of-Living Adjustment Act by my colleague from Arizona, Representative ANN KIRKPATRICK, and the Members of the Veterans' Affairs Committee.

Congress annually reviews veterans' service-related disability compensation, and other compensation programs for surviving spouses and dependent children to ensure that such benefits provide reasonable and adequate compensation. This year, the Department of Veterans Affairs estimates that it will provide disability compensation to just over three million veterans with service-related disabilities.

Importantly, H.R. 1513 would increase the amounts paid to veterans for disability compensation and to their survivors for dependency and other compensation by the same cost-of-living adjustment payable to Social Security recipients. The increase would take effect on December 1, 2009.

We, as Members of Congress, must stand together to support our veterans and their families. Our nation has a proud legacy of appreciation and commitment to the men and women who have worn the uniform in defense of our country. We must be united in seeing that every soldier, sailor, airman, and marine is welcomed back with all the care and compassion this grateful nation can bestow to them and to their supportive families.

I firmly believe that we should celebrate our veterans after every conflict, and I remain committed, as a Member of Congress, to both more than 32,000 veterans living in my Congressional district alone. I hope we will all take the time to show appreciation to those who have answered the call to duty. As the former British Prime Minister Winston Churchill famously stated, "Never in the field of human conflict was so much owed by so many to so few."

Madam Speaker, I encourage my colleagues to join me in supporting our troops of yesteryear and of today, as well as their families, by providing for this cost-of-living increase.

EXPANDING VETERAN ELIGIBILITY FOR REIMBURSEMENT IN NON-VA FACILITIES

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, I stand in support of our veterans and in support of H.R. 1377, to amend title 38, United States Code, to expand veteran eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-department facility and for other purposes by my colleague from California, Representative BOB FILNER and the Members of the Veterans' Affairs Committee.

H.R. 1377 would require the Department of Veterans Affairs to pay for emergency care that certain veterans receive at non-VA medical facilities or to reimburse veterans if they have paid for that care. Specifically, veterans with non-service-connected conditions whose third-party insurer does not cover the full cost of care would be reimbursed.

The bill also permits the VA to reimburse veterans for emergency treatment that was provided prior to the date of enactment. Under current federal law, the Department of Veterans Affairs has the authority to reimburse certain veterans or pay for emergency treatment of a non-service connected condition if the VA is the payer of last resort. However, the VA currently does not pay for emergency treatment for non-service connected conditions in facilities outside the VA system if a veteran has third-party insurance that pays for any portion of the medical cost. H.R. 1377 would make these veterans eligible for reimbursements from the VA.

I have been a strong advocate of supporting our veterans. We are providing for our veterans with legislation such as:

H. Res. 234—which would designate a "Welcome Home Vietnam Veterans Day."

H. Res. 1054—Honoring the service and achievements of women in the Armed Forces and female veterans (Rep. DAVIS (CA)—Armed Services).

H.R. 2790—To establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for Health as amended (Rep. HARE—Veterans' Affairs).

H.R. 3889—To require the Secretary of Veterans Affairs to conduct a longitudinal study of the vocational rehabilitation programs administered by the Secretary (Rep. BOOZMAN—Veterans' Affairs).

H.R. 5554—Veterans Substance Use Disorders Prevention and Treatment Act of 2008 (Rep. MICHAUD—Veterans' Affairs)—Passed.

H.R. 5664—To direct the Secretary of Veterans Affairs to update at least once every six years the plans and specifications for specially adapted housing furnished to veterans by the Secretary (Rep. RODRIGUEZ—Veterans' Affairs).

Currently, there are over 25 million veterans in the United States. There are more than 1,633,000 veterans living in Texas. According to the Texas Veterans Commission, there are 197,030 veterans in Harris County. In the 2007 fiscal year health care costs in the 18th district of Texas were over $80,000.

Madam Speaker, I encourage my colleagues to join me in expanding Title 38 for reimbursement of emergency care in non-department facilities for veterans.

SUPPORTING COLORECTAL CANCER AWARENESS

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Con. Res. 60, supporting the observance of Colorectal Cancer Awareness Month. I want to thank my colleague from Texas, Representative KAY GRANGER.

This important legislation recognizes the devastating effects of colorectal cancer, which kills 49,960 Americans each year, and raises awareness regarding the realities and severities of this disease.

Colorectal cancer includes both colon and rectal cancer and is the second most common cause of cancer deaths for both men and women within the United States. This form of cancer does not discriminate between men and women, race and ethnicity, while the rates of diagnoses are slightly higher among the African America community.

The survival rate of those who have colorectal cancer is 90 percent when detected in its early stages while that rate dramatically drops to only 10 percent when colorectal cancer is detected after it has spread to distant organs. However, colorectal cancer is very preventable. If Americans age 50 or older were screened regularly for colorectal cancer, the rate of those affected by the cancer will be cut tremendously.

It is not surprising to note that uninsured Americans are more likely to be diagnosed with late stage colon cancer. Only 18.8 percent of Americans without health coverage in the United States have currently been properly screened for colorectal cancer.

Regular colorectal cancer screening makes economic sense because it has been ranked as one of the most cost effective screening interventions available, with the potential to save more than 30,000 lives a year. Treatment costs for colorectal cancer are extremely high and are estimated at $8,400,000,000 for 2004. Although the treatment costs for colorectal cancer is high the risks associated with non-treatment are even higher.

Colorectal cancer awareness is important year round, but should definitely be emphasized during the month of March. The potential deadly effects of colorectal cancer should encourage Americans from all walks of life to be tested and treated by their doctors. Colorectal cancer is the third most common form of cancer and the second leading cause of cancer-related death in the Western world. Colorectal cancer causes 655,000 deaths worldwide per year. This month should also raise public awareness for the need of colorectal cancer testing for those Americans who are unable to afford such testing. It is imperative that Congress find a way to ensure every American at risk is tested and treated in the early stages to prevent an even higher death rate. March is an important month and should be recognized by all Americans to focus on the special opportunity to offer education on the importance of early detection and screening.

Today, I support the observance of March as Colorectal Cancer Awareness Month. For these reasons, I strongly support H. Con. Res. 60 and urge all members to do the same.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4009–S4109

Measures Introduced: Fourteen bills and six resolutions were introduced, as follows: S. 744–757, S. Res. 92–96, and S. Con. Res. 15. **Pages S4062–63**

Measures Reported:

Special Report entitled "Report on the Activities of the Committee on the Judiciary of the United States Senate During the 110th Congress, Pursuant to Rule XXVI of the Standing Rules of the United States Senate". (S. Rept. No. 111–11)

Special Report entitled "Legislative Activities Report". (S. Rept. No. 111–12)

Special Report entitled "Report on the Activities of the Committee on Finance of the United States Senate During the 110th Congress, Pursuant to Rule XXVI of the Standing Rules of the United States Senate". (S. Rept. No. 111–13)

S. Res. 9, commemorating 90 years of U.S.-Polish diplomatic relations, during which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world.

S. Res. 20, celebrating the 60th anniversary of the North Atlantic Treaty Organization.

S. Res. 56, urging the Government of Moldova to ensure a fair and democratic election process for the parliamentary elections on April 5, 2009.

S. Res. 90, expressing the sense of the Senate regarding the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago, April 17, 18, and 19, 2009. **Page S4061**

Measures Passed:

National Auctioneers Day: Committee on the Judiciary was discharged from further consideration of S. Res. 86, designating April 18, 2009, as "National Auctioneers Day", and the resolution was then agreed to. **Page S4104**

Financial Literacy Month: Senate agreed to S. Res. 94, designating April 2009 as "Financial Literacy Month". **Pages S4104–05**

Congratulating the University of Iowa Men's Wrestling Team: Senate agreed to S. Res. 95, congratulating the University of Iowa men's wrestling team for winning the 2009 National Collegiate Athletic Association Division I Wrestling Championship. **Pages S4105–06**

Congratulating the Morningside College Women's Basketball Team: Senate agreed to S. Res. 96, congratulating the Morningside College women's basketball team for winning the 2009 National Association of Intercollegiate Athletics (NAIA) Division II championship. **Page S4106**

Measures Considered:

Budget Resolution—Agreement: Senate continued consideration of S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014, taking action on the following amendments proposed thereto: **Pages S4009–55**

Adopted:

By 54 yeas to 43 nays (Vote No. 116), Boxer Amendment No. 749, to require that certain legislation relating to clean energy technologies not increase electricity or gasoline prices or increase the overall burden on consumers. **Pages S4017–26, S4029**

By 89 yeas to 8 nays (Vote No. 117), Thune Amendment No. 731, to amend the deficit-neutral reserve fund for climate change legislation to require that such legislation does not increase electricity or gasoline prices. **Pages S4026–30**

Rejected:

By 43 yeas to 54 nays (Vote No. 118), Gregg Amendment No. 739, to prohibit the consideration of any budget resolution, or amendment thereto, or conference report thereon, that shows an increase in the public debt, for the period of the current fiscal year through the next 10 years, equal to or greater than the debt accumulated from 1789 to January, 20, 2009. **Pages S4013–17, S4030**

Pending:

Johanns Amendment No. 735, to prohibit the use of reconciliation in the Senate for climate change legislation involving a cap and trade system.

Page S4009

Lieberman Amendment No. 763, to protect the American people from potential spillover violence from Mexico by providing $550 million in additional funding for the Department of Homeland Security and the Department of Justice and supporting the Administration's efforts to combat drug, gun, and cash smuggling by the cartels, by providing: $260 million for Customs and Border Protection to hire, train, equip, and deploy additional officers and canines and conduct exit inspections for weapons and cash; $130 million for Immigration and Customs Enforcement to hire, train, equip and deploy additional investigators; $50 million to Alcohol, Tobacco, Firearms, and Explosives to hire, train, equip, and deploy additional agents and inspectors; $20 million for the Human Smuggling and Trafficking Center; $10 million for the Office of International Affairs and the Management Directorate at DHS for oversight of the Merida Initiative; $30 million for Operation Stonegarden; $10 million to the Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas program, to support state and local law enforcement participation in the HIDTA program along the southern border; $20 million to DHS for tactical radio communications; and $20 million for upgrading the Traveler Enforcement Communications System. **Pages S4030–33**

Alexander Amendment No. 747, to create runaway debt point of order against consideration of a budget resolution that projects the ratio of public debt to GDP for any fiscal year in excess of 90% to ensure the continued viability of US dollar and prevent doubling or tripling the debt burden on future generations. **Pages S4033–37**

Sessions Amendment No. 772, to restore the budget discipline of the Federal Government by freezing nondefense discretionary spending for fiscal years 2010 and 2011, and limiting the growth of nondefense discretionary spending to one percent annually for fiscal years 2012, 2013, and 2014. **Pages S4037–55**

A unanimous-consent agreement was reached providing that the order of Monday, March 31, 2009, with respect to Senator Conrad, or his designee, to offer a side-by-side to Amendment No. 735 (listed above), remain in effect. **Page S4037**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 10:00 a.m., on Wednesday, April 1, 2009, and that the statutory time remaining be 20 hours, with each side controlling 10 hours; provided further, that for the duration of the debate, all time during quorum calls be charged equally to both sides. **Page S4106**

Nominations Received: Senate received the following nominations:

Ines R. Triay, of New Mexico, to be an Assistant Secretary of Energy (Environmental Management).

Lawrence E. Strickling, of Illinois, to be Assistant Secretary of Commerce for Communications and Information.

Hilary Chandler Tompkins, of New Mexico, to be Solicitor of the Department of the Interior.

Thomas E. Perez, of Maryland, to be an Assistant Attorney General. **Page S4109**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Jonathan Z. Cannon, of Virginia, to be Deputy Administrator of the Environmental Protection Agency, which was sent to the Senate on March 11, 2009. **Page S4109**

Messages from the House: **Page S4060**

Measures Referred: **Page S4060**

Executive Communications: **Pages S4060–61**

Executive Reports of Committees: **Pages S4061–62**

Additional Cosponsors: **Pages S4063–65**

Statements on Introduced Bills/Resolutions: **Pages S4065–87**

Additional Statements: **Pages S4058–60**

Amendments Submitted: **Pages S4087–S4103**

Authorities for Committees to Meet: **Pages S4103–04**

Privileges of the Floor: **Page S4104**

Record Votes: Three record votes were taken today. (Total—118) **Pages S4029, S4030**

Adjournment: Senate convened at 10 a.m. and adjourned at 8:47 p.m., until 10 a.m. on Wednesday, April 1, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4106.)

Committee Meetings

(Committees not listed did not meet)

FEDERAL SCHOOL MEAL PROGRAMS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine Federal school meal programs, focusing on nutrition for kids in schools, after receiving testimony from Pat Cooper, Early Childhood and Family Learning Foundation, New Orleans, Louisiana; Nancy Huehnergarth, New York State Healthy Eating and Physical Activity Alliance, Chappaqua; Byron V. Garrett, National Parent Teacher Association, Chicago, Illinois; Reginald M. Felton, National School Boards Association, Alexandria, Virginia; Karen Ehrens, North Dakota Dietetic Association, Bismarck, on behalf of the

American Dietetic Association; Miriam Erickson Brown, Anderson Dairy Company, Des Moines, Iowa; Hank Izzo, Mars, Snackfood US, Hackettstown, New Jersey; and Susan K. Neely, American Beverage Association, Washington, D.C.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported S. 414, to amend the Consumer Credit Protection Act, to ban abusive credit practices, enhance consumer disclosures, protect underage consumers, with amendments.

LESSONS FROM THE NEW DEAL

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy concluded a hearing to examine lessons from the New Deal, after receiving testimony from Christina D. Romer, Chair, President's Council of Economic Advisers; James K. Galbraith, University of Texas at Austin Lyndon B. Johnson School of Public Affairs; J. Bradford DeLong, University of California Berkeley; Allan M. Winkler, Miami University, Oxford, Ohio; and Lee E. Ohanian, University of California Los Angeles Ettinger Family Program in Macroeconomic Research.

HEALTH INSURANCE INDUSTRY PRACTICES

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine health insurance industry practices, after receiving testimony from Stephen J. Hemsley, UnitedHealth Group, Washington, D.C.; and Andy Slavitt, Ingenix, Eden Prairie, Minnesota.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nomination of Thomas L. Strickland, of Colorado, to be Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior.

