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House of Representatives

The House met at 9 a.m.

Rev. Bruce Frank, Biltmore Baptist Church, Arden, North Carolina, offered the following prayer:

Dear Heavenly Father, we call on You today as the sovereign, almighty, Holy God who can heal our land.

You have said that if wisdom is lacking, ask and You will give it. And so we're asking for wisdom this day. I pray for these congressional leaders. Pray You would fill them with wisdom on what to do. Pray You would give them the courage to do just that.

Pray You surround them with people who will speak truth into their ears and who will place principle above temporary favor. You have said, ''Blessed is the Nation whose God is the Lord.''

Pray You give us a recognition of our inadequacy for the task at hand and a dependence to carry out that task, for You have said, God resists the proud, but You give grace to the humble, and we're asking for grace today.

You are a God who abhors dishonest scales. Grant a determination to do the people's business with the utmost of integrity and remind us daily of our accountability to You for the service that we give.

May the words that are written behind me ''In God We Trust'' be true this day, in the name of my God and my Savior, the Lord Jesus Christ, I pray.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND BRUCE FRANK

The SPEAKER. Without objection, the Chair recognizes the gentleman from North Carolina (Mr. SHULER) for 1 minute.

There was no objection.

Mr. SHULER. Madam Speaker, I want to thank my friend and brother in Christ, Pastor Bruce Frank, for opening the House of Representatives in prayer today.

Bruce Frank is the senior pastor at my church, Biltmore Baptist Church in Arden, North Carolina, where he provides spiritual guidance and inspiration for over 6,000 members.

Pastor Frank was born in Atlanta, Georgia, and grew up in Oklahoma and Texas. He and his wife, Lori, have two sons, Tyler and Conner. Before being called to our church, he served as pastor at Baptist churches both in Houston and Humble, Texas.

Pastor Frank has brought a renewed sense of spirit and purpose to my church and its congregants since he joined us in 2008. I am grateful that he was able to grace us with the same spirit and purpose as he led us in prayer this morning.

Pastor Frank, we love you.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 additional 1-minute speeches on each side of the aisle.

RECOGNIZING THE UNIVERSITY STUDIES ABROAD CONSORTIUM

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

Ms. TITUS. Madam Speaker, I rise today to recognize the University Studies Abroad Consortium. USAC developed out of an informal exchange of students and professors between the Basque Studies Program at the University of Nevada, Reno, and the University of the Basque Country in San Sebastian, Spain. Under the excellent leadership of Dr. Carmelo Urza, USAC has evolved into one of the largest and most successful study abroad programs in the United States today. Currently, there are 33 U.S. member universities offering programs in 25 countries at 39 sites, with an annual enrollment of about 2,500 students.

USAC is presently holding its annual meeting at the University of Nevada, Las Vegas. This brings together staff from the U.S. member universities and the resident directors of all USAC sites around the globe.

I salute them for their hard work and dedication, because we know that studying abroad provides students with a unique opportunity to develop the knowledge, skills, experience, and attitudes to succeed in the global society of the 21st century.

I offer this in memory of a key member of the USAC team and a dear personal friend, Dr. Felix Menchacatorre, who passed away last August.

Estas en el corazon—you are in our heart—Felix.

BUDGET DEBATE DEFINES CLEAR DIFFERENCES

(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. Madam Speaker, the debate unfolding

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over the budget is really one that has always been a part of our Nation's dialogue. Do we want a big government and high taxes, which infringe on our individual freedom, or do we want a limited government that lets the American people keep more of the money that they earn, which expands freedom?

Democrats have a budget that says loud and clear: big government spending is going to be alive and well-fed by massive borrowing and increasing taxes by $1.2 trillion. They will raise taxes not to pay off debt but, rather, to simply spend more money, mortgaging the future of our students, such as those at Timmerman School of Columbia.

Republicans have offered a budget that does the opposite. We want to cut spending, reduce debt, address short-term and long-term challenges, and provide more relief for American families and small businesses. Our budget is a clear sign of the confidence we have in the American people, not big government, to create jobs and put our fiscal house in order.

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

THE REPUBLICAN BUDGET

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

Mr. DEFAZIO. Well, after doubling the national debt under the failed leadership of George Bush, the Republicans unveiled their budget alternative yesterday, very appropriately on April 1, April Fool's Day.

Now, there's a pretense that they're going to restore fiscal stability through budget gimmicks, the spending freeze, no matter how great the need, bridges falling down, veterans need services, to educate our kids, budget's frozen. Well, it's frozen, sort of. There is another part that's not. After the smoke and mirrors are put up, their real agenda comes through, which is more tax cuts for the wealthy.

Here's the amazing thing. They're going to eliminate all taxes on capital gains so people who invest for a living don't have to pay taxes. We have had that argument before. But think of it, it's so beautiful. The hedge fund managers, who averaged $260 million each a year last year creating toxic assets that are destroying our economy, claim that their income is carried interest, which is capital gains.

So the hedge fund managers who put our economy in the tank will contribute zero, zero dollars, under the Republican budget alternative to helping repair the damage in America.

Good work, guys. April fools.

BUDGET

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

Mr. SAM JOHNSON of Texas. Madam Speaker, unlike what the gentleman just said, this President's budget spends too much, taxes too much, and borrows too much. This is the most fiscally irresponsible budget in the history of the United States.

The spending levels in the budget are just staggering. Under the President's budget, the government's spending will represent roughly 30 percent of our economy. That's not the American way.

The right way forward is the PAUL RYAN alternative budget which trims wasteful government spending and lets families and small businesses keep more of their hard-earned money.

I urge my colleagues to join me in supporting the conservative budget proposal that rekindles prosperity, promotes financial security, invests in our future, and saves for our children's future.

Let's go, America. It's the right way to go forward.

□ 0915

A REPEATED FALSEHOOD

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

Mr. BLUMENAUER. We're going to hear more of our friends from the other side of the aisle talk about their budget proposal today. It's ironic that they're proposing things that they couldn't, wouldn't enact when they ran everything.

But one of the things I find most distressing is their repeated falsehood about some $3,100 increase in taxes on the American people based on research done by MIT. They talked about it four times again last night.

Talking to Professor John Reilly, who actually did the 2007 study, indicates that they are using an intentional misrepresentation of the study. In fact, when somebody from the Republicans ''called me on March 20 and asked about it, I explained why the estimate was incorrect and what they could do to correct it.''

The actual number is one-fortieth of what the Republicans are talking about. And the fact is that in the budget we have an opportunity for people who want to be legislators—not communicators—to help us allocate how those benefits will be utilized.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traverse the well while other Members are speaking.

CIGARETTE TAX

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

Mr. PITTS. Madam Speaker, all in one week we've had April Fool's Day, the Democrats' budget, and the largest increase in cigarette taxes ever. But the American people aren't foolish and they aren't in the mood for gimmicks.

Yesterday, the Federal tax on a pack of cigarettes went up—way up. Was this tax raised to get people to stop smoking? Or was it raised to pay for a massive expansion in SCHIP? Well, both, actually. And that's a crazy way to run a railroad.

SCHIP needs more money under the Democrats' plan. So we're going to need more people to start smoking, not fewer. In fact, we're going to need about 22 million new people to start smoking.

But this tax increase is going to convince people to stop smoking, which means the SCHIP will be short of funds and the folks in charge in Congress are going to want to raise taxes again soon.

I'm all for health care for kids, and I'm all for getting people to quit smoking, but I'm against health care run by bureaucrats and health care programs funded by cigarette taxes.

The American people must wonder what Democrat leaders are smoking in Washington these days. And that is no laughing matter.

BUDGET FACT CHECK: NO COMPARISON

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

Mr. PALLONE. Madam Speaker, the Republicans, the ''Party of No,'' are now the ''Party of No New Ideas.'' The budget plan they released last week is a rerun of the same failed policies that got our country into this deep financial and economic crisis, including massive tax cuts for the wealthiest Americans, huge subsidies to big oil and gas companies, and no plan to bring down the cost of health care. And their approach to the financial market is to ask for more deregulation. The plan will result in deep cuts to vital services like education and public safety.

It's basically the same old thing—the Republican ''Party of No.'' I ask my colleagues, vote for the Democratic budget and vote against the Republican alternative.

CHIEF STEVE WHEELER—TEXAS FIREMAN

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

Mr. POE of Texas. Madam Speaker, the small town of Cleveland, Texas, lost one of their finest citizens this week when Fire Chief Steve Wheeler was killed. Steve was more than a Fire Chief. He was a fireman's firefighter—dedicated to the people of his town.

Steve decided at 13 he wanted to be a fireman. He worked at the local barbershop and watched the firefighters next door at the station jump on fire trucks—and he got the urge to do the same.

After high school, he drove an ambulance and joined the volunteer fire department. He has held just about every position there ever since—most recently, head of the Cleveland Emergency Management Department. That's

the folks that take over during hurricane disasters.

Steve will be remembered most for the 30 years as Chief of the Cleveland Volunteer Fire Department, for that firefighter spirit that he had, and that unwavering devotion to his firemen.