PROMOTING WATER USE EFFICIENCY

Committee on Environment and Public Works: Subcommittee on Water and Wildlife concluded a hearing to examine Environmental Protection Agency's role in promoting water use efficiency, after receiving testimony from Michael Shapiro, Acting Assistant Administrator, Office of Water, Environmental Protection Agency; Martha Davis, Inland Empire Utilities Agency, Chino, California; Mary Ann Dickinson, Alliance for Water Efficiency, Chicago, Illinois; Mark A. Shannon, University of Illinois at Urbana-Champaign Center of Advanced Materials for the Purification of Water with Systems, Urbana; and G. Tracy Mehan, III, Cadmus Group, Inc., Arlington, Virginia.

TARP OVERSIGHT

Committee on Finance: Committee concluded an oversight hearing to examine a six month update on the Troubled Asset Relief Program (TARP), after receiving testimony from Neil Barofsky, Special Inspector General, Troubled Asset Relief Program Department of the Treasury; Gene L. Dodaro, Acting Comptroller General, Government Accountability Office; and Elizabeth Warren, Chair, Congressional Oversight Panel.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 384, to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, with an amendment;

S. 705, to reauthorize the programs of the Overseas Private Investment Corporation;

S. Res. 90, expressing the sense of the Senate regarding the Fifth Summit of the Americas in Port of Spain, Trinidad and Tobago, from April 17–19, 2009;

S. Con. Res. 11, condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, with an amendment;

S. Res. 9, commemorating 90 years of U.S.-Polish diplomatic relations, during which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world;

S. Res. 20, celebrating the 60th anniversary of the North Atlantic Treaty Organization;

S. Res. 56, urging the Government of Moldova to ensure a fair and democratic election process for the parliamentary elections on April 5, 2009; and

The nominations of Timothy F. Geithner, of New York, to be United States Governor of the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the African Development Bank, the Asian Development Bank, the African Development Fund, and the European Bank for Reconstruction and Development; and Esther Brimmer, of the District of Columbia, to be Assistant Secretary for International Organization Affairs, Karl Winfrid Eikenberry, of Florida, to be Ambassador to the Islamic Republic of Afghanistan, Philip H. Gordon, of the District of Columbia, to be Assistant Secretary for European and Eurasian Affairs, Rose Eilene

Gottemoeller, of Virginia, to be Assistant Secretary for Verification and Compliance, Christopher R. Hill, of Rhode Island, to be Ambassador to the Republic of Iraq, Richard Rahul Verma, of Maryland, to be Assistant Secretary for Legislative Affairs, and Melanne Verveer, of the District of Columbia, to be Ambassador at Large for Women's Global Issues, all of the Department of State.

RETURN AND RESETTLEMENT OF DISPLACED IRAQIS

Committee on Foreign Relations: Subcommittee on Near Eastern and South and Central Asian Affairs concluded a hearing to examine the return and resettlement of displaced Iraqis, after receiving testimony from Ellen Laipson, The Stimson Center, and Nancy A. Aossey, International Medical Corps, both of Washington, D.C.; and Nabil Al-Tikriti, University of Mary Washington, Fredericksburg, Virginia.

D.C. OFFICE OF THE CHIEF FINANCIAL OFFICER

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the Office of the Chief Financial Officer, focusing on the progress it has made since the financial crisis of the 1990s, the financial management challenges in the years ahead, and the steps that are being taken to address those challenges, after receiving testimony from Natwar M. Gandhi, Chief Financial Officer, and Charles J. Willoughby, Inspector General, both of the Government of the District of Columbia, Washington, D.C.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nomination of Kathleen Sebelius, of Kansas, to be Secretary of Health and Human Services, after the nominee, who was introduced by former Senator Robert J. Dole and Senator Roberts, testified and answered questions in her own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 1803–1832; and 9 resolutions, H.J. Res. 42; H. Con. Res. 90; and H. Res. 302–304, 308–311 were introduced. **Pages H4249–51**

Additional Cosponsors: **Pages H4251–52**

Reports Filed: Reports were filed today as follows:

H. Res. 303, dismissing the election contest relating to the office of Representative from the First Congressional District of Hawaii (H. Rept. 111–68);

Oversight Plans for All House Committees (H. Rept. 111–69);

H. Res. 305, providing for consideration of the concurrent resolution (H. Con. Res. 85) setting forth the congressional budget for the United States Government for fiscal year 2010 and including the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014 (H. Rept. 111–70);

H. Res. 306, providing for consideration of the bill (H.R. 1664) to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards (H. Rept. 111–71); and

H. Res. 307, providing for consideration of the bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products (H. Rept. 111–72). **Page H4249**

Speaker: Read a letter from the Speaker wherein she appointed Representative Jackson-Lee (TX) to act as Speaker Pro Tempore for today. **Page H4131**

Recess: The House recessed at 11:09 a.m. and reconvened at 12 noon. **Page H4136**

Suspensions— Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Monday, March 30th:

Dextromethorphan Distribution Act of 2009: H.R. 1259, to amend the Federal Food, Drug, and Cosmetic Act with respect to the distribution of the drug dextromethorphan, by a 2/3 yea-and-nay vote of 407 yeas to 8 nays, Roll No. 167; **Page H4144**

Recognizing the 30th anniversary of the peace treaty between Egypt and Israel: H. Res. 282,

amended, to recognize the 30th anniversary of the peace treaty between Egypt and Israel, by a 2/3 recorded vote of 418 ayes to 1 no, Roll No. 168;

Pages H4144–45

Vision Care for Kids Act of 2009: H.R. 577, amended, to establish a grant program to provide vision care to children, by a 2/3 yea-and-nay vote of 404 yeas to 17 nays, Roll No. 170; and

Pages H4186–87

Health Insurance Restrictions and Limitations Clarification Act of 2009: H.R. 1253, to require that limitations and restrictions on coverage under group health plans be timely disclosed to group health plan sponsors and timely communicated to participants and beneficiaries under such plans in a form that is easily understandable, by a 2/3 yea-and-nay vote of 422 yeas to 3 nays, Roll No. 171.

Pages H4187–88

Discharge Petition: Representative Carter moved to discharge the Committee on Ways and Means from the consideration of H.R. 735, to amend the Internal Revenue Code of 1986 to provide that penalties and interest will not be imposed on individuals who are citizens of the United States (Discharge Petition No. 2).

The Edward M. Kennedy Serve America Act: The House agreed to the Senate amendments to H.R. 1388, to reauthorize and reform the national service laws, by a yea-and-nay vote of 275 yeas to 149 nays, Roll No. 169. **Pages H4139–41, H4145–86**

H. Res. 296, the rule providing for consideration of the Senate amendments, was agreed to by a yea-and-nay vote of 240 yeas to 173 nays, Roll No. 166, after agreeing to order the previous question without objection. **Pages H4139–41, H4143–44**

Pursuant to the rule, H. Res. 289 is laid on the table.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust: H. Con. Res. 54, to permit the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; **Page H4188**

Daniel Webster Congressional Clerkship Act of 2009: H.R. 151, to establish the Daniel Webster Congressional Clerkship Program, by a 2/3 yea-and-nay vote of 381 yeas to 42 nays, Roll No. 173;

Pages H4189–90, H4198

Capitol Police Administrative Technical Corrections Act of 2009: H.R. 1299, to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, by a 2/3 yea-and-nay vote of 416 yeas to 1 nay, Roll No. 174; **Pages H4190–92, H4198–99**

Free Flow of Information Act of 2009: H.R. 985, to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media; **Pages H4204–09**

Alien Smuggling and Terrorism Prevention Act of 2009: H.R. 1029, amended, to amend the Immigration and Nationality Act and title 18, United States Code and to combat the crime of alien smuggling and related activities; and **Pages H4209–14**

Miami Dade College Land Conveyance Act: H.R. 838, amended, to provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida and to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons. **Pages H4214–15**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Honoring the lives, and mourning the loss, of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege: H. Res. 290, to honor the lives, and mourn the loss, of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege, members of the Oakland Police Department in California who were brutally slain in the line of duty.

Pages H4199–H4204

Dismissing the election contest relating to the office of Representative from the First Congressional District of Hawaii: The House agreed to H. Res. 303, dismissing the election contest relating to the office of Representative from the First Congressional District of Hawaii. **Page H4192**

Committee Elections: The House agreed to H. Res. 304, electing the following Members to serve on certain joint committees: Joint Committee on Printing: Representatives Capuano, Davis (CA), Daniel E. Lungren (CA), and McCarthy (CA), to serve with the Chair of the Committee on House Administration; Joint Committee of Congress on the Library: Representatives Zoe Lofgren (CA), Daniel E. Lungren (CA), and Harper, to serve with the chair of the Committee on House Administration. **Pages H4192–93**

Providing for the expenses of certain committees of the House of Representatives in the One Hundred Eleventh Congress: The House agreed to H. Res. 279, to provide for the expenses of certain

committees of the House of Representatives in the One Hundred Eleventh Congress, by a yea-and-nay vote of 288 yeas to 136 nays, Roll No. 172.

Pages H4141–43, H4193–98

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the resolution shall be considered as adopted. **Page H4141**

H. Res. 294, the rule providing for consideration of the resolution, was agreed to by voice vote after agreeing to order the previous question without objection. **Pages H4141–43**

HIT Policy Committee—Appointment: Read a letter from Representative Boehner, Minority Leader, in which he appointed Mrs. Gayle Harrell of Stuart, Florida to the HIT Policy Committee. **Page H4199**

Board of Visitors to the United States Naval Academy—Appointment: The Chair announced the Speaker's appointment of the following Members of the House of Representatives to the Board of Visitors to the United States Naval Academy: Representatives Ruppersberger, Cummings, Kline (MN), and Frelinghuysen. **Page H4215**

Senate Message: Message received from the Senate today appears on page H4136.

Senate Referrals: S. 681 was referred to the Committee on Education and Labor. **Page H4248**

Quorum Calls—Votes: Eight yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H4143–44, H4144, H4145, H4186, H4186–87, H4187–88, H4197–98, H4198, H4198–99. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 10:45 p.m.

Committee Meetings

RURAL DEVELOPMENT—REVIEW INNOVATIVE APPROACHES

Committee on Agriculture: Subcommittee on Rural Development, Biotechnology, Specialty Crops, and Foreign Agriculture held a hearing to review innovative approaches to rural development. Testimony was heard from public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Agriculture, on Rural Development and FDA. Testimony was heard from Tom Vilsack, Secretary of Agriculture.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Army Aviation. Testimony was heard from the following officials of the Department of the Army: LTG Ross Thompson, USA, Military Deputy to the Assistant Secretary of the Army, Acquisition, Logistics and Technology; BG William T. Crosby, USA, Programs Executive Officer of Aviation; and BG Walter L. Davis, USA, Director, Army Aviation, Office of the Deputy Chief of Staff, G/3/5/7.

FINANCIAL SERVICES, GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services, and General Government held a hearing on the FTC. Testimony was heard from Jon Leibowitz, Chairman, FTC.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Securing the Nation's Rail and Transit System, Aviation Security Efficiency. Testimony was heard from the following officials of the Department of Homeland Security: John Sammon, Assistant Administrator, Transportation Sector Network Management, Transportation Security Administration; and W. Ross Ashley, Assistant Administrator, Grant Programs, FEMA.

The Subcommittee also held a hearing on Improving Aviation Security Efficiency. Testimony was heard from Gale Rossides, Acting Administrator, Transportation Security Administration, Department of Homeland Security.

INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment and Related Agencies held a hearing on the Federal Role in the Arts. Testimony was heard from Representatives Slaughter and Platts; and public witnesses.

GREEN JOBS—ROLE IN OUR ECONOMIC RECOVERY

Committee on Education and Labor: Subcommittee on Workforce Protections held a hearing on Green Jobs and their Role in our Economic Recovery. Testimony was heard from public witnesses.

PROTECTING CONSUMER ACCESS TO GENERIC DRUGS ACT OF 2009

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on H.R. 1706, Protecting Consumer Access to Generic Drugs Act of 2009. Testimony was heard

from J. Thomas Rosch, Commissioner, FTC; and public witnesses.

HEALTHCARE ACCESS

Committee on Energy and Commerce: Subcommittee on Health held a hearing on Making Health Care Work for American Families: Protecting the Public Health. Testimony was heard from Richard E. Besser, M.D., Acting Director, CDC, Acting Administrator, Agency for Toxic Substances and Disease Registry, Department of Health and Human Services; Heather Howard, M.D., Department of Health and Senior Services, State of New Jersey; Jonathan E. Fielding, M.D., Chair, Task Force on Community Preventive Services, Director, County Department of Public Health and County Health Officer, Los Angeles, California; David Satcher, M.D., former U.S. Surgeon General; and public witnesses.

FIRST RESPONDERS ALONG SOUTHWEST BORDER EXAMINING PREPAREDNESS AND COORDINATION

Committee on Homeland Security: Subcommittee on Emergency Communications, Preparedness, and Response held a hearing entitled ''Examining Preparedness and Coordination Efforts of First Responders Along the Southwest Border.'' Testimony was heard from the following officials of the Department of Homeland Security: Richard C. Barth, M.D., Acting Assistant Secretary, Office of Policy; and Janice Ayala, Deputy Assistant Director, Office of Investigations, Immigration and Customs Enforcement; MG Peter Aylward, Director, Joint Staff, National Guard Bureau, Department of Defense; and public witnesses.

DOES PAYMENT CARD INDUSTRY DATA REDUCE CYBERCRIME

Committee on Homeland Security: Subcommittee on Emergency Threats, Cybersecurity and Science and Technology held a hearing entitled ''Do the Payment Card Industry Data Standards Reduce Cybercrime?'' Testimony was heard from Rita Glavin, Acting Assistant Attorney General, Criminal Division, Department of Justice; and public witnesses.

VOICE OVER INTERNET PROTOCOL—TAX JURISDICTION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on VoIP: Who Has Jurisdiction to Tax It? Testimony was heard from Phil Montgomery, member, Assembly, State of Wisconsin; and public witnesses.

9/11 HEALTH AND COMPENSATION ACT OF 2009

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law, and the Subcommittee on Constitutional, Civil Rights and Civil Liberties held a joint hearing on H.R. 847, James Zadroga 9/11 Health and Compensation Act of 2009. Testimony was heard from Michael Cardozo, Corporation Counsel, City of New York; and public witnesses.

CALIFORNIA DROUGHT—ACTIONS BY FEDERAL AND STATE AGENCIES

Committee on Natural Resources: Held an oversight hearing entitled ''The California Drought: Actions by Federal and State agencies to address impacts on lands, fisheries, and water users.'' Testimony was heard from J. William McDonald, Acting Commissioner, Bureau of Reclamation, Department of the Interior; Mary M. Glackin, Deputy Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; Candy Thompson, Acting Deputy Administrator, Farm Programs, Farm Service Agency, USDA; Mike Chrisman, Secretary, Natural Resources, State of California; and a public witness.

AFGHANISTAN AND PAKISTAN

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs held a hearing on Afghanistan and Pakistan: Understanding and Engaging Regional Stakeholders. Testimony was heard from Ambassador Wendy J. Chamberlain, former Ambassador to Pakistan and Assistant Administrator, Asia and the Near East, U.S. Agency for International Development; Sean R. Roberts, former official, U.S. Agency for International Development, both with the Department of State; Deepa M. Ollapally, former U.S. Institute of Peace Program Director, Southern Asia Regional Security Issues; and public witnesses.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

Committee on Rules: Granted, by a non-record vote, a rule providing for general debate on H. Con. Res. 85, the concurrent resolution on the budget for fiscal year 2010. The rule provides four hours of general debate, with three hours confined to the budget equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and one hour on the subject of economic goals and policies equally divided and controlled by Representative Carolyn Maloney of New York and Representative Kevin Brady of Texas. The rule waives all points of order against consideration of the concurrent resolution. Finally, the rule provides that

no further consideration shall be in order except pursuant to a subsequent order of the House.

FAMILY SMOKING AND PREVENTION AND TOBACCO CONTROL ACT

Committee on Rules: Granted, by as non-record vote, a structured rule providing for consideration of H.R. 1256, the ''Family Smoking Prevention and Tobacco Control Act.'' The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill except those rising under clause 9 or 10 of rule XXI. It provides that the amendment printed in part A of the rules Committee report shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order the amendment printed in part B of the report if offered by Rep. Steve Buyer of Indiana or his designee. The amendment printed in part B of the report shall be considered as read and shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part B of the report except those arising under clause 9 or 10 of rule XXI. The rule provides one motion to recommit with or without instructions. The rule provides that, in the engrossment of H.R. 1256, the Clerk shall add at the end of H.R. 1256 as new matter the text of H.R. 1804, as passed by the House. H.R. 1804 shall be laid on the table. Testimony as heard from Representatives Pallone, Buyer, Rogers of Michigan, and Burgess.

TO AMEND THE EXECUTIVE COMPENSATION PROVISIONS OF THE EMERGENCY ECONOMIC STABILIZATION ACT OF 2008 TO PROHIBIT UNREASONABLE AND EXCESSIVE COMPENSATION AND CONPENSATION NOT BASED ON PERFORMANCE STANDARDS

Committee on Rules: Granted, by a non-record vote, a rule providing for consideration of H.R. 1664, to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI. The rule makes in order only those amendments printed in this report. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Frank and Representatives Sherman, Bean, Grayson, Cardoza, Dahlkemper, Garrett of New Jersey, Rohrabacher, and Bilirakis.

MISCELLANEOUS MEASURES

Committee on Science and Technology: Subcommittee on Research and Science Education ordered reported, as amended, the following bills: H.R. 1736, International Science and Technology Cooperation Act of 2009, H.R. 1709, STEM Education Coordination Act of 2009.

CLIMATE RESEARCH'S TRANSPORTATION INFRASTRUCTURE ROLE

Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on the Role of Research in Addressing Climate in Transportation Infrastructure. Testimony was heard from David Matsuda, Acting Assistant Secretary for Transportation Policy, Department of Transportation; and public witnesses.

COAL ASH WATER CONTAMINATION

Committee on Transportation and Infrastructure: Subcommittee on Water Resources, and Environment held a hearing on the Tennessee Valley Authority's Kingston Ash Slide: Potential Water Quality Impacts of Coal Combustion Waste Storage. Testimony was heard from. Representative Lincoln Davis of Tennessee; Tom Kilgore, President and CEO, TVA; Stan Meiburg, Acting Regional Administrator, Region 4. EPA; Paul Sloan, Deputy Commissioner, Department of Environment and Conservation, Tennessee; and public witnesses.

WEALTHY AMERICAN TAXPAYERS BANKING SECRECY

Committee on Ways and Means: Subcommittee on Select Revenue Measurers held a hearing on Banking Secrecy Practices and Wealthy American Taxpayers. Testimony was heard from. Douglas H. Shulman, Commissioner, IRS, Department of the Treasury; and public witnesses.

ARMENIA BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Armenia. The Committee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D302)*

H.R. 146, to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture. Signed on March 30, 2009. (Public Law 111–11)

H.R. 1512, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program. Signed on March 30, 2009. (Public Law 111–12)

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 1, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the nominations of Joe Leonard, Jr., of the District of Columbia, to be an Assistant Secretary of Agriculture for Civil Rights, Kathleen A. Merrigan, of Massachusetts, to be Deputy Secretary, James W. Miller, of Virginia, to be Under Secretary for Farm and Foreign Agricultural Services, and Dallas P. Tonsager, of South Dakota, to be Under Secretary for Rural Development, all of Department of Agriculture, 2 p.m., SH–216.

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine assistance for civilian casualties of war, 10 a.m., SD–138.

Committee on Armed Services: to hold hearings to examine United States policy toward Afghanistan and Pakistan, with the possibility of a closed session following in SR–222, 9:30 a.m., SD–106.

Subcommittee on Personnel, to hold hearings to examine the implementation of Wounded Warrior policies and programs, 2:30 p.m., SD–106.

Subcommittee on Strategic Forces, with the Subcommittee on Emerging Threats and Capabilities, to receive a joint closed briefing to examine nuclear terrorism, 3:30 p.m., SVC–217.

Committee on Environment and Public Works: business meeting to consider the nomination of Thomas L. Strickland, of Colorado, to be Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, Time to be announced, Room to be announced.

Subcommittee on Clean Air and Nuclear Safety, to hold an oversight hearing to examine the Environmental Protection Agency's renewable fuel standard, 10 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on International Development and Foreign Assistance, Economic Affairs and International Environmental Protection, to hold hearings to examine United States Agency for International Development (USAID) in the 21st Century, 9:30 a.m., SD–419.

Full Committee, to hold hearings to examine enhanced partnership with Pakistan, 3 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: business meeting to consider H.R. 35, to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, S. 599, to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any certain diseases is the result of the performance of such employee's duty, S. 469, to amend chapter 83 of title 5, United States Code, to modify the computation for part-time service under the Civil Service Retirement System, S. 615, to provide additional personnel authorities for the Special Inspector General for Afghanistan Reconstruction, S. 507, to provide for retirement equity for Federal employees in nonforeign areas outside the 48 contiguous States and the District of Columbia, S. 713, to require the Administrator of the Federal Emergency Management Agency to quickly and fairly address the abundance of surplus manufactures housing units stored by the Federal Government around the country at taxpayer expense, S. 574, to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, S. Res. 87, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 4 through 10, 2009, and the nominations of Jane Holl Lute, of New York, to be Deputy Secretary of Homeland Security, and John Berry, of the District of Columbia, to be Director of the Office of Personnel Management, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine the nominations of David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit, and Ronald H. Weich, of the District of Columbia, to be an

Assistant Attorney General, Department of Justice, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the nomination of Karen Gordon Mills, of Maine, to be Administrator of the Small Business Administration, 9:30 a.m., SR–428A.

Committee on Veterans' Affairs: to hold hearings to examine the nomination of W. Scott Gould, of the District of Columbia, to be Deputy Secretary of Veterans Affairs, 10 a.m., SR–418.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing to review the state of the farm economy, 11 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Legal Services Corporation, 9:30 a.m.; and on Justice Reinvestment, 1:30 p.m., H–309 Capitol.

Subcommittee on Defense, on Shipbuilding Programs, 10 a.m., H–140 Capitol.

Subcommittee on Homeland Security, on Cargo and Container Security: Keeping a Lid on Threats, 10 a.m., 2359 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on USFS and DOI—Budgeting for Wildfire Suppression, 9:30 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Pathways to Health Reform: Implementing the National Strategy to Reduce Healthcare-Associated Infections, 10 a.m., 2358–C Rayburn.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on The Future of High Speed Rail, Intercity Passenger Rail and Amtrak, 2 p.m., 2358–A Rayburn.

Committee on Armed Services, Subcommittee on Defense Acquisition Reform Panel, hearing on Measuring Value and Efficiency: How to Assess the Performance of the Defense Acquisition System, 7:30 a.m., 2212 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Coordinating Contract Support on the Battlefield: Defense, State and U.S. AID, 1 p.m., 2212 Rayburn.

Subcommittee on Readiness, hearing on the National Security Personnel System—The Way Forward, 2:30 p.m., 2118 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, to consider H.R. 627, Credit Cardholders' Bill of Rights Act of 2009, 11 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, hearing entitled "The Future of Fusion Centers: Potential Promise and Dangers," 10 a.m., 311 Cannon.

Committee on House Administration, hearing on Management of Asbestos and Hazardous Materials at the Smithsonian Institution, 1 p.m., 1310 Longworth.

Subcommittee on Elections, hearing on 2008 Audit Review and Agency Spending by the Election Assistance Commission, 10 a.m., 1310 Longworth.

Committee on the Judiciary, hearing on Proposals to Fight Fraud and Protect Taxpayers, including the following measures: H.R. 1748, Fight Fraud Act of 2009; H.R. 1292, To amend title I, of the Omnibus Crime Control and Safe Streets Act of 1968 to establish a National White Collar Crime Center grants program for purposes of improving the identification, investigation, and prosecution of certain criminal conspiracies and activities and terrorist conspiracies and activities; H.R. 1667, War Profiteering Prevention Act of 2009; the False Claims Corrections Act; the Financial Crimes Resources Act of 2009; the Money Laundering Correction Act of 2009; and H.R. 78, Stop Mortgage Fraud Act, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, oversight hearing on Supreme Court decision Carcieri v. Salazar Ramifications to Indian Tribes, 10 a.m., 1324 Longworth.

Committee on Rules, to consider H. Con. Res. 85, Setting forth the congressional budget for the United States Government for fiscal year 2010 and including the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014, 3 p.m., H–313 Capitol.

Committee on Science and Technology, hearing on Networking and Information Technology Research and Development Act of 2009, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on IRS Oversight: Are Tax Compliance Costs Slowing the Economic Recovery? 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on Civil Rights Services and Diversity Initiatives in the Coast Guard, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, hearing on Health Reform in the 21st Century: Reforming the Health Care Delivery System, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on North Korea update, 12 p.m., and, executive, a briefing on Afghanistan, 4 p.m., 304 HVC.

Subcommittee on Intelligence Community Management, hearing on Management Issues in the Intelligence Community, 10 a.m., 2203 Rayburn.

Joint Meetings

Joint Hearing: Senate Committee on Armed Services, Subcommittee on Emerging Threats and Capabilities, with the Committee on Armed Services, Subcommittee on Strategic Forces, to receive a joint closed briefing to examine nuclear terrorism, 3:30 p.m., SVC–217.

Full Committee, with the Committee on Armed Services, Subcommittee on Emerging Threats and Capabilities, to receive a joint closed briefing to examine nuclear terrorism, 3:30 p.m., SVC–217.

Final Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED TENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

EXECUTIVE DATA ON LEGISLATIVE ACTIVITY

January 3, 2008 through January 3, 2009

	Senate	*House*	*Total*
Days in session	184	119	..
Time in session	988 hrs., 30′	890 hrs., 25′	..
Congressional Record:			
Pages of proceedings	10,981	10,976	..
Extensions of Remarks	..	2,386	..
Public bills enacted into law	99	183	..
Private bills enacted into law	..	..	..
Bills in conference	4	5	..
Measures passed, total	589	999	1,588
Senate bills	109	95	..
House bills	178	427	..
Senate joint resolutions	5	5	..
House joint resolutions	4	3	..
Senate concurrent	24	6	..
House concurrent	38	94	..
Simple resolutions	231	369	..
Measures reported, total	452	403	855
Senate bills	295	4	..
House bills	127	291	..
Senate joint resolutions	3	1	..
House joint resolutions	1	..	..
Senate concurrent	2	..	..
House concurrent	3	5	..
Simple resolutions	22	102	..
Special reports	8	28	..
Conference reports	..	4	..
Measures pending on the	665	92	..
Measures introduced, total	1,590	3,225	4,815
Bills	1,217	2,410	..
Joint resolutions	19	26	..
Concurrent resolutions	43	165	..
Simple resolutions	311	624	..
Quorum calls	3	2	..
Yea-and-nay votes	215	472	..
Recorded votes	..	216	..
Bills vetoed	..	4	..
Vetoes overridden	..	3	..

* These figures include all measures reported, even if there was no accompanying report. A total of 274 written reports have been filed in the Senate, a total of 435 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3, 2008 through January 3, 2009

Civilian Nominations, totaling 508 (including 180 nominations carried over from the First Session)), disposed of as follows:	
Confirmed	269
Unconfirmed	199
Withdrawn	40
Other Civilian Nominations, totaling 3,124 (including 8 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,960
Unconfirmed	164
Air Force Nominations, totaling 5,931 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,925
Unconfirmed	5
Withdrawn	1
Army Nominations, totaling 6,425 (including 19 nominations carried over from the First Session), disposed of as follows:	
Confirmed	6,351
Unconfirmed	73
Withdrawn	1
Navy Nominations, totaling 4,752 (including 3 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,715
Unconfirmed	36
Withdrawn	1
Marine Corps Nominations, totaling 1,566 (including 1 nomination carried over from the First Session), disposed of as follows:	
Confirmed	1,565
Unconfirmed	1

Summary

Total Nominations carried over from the First Session	216
Total Nominations Received this Session	22,090
Total Confirmed	21,785
Total Unconfirmed	478
Total Withdrawn	43
Total Returned to the White House	0

HISTORY OF BILLS ENACTED INTO PUBLIC LAW

(110th Cong., 2D Sess.)

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BILLS VETOED

H.R. 2082, to authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. Vetoed Mar. 8, 2008.

H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes. Vetoed May 21, 2008. Veto Overridden and became Public Law 110-234, May 22, 2008.

H.R. 6124, to provide for the continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2012, and for other purposes. Vetoed June 18, 2008. Veto Overridden and became Public Law 110-246, June 18, 2008.

H.R. 6331, to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes. Vetoed July 15, 2008. Veto Overridden and became Public Law 110-275, July 15, 2008.