Today, Chief Steve Wheeler answered his last call. Flags will be lowered; the final radio call will be made; and the final fire bell will be rung.

Our prayers go out to the Wheeler family, the Cleveland Fire Department, and the good people of that entire community.

Steve Wheeler—fireman, father, fine Texan.

And that's just the way it is.

RECKLESS SPENDING

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

Mr. BUCHANAN. Madam Speaker, the House will vote today on a Federal budget that borrows, taxes, and spends more than any other budget in history. Tax increases and deficit spending on big government programs won't help the economy. It will discourage job creation and burden families in the future for additional generations.

We can't spend our way back in terms of the recession and we can't borrow our way out of debt. The budget before us today would increase spending by $1.9 trillion over the next 10 years, raise taxes by $1.4 trillion, and add $3.3 trillion in new debt.

This is reckless spending masquerading as sound budgeting. What our country needs is a responsible budget that scales back spending and borrowing; a budget that will strengthen our economy and put Americans back to work; a budget that will leave our children and grandchildren with better opportunities than we had.

WE MUST WORK TOGETHER TO FIND SOLUTIONS

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

Mr. REICHERT. Let's just talk about common sense. Budgets are about priorities. They're not just blueprints, but plans on how to achieve goals. Just as families sit down at the kitchen table to map out how to make ends meet to save for college education or their retirement, so too must the government put forward a responsible budget.

This budget identifies important priorities—economic recovery, health care, and energy independence—but I'm concerned. This budget spends too much, borrows too much, and taxes too much.

We must offer tax incentives to invest and create jobs, not raise taxes on job creators and small businesses. We must reduce wasteful spending, not increase the debt by $9 trillion.

We must work together to find solutions to the challenges before us, not halt progress with ''politics as usual.''

Despite calls to work together, this budget could permit a government-run health plan to be rammed through Congress without real consideration to protect seniors or the patient-doctor relationship. It's not about big government. It's about families, it's about small businesses, about entrepreneurism.

Let's oppose this budget and advance one that reflects the values found at kitchen tables across our country.

OPPOSITION TO THE DEMOCRATIC BUDGET

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

Mr. MCCAUL. Madam Speaker, I rise today to express my strong opposition to the budget resolution that the majority is forcing on this House and the American people. This budget is an irresponsible and unwise increase in Federal taxes with borrowing and spending that will double the national debt and place a $50,000 burden on each American.

The budget proposes to spend nearly $4 trillion over the next year that America simply doesn't have. It also lays the groundwork for radical changes that will further prolong this recession by increasing government control of health care and increasing taxes on small businesses and anyone who uses electricity or gasoline.

This budget maxes out America's credit card and buries future generations in a mountain of debt. This budget and its massive increase in borrowing and spending will lead to higher taxes and return us to big government.

Simply put, Republicans want more freedom for Americans. Democrats want more government control over our lives.

FREEDOM AND THE BUDGET

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, if one looks to the exceptionalism of America, one finds that at its base is freedom. We've always had an agenda for freedom—freedom with responsibility.

Today, we have a budget that's made up of numbers. People wonder how does that somehow have anything to do with freedom. Well, if you spend too much, if you tax too much, if you borrow too much, what it means is you give greater and greater power to the Federal Government, to elected representatives, to nonelected bureaucrats to make decisions for you and your life, not only today, but in the future.

For the young people that are listening, they ought to understand that the impact of this budget today will be far greater on them than it will be on me. Why? Because we are about to embark on a budget that will give us more debt than at any time in the history of America. And we and those of us who are here will not live long enough to pay it off.

The young people are the ones that are going to pay for it. They are in fact going to have less freedom rather than more freedom unless we come to our senses and vote for a budget that is consistent with the American agenda of freedom.

HONORING SECRETARY MIKE DIBERARDINIS

(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. I come to the floor today to honor a man that exemplifies public service—a man that hails from the big city of Philadelphia, but who has had a profound impact on my rural district.

Secretary Mike DiBerardinis has served the Rendell administration and the Commonwealth of Pennsylvania with distinction for the past 6 years as the head of the Department of Conservation and Natural Resources, or DCNR.

While I have only had limited interaction with the Secretary personally, his work for the Pennsylvania Wilds Initiative—a nature tourism program that encompasses my district—speaks volumes about his character and his dedication to rural Pennsylvania.

Under the Secretary's leadership, DCNR has taken the PA Wilds from a concept to a budding program, highlighting the beautiful landscape and the many attractions of central and northwestern Pennsylvania. From hiking, to biking, to backpacking, and skiing, Pennsylvania Wilds has it all.

In fact, this past summer, the Secretary was in my hometown breaking ground on the State's first Nature Inn, in Bald Eagle State Park—adding yet another component to an already robust State park system.

So while tomorrow is the Secretary's last day at the helm, I want to say thank you. Thank you for your service to rural Pennsylvania. Your leadership and vision has made a lasting impression.

PROVIDING FOR FURTHER CONSIDERATION OF H. CON. RES. 85, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 316 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 316

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for

further 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. The concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent. All points of order against the amendments printed in the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and any amendment thereto to final adoption without intervening motion except amendments offered by the chair of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. After adoption of House Concurrent Resolution 85 and receipt of a message from the Senate transmitting Senate Concurrent Resolution 13, it shall be in order to take from the Speaker's table Senate Concurrent Resolution 13 and to consider the Senate concurrent resolution in the House. All points of order against consideration of the Senate concurrent resolution are waived. It shall be in order to move to strike all after the resolving clause of the Senate concurrent resolution and to insert in lieu thereof the provisions of House Concurrent Resolution 85 as adopted by the House. All points of order against that motion are waived. The Senate concurrent resolution shall not be subject to a demand for division of the question of its adoption. If the motion is adopted and the Senate concurrent resolution, as amended, is adopted, then it shall be in order to move that the House insist on its amendment to the Senate concurrent resolution and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentleman from Massachusetts is recognized for 1 hour.

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

GENERAL LEAVE

Mr. MCGOVERN. I ask unanimous consent that all Members have 5 legislation days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

□ 0930

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

Madam Speaker, the resolution provides for further consideration of the budget under a structured rule. It makes in order four substitute amendments.

First, let me once again thank Chairman SPRATT and Ranking Member RYAN for all of their incredibly hard work. They obviously have very significant differences in philosophy, but they strive to make the Budget Committee a very fair and thoughtful place.

Madam Speaker, the rule before us today will allow Members of this House to make a very clear choice: Do you believe we should pass a budget that invests in the American people? Or, do you believe we should pass a budget that makes the same old mistakes of the past?

My friend from California (Mr. DREIER) and I had a very good debate on the floor and in the Rules Committee yesterday, and I know that many of our colleagues will voice their opinions today during the debate. But I would like to take a bit of time to talk about the choice that Members will make today.

In addition to the Democratic and Republican budgets, this rule makes in order proposals from the Progressive Caucus, the Congressional Black Caucus, and the Republican Study Group. So a wide range of options will be presented today.

I will vote proudly for the Democratic budget. Our budget reduces the deficit, it cuts taxes for middle-class families, and it makes critical investments in health care, education, and clean energy.

We will hear a lot today about the deficit, so let's remember one thing: The Obama administration inherited an economy in a deep recession, with a projected annual deficit of over $1 trillion. This deficit didn't simply appear out of thin air. It was the direct result of the policies of the Bush administration, along with their Republican allies in Congress, who inherited a large surplus and then proceeded to squander it.

Now, my friends on the other side of the aisle will say, ''Don't talk about the administration, they are gone,'' as though 3 months ago is somehow ancient history. But we must talk about how we got into this mess. Those who ignore bad mistakes of the past are doomed to repeat it.

We believe that the best way, indeed, the only way to effectively reduce the deficit is to grow the economy, to create good-paying jobs for middle-class Americans, to improve the health and education of the American people, to invest in the cutting-edge green energy economy of the future.

By contrast, the Republican budget proposes slashes in health care and in nutrition for the most vulnerable Americans. It ignores the educational needs of our people. And it relies on the same dirty fossil fuels that threaten our environment and increase our dependence on foreign oil.

Now, I would like to talk for a moment about a specific difference between the two budgets on hunger and nutrition. Mr. DREIER got very upset with me yesterday, I believe he used the word ''shrill,'' when I suggested that the Republican budget would cut food stamps and other nutrition programs. He argued that of course Republicans care about hunger, and that to argue otherwise would be class warfare.

Well, what do you know, when you actually look at the Republican budget they do in fact cut food stamps. They rescind the food stamp increases included in the stimulus bill; in other words, cutting the program below current law by more than $20 billion over 2 years. And if that weren't bad enough, the Republican budget instructs the Agriculture Committee to cut an additional $38 billion over 10 years.

Now, where would that $38 billion come from? It can only come from a couple places, agricultural subsidies or nutrition programs, because that is what the Agriculture Committee does. And Mr. RYAN said in the Rules Committee yesterday that they weren't proposing to reopen the farm bill.

So that means it won't come from the agricultural subsidies; that means that the additional $38 billion would most likely come from reducing nutrition programs for the most vulnerable Americans.