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To provide for the enactment of the National Defense Authorization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgements against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services, and for other purposes.	H.R. 4986	Jan. 16, 2008	AS-H			.....	.....	.....	Jan. 16, 2008	Jan. 22, 2008	Jan. 28, 2008	181
To extend the Protect America Act of 2007 for 15 days.	H.R. 5104	Jan. 23, 2008	Jud Int			.....	.....	.....	Jan. 29, 2008	Jan. 29, 2008	Jan. 31, 2008	182
To establish the Commission on the Abolition of the Transatlantic Slave Trade.	H.R. 3432	Aug. 3, 2007	FA	Jud			.....	.....	Oct. 2, 2007	Dec. 19, 2007	Feb. 5, 2008	183
To designate the facility of the United States Postal Service located at 427 North Street in Taft, California, as the "Larry S. Pierce Post Office".	S. 2110	Sept. 27, 2007	OGR	HS&GA		Nov. 14, 2007	.....	0	Jan. 28, 2008	Nov. 16, 2007	Feb. 6, 2008	184
To provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.	H.R. 5140	Jan. 28, 2008	WM FS			.....	.....	.....	Jan. 29, 2008	Feb. 7, 2008	Feb. 13, 2008	185
To improve and expand small business assistance programs for veterans of the armed forces and military reservists, and for other purposes.	H.R. 4253 (S. 1784)	Dec. 4, 2007	SB	SB			.....	.....	Dec. 6, 2007	Dec. 19, 2007	Feb. 14, 2008	186
To amend the Do-not-call Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal "do-not-call" registry.	H.R. 3541	Sept. 17, 2007	EC	CST	Dec. 11, 2007		486	.....	Dec. 11, 2007	Feb. 6, 2008	Feb. 15, 2008	187
To extend the authority of the Federal Trade Commission to collect Do-Not-Call Registry fees to fiscal years after fiscal year 2007.	S. 781	Mar. 6, 2007		CST		Dec. 12, 2007	.....	244	Feb. 6, 2008	Dec. 17, 2007	Feb. 15, 2008	188
To direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.	H.R. 1216	Feb. 27, 2007	EC	CST			.....	.....	Dec. 19, 2007	Feb. 14, 2008	Feb. 28, 2008	189
To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.	H.R. 5270	Feb. 7, 2008	WM TI			.....	.....	.....	Feb. 12, 2008	Feb. 13, 2008	Feb. 28, 2008	190
To extend the Andean Trade Preference Act, and for other purposes.	H.R. 5264	Feb. 7, 2008	WM		Feb. 25, 2008	.....	529	.....	Feb. 27, 2008	Feb. 28, 2008	Feb. 29, 2008	191
To provide for the continued minting and issuance of certain $1 coins in 2008.	H.R. 5478	Feb. 25, 2008	FS	BHUA			.....	.....	Feb. 25, 2008	Feb. 28, 2008	Feb. 29, 2008	192
To make technical corrections to the Federal Insecticide, Fungicide, and Rodenticide Act.	S. 2571	Jan. 29, 2008				.....	.....	.....	Feb. 14, 2008	Jan. 29, 2008	Mar. 6, 2008	193
To designate the facility of the United States Postal Service located at 59 Colby Corner in East Hampstead, New Hampshire, as the "Captain Jonathan D. Grassbaugh Post Office".	S. 2478	Dec. 13, 2007	OGR	HS&GA			.....	.....	Feb. 28, 2008	Dec. 19, 2007	Mar. 11, 2008	194

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John "Marty" Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007.	S. 2272	Oct. 31, 2007	OGR	HS&GA		Nov. 15, 2007	.....	0	Feb. 28, 2008	Nov. 16, 2007	Mar. 12, 2008	195
To extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes.	S. 2745	Mar. 12, 2008				.....	.....	.....	Mar. 12, 2008	Mar. 12, 2008	Mar. 14, 2008	196
Providing for the appointment of John W. McCarter as a citizen regent of the Board of Regents of the Smithsonian Institution.	S.J. Res. 25	Nov. 16, 2007	HA	RAdm			.....	.....	Mar. 5, 2008	Feb. 4, 2008	Mar. 14, 2008	197
To temporarily extend the programs under the Higher Education Act of 1965.	S. 2733	Mar. 7, 2008				.....	.....	.....	Mar. 12, 2008	Mar. 7, 2008	Mar. 24, 2008	198
To reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.	H.R. 1593	Mar. 20, 2007	Jud	Jud	May 9, 2007		140	.....	Nov. 13, 2007	Mar. 11, 2008	April 9, 2008	199
To amend Public Law 110-196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond April 18, 2008.	H.R. 5813	April 16, 2008	Agr FA			.....	.....	.....	April 16, 2008	April 17, 2008	April 18, 2008	200
To preserve existing judgeships on the Superior Court of the District of Columbia.	S. 550	Feb. 12, 2007	OGR	HS&GA		Jan. 8, 2008	.....	256	April 1, 2008	Feb. 4, 2008	April 18, 2008	201
To direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls.	S. 845	Mar. 12, 2007	EC	HEL&P		Mar. 29, 2007	.....	110	April 8, 2008	Aug. 1, 2007	April 23, 2008	202
Congratulating the Army Reserve on its centennial, which will be formally celebrated on April 23, 2008, and commemorating the historic contributions of its veterans and continuing contributions of its soldiers to the vital national security interests and homeland defense missions of the United States.	H.J. Res. 70	Dec. 13, 2007	AS-H			.....	.....	.....	April 8, 2008	April 14, 2008	April 23, 2008	203
To amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.	S. 1858	July 23, 2007	EC	HEL&P		Dec. 5, 2007	.....	280	April 8, 2008	Dec. 13, 2007	April 24, 2008	204
To amend Public Law 110-196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond April 25, 2008.	S. 2903	April 24, 2008				.....	.....	.....	April 24, 2008	April 24, 2008	April 25, 2008	205
To provide for the expansion and improvement of traumatic brain injury programs.	S. 793	Mar. 7, 2007	EC	HEL&P		Aug. 1, 2007	.....	140	April 8, 2008	Dec. 11, 2007	April 28, 2008	206

To amend title 36, United States Code, to revise the congressional charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize associate membership in the corporation for the spouse and siblings of a recipient of the Purple Heart medal.	H.R.	1119	Feb. 16, 2007	Jud		Nov. 6, 2007	.....	428	.....	Nov. 6, 2007	April 14, 2008	April 30, 2008	207
To amend Public Law 110-196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008.	S.	2954	May 1, 2008				.....	.....	.....	May 1, 2008	May 1, 2008	May 2, 2008	208
To award a congressional gold medal to Daw Aung San Suu Kyi in recognition of her courageous and unwavering commitment to peace, nonviolence, human rights, and democracy in Burma.	H.R.	4286	Dec. 5, 2007	FS	BHUA			.....	.....	Dec. 17, 2007	April 24, 2008	May 6, 2008	209
To designate the facility of the United States Postal Service located at 20 Sussex Street in Port Jervis, New York, as the "E. Arthur Gray Post Office Building".	H.R.	3196	July 26, 2007	OGR	HS&GA		April 10, 2008	.....	0	Mar. 10, 2008	April 22, 2008	May 7, 2008	210
To designate the facility of the United States Postal Service located at 1704 Weeksville Road in Elizabeth City, North Carolina, as the "Dr. Clifford Bell Jones, Sr. Post Office".	H.R.	3468	Aug. 4, 2007	OGR	HS&GA		April 10, 2008	.....	0	Feb. 12, 2008	April 22, 2008	May 7, 2008	211
To designate the facility of the United States Postal Service located at 5815 McLeod Street in Lula, Georgia, as the "Private Johnathon Millican Lula Post Office".	H.R.	3532	Sept. 14, 2007	OGR	HS&GA		April 10, 2008	.....	0	Feb. 12, 2008	April 22, 2008	May 7, 2008	212
To designate the facility of the United States Postal Service located at 424 Clay Avenue in Waco, Texas, as the "Army PFC Juan Alonso Covarrubias Post Office Building".	H.R.	3720	Oct. 2, 2007	OGR	HS&GA		April 10, 2008	.....	0	Jan. 22, 2008	April 22, 2008	May 7, 2008	213
To designate the facility of the United States Postal Service located at 3100 Cashwell Drive in Goldsboro, North Carolina, as the "John Henry Wooten, Sr. Post Office Building".	H.R.	3803	Oct. 10, 2007	OGR	HS&GA		April 10, 2008	.....	0	Feb. 28, 2008	April 22, 2008	May 7, 2008	214
To designate the facility of the United States Postal Service located at 116 Helen Highway in Cleveland, Georgia, as the "Sgt. Jason Harkins Post Office Building".	H.R.	3936	Oct. 23, 2007	OGR	HS&GA		April 10, 2008	.....	0	Feb. 28, 2008	April 22, 2008	May 7, 2008	215
To designate the facility of the United States Postal Service located at 3701 Altamesa Boulevard in Fort Worth, Texas, as the "Master Sergeant Kenneth N. Mack Post Office Building".	H.R.	3988	Oct. 29, 2007	OGR	HS&GA		April 10, 2008	.....	0	Jan. 22, 2008	April 22, 2008	May 7, 2008	216
To designate the facility of the United States Postal Service located at 701 East Copeland Drive in Lebanon, Missouri, as the "Steve W. Allee Carrier Annex".	H.R.	4166	Nov. 13, 2007	OGR	HS&GA		April 10, 2008	.....	0	Mar. 10, 2008	April 22, 2008	May 7, 2008	217
To designate the facility of the United States Postal Service located at 3035 Stone Mountain Street in Lithonia, Georgia, as the "Specialist Jamaal RaShard Addison Post Office Building".	H.R.	4203	Nov. 15, 2007	OGR	HS&GA		April 10, 2008	.....	0	Feb. 12, 2008	April 22, 2008	May 7, 2008	218
To designate the facility of the United States Postal Service located at 725 Roanoke Avenue in Roanoke Rapids, North Carolina, as the "Judge Richard B. Allsbrook Post Office".	H.R.	4211	Nov. 15, 2007	OGR	HS&GA		April 10, 2008	.....	0	Jan. 22, 2008	April 22, 2008	May 7, 2008	219

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To designate the facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, as the "Felix Sparks Post Office Building".	H.R. 4240	Nov. 15, 2007	OGR	HS&GA		April 10, 2008	.....	0	Jan. 28, 2008	April 22, 2008	May 7, 2008	220
To designate the facility of the United States Postal Service located at 3050 Hunsinger Lane in Louisville, Kentucky, as the "Iraq and Afghanistan Fallen Military Heroes of Louisville Memorial Post Office Building", in honor of the servicemen and women from Louisville, Kentucky, who died in service during Operation Enduring Freedom and Operation Iraqi Freedom.	H.R. 4454	Dec. 11, 2007	OGR	HS&GA		April 10, 2008	.....	0	Feb. 28, 2008	April 22, 2008	May 7, 2008	221
To designate the facility of the United States Postal Service located at 201 West Greenway Street in Derby, Kansas, as the "Sergeant Jamie O. Maugans Post Office Building".	H.R. 5135	Jan. 23, 2008	OGR	HS&GA		April 10, 2008	.....	0	Feb. 12, 2008	April 22, 2008	May 7, 2008	222
To designate the facility of the United States Postal Service located at 3800 SW. 185th Avenue in Beaverton, Oregon, as the "Major Arthur Chin Post Office Building".	H.R. 5220	Jan. 29, 2008	OGR	HS&GA		April 10, 2008	.....	0	Mar. 5, 2008	April 22, 2008	May 7, 2008	223
To designate the facility of the United States Postal Service located at 160 East Washington Street in Chagrin Falls, Ohio, as the "Sgt. Michael M. Kashkoush Post Office Building".	H.R. 5400	Feb. 12, 2008	OGR	HS&GA		April 10, 2008	.....	0	Mar. 5, 2008	April 22, 2008	May 7, 2008	224
To designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, as the "Julia M. Carson Post Office Building".	H.R. 5472	Feb. 14, 2008	OGR			.....	.....	.....	April 9, 2008	April 22, 2008	May 7, 2008	225
To designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the "Congresswoman Jo Ann S. Davis Post Office".	H.R. 5489	Feb. 26, 2008	OGR			.....	.....	.....	April 9, 2008	April 22, 2008	May 7, 2008	226
To ensure continued availability of access to the Federal student loan program for students and families.	H.R. 5715	April 8, 2008	E&L		April 14, 2008	.....	583	.....	April 17, 2008	April 30, 2008	May 7, 2008	227
To provide for extensions of leases of certain land by Mashantucket Pequot (Western) Tribe.	S. 2457	Dec. 12, 2007	NR	IA	April 29, 2008		611	.....	April 29, 2008	Feb. 5, 2008	May 8, 2008	228
To authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.	S. 2739	Mar. 10, 2008				.....	.....	.....	April 29, 2008	April 10, 2008	May 8, 2008	229
To temporarily extend the programs under the Higher Education Act of 1965.	S. 2929	April 29, 2008				.....	.....	.....	May 6, 2008	April 29, 2008	May 13, 2008	230

To amend Public Law 110-196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 16, 2008.	H.R.	6051	May 14, 2008	Agr FA			.....	.....	.....	May 14, 2008	May 14, 2008	May 18, 2008	231
To suspend the acquisition of petroleum for the Strategic Petroleum Reserve, and for other purposes.	H.R.	6022	May 12, 2008	EC NR			.....	.....	.....	May 13, 2008	May 14, 2008	May 19, 2008	232
To prohibit discrimination on the basis of genetic information with respect to health insurance and employment.	H.R.	493	Jan. 16, 2007	E&L EC WM		Mar. 5, 2007 Mar. 29, 2007 Mar. 26, 2007	.....	28	.....	April 25, 2007	April 24, 2008	May 21, 2008	233
To provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.	H.R.	2419	May 22, 2007	Agr FA		July 23, 2007	.....	256	.....	July 27, 2007	Dec. 14, 2007	May 22, 2008	234
To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.	S.	3029	May 15, 2008				.....	.....	.....	May 20, 2008	May 15, 2008	May 23, 2008	235
To ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico, pursuant to the settlement of litigation between the Jicarilla Apache Nation and Rio Arriba County, State of New Mexico, to authorize issuance of a patent for said lands, and to change the exterior boundary of the Jicarilla Apache Reservation accordingly, and for other purposes.	H.R.	3522	Sept. 10, 2007	NR		April 29, 2008	.....	610	.....	April 29, 2008	May 1, 2008	May 27, 2008	236
To make technical corrections regarding the Newborn Screening Saves Lives Act of 2007.	H.R.	5919	April 29, 2008	EC			.....	.....	.....	April 30, 2008	May 2, 2008	May 27, 2008	237
To temporarily extend the programs under the Higher Education Act of 1965.	S.	3035	May 20, 2008				.....	.....	.....	May 20, 2008	May 20, 2008	May 30, 2008	238
To amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.	H.R.	2356	May 17, 2007	Jud	Jud			.....	.....	June 11, 2007	May 15, 2008	June 3, 2008	239
To amend the Missing Children's Assistance Act to authorize appropriations, and for other purposes.	H.R.	2517	May 24, 2007	E&L	Jud			.....	.....	Dec. 5, 2007	May 20, 2008	June 3, 2008	240
To amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act.	H.R.	4008	Oct. 30, 2007	FS Jud			.....	.....	.....	May 13, 2008	May 20, 2008	June 3, 2008	241
To make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes.	S.	2829	April 8, 2008	Jud	Jud			.....	.....	May 21, 2008	April 28, 2008	June 3, 2008	242
Directing the United States to initiate international discussions and take necessary steps with other Nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean.	S.J. Res.	17	Aug. 3, 2007	NR	FR CST		Oct. 4, 2007	.....	0	May 21, 2008	Oct. 4, 2007	June 3, 2008	243
To amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes.	H.R.	1195	Feb. 27, 2007	TI	EPW	Mar. 21, 2007	Mar. 7, 2008	62	0	Mar. 26, 2007	April 17, 2008	June 6, 2008	244

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			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To amend the Internal Revenue Code of 1986 to provide benefits for military personnel, and for other purposes.	H.R. 6081	May 16, 2008	WM			.....	.....	.....	May 20, 2008	May 22, 2008	June 17, 2008	245
To provide for the continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2012, and for other purposes.	H.R. 6124	May 22, 2008	Agr FA			.....	.....	.....	May 22, 2008	June 5, 2008	June 18, 2008	246
To encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.	S. 2420	Dec. 6, 2007		HS&GA		May 22, 2008	.....	338	June 3, 2008	May 22, 2008	June 20, 2008	247
To amend title 40, United States Code, to authorize the use of Federal supply schedules for the acquisition of law enforcement, security, and certain other related items by State and local governments.	H.R. 3179	July 25, 2007	OGR	HS&GA	Dec. 17, 2007	June 5, 2008	494	344	Dec. 17, 2007	June 10, 2008	June 26, 2008	248
To amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met.	H.R. 3913	Oct. 22, 2007	TI	FR	Jan. 28, 2008	June 2, 2008	518	343	Jan. 28, 2008	June 5, 2008	June 26, 2008	249
To reform mutual aid agreements for the National Capital Region.	S. 1245	April 26, 2007		HEL&P		Dec. 6, 2007	.....	237	June 9, 2008	Dec. 12, 2007	June 26, 2008	250
To assist members of the Armed Forces in obtaining United States citizenship, and for other purposes.	S. 2516	Dec. 18, 2007		Jud			.....	.....	June 9, 2008	Mar. 11, 2008	June 26, 2008	251
Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.	H.R. 2642	June 11, 2007	App		June 11, 2007	.....	186	.....	June 15, 2007	Sept. 6, 2007	June 30, 2008	252
To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.	H.R. 6327	June 20, 2008	WM TI			.....	.....	.....	June 24, 2008	June 26, 2008	June 30, 2008	253
To grant a Federal charter to Korean War Veterans Association, Incorporated.	S. 1692	June 25, 2007		Jud		Sept. 7, 2007	.....	0	June 17, 2008	Sept. 12, 2007	June 30, 2008	254
To authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects, and for other purposes.	S. 2146	Oct. 4, 2007	EC	EPW		Feb. 28, 2008	.....	266	June 12, 2008	Feb. 29, 2008	June 30, 2008	255
To temporarily extend the programs under the Higher Education Act of 1965.	S. 3180	June 23, 2008	E&L			.....	.....	.....	June 25, 2008	June 23, 2008	June 30, 2008	256
To remove the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, and for other purposes.	H.R. 5690	April 3, 2008	Jud FA	Jud	May 5, 2008	June 26, 2008	620	0	May 8, 2008	June 26, 2008	July 1, 2008	257
To revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.	S. 188	Jan. 4, 2007	Jud	Jud		Feb. 8, 2007	.....	0	June 17, 2008	Feb. 15, 2007	July 1, 2008	258

To award posthumously a Congressional gold medal to Constantino Brumidi.	S.	254	Jan. 10, 2007	FS	BHUA		May 17, 2007	.....	0	June 10, 2008	May 21, 2007	July 1, 2008	259
To award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation.	S.	682	Feb. 17, 2007	FS	BHUA			.....	.....	June 10, 2008	Mar. 29, 2007	July 1, 2008	260
To amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes.	H.R.	6304	June 19, 2008	Jud Int			.....	.....	.....	June 20, 2008	July 9, 2008	July 10, 2008	261
To designate the United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the "Conrad B. Duberstein United States Bankruptcy Courthouse".	H.R.	430	Jan. 11, 2007	TI	EPW	Feb. 16, 2007		21	.....	Mar. 13, 2007	June 24, 2008	July 15, 2008	262
To redesignate Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, authorized by the Rivers and Harbors Act approved July 24, 1946, as the "Colonel Charles D. Maynard Lock and Dam".	H.R.	781	Jan. 31, 2007	TI	EPW	July 11, 2007	June 4, 2008	229	0	July 16, 2007	June 24, 2008	July 15, 2008	263
To designate the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station".	H.R.	2728	June 14, 2007	TI	EPW	Sept. 14, 2007		327	.....	Oct. 29, 2007	June 24, 2008	July 15, 2008	264
To designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the "Marine Gunnery Sgt. John D. Fry Post Office Building".	H.R.	3721	Oct. 2, 2007	OGR	HS&GA		June 25, 2008	.....	0	April 23, 2008	June 27, 2008	July 15, 2008	265
To designate the Port Angeles Federal Building in Port Angeles, Washington, as the "Richard B. Anderson Federal Building".	H.R.	4140	Nov. 9, 2007	TI	EPW	Jan. 28, 2008	June 4, 2008	515	0	Jan. 28, 2008	June 24, 2008	July 15, 2008	266
To designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the "Marisol Heredia Post Office Building".	H.R.	4185	Nov. 14, 2007	OGR	HS&GA		June 25, 2008	.....	0	April 23, 2008	June 27, 2008	July 15, 2008	267
To designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the "Cody Grater Post Office Building".	H.R.	5168	Jan. 29, 2008	OGR	HS&GA		June 25, 2008	.....	0	April 1, 2008	June 27, 2008	July 15, 2008	268
To designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the "William 'Bill' Clay Post Office Building".	H.R.	5395	Feb. 12, 2008	OGR	HS&GA		June 25, 2008	.....	0	April 9, 2008	June 27, 2008	July 15, 2008	269
To designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the "Alonzo Woodruff Post Office Building".	H.R.	5479	Feb. 25, 2008	OGR	HS&GA		June 25, 2008	.....	0	April 23, 2008	June 27, 2008	July 15, 2008	270
To designate the facility of the United States Postal Service located at 7231 FM 1960 in Humble, Texas, as the "Texas Military Veterans Post Office".	H.R.	5517	Feb. 28, 2008	OGR	HS&GA		June 25, 2008	.....	0	April 15, 2008	June 27, 2008	July 15, 2008	271
To designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the "Rocky Marciano Post Office Building".	H.R.	5528	Mar. 4, 2008	OGR	HS&GA		June 25, 2008	.....	0	April 23, 2008	June 27, 2008	July 15, 2008	272
To preserve the independence of the District of Columbia Water and Sewer Authority.	H.R.	5778	April 10, 2008	OGR			.....	.....	.....	June 9, 2008	June 16, 2008	July 15, 2008	273

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			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To amend the Water Resources Development Act of 2007 to clarify the authority of the Secretary of the Army to provide reimbursement for travel expenses incurred by members of the Committee on Levee Safety.	H.R. 6040	May 13, 2008	TI			.....	.....	.....	June 23, 2008	June 25, 2008	July 15, 2008	274
To amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.	H.R. 6331	June 20, 2008	EC WM			.....	.....	.....	June 24, 2008	July 9, 2008	July 15, 2008	275
To designate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building".	H.R. 1019	Feb. 13, 2007	TI	EPW	Mar. 26, 2007	June 4, 2008	70	0	Mar. 26, 2007	June 24, 2008	July 15, 2008	276
To require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.	H.R. 634	Jan. 23, 2007	FS	BHUA		June 2, 2008	.....	0	May 15, 2007	June 10, 2008	July 17, 2008	277
To require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers.	H.R. 814	Feb. 5, 2007	EC	CST	Oct. 9, 2007		367	.....	Oct. 9, 2007	June 16, 2008	July 17, 2008	278
To provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes.	S. 2967	May 1, 2008		RAdm			.....	.....	July 10, 2008	June 3, 2008	July 17, 2008	279
To amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI.	H.R. 802	Feb. 5, 2007	TI	CST	Mar. 20, 2007	June 23, 2008	54	394	Mar. 26, 2007	June 26, 2008	July 21, 2008	280
To amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation.	H.R. 3891	Oct. 18, 2007	NR	EPW	Mar. 31, 2008	June 27, 2008	552	405	Mar. 31, 2008	July 7, 2008	July 21, 2008	281
To designate a portion of United States Route 20A, located in Orchard Park, New York, as the "Timothy J. Russert Highway".	S. 3145	June 18, 2008	TI	HS&GA EPW			.....	.....	July 15, 2008	June 24, 2008	July 23, 2008	282
To promote and enhance public safety by facilitating the rapid deployment of IP-enabled 911 and E-911 services, encourage the Nation's transition to a national IP-enabled emergency network, and improve 911 and E-911 access to those with disabilities.	H.R. 3403	Aug. 3, 2007	EC	CST	Nov. 13, 2007		442	.....	Nov. 13, 2007	June 16, 2008	July 23, 2008	283
To designate the United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the "James M. Ashley and Thomas W.L. Ashley United States Courthouse".	H.R. 3712	Oct. 1, 2007	TI	EPW	Nov. 15, 2007		455	.....	June 4, 2008	June 24, 2008	July 23, 2008	284

To amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to information regarding pediatric cancers and current treatments for such cancers, establish a national childhood cancer registry, and promote public awareness of pediatric cancer.	H.R. 1553	Mar. 15, 2007	EC		June 10, 2008	.....	706	.....	June 12, 2008	July 16, 2008	July 29, 2008	285
To impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to exempt humanitarian assistance from United States sanctions on Burma, to prohibit the importation of gemstones from Burma, or that originate in Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes.	H.R. 3890	Oct. 18, 2007	FA WM Jud	FR	Oct. 31, 2007		418	.....	Dec. 11, 2007	Dec. 19, 2007	July 29, 2008	286
Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.	H.J. Res. 93	June 5, 2008	WM			.....	.....	.....	July 23, 2008	July 24, 2008	July 29, 2008	287
To amend the Federal Water Pollution Control Act to address certain discharges incidental to the normal operation of a recreational vessel.	S. 2766	Mar. 13, 2008		EPW		June 23, 2008	.....	398	July 22, 2008	July 22, 2008	July 29, 2008	288
To provide needed housing reform and for other purposes.	H.R. 3221	July 30, 2007	EC E&L FA SB Sci Agr OGR NR TI AS-H			.....	.....	.....	Aug. 4, 2007	April 10, 2008	July 30, 2008	289
To amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011, and for other purposes.	H.R. 3564	Sept. 18, 2007	Jud		Oct. 18, 2007	.....	390	.....	Oct. 22, 2007	June 27, 2008	July 30, 2008	290
To amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, and for other purposes.	H.R. 3985	Oct. 29, 2007	TI	CST	Nov. 15, 2007	June 23, 2008	456	395	Dec. 12, 2007	July 14, 2008	July 30, 2008	291
To name the Department of Veterans Affairs outpatient clinic in Ponce, Puerto Rico, as the "Euripides Rubio Department of Veterans Affairs Outpatient Clinic".	H.R. 4289	Dec. 5, 2007	VA	VA			.....	.....	June 24, 2008	July 11, 2008	July 30, 2008	292
To authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes.	H.R. 5501 (S. 2731)	Feb. 27, 2008	FA FS	FR	Mar. 10, 2008	April 15, 2008	546	325	April 2, 2008	July 16, 2008	July 30, 2008	293
To authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.	S. 231	Jan. 9, 2007	Jud	Jud		May 23, 2007	.....	0	July 14, 2008	May 24, 2007	July 30, 2008	294
To make a technical correction to section 3009 of the Deficit Reduction Act of 2005.	S. 2607	Feb. 7, 2008	EC	CST		June 10, 2008	.....	348	July 9, 2008	June 19, 2008	July 30, 2008	295