Now, here is what that means to the people at home. Because of the recovery package that we passed a few weeks ago, a family in Massachusetts will see an increase in their food stamp benefits by around $39 a month. But the Republican budget eliminates that increase, literally taking food out of the mouths of Americans already struggling to make ends meet.

This increase averages out to a little more than $1 a day. Now, many of my colleagues spend three or four times that amount on a latte. Maybe $39 a month isn't a big deal to those in this Chamber, but it is a lot of money for people who have been adversely impacted by this lousy economy.

I believe it is wrong to cut food and nutrition programs for vulnerable people in order to pay for capital gains tax cuts for Wall Street traders.

Madam Speaker, we all talk about how bad things are on Main Street, and our budget should be designed to help the people who live on Main Street and on the side streets as well, whether that is in California or Massachusetts or somewhere in between. But let me tell you how bad things are out there, and let me tell you why the Republican budget will make things worse.

School districts across this country are facing budget shortfalls. Families are having hard times making ends meet. Unfortunately, some families don't even have enough money to pay for the school meals, and the schools are taking drastic measures in response, according to a February 25 Associated Press article.

According to the article, many schools are literally taking kids out of the lunch line because their parents can't afford to pay the cost of a reduced lunch and they are giving them a cheese sandwich, or, in some cases, giving them nothing simply because their parents can't afford to pay for the reduced-price school lunch.

According to this article, the School Nutrition Association recently found that half of the school districts from 38 States surveyed have seen an increase in the number of students charging meals, while 79 percent saw an increase in the number of free lunches served over the last year. This means that more families are relying on the Federally funded school lunch program to help feed their kids; yet, the Republican budget would basically cut school lunch funding from the budget, once again making it harder for our children to get the proper food and nutrition they need.

Now, my good friend from the other side of the aisle will probably say that this is class warfare, that the Democrats are demagoguing this issue. Well, let me tell my good friend from California that the Republican budget requires the Education and Labor Committee to cut almost $23 billion from programs in their jurisdiction. One of the biggest programs, if not the biggest program, is the school lunch program. And if the Republican Party isn't cutting school lunch, then I would like to hear where they are going to make these cuts. Student loans, special education, funding for basic education needs?

Let me be clear: A vote for the Republican budget is a vote to cut programs that are essential and that are helping Americans get through these tough times today, and it is a vote to ensure that people will not be able to improve their lives.

Madam Speaker, those of us in this Chamber earn a good salary. No matter what happens, we will all be fine; but there are a lot of people whom we represent who won't be, unless we provide some help. These are difficult times, and we need to rise to the occasion.

So again, Madam Speaker, Members will have the opportunity to make some very clear choices today. I urge my colleagues to join me in supporting the Democratic budget, to believe in the potential of the American people, to restore the American dream, and to leave a better America for future generations.

NO FREE LUNCH: SCHOOLS GET TOUGH ON DEADBEATS

ALBUQUERQUE, N.M.—A cold cheese sandwich, fruit and a milk carton might not seem like much of a meal—but that's what's on the menu for students in New Mexico's largest school district without their lunch money.

Faced with mounting unpaid lunch charges in the economic downturn, Albuquerque Public Schools last month instituted a ''cheese sandwich policy,'' serving the alternative meals to children whose parents fail to pick up their lunch tab.

Such policies have become a necessity for schools seeking to keep budgets in the black while ensuring children don't go hungry. School districts including those in Chula Vista, Calif., Hillsborough County, Fla., and Lynnwood, Wash., have also taken to serving cheese sandwiches to lunch debtors.

Critics argue the cold meals are a form of punishment for children whose parents can't afford to pay.

''We've heard stories from moms coming in saying their child was pulled out of the lunch line and given a cheese sandwich,'' said Nancy Pope, director of the New Mexico Collaborative to End Hunger. ''One woman said her daughter never wants to go back to school.''

MIXED REVIEWS

Some Albuquerque parents have tearfully pleaded with school board members to stop singling out their children because they're poor, while others have flooded talk radio shows thanking the district for imposing a policy that commands parental responsibility.

Second-grader Danessa Vigil said she will never eat sliced cheese again. She had to eat cheese sandwiches because her mother couldn't afford to give her lunch money while her application for free lunch was being processed.

''Every time I eat it, it makes me feel like I want to throw up,'' the 7-year-old said.

Her mother, Darlene Vigil, said there are days she can't spare lunch money for her two daughters.

''Some parents don't have even $1 sometimes,'' the 27-year-old single mother said. ''If they do, it's for something else, like milk at home. There are some families that just don't have it and that's the reason they're not paying.''

The School Nutrition Association recently surveyed nutrition directors from 38 states and found more than half of school districts have seen an increase in the number of students charging meals, while 79 percent saw an increase in the number of free lunches served over the last year.

''FAMILIES STRUGGLING''

In New Mexico, nearly 204,000 low-income students—about three-fifths of public school students—received free or reduced-price lunches at the beginning of the school year, according to the state Public Education Department.

''What you are seeing is families struggling and having a really hard time, and school districts are struggling as well,'' said Crystal FitzSimons of the national Food Research and Action Center.

In Albuquerque, unpaid lunch charges hovered around $55,000 in 2006. That jumped to $130,000 at the end of the 2007–08 school year. It was $140,000 through the first five months of this school year.

Charges were on pace to reach $300,000 by the end of the year. Mary Swift, director of Albuquerque's food and nutrition services, said her department had no way to absorb that debt as it had in the past.

''We can't use any federal lunch program money to pay what they call bad debt. It has to come out of the general budget and of course that takes it from some other department,'' Swift said.

''DIGNITY AND RESPECT''

With the new policy, the school district has collected just over $50,000 from parents since the beginning of the year. It also identified 2,000 students eligible to receive free or reduced-price lunches, and more children in the lunch program means more federal dollars for the district.

School officials said the policy was under consideration for some time and parents were notified last fall. Families with unpaid charges are reminded with an automated phone call each night and notes are sent home with children once a week.

Swift added that the cheese sandwiches—about 80 of the 46,000 meals the district serves daily—can be considered a ''courtesy meal,'' rather than an alternate meal.

Some districts, she noted, don't allow children without money to eat anything.

Albuquerque Public Schools ''has historically gone above and beyond as far as treating children with dignity and respect and trying to do what's best with for the child and I think this is just another example,'' Swift said.

I reserve the balance of my time.

Mr. DREIER. Madam 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. I want to begin by expressing my appreciation to my very good friend and debating partner, as he has just outlined from Worcester, for yielding me the customary 30 minutes. And I want to begin by saying that it was very obvious from the moment that he stood up, Madam Speaker, that we have been debating over the last couple of days, and I wish him well in his recovery as he seeks to get his voice back as our debate proceeds.

I also want to say that as I listened to his account of his concern, that we all share, for those who are on food stamps, for those who are suffering during these difficult economic times. I want to congratulate him for his lifelong commitment to dealing with those who are suffering, and to say that I stand here with him committed to doing everything that we possibly can to ensure that those who truly are in need, those who are on food stamps, do not see the rug pulled out from under them. That is a commitment that we are proud to make, standing with him on that. And I will say that I don't believe for 1 minute that our budget would in any way undermine those who are facing the serious economic challenges that we have.

But I have to say, Madam Speaker, it is interesting to note that the budget that was sent here to this Congress was, interestingly enough, entitled, ''The New Era of Responsibility,'' proving once again that, in Washington, spin seems to trump reality every single time.

Slapping the moniker of ''responsibility'' on a disastrous budget is far easier than actually crafting a responsible budget. But now is not the time to be taking the easy way out and abandoning our duties to wisely and effectively spend the taxpayers' money.

We, as we all know, are facing the gravest economic crisis that we have faced in nearly three decades. If there was ever a time for true leadership, it is now. And, regrettably, my colleague's side of the aisle has chosen this very critical moment to shirk the responsibility for the great task that is before us.

The Democratic budget imposes new taxes, new taxes on small businesses,

increasing that burden on job creators. So that will mean more lost jobs, fewer capital investments, and greater strain on our credit markets.

It also increases taxes on every single American household across this country with new energy taxes. In fact, families will see their taxes on energy go up by as much as $3,100 a year.

Now, these are not—these are not, Madam Speaker, as we all know, tax increases on the super rich, which we regularly hear decried around here. These are regressive taxes that will hit every single family in this country. And, Madam Speaker, it is important to note this energy tax will hit the poorest of families in this country, because they need to turn the light switch on and turn the microwave on as well.

This budget will have immediate and very, very painful consequences. But as painful as the short-term impact will be, the long-term consequences are even more troubling. This budget more than quadruples the deficit. My friend talked about how this budget reduces the deficit. All one needs to do is look at the numbers, Madam Speaker. This budget more than quadruples the deficit. It pushes our national debt to a level that threatens the solvency of this country for years to come, in fact, for generations to come.

Now, some Americans may be wondering why the deficit should matter while so many families are struggling. Well, let me clarify exactly what it is that we are talking about here.

Republicans are not advocating a complete eradication of the deficit in 2009. We have had deficits over the past several years. We all acknowledge that. And while we are committed to reining in wasteful spending, this time of serious economic challenges is not the time for sudden or extreme austerity.