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			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To extend the pilot program for volunteer groups to obtain criminal history background checks.	S. 3218	June 26, 2008	Jud			.....	.....	.....	July 14, 2008	June 26, 2008	July 30, 2008	296
To approve, ratify, and confirm the settlement agreement entered into to resolve claims by the Soboba Band of Luiseno Indians relating to alleged interferences with the water resources of the Tribe, to authorize and direct the Secretary of the Interior to execute and perform the Settlement Agreement and related waivers, and for other purposes.	H.R. 4841	Dec. 19, 2007	NR		May 15, 2008	.....	649	.....	May 21, 2008	July 23, 2008	July 31, 2008	297
To establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers.	S. 2565	Jan. 29, 2008		Jud		June 24, 2008	.....	0	July 22, 2008	June 26, 2008	July 31, 2008	298
To clarify the circumstances during which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels, and to require the Administrator to conduct a study of discharges incidental to the normal operation of vessels.	S. 3298	July 22, 2008				.....	.....	.....	July 22, 2008	July 22, 2008	July 31, 2008	299
To temporarily extend the programs under the Higher Education Act of 1965.	S. 3352	July 28, 2008				.....	.....	.....	July 30, 2008	July 28, 2008	July 31, 2008	300
To resolve pending claims against Libya by United States nationals, and for other purposes.	S. 3370	July 31, 2008				.....	.....	.....	July 31, 2008	July 31, 2008	Aug. 4, 2008	301
To designate the Department of Veterans Affairs outpatient clinic in Wenatchee, Washington, as the Elwood "Bud" Link Department of Veterans Affairs Outpatient Clinic.	H.R. 2245	May 9, 2007	VA	VA			.....	.....	June 26, 2008	Aug. 1, 2008	Aug. 12, 2008	302
To designate the facility of the United States Postal Service located at 401 Washington Avenue in Weldon, North Carolina, as the "Dock M. Brown Post Office Building".	H.R. 4210	Nov. 15, 2007	OGR	HS&GA		July 30, 2008	.....	0	Dec. 17, 2007	Aug. 1, 2008	Aug. 12, 2008	303
To name the Department of Veterans Affairs medical center in Miami, Florida, as the "Bruce W. Carter Department of Veterans Affairs Medical Center".	H.R. 4918	Dec. 19, 2007	VA	VA			.....	.....	June 26, 2008	Aug. 1, 2008	Aug. 12, 2008	304
To designate the facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, as the "Chi Mui Post Office Building".	H.R. 5477	Feb. 21, 2008	OGR	HS&GA		July 30, 2008	.....	0	June 3, 2008	Aug. 1, 2008	Aug. 12, 2008	305
To designate the facility of the United States Postal Service located at 10449 White Granite Drive in Oakton, Virginia, as the "Private First Class David H. Sharrett II Post Office Building".	H.R. 5483	Feb. 25, 2008	OGR	HS&GA		July 30, 2008	.....	0	April 23, 2008	Aug. 1, 2008	Aug. 12, 2008	306
To designate the facility of the United States Postal Service located at 1155 Seminole Trail in Charlottesville, Virginia, as the "Corporal Bradley T. Arms Post Office Building".	H.R. 5631	Mar. 13, 2008	OGR	HS&GA		July 30, 2008	.....	0	April 29, 2008	Aug. 1, 2008	Aug. 12, 2008	307

To designate the facility of the United States Postal Service located at 219 East Main Street in West Frankfort, Illinois, as the "Kenneth James Gray Post Office Building".	H.R.	6061	May 14, 2008	OGR	HS&GA		July 30, 2008	.....	0	July 9, 2008	Aug. 1, 2008	Aug. 12, 2008	308
To designate the facility of the United States Postal Service located at 42222 Rancho Las Palmas Drive in Rancho Mirage, California, as the "Gerald R. Ford Post Office Building".	H.R.	6085	May 20, 2008	OGR	HS&GA		July 30, 2008	.....	0	June 18, 2008	Aug. 1, 2008	Aug. 12, 2008	309
To designate the facility of the United States Postal Service located at 14500 Lorain Avenue in Cleveland, Ohio, as the "John P. Gallagher Post Office Building".	H.R.	6150	May 22, 2008	OGR	HS&GA		July 30, 2008	.....	0	June 18, 2008	Aug. 1, 2008	Aug. 12, 2008	310
To designate the Federal building and United States courthouse located at 300 Quarropas Street in White Plains, New York, as the "Charles L. Brieant, Jr., Federal Building and United States Courthouse".	H.R.	6340	June 20, 2008	TI			.....	.....	.....	July 29, 2008	Aug. 1, 2008	Aug. 12, 2008	311
To provide for the continued performance of the functions of the United States Parole Commission.	S.	3294	July 21, 2008	Jud			.....	.....	.....	July 31, 2008	July 21, 2008	Aug. 12, 2008	312
To amend title 35, United States Code, and the Trademark Act of 1946 to provide that the Secretary of Commerce, in consultation with the Director of the United States Patent and Trademark Office, shall appoint administrative patent judges and administrative trademark judges, and for other purposes.	S.	3295	July 21, 2008	Jud	Jud			.....	.....	July 31, 2008	July 22, 2008	Aug. 12, 2008	313
To establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission.	H.R.	4040	Nov. 1, 2007	EC		Dec. 19, 2007	.....	501	.....	Dec. 19, 2007	Mar. 6, 2008	Aug. 14, 2008	314
To amend and extend the Higher Education Act of 1965, and for other purposes.	H.R.	4137	Nov. 9, 2007	E&L Jud Sci FS	HEL&P	Dec. 19, 2007		500	.....	Feb. 7, 2008	July 29, 2008	Aug. 14, 2008	315
To amend the Federal Food, Drug, and Cosmetic Act to revise and extend the animal drug user fee program, to establish a program of fees relating to generic new animal drugs, to make certain technical corrections to the Food and Drug Administration Amendments Act of 2007, and for other purposes.	H.R.	6432	July 8, 2008	EC		July 30, 2008	.....	804	.....	July 30, 2008	Aug. 1, 2008	Aug. 14, 2008	316

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			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on contributions to funeral trusts, and for other purposes.	H.R. 6580	July 23, 2008	AS-H VA WM OGR			.....	.....	.....	July 29, 2008	Aug. 1, 2008	Aug. 29, 2008	317
To amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance.	H.R. 6532	July 17, 2008	WM	Fin			.....	.....	July 23, 2008	Sept. 10, 2008	Sept. 15, 2008	318
To designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Theodore Roosevelt United States Courthouse".	S. 2837	April 9, 2008	TI	EPW	Sept. 8, 2008	June 4, 2008	823	0	Sept. 8, 2008	June 24, 2008	Sept. 17, 2008	319
To designate the United States courthouse located in the 700 block of East Broad Street, Richmond, Virginia, as the "Spottswood W. Robinson III and Robert R. Merhige, Jr., United State Courthouse.	S. 2403	Dec. 3, 2007	TI	EPW	Sept. 8, 2008	June 4, 2008	824	0	Sept. 8, 2008	June 24, 2008	Sept. 18, 2008	320
To provide for extensions of certain authorities of the Department of State, and for other purposes.	H.R. 6456	July 10, 2008	FA	FR			.....	.....	July 30, 2008	Sept. 8, 2008	Sept. 19, 2008	321
To amend the Federal Rules of Evidence to address the waiver of the attorney-client privilege and the work product doctrine.	S. 2450	Dec. 11, 2007	Jud	Jud		Feb. 25, 2008	.....	264	Sept. 8, 2008	Feb. 27, 2008	Sept. 19, 2008	322
To make certain reforms with respect to the Government Accountability Office, and for other purposes.	H.R. 5683	April 2, 2008	OGR	HS&GA	May 22, 2008	July 26, 2008	671	0	June 9, 2008	Aug. 1, 2008	Sept. 22, 2008	323
To increase, effective as of December 1, 2008, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.	S. 2617	Feb. 8, 2008		VA		July 24, 2008	.....	430	Sept. 10, 2008	July 30, 2008	Sept. 24, 2008	324
To restore the intent and protections of the Americans with Disabilities Act of 1990.	S. 3406	July 31, 2008				.....	.....	.....	Sept. 17, 2008	Sept. 11, 2008	Sept. 25, 2008	325
To amend title 18, United States Code, to provide secret service protection to former Vice Presidents, and for other purposes.	H.R. 5938	May 1, 2008	Jud	Jud	June 5, 2008		696	.....	June 9, 2008	July 30, 2008	Sept. 26, 2008	326
To amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws.	H.R. 1777	Mar. 29, 2007	Jud	Jud	April 10, 2008		577	.....	April 30, 2008	Sept. 25, 2008	Sept. 30, 2008	327

To amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide, in fiscal years 2009 through 2011, extensions of supplemental security income for refugees, asylees, and certain other humanitarian immigrants, and to amend the Internal Revenue Code of 1986 to collect unemployment compensation debts resulting from fraud.	H.R.	2608	June 7, 2007	WM	Fin			.....	.....	July 11, 2007	Aug. 1, 2008	Sept. 30, 2008	328
Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes.	H.R.	2638	June 8, 2007	App		June 8, 2007	.....	181	.....	June 15, 2007	July 26, 2007	Sept. 30, 2008	329
To amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.	H.R.	6984	Sept. 22, 2008	TI WM			.....	.....	.....	Sept. 23, 2008	Sept. 23, 2008	Sept. 30, 2008	330
To designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the "Mickey Mantle Post Office Building".	S.	171	Jan. 4, 2007	OGR	HS&GA			.....	.....	Sept. 18, 2008	Feb. 17, 2007	Sept. 30, 2008	331
To designate the Department of Veterans Affairs clinic in Alpena, Michigan, as the "Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic".	S.	2339	Nov. 13, 2007	VA	VA			.....	.....	Sept. 17, 2008	Dec. 13, 2007	Sept. 30, 2008	332
To designate the facility of the United States Postal Service located at 1717 Orange Avenue in Fort Pierce, Florida, as the "CeeCee Ross Lyles Post Office Building".	S.	3241	July 10, 2008	OGR	HS&GA		July 30, 2008	.....	0	Sept. 24, 2008	Aug. 1, 2008	Sept. 30, 2008	333
To designate the Federal Bureau of Investigation building under construction in Omaha, Nebraska, as the "J. James Exon Federal Bureau of Investigation Building".	S.	3009	May 12, 2008	TI	EPW	Sept. 24, 2008	June 4, 2008	878	0	Sept. 24, 2008	June 24, 2008	Oct. 1, 2008	334
To amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts, and for other purposes.	H.R.	5551	Mar. 6, 2008	OGR	HS&GA	Mar. 31, 2008	July 25, 2008	560	432	April 1, 2008	Sept. 16, 2008	Oct. 2, 2008	335
To reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes.	H.R.	5893	April 24, 2008	HA Jud	RAdm	June 4, 2008		683	.....	June 4, 2008	Sept. 16, 2008	Oct. 2, 2008	336
To amend title 49, United States Code, to expand passenger facility fee eligibility for certain noise compatibility projects.	S.	996	Mar. 27, 2007	TI	CST			.....	.....	Sept. 17, 2008	Feb. 28, 2008	Oct. 2, 2008	337
To amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.	H.R.	3986	Oct. 29, 2007	TI	EPW	Dec. 10, 2007	June 4, 2008	480	406	Dec. 11, 2007	June 26, 2008	Oct. 3, 2008	338
To amend the Public Health Service Act with respect to the Healthy Start Initiative.	S.	1760	July 10, 2007	EC	HEL&P		April 29, 2008	.....	0	Sept. 23, 2008	April 30, 2008	Oct. 3, 2008	339
To prohibit the recruitment or use of child soldiers, to designate persons who recruit or use child soldiers as inadmissible aliens, to allow the deportation of persons who recruit or use child soldiers, and for other purposes.	S.	2135	Oct. 3, 2007	Jud	Jud		Dec. 11, 2007	.....	0	Sept. 8, 2008	Dec. 19, 2007	Oct. 3, 2008	340

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			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To amend Public Law 108-331 to provide for the construction and related activities in support of the Very Energetic Radiation Imaging Telescope Array System (VERITAS) project in Arizona.	S.J. Res. 35	May 22, 2008	TI	RAdm	Sept. 15, 2008		850	.....	Sept. 18, 2008	July 17, 2008	Oct. 3, 2008	341
Expressing the consent and approval of Congress to an interstate compact regarding water resources in the Great Lakes - St. Lawrence River Basin.	S.J. Res. 45	July 23, 2008	Jud	Jud			.....	.....	Sept. 23, 2008	Aug. 1, 2008	Oct. 3, 2008	342
To provide authority for the Federal Government to purchase and insure certain types of troubled assets for the purposes of providing stability to and preventing disruption in the economy and financial system and protecting taxpayers, to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes.	H.R. 1424	Mar. 9, 2007	EC E&L WM		Mar. 4, 2008 Oct. 15, 2007 Oct. 15, 2007	.....	374	.....	Mar. 5, 2008	Oct. 1, 2008	Oct. 3, 2008	343
To provide for the investigation of certain unsolved civil rights crimes, and for other purposes.	H.R. 923	Feb. 8, 2007	Jud		June 19, 2007	.....	200	.....	June 20, 2007	Sept. 24, 2008	Oct. 7, 2008	344
To extend the grant program for drug-endangered children.	H.R. 1199	Feb. 27, 2007	Jud EC	Jud	Sept. 24, 2007		341	.....	Sept. 24, 2007	Sept. 24, 2008	Oct. 7, 2008	345
To amend the North Korean Human Rights Act of 2004 to promote respect for the fundamental human rights of the people of North Korea, and for other purposes.	H.R. 5834	April 17, 2008	FA	FR	May 13, 2008		628	.....	May 15, 2008	Sept. 22, 2008	Oct. 7, 2008	346
To designate the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the "Cpl. John P. Sigsbee Post Office".	H.R. 5975	May 6, 2008	OGR	HS&GA		Sept. 24, 2008	.....	0	July 8, 2008	Sept. 26, 2008	Oct. 7, 2008	347
To designate the facility of the United States Postal Service located at 101 Tallapoosa Street in Bremen, Georgia, as the "Sergeant Paul Saylor Post Office Building".	H.R. 6092	May 20, 2008	OGR	HS&GA		Sept. 24, 2008	.....	0	July 8, 2008	Sept. 26, 2008	Oct. 7, 2008	348
To designate the facility of the United States Postal Service located at 200 North Texas Avenue in Odessa, Texas, as the "Corporal Alfred Mac Wilson Post Office".	H.R. 6437	July 8, 2008	OGR	HS&GA		Sept. 24, 2008	.....	0	July 31, 2008	Sept. 26, 2008	Oct. 7, 2008	349
To extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.	H.R. 6889	Sept. 15, 2008	E&L			.....	.....	.....	Sept. 15, 2008	Sept. 17, 2008	Oct. 7, 2008	350
To amend parts B and E of title IV of the Social Security Act to connect and support relative caregivers, improve outcomes for children in foster care, provide for tribal foster care and adoption access, improve incentives for adoption, and for other purposes.	H.R. 6893	Sept. 15, 2008	WM			.....	.....	.....	Sept. 17, 2008	Sept. 22, 2008	Oct. 7, 2008	351
To designate the facility of the United States Postal Service located at 18 S. G Street, Lakeview, Oregon, as the "Dr. Bernard Daly Post Office Building".	S. 3015	May 14, 2008	OGR	HS&GA		June 25, 2008	.....	0	Sept. 27, 2008	June 27, 2008	Oct. 7, 2008	352