Our concern with this budget is not that there is any deficit at all; our concern is that the deficit itself is so catastrophically huge. It takes the largest deficit in the last 8 years and expands it exponentially by 450 percent in this year alone, a 450 percent increase in the size of the deficit this year alone.

It is either amusing or tragic, depending on how seriously one takes this issue, to hear my colleagues on the other side of the aisle whine that they inherited deficits. They justify their enormously wasteful budget by saying Republicans ran deficits, too. Yes, there were budget deficits when Republicans controlled Congress. We all acknowledge that. We have been fighting two wars; and, yes, we did not go as far as we would have liked in trimming down wasteful spending. We acknowledge that.

But what twisted and contorted logic, Madam Speaker, is it to say: Republican deficits were bad, so we are responding by making them four times worse. Is this really the Democratic majority's justification for what it is that we are doing today? Do they really think anyone could be fooled by such preposterous reasoning? This argument is not just bizarre, it is downright dangerous. It fails to take seriously the impact of exponentially growing debt.

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It also fails to take seriously the nature of our current economic crisis. Some debt is manageable, as any working family knows. Americans borrow money all the time to buy a new car or pay for college tuition. At reasonable levels, debt is manageable. But as we have learned very painfully, irresponsibly and dramatically increased debt can be catastrophic.

Our Nation's oldest, most prestigious financial institutions have collapsed under the weight of their irresponsible debts. And now the Democratic majority is careening down the path that led these institutions into ruin. Our current economic crisis has come as the result of irresponsible, unaccountable behavior. We all know that. We simply cannot begin our recovery unless and until we begin to learn from our mistakes. The Democratic budget simply repeats and expands on those mistakes.

But, Madam Speaker, we do have another choice. We, as Republicans, have put forth an alternative that heeds the lessons of our economic crisis and applies some common sense to our spending priorities. It also heeds the lessons of history and previous times of economic crisis. We have experienced great economic challenges before throughout our Nation's history. And what have those experiences taught us? Now if we go back to the recessions in the early 1980s and the early 1960s, we see very clearly a Democratic President and a Republican President. President Ronald Reagan and President John F. Kennedy quickly righted our economies with pro-growth policies that empowered America's job creators. Again, a Democratic President, John F. Kennedy, and a Republican President, Ronald Reagan, both put into place pro-growth policies that empowered the job creators here in the United States. John F. Kennedy, as I said, and Ronald Reagan after him, understood that all the government intervention in the world could never match the power of American entrepreneurship.

Madam Speaker, I am going to quote a Democratic President, President John F. Kennedy, who in 1962 said the following: ''To increase demand and lift the economy, the Federal Government's most useful role is not to rush into a program of excessive increases in public expenditures, but to expand the incentives and opportunities for private expenditures.'' Madam Speaker, I'm going to repeat the words of the great Democratic President, John F. Kennedy. In 1962, as we were dealing with economic challenges, he said, ''To increase demand and lift the economy, the Federal Government's most useful role is not to rush into a program of excessive increases in public expenditures, but to expand the incentives and opportunities for private expenditures.''

Madam Speaker, history proved John F. Kennedy right. His pro-growth reforms reversed the recession and put our economy back on the path to prosperity. We all know two decades later. My colleague, Mr. LUNGREN, and I were part of that ''Reagan Revolution.'' Reagan followed John F. Kennedy's lead and accomplished the same thing.

Now, Madam Speaker, today Republicans have proposed a budget built on the Kennedy-Reagan model, a budget that draws upon history's lessons and will allow our economy to grow once again. Our alternative also heeds the mistakes that led to our current crisis and rejects the Democratic majority's policy of massive, reckless new debt for the American people. This alternative will not eliminate the deficit immediately, but it responsibly funds our greatest needs while preventing the deficit from ballooning into an utterly unmanageable size.

It does not raise taxes on small businesses and working families, but, in fact, reduces the tax burden they face and empowers them to lead our economic recovery. It meets our needs as a Nation without condemning future generations to a mountain of crippling debt. It is the responsible solution that the American people are expecting. It is the only budget proposal before us today that will carry us through this economic crisis and begin the process of the recovery that I know we all seek in a bipartisan way.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, let me thank the gentleman from California for his concern for my voice. And I appreciate the fact that he admitted that the Bush deficits were a bad thing. That is the first important step toward a recovery. So I appreciate that. And he mentions the two wars we fought. I would remind him that they were always off budget. And the budget the Democrats present today is a more honest accounting of those expenditures.

At this time, I would like to yield 3 minutes to the distinguished gentleman from New Jersey, a member of the Budget Committee, Mr. ANDREWS.

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

Mr. ANDREWS. Madam Speaker, I think someone who sells real estate or teaches school for a living must listen to this budget debate and be befuddled by what he or she is hearing. Thankfully, today there will be a chance for that citizen to hear a wide range of alternatives, a wide range of views as to how we should fix the country's economic problems. For that, I commend the Rules Committee under Ms. SLAUGHTER's and Mr. MCGOVERN's leadership, and I hope the minority will vote for the procedure that lets that wide range of views be heard.

But that person who teaches school or sells real estate has heard consistently from the minority that their household will get a $3,000-a-year tax increase. That isn't so. The fact of the matter is that the hypothetical, mythical energy tax that the minority continuously refers to is not in the budget. If there ever were to be such a tax, it would have to come to this floor for a separate vote, a separate debate and separate consideration. The minority habitually says that small businesses and families will have their taxes increase. The fact of the matter is there are instructions to pay for health care that would probably look to repeal the Bush tax cut for the wealthiest 5 percent of people in this country, a platform the President ran on and was elected on. It is absolutely untrue that the 95 percent below that figure have any sort of tax increase. They don't. In fact, there is a $1.7 trillion tax reduction for the bottom 95 percent of people in this country, for middle-class people. We hear that small businesses are going to have their taxes increase. That is not true. Ninety-eight percent of the small businesses in this country file tax returns lower than the adjusted gross income that would be affected by the provisions that would help pay for the health care bill.

We hear habitually about deficit and debt, and those on the minority side gnash their teeth and weep that the debt, according to them, will be doubled in 5 years. They know all about that, because that is exactly what they just did. They just doubled the national debt in the last 5 years under their watch.

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

Mr. MCGOVERN. I yield the gentleman an additional 2 minutes.

Mr. ANDREWS. The fact of the matter is that this plan reduces the deficit by two-thirds over the next 5 years.

Now I do agree with my friend from California that this is about choice, this is about how to handle our economic distress. President Obama came to office and said he would do three things. He said he would pass a bill to stimulate the economy by helping people buy houses, buy cars, get construction workers back to work and keep people working and teaching in our schools. He did it. He then said his administration would lay out a plan to stabilize the collapsing banking system. Such a plan was laid out at the beginning of last week. And although it is far too early to measure its results, early signs are good. And then he said he would lay out a long-term plan for economic development, jobs and growth that would address the fundamental, underlying problems of this country. And that is what we are doing today. Stop living on borrowed money; he is cutting the deficit by two-thirds. Make us free from imported energy; he sets out a path to do so that Congress will either follow or not. Deal with health care reform; he sets out a path to do so that we will deal with through reconciliation instructions, whether you vote for it or not. And finally, he sets forth a path to broaden access to education and improve its quality.

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

Mr. DREIER. I would be happy to yield my friend additional time if he would yield to me.

Mr. ANDREWS. Just one moment. I just want to finish this point. I would love to hear from you.

The other side wants nostalgia. If we were to have a third George Bush term, their alternative is what it would look like; make permanent the tax breaks for the wealthiest, reduce what we spend on education, nutrition, environment, energy and health care, and hope for the best. This is a choice between the future of promise and the failure of the past. And if my friend would like to ask me about the failure of the past, he can certainly do that.

Mr. DREIER. Do I have any other option at all to discuss anything else? Is that all I can discuss is the failure of the past? If my friend would yield, and I'm happy to yield my friend 1 additional minute, Madam Speaker.

The SPEAKER pro tempore. The gentleman is recognized for 1 minute.

Mr. DREIER. I thank my friend for yielding. Let me just say that if we talk about the failure of the past, clearly the ideological baggage of the past has been the tax, spend and borrow policy which is being proposed here. Let me say I'm somewhat confused. I know that the President talked about reducing the deficit by half. Now, of course, if we run multitrillion-dollar deficits and you cut it down by a $1 trillion or $2 trillion, yeah, you can maybe cut it in half. But my friend has just said he is going to cut the deficit by two-thirds. I don't know where that comes from.

Mr. ANDREWS. Reclaiming my time, has the gentleman read the majority budget resolution? If the gentleman would read it, he would see that the deficit is two-thirds at the end of the 5-year cycle.

Mr. DREIER. Let me just say from what it is now, based on the projections with all the spending that is in here, that will create deficits that are so extraordinarily high. That is the challenge that we have got here. When you dramatically increase the size of the deficits—I thank my friend for yielding.

Mr. ANDREWS. Reclaiming my time, if I may.

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

Mr. DREIER. Madam Speaker, I will yield myself such time as I may consume. And I'm happy to further engage my friend. And I will say that we have proposed a 10-year budget. This is a 5-year budget that my friend has. And I know that if you have multitrillion-dollar deficits that are going to be run, the dramatic increase in debt servicing is going to increase the size of those deficits.

I also have to say that it is very interesting, Madam Speaker, my friend said that I was able to talk about the Bush years. And yes, I'm very proud of the fact that in 2001 and 2003, dealing with the aftermath of September 11, an economic recession that existed in the early part of this decade and corporate scandals, that we were able, for 55 months, to have sustained economic growth. And I think that that is something of which we can be proud. But my point is, my arguments here were bipartisan. And John F. Kennedy was one of our greatest Presidents. And I'm very proud to say that we are standing on the shoulders of John F. Kennedy, if that will make my colleagues feel better. Mr. LUNGREN and I regularly argue that we are standing on the shoulders of Ronald Reagan.

Mr. ANDREWS. Will the gentleman yield?

Mr. DREIER. I'm happy to yield to my friend.

Mr. ANDREWS. The gentleman can stand on whomever's shoulders he wants. I'm afraid that the economic collapse you have left us with is standing on the chest of the working American.

Mr. DREIER. If I can reclaim my time, we are standing on the shoulders of John F. Kennedy and Ronald Reagan to use policies that have historically been very, very successful and brought about economic recovery through difficult times in our Nation.

At this time, I would like to yield 4 minutes to my very good friend from Gold River, California, our former attorney general and my good friend, Mr. LUNGREN.

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

Madam Speaker, John Kennedy's famous words were that a rising tide lifts all boats. I guess conversely then, a receding tide would lower all boats.

Isn't that what we are talking about here? How do we get out of this economic difficulty we are in? My friends on the other side have correctly pointed out that we spent too much and we borrowed too much in the last number of years. I have agreed. I have said that ever since I came back to Congress 4-plus years ago.

But to condemn the actions of the past and then say you're going to get out of it by repeating it but doubling down on it doesn't seem to make a whole lot of sense. Look, I was gone from this place for 16 years. My children are grown now. I now have grandchildren. When I first came here, I had very young children. And I have got to answer to them at some point in time as to what we did when this choice came this year. Did we say that it made us feel good to loft ad hominem arguments at one another, to say that if you are fiscally responsible, what you are going to do is literally take the food out of the mouths of children, as I heard the gentleman from the other side say? The gentleman from the

other side said that he has a number of school districts that can no longer give children lunch.

Why is that? They are having difficult economic times there. They are finding out they can't tax their people any more. Their receipts aren't enough at this time to do that. So the gentleman says that all we have to do is come to Washington, D.C., because, of course, our taxpayers are different than the taxpayers back home.

Madam Speaker, the fact of the matter is, they are the same people. They are the same people that are going to suffer if we put them on a road to economic calamity that is going to last for decades.

So we have a responsibility here to look beyond the easy personal shots and to judge these budgets to see whether or not one of them is more responsible than the other. I could point out the $1 billion placeholder that is in the Democratic budget. What is it for? Nobody knows. It is a hedge against whatever they want to spend it on. I could point out that my Democratic friends are saying that cap and trade, which really translates into cap and tax, is a magical, mystical ride that we are going to take. It is going to cost nobody anything. And so they criticize us when we say, ''do you know that there is a tax inherent in this budget?'' Well, tell me how are we going to do this cap and trade that is based on an auction? An auction means somebody has to put a price in order to get the ability to spend. But it is going to come out of nowhere? And my friend from Massachusetts says, ''and the Republican budget is going to allow dirty fossil fuels to be used.'' Once again we are blaming America.

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I know that the fact of the matter is that we have fossil fuels in abundance here in the United States, coal for instance; and somehow, instead of working towards clean coal technology so that we can utilize our abundant resources, our friends on the other side say somehow that's evil.

Mr. DREIER. Will the gentleman yield?

Mr. DANIEL E. LUNGREN of California. I will be happy to yield.

Mr. DREIER. I thank my friend for yielding. And Madam Speaker, I would simply say in response to the cap-and-tax issue about which my friend has just spoken, that we do share a concern about the poor.

And as I mentioned in my remarks earlier, there is a tax of up to $3,100 for every American family. That includes the working poor, it includes those who are impoverished who are still in their homes. And so the notion that we somehow are doing everything——

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

Mr. DREIER. I yield my friend an additional minute. If the gentleman would further yield, the fact of the matter is, with this proposal that our colleagues have, they regularly point the finger of blame at us, that we somehow are trying to hurt the poor by cutting food stamps and nutrition programs, which is just plain wrong. But they fail to recognize that the tax burden, with this energy tax imposed on any family that turns the light switch on, is going to be overwhelmingly strong.

Mr. DANIEL E. LUNGREN of California. Well, the gentleman's statement is only true if you believe that when you buy a carbon credit and pay for it, that actually amounts to money. If somehow, magically it doesn't cost anybody anything, even though it's being auctioned on the market, and then that cost is going to be passed on to the consumer, which is, in the nature of a tax.

Mr. DREIER. If the gentleman would further yield, I would simply say maybe it is perverse that we somehow believe that if a burden is imposed on a business, that it is something that is going to have to be passed on to the consumer. I mean, is that—maybe there's something wrong with that interpretation.

Mr. DANIEL E. LUNGREN of California. What we have here is an argument that if you can't pay for it back home, you can pay for it here because somehow we have an unlimited amount of money, and it has no impact on anybody whatsoever. As if inflation has no impact.

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

I'm not sure how pointing out that the Republican budget cuts nutrition is a personal attack. But I guess the truth stings a little bit.

The fact of the matter is that their substitute rescinds $20 billion in food stamp funding right off the top. I mean, that's just a fact.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I will be happy to yield to the gentleman.

Mr. DREIER. I thank my friend for yielding.

Madam Speaker, I was just handed a piece here which states that the distinguished chairman of the Agriculture Committee, our colleague, Mr. PETERSON, the gentleman from Minnesota, has made it clear that he is not going to allow for a single cut in agricultural subsidies, a story that has just come out here.

Mr. MCGOVERN. So that means it's only food stamps. And the ranking member of the Budget Committee, Mr. RYAN, said that the farm bill was off the table. So there's a bipartisan, you know, I guess agreement that the farm bill is going to stand. But your budget——

Mr. DREIER. If my friend would further yield, under your budget how do you propose to have the cuts in agriculture if you're going to maintain the food stamp and nutrition program and not bring about cuts in subsidies?

Mr. MCGOVERN. I reclaim my time. Under our budget we do not rescind the $20 billion in food stamp funding. Beyond that, the Republican budget freezes all discretionary spending. That potentially cuts off nutrition assistance to between 500,000 and 1 million pregnant women, nursing mothers, infants and small children, including monies for the WIC program.

So, we can sit here and talk about abstractions all we want. The bottom line is that these programs that we're talking about, these cuts that are being proposed by the Republican budget, have a direct impact on real people. And maybe those aren't the people that come to Washington to lobby, but I'll tell you, the number of people who have fallen into poverty, the number of people who are still struggling just to hold on to the middle class, they're dwindling. And so your budget makes it much worse.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman.

Mr. DREIER. I thank my friend for yielding. And, Madam Speaker, I would simply say to my friend, how does he justify the $3,100 tax that is imposed on struggling families who are impoverished with the so-called tax?

Mr. BLUMENAUER. Will the gentleman yield on this point?

Mr. MCGOVERN. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. I really appreciate the gentleman's courtesy in permitting me to speak to this, because I endured this through the Budget Committee. I didn't say anything in the Budget Committee. I've listened to it on the floor.

Does the gentleman know where the $3,100 figure comes from? Does the gentleman know?

I yield.

Mr. DREIER. I thank my friend for yielding. There are several different studies which show——

Mr. BLUMENAUER. Does the gentleman know where the $3,100 figure comes from, that your leadership——

Mr. DREIER. There are several different studies.

Mr. MCGOVERN. I reclaim my time.

Mr. DREIER. There are studies that show there's an increase. The highest I've seen is $3,100.

Mr. MCGOVERN. I am happy to yield to the gentleman from California to tell me what page in our budget that figure comes from.

Mr. DREIER. I thank my friend for yielding. It's not a page in the budget. It's the fact that there is, in fact, a tax increase that several studies have shown ranged from $1,600 to $3,100 for a working family in this country.

Mr. MCGOVERN. Madam Speaker, I reclaim my time.

I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Okay. This $3,100 figure that has been cited by Republican leadership, MITCH MCCONNELL, JOHN BOEHNER, and referenced, I

thought the gentleman from California would talk about it coming from MIT. That's where it came from, and his colleagues have referenced it repeatedly on the floor. This is from research by MIT professor John Reilly, done in 2007.

Republican staffers at one point, since they were citing it, called him and he said, and I quote, ''called me March 20 and asked about this. I had to explain why the estimate they had was incorrect, and what they should do to correct it. But I think this wrong number was already floating around by that time.'' He pointed out that it actually was one-tenth of that figure, it was a net welfare that was going to be $300 per person, that the Republicans are intentionally misrepresenting the research from MIT.