To designate the facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, as the "Reverend Earl Abel Post Office Building".	S.	3082	June 4, 2008	OGR	HS&GA		June 25, 2008	.....	0	Sept. 27, 2008	June 27, 2008	Oct. 7, 2008	353
To amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.	H.R.	1157	Feb. 16, 2007	EC		Sept. 25, 2008	.....	889	.....	Sept. 25, 2008	Sept. 27, 2008	Oct. 8, 2008	354
To amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act, and for other purposes.	H.R.	1343	Mar. 6, 2007	EC	HEL&P	June 4, 2008		680	.....	June 4, 2008	Sept. 24, 2008	Oct. 8, 2008	355
To prohibit the award of contracts to provide guard services under the contract security guard program of the Federal Protective Service to a business concern that is owned, controlled, or operated by an individual who has been convicted of a felony.	H.R.	3068	July 17, 2007	TI	HS&GA	Sept. 14, 2007	Sept. 11, 2008	328	455	Oct. 2, 2007	Sept. 23, 2008	Oct. 8, 2008	356
To require the Secretary of the Treasury to mint coins in commemoration of the legacy of the United States Army Infantry and the establishment of the National Infantry Museum and Soldier Center.	H.R.	3229	July 30, 2007	FS	BHUA			.....	.....	June 10, 2008	Sept. 27, 2008	Oct. 8, 2008	357
To amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, and for other purposes.	H.R.	4120	Nov. 8, 2007	Jud	Jud			.....	.....	Nov. 14, 2007	Sept. 23, 2008	Oct. 8, 2008	358
To authorize the Administrator of General Services to provide for the redevelopment of the Old Post Office Building located in the District of Columbia.	H.R.	5001	Jan. 16, 2008	TI	EPW	June 19, 2008	Sept. 24, 2008	724	501	June 23, 2008	Sept. 26, 2008	Oct. 8, 2008	359
To reauthorize the Debbie Smith DNA Backlog Grant Program, and for other purposes.	H.R.	5057	Jan. 17, 2008	Jud	HEL&P Jud	July 14, 2008		757	.....	July 14, 2008	Sept. 25, 2008	Oct. 8, 2008	360
To amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal, muscular dystrophies.	H.R.	5265	Feb. 7, 2008	EC			.....	.....	.....	Sept. 24, 2008	Sept. 26, 2008	Oct. 8, 2008	361
To extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates, and for other purposes.	H.R.	5571	Mar. 10, 2008	Jud	Jud	May 15, 2008		646	.....	May 21, 2008	Sept. 26, 2008	Oct. 8, 2008	362
To require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other purposes.	H.R.	5872	April 22, 2008	FS	BHUA			.....	.....	May 15, 2008	Sept. 27, 2008	Oct. 8, 2008	363
To transfer excess Federal property administered by the Coast Guard to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians.	H.R.	6370	June 25, 2008	TI		Sept. 22, 2008	.....	865	.....	Sept. 22, 2008	Sept. 24, 2008	Oct. 8, 2008	364
To amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, and for other purposes.	H.R.	6460	July 10, 2008	TI Sci		Sept. 15, 2008	.....	849	.....	Sept. 18, 2008	Sept. 25, 2008	Oct. 8, 2008	365

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			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To extend the waiver authority for the Secretary of Education under section 105 of subtitle A of title IV of division B of Public Law 109-148, relating to elementary and secondary education hurricane recovery relief, and for other purposes.	H.R. 6890	Sept. 15, 2008	E&L			.....	.....	.....	Sept. 22, 2008	Sept. 25, 2008	Oct. 8, 2008	366
To extend and reauthorize the Defense Production Act of 1950, and for other purposes.	H.R. 6894	Sept. 15, 2008	FS			.....	.....	.....	Sept. 23, 2008	Sept. 25, 2008	Oct. 8, 2008	367
To make a technical correction in the NET 911 Improvement Act of 2008.	H.R. 6946	Sept. 18, 2008	EC			.....	.....	.....	Sept. 25, 2008	Sept. 27, 2008	Oct. 8, 2008	368
To approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy, and for other purposes.	H.R. 7081	Sept. 25, 2008	FA R			.....	.....	.....	Sept. 27, 2008	Oct. 1, 2008	Oct. 8, 2008	369
To honor the achievements and contributions of Native Americans to the United States, and for other purposes.	H.J. Res. 62	Nov. 13, 2007	E&L	IA		July 31, 2008	.....	435	Nov. 13, 2007	Sept. 22, 2008	Oct. 8, 2008	370
To reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965.	S. 496	Feb. 6, 2007		EPW		May 7, 2007	.....	63	July 15, 2008	Aug. 3, 2007	Oct. 8, 2008	371
To modify pay provisions relating to certain senior-level positions in the Federal Government, and for other purposes.	S. 1046	Mar. 29, 2007	OGR	HS&GA		April 22, 2008	.....	328	Sept. 26, 2008	July 11, 2008	Oct. 8, 2008	372
To amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.	S. 1382	May 14, 2007		HEL&P		Dec. 4, 2007	.....	0	Sept. 26, 2008	Sept. 23, 2008	Oct. 8, 2008	373
To amend the Public Health Service Act to increase the provision of scientifically sound information and support services to patients receiving a positive test diagnosis for Down syndrome or other prenatally and postnatally diagnosed conditions.	S. 1810	July 18, 2007	EC	HEL&P		April 21, 2008	.....	0	Sept. 25, 2008	Sept. 23, 2008	Oct. 8, 2008	374
To repeal the provision of title 46, United States Code, requiring a license for employment in the business of salvaging on the coast of Florida.	S. 2482	Dec. 13, 2007	TI	CST		May 22, 2008	.....	340	Sept. 27, 2008	June 5, 2008	Oct. 8, 2008	375
To reauthorize the United States Fire Administration, and for other purposes.	S. 2606	Feb. 7, 2008		HS&GA		July 10, 2008	.....	411	Sept. 24, 2008	Sept. 18, 2008	Oct. 8, 2008	376
To amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.	S. 2932	April 29, 2008		HEL&P			.....	.....	Sept. 26, 2008	Sept. 23, 2008	Oct. 8, 2008	377
To amend the Runaway and Homeless Youth Act to authorize appropriations, and for other purposes.	S. 2982	May 6, 2008		Jud		May 22, 2008	.....	0	Sept. 26, 2008	Sept. 25, 2008	Oct. 8, 2008	378
To amend title XIX of the Social Security Act to provide additional funds for the qualifying individual (QI) program, and for other purposes.	S. 3560	Sept. 24, 2008	EC WM	Fin			.....	.....	Sept. 27, 2008	Sept. 25, 2008	Oct. 8, 2008	379
To provide that funds allocated for community food projects for fiscal year 2008 shall remain available until September 30, 2009.	S. 3597	Sept. 25, 2008	Agr			.....	.....	.....	Sept. 27, 2008	Sept. 25, 2008	Oct. 8, 2008	380

To amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.	H.R.	2851	June 25, 2007	EC E&L WM	HEL&P	July 30, 2008		806	.....	July 30, 2008	Sept. 25, 2008	Oct. 9, 2008	381
To establish a liaison with the Federal Bureau of Investigation in United States Citizenship and Immigration Services to expedite naturalization applications filed by members of the Armed Forces and to establish a deadline for processing such applications.	S.	2840	April 10, 2008	Jud	Jud		Aug. 1, 2008	.....	440	Sept. 28, 2008	Sept. 24, 2008	Oct. 9, 2008	382
To transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, and for other purposes.	H.R.	2963	July 10, 2007	NR	IA		Sept. 25, 2008	.....	503	July 30, 2007	Sept. 26, 2008	Oct. 10, 2008	383
To direct the United States Sentencing Commission to assure appropriate punishment enhancements for those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes.	H.R.	3480	Sept. 6, 2007	Jud	Jud	May 15, 2008	June 12, 2008	647	0	May 21, 2008	Oct. 2, 2008	Oct. 10, 2008	384
To improve the quality of federal and state data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation.	S.	1492	May 24, 2007	EC	CST		Oct. 24, 2007	.....	204	Sept. 29, 2008	Sept. 26, 2008	Oct. 10, 2008	385
To reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes.	S.	1582	June 7, 2007		CST		Nov. 2, 2007	.....	218	Sept. 29, 2008	Sept. 26, 2008	Oct. 10, 2008	386
To improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, and for other purposes.	S.	2162	Oct. 15, 2007	VA	VA		April 8, 2008	.....	281	Sept. 24, 2008	June 3, 2008	Oct. 10, 2008	387
To provide for the appointment of the Chief Human Capital Officer of the Department of Homeland Security by the Secretary of Homeland Security.	S.	2816	April 3, 2008	HS	HS&GA		Sept. 16, 2008	.....	466	Sept. 27, 2008	Sept. 23, 2008	Oct. 10, 2008	388
To amend title 38, United States Code, to require the Secretary of Veterans Affairs to prescribe regulations relating to the notice to be provided claimants with the Department of Veterans Affairs regarding the substantiation of claims.	S.	3023	May 15, 2008		VA		Sept. 9, 2008	.....	449	Sept. 24, 2008	Sept. 16, 2008	Oct. 10, 2008	389
To direct the Secretary of the Interior to provide a loan to the White Mountain Apache Tribe for use in planning, engineering, and designing a certain water system project.	S.	3128	June 12, 2008	NR	IA		Sept. 24, 2008	.....	502	Sept. 29, 2008	Sept. 25, 2008	Oct. 10, 2008	390
To extend the special immigrant nonminister religious worker program and for other purposes.	S.	3606	Sept. 26, 2008				.....	.....	.....	Sept. 27, 2008	Sept. 26, 2008	Oct. 10, 2008	391
To amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes.	H.R.	1532	Mar. 15, 2007	EC		Sept. 23, 2008	.....	873	.....	Sept. 24, 2008	Sept. 27, 2008	Oct. 13, 2008	392

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			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To authorize the Secretary of Commerce to sell or exchange certain National Oceanic and Atmospheric Administration property located in Norfolk, Virginia, and for other purposes.	H.R. 5350	Feb. 12, 2008	NR OGR		Aug. 1, 2008	.....	822	.....	Sept. 17, 2008	Sept. 26, 2008	Oct. 13, 2008	393
To reauthorize and amend the National Sea Grant College Program Act, and for other purposes.	H.R. 5618	Mar. 13, 2008	NR Sci	CST	June 9, 2008 July 11, 2008		701	.....	July 14, 2008	Sept. 26, 2008	Oct. 13, 2008	394
To designate the facility of the United States Postal Service located at 245 North Main Street in New City, New York, as the "Kenneth Peter Zebrowski Post Office Building".	H.R. 6199	June 5, 2008	OGR			.....	.....	.....	Sept. 24, 2008	Sept. 30, 2008	Oct. 13, 2008	395
To designate the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the "Mayor William 'Bill' Sandberg Post Office Building".	H.R. 6229	June 10, 2008	OGR			.....	.....	.....	Sept. 18, 2008	Sept. 30, 2008	Oct. 13, 2008	396
To designate the facility of the United States Postal Service located at 4233 West Hillsboro Boulevard in Coconut Creek, Florida, as the "Army SPC Daniel Agami Post Office Building".	H.R. 6338	June 20, 2008	OGR			.....	.....	.....	Sept. 18, 2008	Sept. 30, 2008	Oct. 13, 2008	397
To amend the commodity provisions of the Food, Conservation, and Energy Act of 2008 to permit producers to aggregate base acres and reconstitute farms to avoid the prohibition on receiving direct payments, counter-cyclical payments, or average crop revenue election payments when the sum of the base acres of a farm is 10 acres or less, and for other purposes.	H.R. 6849	Sept. 9, 2008	Agr		Sept. 24, 2008	.....	881	.....	Sept. 24, 2008	Sept. 29, 2008	Oct. 13, 2008	398
To designate the facility of the United States Postal Service located at 156 Taunton Avenue in Seekonk, Massachusetts, as the "Lance Corporal Eric Paul Valdepenas Post Office Building".	H.R. 6874	Sept. 11, 2008	OGR			.....	.....	.....	Sept. 24, 2008	Sept. 30, 2008	Oct. 13, 2008	399
To require convicted sex offenders to register online identifiers, and for other purposes.	S. 431	Jan. 30, 2007		Jud		April 22, 2008	.....	332	Sept. 27, 2008	May 20, 2008	Oct. 13, 2008	400
To establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators.	S. 1738	June 28, 2007		Jud		July 7, 2008	.....	0	Sept. 27, 2008	Sept. 25, 2008	Oct. 13, 2008	401
To extend the authority of the United States Supreme Court Police to protect court officials off the Supreme Court Grounds and change the title of the Administrative Assistant to the Chief Justice.	S. 3296	July 21, 2008		Jud		Sept. 11, 2008	.....	0	Sept. 29, 2008	Sept. 25, 2008	Oct. 13, 2008	402
To enhance remedies for violations of intellectual property laws, and for other purposes.	S. 3325	July 24, 2008		Jud		Sept. 15, 2008	.....	0	Sept. 28, 2008	Sept. 26, 2008	Oct. 13, 2008	403