Now, I would suggest that it's further flawed because we have, in the budget, left this element to be worked on by people who want a legend. But this canard ought to be rejected.

Mr. McGOVERN. I thank the gentleman.

Mr. DREIER. Will the gentleman yield?

Mr. McGOVERN. We are really tight on time, Mr. DREIER.

Mr. DREIER. I reserve the balance of my time.

Mr. McGOVERN. I yield 1 minute to the gentlelady from New York (Mrs. MALONEY).

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. I thank the gentleman for yielding, his leadership, and my colleagues for correcting this number.

Madam Speaker, as we consider the budget proposal for the coming year, we are facing one of the most important votes in recent history. We can choose to honor the pledge we made to the American people in the last election and begin the process of health care reform, make investments that will lead to energy independence, and invest the needed funds to reinvigorate our educational system, or we can follow the same failed policies of the past that brought us to the crisis we find ourselves in today.

Our budget builds on the integrated approach to lifting us out of the recession, and returns us to fiscal discipline by cutting the deficit by two-thirds by 2013.

I urge my colleagues to vote ''yes'' on this rule and on the leadership's budget blueprint, H. Con. Res. 85.

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

I know that the time was limited on the other side, so I'd like to respond to my good friend from Oregon and say that there are a number of studies which have indicated what this cost will be. The highest that I saw was this $3,100 figure.

Now, my friend has just said, this will be worked out later. And in saying this will be worked out later, that creates a degree of uncertainty as to exactly what the tax will be on working families.

I am happy to yield to my friend.

Mr. BLUMENAUER. Okay. I want it to be clear. I didn't say it would be worked out. I said that the study that you and Republicans have repeatedly cited——

Mr. DREIER. If I could reclaim my time, I wanted to say that there are several studies. That is one study. And I don't have the other studies in front of me, Madam Speaker, but I would like to say that it stands to reason that if this structure is going to be put into place, the so-called cap-and-trade, talking about exchange of carbon taxes and the taxes that are out there, they are going to be passed on to consumers. And a number of studies, other than the MIT study, have indicated that this will increase the cost burden on working families throughout the United States of America, regardless of their economic standing.

Mr. BLUMENAUER. Will the gentleman yield?

Mr. DREIER. Of course, I am happy to yield to my friend.

Mr. BLUMENAUER. I would like to clarify that the professor who's being referenced by your leadership said that it would be one-fortieth of that amount.

Mr. DREIER. If I could reclaim my time, the fact is, Madam Speaker, there are several other studies which have talked about that tax burden which is going to be involved, not that single study. They range from roughly $1,600 to this $3,100 figure that we had in the past.

Mr. BLUMENAUER. Will the gentleman yield?

Mr. DREIER. Of course. I am happy to yield.

Mr. BLUMENAUER. What do you think, assuming that it is one-fortieth or larger, what do you think happens to that money?

Mr. DREIER. What do I think happens to that money? I will tell you. Whatever the tax burden is, it is imposed on the families in this country who are on food stamps, who are on nutrition programs and who are struggling to make ends meet but still have to pay their energy bills.

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

Mr. McGOVERN. Madam Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. My friend from California continually references this energy tax increase. He's very astute on the rules, Madam Speaker, and he knows that the way you can set the predicate to raise revenue in a budget resolution is by a reconciliation instruction.

Would the gentleman care to tell us where the reconciliation instruction is to raise money for this cap-and-tax that he keeps talking about?

Mr. DREIER. If my friend would yield, the fact of the matter is it has not been put into place, and it's very, very clear that there is a $1 billion place holder there, which is what they're planning to utilize.

Mr. ANDREWS. Reclaiming my time, I thank the gentleman for his statement. It is not in place. Therefore, there's no tax in this budget.

Mr. McGOVERN. Madam Speaker, I yield 2½ minutes to the gentleman from North Carolina, a member of the Budget Committee, Mr. ETHERIDGE.

Mr. ETHERIDGE. Madam Speaker, you know, a budget's more than just a document. It really is a statement of our Nation's priorities and values. And the underlying bill that we're talking about builds on the work this Congress has done to put our economy back on track and provide jobs for our people and invest in the current economic crisis of building for future needs.

The bill lays out a plan to cut the deficit by nearly two-thirds, creates jobs and investments, reforms health care, and provides for clean energy and education.

As a former school chief in my home State, I'm particularly pleased that the budget prioritizes education and innovation, a critical foundation piece for building a future.

In recent months, we have seen the economy start to recover as we put things in place. We'll see that in the months to come.

But let me just share a personal story. Just this past week I was at a middle school, Meadow Middle School in Johnson County, met with a bunch of students who will be the first in their family to go to college. That's what this is all about. We're building for the future. These youngsters start in middle school making a decision where they're going. Never has a member of their family been to college. That's what we're about here today.

Certainly we can argue the details, but, you know, let's keep our focus on what it's about. It's about the people of America, those who've lost their jobs, some who've lost hope. But we can give hope to the next generation. We can provide a foundation for building jobs, and we can get our economy moving again. But we have to do it together.

This budget resolution is a step in that direction of building a strong future for America and making a difference—for the leadership position in the world.

Mr. DREIER. Madam Speaker, I am happy to yield 2 minutes to our very thoughtful new colleague from Buffalo, New York (Mr. LEE).

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Mr. LEE of New York. Madam Speaker, I rise to oppose the rule and, more importantly, the budget resolution. Having run a business, I know that, to put together a responsible budget in the middle of a difficult economic climate, you have to prepare for things to get worse, not assume they will get

better. The majority's budget fails to meet the commonsense standard by spending taxpayer dollars freely, without the same ''do more with less'' approach that many of my constituents live by.

For proof of that, look no further than the fact that independent estimates suggest, roughly, 250,000 new Federal bureaucrats may be needed to spend all the money in the President's budget. We should be looking at paring our employment roles, not expanding the already bloated Federal Government. Moreover, by continuing to borrow money we don't have, taxpayers will be on the hook for as much as $1 trillion in interest payments on this debt. This is only a preview of the massive burden that will be forced on our children and grandchildren by Washington's refusal to make tough choices now.

My constituents didn't send me here to evaluate how their hard-earned money is spent in the abstract. This is about dollars and cents. By that measure, this budget is reckless spending, and it fails to protect working families, family farms and small businesses who are struggling right now. This budget simply spends too much; it borrows too much, and it taxes too much.

Mr. MCGOVERN. Madam Speaker, I yield 3 minutes to the gentleman from Oregon, a member of the Budget Committee, Mr. SCHRADER.

Mr. SCHRADER. Madam Speaker, I would like to speak to the rule. I appreciate this opportunity.

I'm not going to bore the rest of the body or the American people with more discussion about the inherited deficit we've got and about the necessary recovery plan that has been enacted to put Americans back to work after the Bush administration destroyed our economy, morally bankrupted us, as well as financially.

It also is amazing to me that, in the Republican budget I have here, there is nothing that addresses the long-term cost drivers that the budget of change has that has been put forward by the President of the United States and the Democratic Congress. We're dealing with the long-term cost drivers of health care, with the need for a 21st century education, and with the fact that we can no longer have our economy being at the mercy of people in the Middle East.

What is amazing is what is not in this budget. In this budget, the most explicit piece is about how we get wasteful spending under control. We just heard the Republican floor leader talk about the fact that, yes, we did not go after wasteful spending in the last 8 years. Well, this budget doesn't do it. It is in our budget. We talk about program integrity. We talk about making sure that seniors are taken care of with their Social Security, and we talk about preventing fraud and abuse. That fraud and abuse gives us an $11 return for every dollar we've invested.

Tax compliance: Instead of letting the wealthy get away with huge tax breaks that hardworking Americans don't get, we actually have a tax compliance feature in this budget that actually makes sure we get $5 for every dollar invested.

Medicare-Medicaid: The fraud and abuse that's going on in there with wealthy people trying to game the system at the mercy of hardworking individuals and seniors who are destitute is abominable. For getting after that fraud and abuse in our budget, we actually talk about the fact that there's a $1.60 return for every dollar invested. Most importantly, I think we recognize that the States are the incubators of a lot of innovation. There is a partnership fund established where we can do some creative work.

A lot of this work has been done in my home State of Oregon. It yielded tremendous benefits when I was in charge of the appropriations process back there.

The last comment I'd make, Madam Speaker, as to what is not in the Republican budget that is in the Democrat budget is: We talk about performance management. We actually make sure that agencies are held accountable for every single tax dollar that's being spent, and I'm sorry to say that that's nowhere in the Republican budget.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume to simply say to our new colleague from Oregon, who has just joined us, that it seems that this budget is dealing with what is little more than a 5-year fantasy land. We're dealing with a 10-year proposal here, and the notion of saying, ''within a 5-year period of time,'' these projections are not taking into reality the huge debt that is going to be existing beyond that 5 years.

I've asked my friend from Oregon (Mr. BLUMENAUER) to return, and I've been doing a little research. Our staff has looked into this, and we've found that the professor about whom my friend was speaking from MIT did, in fact, say that there would be this one hundred fortieth level, but it was based on the fact that we would see rebates to those families provided, and yet there is nothing in this budget that provides for those rebates.

In light of that——

Mr. BLUMENAUER. Will the gentleman yield?

Mr. DREIER. Let me just finish my thought, and then I will yield to my friend.

The fact is, if you look at that $3,100 figure, it does stand because the budget does not have a penny for those rebates.

I'm happy to yield to my friend.

Mr. BLUMENAUER. The budget doesn't have anything for the rebates because the program isn't in the budget. The budget allows——

Mr. DREIER. If I could reclaim my time, Madam Speaker, let me just——

Mr. BLUMENAUER. No. Give me the courtesy——

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentlemen will suspend. Both the gentlemen will suspend.

The gentlemen must remember to respect the gavel and not talk over each other, and yield and reclaim time in an orderly way to have the debate recorded.

Mr. DREIER. Madam Speaker, who controls the time?

The SPEAKER pro tempore. At that time, the Chair couldn't tell who had the time. The gentleman controls his time.

Mr. DREIER. I think that I control all the time on our side, Madam Speaker, and I think that I've been yielded to.

The SPEAKER pro tempore. The gentleman will suspend. While the gentleman is talking over the Member to whom he has yielded time, it is difficult to understand who actually has the time.

Mr. DREIER. Madam Speaker, if I may, what I said was I'm reclaiming my time. Did the Chair not hear me say that I was reclaiming my time from the gentleman?

The SPEAKER pro tempore. At the time that the gentleman was speaking, the gentleman from Oregon was using the time that had been yielded to him.

Mr. DREIER. Well, there was no amount of time yielded to him, Madam Speaker.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. DREIER. Madam Speaker, if I may——

The SPEAKER pro tempore. The gentleman will suspend.

Members will respect the gavel. They will yield and reclaim time in an orderly manner and attempt not to talk over each other so that their comments can be recorded properly.

Mr. DREIER. Madam Speaker, may I be recognized?

The SPEAKER pro tempore. The gentleman is recognized.

Mr. DREIER. Thank you very much, Madam Speaker.

I would simply like to state to the Chair that the gentleman said that there was nothing in this budget that specifically referred to that. When he made his point in response to my question, I asked you to allow me to reclaim my time. I said it three times loudly and with enthusiasm, so I don't believe that I was talking over the gentleman. I was asking to reclaim my time.

Am I wrong?

The SPEAKER pro tempore. The gentleman needs to respect the gavel, and the gentleman needs to understand that all comments need to be recorded, and when comments in the nature of rebuttal are being made without a clear yielding or reclaiming of time, it is difficult for the official reporters to make sure that they have all of the comments.

Mr. DREIER. Madam Speaker, let me state very clearly again for the recording clerk: What I was saying was ''reclaiming my time.'' That was the statement that I was making as the gentleman was speaking.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. DREIER. Thank you very much, Madam Speaker.

I would say to my friend that, as we look at this issue, there is nothing in this budget, but there is this $1 billion set-aside there. I would like to ask my friend if he could guarantee that that $1 billion will not be used for the so-called cap-and-trade or cap-and-tax plan, or that it will not be in the budget conference report that we have returning to us.

I'm happy to yield to my friend.

Mr. BLUMENAUER. In attempting not to be a potted plant but to respond, there is no detail in terms of a cap-and-trade proposal. There is an——

Mr. DREIER. If I could reclaim my time, Madam Speaker. Madam Speaker, may I reclaim my time?

I reclaim my time to ask again as I just did of my friend: Can the gentleman provide a guarantee that that $1 billion will not be used for this so-called ''cap-and-trade program'' and that it will not be included in a conference report that comes back to the House?

I'm happy to further yield to my friend to respond.

Mr. BLUMENAUER. The purpose of a budget resolution is to provide a framework, and if the House and the Senate provide a framework that involves a fee on carbon pollution, then we will have the chance to work our will. There is, in this bill, a framework to move forward.

Mr. DREIER. Madam Speaker, if I could reclaim my time, I will say that the gentleman has made his point, and so he is not providing a guarantee that it is not going to be there, and I appreciate his recognizing that fact.

With that, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must ask Members to bear in mind the principle that proper courtesy in the process of yielding and reclaiming time in debate, and especially in asking another to yield, helps to foster the spirit of mutual comity that elevates our deliberations above mere argument.

Mr. MCGOVERN. Madam Speaker, may I inquire of how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Massachusetts has 7 minutes remaining. The gentleman from California has 6½ minutes remaining.

Mr. MCGOVERN. I'd like to yield 10 seconds to the gentleman from Oregon.

Mr. BLUMENAUER. Madam Speaker, nobody can make guarantees, but the framework is to allow the body to work its will. There's no tax. There's an opportunity for us to have a framework to fight carbon pollution.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. MAFFEI).

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

Mr. MAFFEI. Madam Speaker, after 8 years of failed policies under the last administration, we have inherited a massive, unprecedented budget deficit projected to be well over $1 trillion before the current President took office. While growing our economy is a major component of the budget, reducing the deficit is a top priority for everyone.

The budget before us today will cut the deficit by two-thirds by the end of 2013 with a combination of spending cuts. Now, I'd like to correct the excesses overnight, but like steering a sailboat, it takes some time to turn us around while still not capsizing.

Some say we should chop everything except defense in the interest of leaving less debt to our children, but the fiscal deficit is not the only thing the policies of the last 8 years has left us with:

We have a huge education deficit, Madam Speaker, where children in urban and rural areas in my district don't have decent schools available to them. We have a health care deficit where people even with insurance cannot get the preventative care they need to avoid bigger problems. We have an infrastructure deficit, as demonstrated by leaky sewers and crumbling roads and bridges in my district.

If we reduce the deficit a little more, it will still be substantial thanks to the policies of the past, but it will leave our children with poor education, inadequate health care and crumbling infrastructure. Are we really serving their best interests by doing this?

We must invest in the economy to get rid of the structural deficit that we inherited. Just as someone might take a second mortgage to fix the structural integrity of their family house, we must do this as well. We may have a somewhat bigger mortgage, but we will have a strong house to pass on to our kids. That's what this Obama budget does. Otherwise, we will leave our children with a somewhat smaller mortgage but with no house, with no education, with poor health, and with Third World infrastructure.

That's not why the people of the 25th District of New York elected me. That's not why people elected the 44th President of the United States. The President's budget makes these tough decisions that the people sent us here to make. We must support it and we must support the rule.

Mr. DREIER. Madam Speaker, may I inquire of the Chair how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from California has 6½ minutes remaining. The gentleman from Massachusetts has 5 minutes remaining.

Mr. DREIER. I'd like to yield a minute and a half to our hardworking colleague from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, I have to confess that it's a little tough to be here on the floor and be accused of wanting to keep money from the hardworking Americans, as Republicans, when I have had a bill I have been begging to be allowed to come to the floor that gives a tax holiday to every hardworking American in the country—to everybody. Even those who don't make enough to pay income tax would get a FICA holiday.

So, to be lectured about our not wanting hardworking Americans to have a break, give me a break. The bill is there. Let it come to the floor. I'm told by people all over the Hill and all over America: Please, see if you can't get the Democratic leadership to give us this holiday.

Then we have a marriage penalty that is exacerbated in this budget, made even worse. Then who do you think is going to pay for this extra energy tax? It'll be passed on, and the people who earn the least will get hurt the most.

The real secret about this budget, Madam Speaker, should not be lost in this one act. Secretary of State Clinton was sent to beg the Chinese to keep loaning us money. What does that say for our future? We're quickly approaching the irreversible in this spending. It has to stop.

Mr. MCGOVERN. Madam Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Madam Speaker, there is nothing in the underlying budget resolution that adversely affects the marriage penalty situation for any middle-class person. Again, 95 percent of families in this country get a tax cut, not a tax increase. It's just not so.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania, the vice chair of the Budget Committee, Ms. SCHWARTZ.

Ms. SCHWARTZ. Madam Speaker, let me first say that, I think, this is a very important debate.

Last night, it was suggested that we have not debated this budget when, in fact, we had 14 hours of markup, of conversation about the debate in the Budget Committee, and of course, we had hours last night and hours this morning. This budget resolution is a statement of our priorities, of our values and of our goals, and it gives direction to the Congress this next year and for years ahead.

The fact is that the President's budget, embraced by the Democratic Congress and modified slightly by us, as is our responsibility, is a change in the direction to this Nation. It is honest. It is fiscally responsible after years of not being so, and it is extremely difficult, and it recognizes the difficulty that we have inherited: the economy, which is, of course, in great difficulty, and the fiscal situation for our Nation, reflected by the $1.3 trillion deficit that

President Obama and this Democratic Congress have inherited from President Bush and the Republican Congress.

□ 1030

It reflects and understands that we have a large debt in this country, and it restores fiscal discipline by commitment to cut that deficit in half in 5 years and to restore fiscal responsibility and fiscal policies that will rebuild this economy and rebuild our Nation.

It is clear that the Republicans want to go back to those failed policies that led us to this moment, and we simply cannot let that happen.