To amend title 44, United States Code, to authorize grants for Presidential Centers of Historical Excellence.	S.	3477	Sept. 11, 2008	OGR	HS&GA		Sept. 25, 2008	.....	525	Sept. 27, 2008	Sept. 26, 2008	Oct. 13, 2008	404
To amend section 5402 of title 39, United States Code, to modify the authority relating to United States Postal Service air transportation contracts, and for other purposes.	S.	3536	Sept. 22, 2008	OGR	HS&GA			.....	.....	Sept. 29, 2008	Sept. 26, 2008	Oct. 13, 2008	405
To make improvements in the operation and administration of the Federal courts, and for other purposes.	S.	3569	Sept. 24, 2008		Jud			.....	.....	Sept. 27, 2008	Sept. 27, 2008	Oct. 13, 2008	406
To amend titles 46 and 18, United States Code, with respect to the operation of submersible vessels and semi-submersible vessels without nationality.	S.	3598	Sept. 25, 2008	Jud TI			.....	.....	.....	Sept. 29, 2008	Sept. 25, 2008	Oct. 13, 2008	407
To extend the pilot program for volunteer groups to obtain criminal history background checks.	S.	3605	Sept. 26, 2008	Jud			.....	.....	.....	Sept. 27, 2008	Sept. 26, 2008	Oct. 13, 2008	408
To amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes.	H.R.	928	Feb. 8, 2007	OGR	HS&GA	Sept. 27, 2007		354	.....	Oct. 3, 2007	Sept. 24, 2008	Oct. 14, 2008	409
To designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic.	H.R.	1594	Mar. 20, 2007	VA			.....	.....	.....	Sept. 17, 2008	Sept. 30, 2008	Oct. 14, 2008	410
To reauthorize the programs for housing assistance for Native Americans.	H.R.	2786	June 20, 2007	FS	IA	Aug. 3, 2007		295	.....	Sept. 6, 2007	Sept. 25, 2008	Oct. 14, 2008	411
To amend the Homeland Security Act of 2002 to improve the financial assistance provided to State, local, and tribal governments for information sharing activities, and for other purposes.	H.R.	6098	May 20, 2008	HS	HS&GA	July 10, 2008	Sept. 24, 2008	752	0	July 29, 2008	Sept. 27, 2008	Oct. 14, 2008	412
To establish the Stephanie Tubbs Jones Gift of Life Medal for organ donors and the family of organ donors.	H.R.	7198	Sept. 28, 2008	FS EC			.....	.....	.....	Sept. 29, 2008	Oct. 1, 2008	Oct. 14, 2008	413
To prohibit the sale, distribution, transfer, and export of elemental mercury, and for other purposes.	S.	906	Mar. 15, 2007		EPW		Sept. 22, 2008	.....	477	Sept. 29, 2008	Sept. 26, 2008	Oct. 14, 2008	414
To establish a grant program to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes.	S.	1276	May 3, 2007	EC Jud	Jud		Sept. 15, 2008	.....	0	Sept. 29, 2008	Sept. 25, 2008	Oct. 14, 2008	415
To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and for other purposes.	S.	2304	Nov. 5, 2007		Jud		April 1, 2008	.....	0	Sept. 29, 2008	Sept. 26, 2008	Oct. 14, 2008	416
To authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.	S.	3001	May 12, 2008		AS-S		May 12, 2008	.....	335	Sept. 24, 2008	Sept. 17, 2008	Oct. 14, 2008	417
To designate a portion of the Rappahannock River in the Commonwealth of Virginia as the "John W. Warner Rapids".	S.	3550	Sept. 24, 2008	NR	EPW		Sept. 24, 2008	.....	0	Sept. 29, 2008	Sept. 24, 2008	Oct. 14, 2008	418
To clarify the boundaries of Coastal Barrier Resources System Clam Pass Unit FL-64P.	H.R.	1714	Mar. 27, 2007	NR	EPW			.....	.....	July 14, 2008	Sept. 30, 2008	Oct. 15, 2008	419

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			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To require the issuance of medals to recognize the dedication and valor of Native American code talkers.	H.R. 4544	Dec. 13, 2007	FS HA			.....	.....	.....	Sept. 25, 2008	Sept. 30, 2008	Oct. 15, 2008	420
To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2012.	H.R. 6045	May 13, 2008	Jud			.....	.....	.....	Sept. 26, 2008	Sept. 30, 2008	Oct. 15, 2008	421
To authorize the programs of the National Aeronautics and Space Administration, and for other purposes.	H.R. 6063	May 15, 2008	Sci	CST	June 9, 2008		702	.....	June 18, 2008	Sept. 25, 2008	Oct. 15, 2008	422
To provide that Federal employees receiving their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically.	H.R. 6073	May 15, 2008	OGR	HS&GA	July 28, 2008	Sept. 24, 2008	780	0	July 30, 2008	Sept. 30, 2008	Oct. 15, 2008	423
To authorize funding to conduct a national training program for State and local prosecutors.	H.R. 6083	May 19, 2008	Jud	Jud	July 29, 2008		784	.....	July 31, 2008	Sept. 30, 2008	Oct. 15, 2008	424
To amend the Controlled Substances Act to address online pharmacies.	H.R. 6353	June 24, 2008	EC Jud		Sept. 23, 2008	.....	869	.....	Sept. 23, 2008	Sept. 30, 2008	Oct. 15, 2008	425
To amend the Public Health Service Act to authorize increased Federal funding for the Organ Procurement and Transplantation Network.	H.R. 6469	July 10, 2008	EC			.....	.....	.....	Sept. 25, 2008	Oct. 2, 2008	Oct. 15, 2008	426
To authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes.	H.R. 6524	July 16, 2008	TI AS-H		Sept. 22, 2008	.....	866	.....	Sept. 22, 2008	Sept. 30, 2008	Oct. 15, 2008	427
To amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain prisoner return information to the Federal Bureau of Prisons, and for other purposes.	H.R. 7082	Sept. 25, 2008	WM			.....	.....	.....	Sept. 27, 2008	Oct. 2, 2008	Oct. 15, 2008	428
To authorize the transfer of naval vessels to certain foreign recipients, and for other purposes.	H.R. 7177	Sept. 27, 2008	FA			.....	.....	.....	Sept. 27, 2008	Oct. 1, 2008	Oct. 15, 2008	429
Appointing the day for the convening of the first session of the One Hundred Eleventh Congress and establishing the date for the counting of the electoral votes for President and Vice President cast by the electors in December 2008.	H.J. Res. 100	Sept. 28, 2008				.....	.....	.....	Sept. 28, 2008	Oct. 2, 2008	Oct. 15, 2008	430
To authorize funding for the National Crime Victim Law Institute to provide support for victims of crime under Crime Victims Legal Assistance Programs as a part of the Victims of Crime Act of 1984.	S. 3641	Sept. 27, 2008	Jud			.....	.....	.....	Oct. 2, 2008	Sept. 27, 2008	Oct. 15, 2008	431
To amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the Federal Railroad Safety Administration, and for other purposes.	H.R. 2095	May 1, 2007	TI	CST	Sept. 19, 2007		336	.....	Oct. 17, 2007	Aug. 1, 2008	Oct. 16, 2008	432

To extend through 2013 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.	H.R.	6296	June 18, 2008	HA	RAdm			.....	.....	July 15, 2008	Oct. 2, 2008	Oct. 16, 2008	433
To amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck.	H.R.	6531	July 17, 2008	Jud			.....	.....	.....	July 22, 2008	Sept. 30, 2008	Oct. 16, 2008	434
To amend section 114 of title 17, United States Code, to provide for agreements for the reproduction and performance of sound recordings by webcasters.	H.R.	7084	Sept. 25, 2008	Jud			.....	.....	.....	Sept. 27, 2008	Sept. 30, 2008	Oct. 16, 2008	435
To extend the Andean Trade Preference Act, and for other purposes.	H.R.	7222	Sept. 29, 2008	WM			.....	.....	.....	Sept. 29, 2008	Oct. 2, 2008	Oct. 16, 2008	436
To establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.	H.R.	5159	Jan. 29, 2008	HA		Mar. 3, 2008	.....	535	.....	Mar. 5, 2008	Sept. 27, 2008	Oct. 20, 2008	437
To amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.	S.	3197	June 25, 2008		Jud		Sept. 15, 2008	.....	0	Oct. 3, 2008	Sept. 30, 2008	Oct. 20, 2008	438
To designate the facility of the United States Postal Service located at 2150 East Hardtner Drive in Urania, Louisiana, as the "Murphy A. Tannehill Post Office Building".	H.R.	3511	Sept. 10, 2007	OGR			.....	.....	.....	Sept. 24, 2008	Sept. 30, 2008	Oct. 21, 2008	439
To designate the facility of the United States Postal Service located at 100 West Percy Street in Indianola, Mississippi, as the "Minnie Cox Post Office Building".	H.R.	4010	Oct. 30, 2007	OGR	HS&GA			.....	.....	July 14, 2008	Oct. 2, 2008	Oct. 21, 2008	440
To designate a portion of California State Route 91 located in Los Angeles County, California, as the "Juanita Millender-McDonald Highway".	H.R.	4131	Nov. 9, 2007	TI		Sept. 27, 2008	.....	895	.....	Sept. 29, 2008	Oct. 2, 2008	Oct. 21, 2008	441
To designate the facility of the United States Postal Service located at 1750 Lundy Avenue in San Jose, California, as the "Gordon N. Chan Post Office Building".	H.R.	6558	July 21, 2008	OGR			.....	.....	.....	Sept. 27, 2008	Oct. 2, 2008	Oct. 21, 2008	442
To designate the facility of the United States Postal Service located at 300 Vine Street in New Lenox, Illinois, as the "Jacob M. Lowell Post Office Building".	H.R.	6681	July 30, 2008	OGR			.....	.....	.....	Sept. 18, 2008	Sept. 30, 2008	Oct. 21, 2008	443
To designate the facility of the United States Postal Service located at 4 South Main Street in Wallingford, Connecticut, as the "CWO Richard R. Lee Post Office Building".	H.R.	6834	Sept. 8, 2008	OGR			.....	.....	.....	Sept. 27, 2008	Oct. 2, 2008	Oct. 21, 2008	444
To designate the facility of the United States Postal Service located at 801 Industrial Boulevard in Ellijay, Georgia, as the "First Lieutenant Noah Harris Ellijay Post Office Building".	H.R.	6847	Sept. 9, 2008	OGR			.....	.....	.....	Sept. 25, 2008	Sept. 30, 2008	Oct. 21, 2008	445

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 110–	Senate 110–	House	Senate	Date approved	No. 110–
To designate the facility of the United States Postal Service located at 513 6th Avenue in Dayton, Kentucky, as the "Staff Sergeant Nicholas Ray Carnes Post Office".	H.R. 6902	Sept. 15, 2008	OGR			.....	.....	.....	Sept. 27, 2008	Oct. 2, 2008	Oct. 21, 2008	446
To designate the facility of the United States Postal Service located at 210 South Ellsworth Avenue in San Mateo, California, as the "Leo J. Ryan Post Office Building".	H.R. 6982	Sept. 22, 2008	OGR			.....	.....	.....	Sept. 27, 2008	Oct. 2, 2008	Oct. 21, 2008	447
To designate the facility of the United States Postal Service located at 7095 Highway 57 in Counce, Tennessee, as the "Pickwick Post Office Building".	H.R. 6197	June 5, 2008	OGR			.....	.....	.....	Sept. 27, 2008	Oct. 2, 2008	Oct. 22, 2008	448
To provide for additional emergency unemployment compensation.	H.R. 6867	Sept. 10, 2008	WM			.....	.....	.....	Oct. 3, 2008	Nov. 20, 2008	Nov. 21, 2008	449
To require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American society, from the Colonial period to today.	H.R. 5714	April 8, 2008	FS			.....	.....	.....	Oct. 3, 2008	Nov. 17, 2008	Dec. 1, 2008	450
To require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.	H.R. 2040	April 25, 2007	FS	BHUA			.....	.....	April 1, 2008	Nov. 19, 2008	Dec. 2, 2008	451
To develop the next generation of parental control technology.	S. 602	Feb. 15, 2007	EC	CST		Mar. 3, 2008	.....	268	Oct. 3, 2008	Oct. 1, 2008	Dec. 2, 2008	452
To direct the Secretary of the Interior to take into trust 2 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico, and for other purposes.	S. 1193	April 24, 2007	NR	IA		July 31, 2008	.....	434	Sept. 29, 2008	Sept. 22, 2008	Dec. 2, 2008	453
To designate the facility of the United States Postal Service located at 1501 South Slappey Boulevard in Albany, Georgia, as the "Dr. Walter Carl Gordon, Jr. Post Office Building".	H.R. 6859	Sept. 10, 2008	OGR			.....	.....	.....	Sept. 27, 2008	Nov. 20, 2008	Dec. 19, 2008	454
Ensuring that the compensation and other emoluments attached to the office of Secretary of State are those which were in effect on January 1, 2007.	S.J. Res. 46	Dec. 10, 2008				.....	.....	.....	Dec. 10, 2008	Dec. 10, 2008	Dec. 19, 2008	455
To provide for a program for circulating quarter dollar coins that are emblematic of a national park or other national site in each State, the District of Columbia, and each territory of the United States, and for other purposes.	H.R. 6184	June 4, 2008	FS	BHUA	July 8, 2008		748	.....	July 9, 2008	Dec. 10, 2008	Dec. 23, 2008	456
To authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.	H.R. 7311	Dec. 9, 2008	FA EC Jud			.....	.....	.....	Dec. 10, 2008	Dec. 10, 2008	Dec. 23, 2008	457
To make technical corrections related to the Pension Protection Act of 2006, and for other purposes.	H.R. 7327	Dec. 10, 2008	WM E&L			.....	.....	.....	Dec. 10, 2008	Dec. 11, 2008	Dec. 23, 2008	458

To require the Federal Communications Commission to provide for a short-term extension of the analog television broadcasting authority so that essential public safety announcements and digital television transition information may be provided for a short time during the transition to digital television broadcasting.	S.	3663	Oct. 1, 2008	EC	CST			.....	.....	Dec. 10, 2008	Nov. 20, 2008	Dec. 23, 2008	459
To make a technical correction in the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.	S.	3712	Nov. 20, 2008	EC E&L WM			.....	.....	.....	Dec. 10, 2008	Nov. 20, 2008	Dec. 23, 2008	460

TABLE OF COMMITTEE ABBREVIATIONS

AG .....Aging
Agr .....Agriculture
ANF .....Agriculture, Nutrition, and Forestry
App .....Appropriations
AS-H .....Armed Services (House)
AS-S .....Armed Services (Senate)
BHUA ....Banking, Housing, and Urban Affairs
Bud .....Budget
CST .....Commerce, Science, and Transportation
E&L .....Education and Labor
EC .....Energy and Commerce
ENR .....Energy and Natural Resources
EPW .....Environment and Public Works
ETH .....Ethics
Fin .....Finance
FS .....Financial Services
FA .....Foreign Affairs
FR .....Foreign Relations
HEL&P ..Health, Education, Labor and Pensions
HS .....Homeland Security
HS&GA ..Homeland Security and Governmental Affairs
HA .....House Administration
HK .....Hurricane Katrina
IA .....Indian Affairs
Int .....Intelligence
Jud .....Judiciary
NR .....Natural Resources
OGR .....Oversight and Government Reform
R .....Rules
RAdm ....Rules and Administration
Sci .....Science and Technology
SB .....Small Business
SOC .....Standards of Official Conduct
TI .....Transportation and Infrastructure
VA .....Veterans' Affairs
WM .....Ways and Means

NOTE. –The bill in parentheses is a companion measure.

Next Meeting of the SENATE

10 a.m., Wednesday, April 1

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. Con. Res. 13, Budget Resolution.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 1

House Chamber

Program for Wednesday: Consideration of H.R. 1664—To amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards (Subject to a Rule). Begin consideration of H. Con. Res. 85—Concurrent Resolution on the Budget for Fiscal Year 2010 (Subject to a Rule).

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