The President and the Democratic budget does, in fact, provide relief for our families and our businesses. It restores fiscal discipline and a commitment to cut that deficit in half in 5 years. And very importantly, it makes clear that we have to make investments in our people, in our businesses, and in our Nation if we're going to grow economically and restore fiscal discipline.

So it sets the opportunity for the debate on three critical issues: on energy independence, on education, and on health care reform. That is the way we are going to rebuild this economy, and we are going to make those investments, and that's what this budget does. And I hope it will be embraced by this Congress and this Nation.

Mr. DREIER. Madam Speaker, may I inquire of my friend if he has any further speakers.

Mr. McGOVERN. We have no further speakers.

Mr. DREIER. If my friend from Worcester is prepared to close, I will yield myself the balance of our time.

Madam Speaker, we all know this has been an interesting debate, a fascinating one, and I think there is going to be a very clear choice that is before us.

The American people are hurting. The people whom I represent in California and people all across this country are suffering because of the economic downturn that we face today. It is a very serious and a challenging one, and I believe that every Democrat and every Republican wants to do what they believe is best to get our economy back on track.

I will tell you that I think that it's important for us to look at history. We need to look at the history of spending and what it has created, and we need to look at the history of what it is that gets our economy growing. Dramatically increasing spending, as study after study has shown, does nothing to get our economy back on track, to get it growing.

I believe that those words that were offered by President Kennedy, that I quoted earlier, in 1962 as he was dealing with a difficult economic time, when he said, ''to increase demand and lift the economy, the Federal Government's most useful role is not to rush into a program of excessive increases and public expenditures but to expand the incentives and opportunities for private expenditures.''

Now, Madam Speaker, the reason that I point to John F. Kennedy is that at the beginning of this administration's term and at the beginning of this Congress, we heard Democrats talk about the need for us to work in a bipartisan way. So what we're using, Madam Speaker, is the model of a great Democrat, John F. Kennedy, who recognized that dramatically increasing spending is not the cure that we need to deal with this challenge. And history proved John F. Kennedy right.

We know that tax cuts create jobs and jobs create revenues. It's true that we have a debt and a deficit that need to be addressed. The way to do that is to grow our economy. Tax increases do not increase jobs. And so it is absolutely imperative that we put a pro-growth policy into place, and that's what we do. We grow the economy, we recognize that there are serious societal needs out there, whether it is nutrition, whether it is food stamps. We need to address those. And we do provide for that in our budget. And at the same time, we focus on future generations by saying we are going to responsibly take the debt that exists and we are going to take it on a downward slope.

Now, my colleagues continue to talk about the next 5 years. Our budget focus is on 10 years. Why? Because we know that the 5-year plan that they have where they talk about reducing the multitrillion-dollar deficits that we're going to have, that they skyrocket after that 5-year period of time based on the spending that they plan to have in their budget.

So, Madam Speaker, we're going to continue with this rigorous debate that's taken place over the past hour-plus. We will see it happen throughout the day, and then we're going to have a chance to determine whether or not we are going to put into place policies that stand on the shoulders of John F. Kennedy and Ronald Reagan to grow our economy, reducing the tax burden on working Americans so that they can create jobs and increase the flow of revenues to the Federal Treasury, or are we going to have a policy which taxes too much, spends too much, and borrows too much.

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

Mr. McGOVERN. Madam Speaker, this has been an interesting debate, but the fact is that Members will have a clear choice. And it's a choice of whether or not you want to stick to the same old-same old, or whether you want to go in a dramatically different direction.

If you have loved the last 8 years, then you should vote for the Republican budget because it's a continuation of the same thing.

If you want a different direction, a direction in which we invest in our economy, invest in our health care, invest in clean energy, invest in education and reduce our deficits, then you need to vote for the Democratic budget.

The fact of the matter is, Madam Speaker, the Republican budget, among other things, repeals most of the economic stimulus package that we passed, a stimulus package that is already helping our economy. In my district, a health IT company has already announced they are going to hire 500 more people because of the money for health IT in the economic stimulus package.

And what I find ironic is that so many of my colleagues on the other side of the aisle who voted against the American Recovery and Reinvestment Act, you know, and who now will vote against it again by voting for the Republican budget, are going back to their districts and will be taking credit for all of this Federal money going to help the people in their communities.

Some of my colleagues on the other side of the aisle have taken so many bows, they are humpbacked.

The fact of the matter is we have a problem not just 5 years from now and not just 10 years from now; we have a problem today. There are people in my district today who can't put food on the table. There are people in my district today who are losing their jobs who can't afford a college education for their kids.

We need to approve the Democratic budget because we need to understand if we're going to reduce our debt, we need to have our economy grow, and the only way to grow is by providing smart, sound, good investments. That's the choice.

And so I urge my colleagues to vote for the Democratic budget. I am proud to stand here in support of it. I have two kids, a 10-year-old son and a 7-year-old daughter. I am voting for this budget because of them. I want to give them a better future. And that's what this debate is about.

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. DREIER. 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, further proceedings on this question will be postponed.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. McGOVERN. Madam Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 93

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, April 2, 2009, through Saturday, April 4, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, April 21, 2009, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, April 2, 2009, through Sunday, April 5, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 20, 2009, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

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

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of H. Con. Res. 93 will be followed by a 5-minute vote on adoption of H. Res. 316.

The vote was taken by electronic device, and there were—yeas 244, nays 177, not voting 10, as follows:

[Roll No. 183]

YEAS—244

Abercrombie
Ackerman
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
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
Mollohan
Moore (KS)
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)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
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
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—177

Aderholt
Adler (NJ)
Akin
Alexander
Arcuri
Austria
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
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)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maffei
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
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 (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Whitfield
Wilson (SC)
Wittman
Wolf

NOT VOTING—10

Bachmann
Blunt
Griffith
Hinojosa
Klein (FL)
Miller, Gary
Moore (WI)
Pascrell
Richardson
Westmoreland

□ 1104

Mr. ADLER of New Jersey changed his vote from ''yea'' to ''nay.''

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

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR FURTHER CONSIDERATION OF H. CON. RES. 85, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 316, 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.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 182, not voting 7, as follows:

[Roll No. 184]

YEAS—242

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
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
Fattah
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
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
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
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)
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
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)
Polis (CO)
Pomeroy
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
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—182

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
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
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
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
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
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
Melancon
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)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Baird
Hinojosa
Miller, Gary
Moore (WI)
Pascrell
Shuler
Westmoreland

□ 1114

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.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

The SPEAKER pro tempore (Mr. ALTMIRE). The unfinished business is 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore. When further proceedings were postponed on the bill, all time for debate on the amendment offered by the gentleman from Indiana (Mr. BUYER) had expired.

Pursuant to House Resolution 307, the previous question is ordered on the bill, as amended, and on the amendment by the gentleman from Indiana.

The question is on the amendment by the gentleman from Indiana.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 142, noes 284, not voting 5, as follows:

[Roll No. 185]

AYES—142

Aderholt
Akin
Alexander
Austria
Bachmann
Barrett (SC)
Barton (TX)
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Boehner
Bonner
Boozman
Boustany
Boyd
Brady (TX)
Bright
Brown (SC)
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Coble
Coffman (CO)
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Etheridge
Fleming
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Hill
Hoekstra
Hunter
Inglis
Issa
Johnson, Sam
Jones
King (IA)
King (NY)
Kingston
Kissell
Kline (MN)
Latham
LaTourette
Lewis (CA)
Luetkemeyer
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (NC)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Pastor (AZ)
Paulsen
Pence
Perriello
Peterson
Petri
Pitts
Posey
Putnam
Radanovich
Rahall
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Smith (NE)
Smith (TX)
Souder
Spratt
Stearns
Sullivan
Tanner
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Wamp
Whitfield
Wilson (SC)
Wittman
Young (AK)
Young (FL)

NOES—284

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Fallin
Farr
Fattah
Filner
Flake
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herger
Herseth Sandlin
Higgins
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirk
Kirkpatrick (AZ)
Klein (FL)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lummis
Lynch
Mack
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Paul
Payne
Perlmutter
Peters
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Price (GA)
Price (NC)
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rohrabacher
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta

Sarbanes	Snyder	Velázquez
Schakowsky	Space	Visclosky
Schauer	Speier	Walden
Schiff	Stark	Walz
Schrader	Stupak	Wasserman Schultz
Schwartz	Sutton	Waters
Scott (GA)	Tauscher	Watson
Scott (VA)	Taylor	Watt
Serrano	Teague	Waxman
Sestak	Thompson (CA)	Weiner
Shea-Porter	Thompson (MS)	Welch
Sherman	Thompson (PA)	Wexler
Simpson	Tierney	Wilson (OH)
Sires	Titus	Wolf
Skelton	Tonko	Woolsey
Slaughter	Towns	Wu
Smith (NJ)	Tsongas	Yarmuth
Smith (WA)	Van Hollen	

NOT VOTING—5

Blunt	Miller, Gary	Westmoreland
Hinojosa	Pascrell	

□ 1132

Messrs. GRIFFITH and LATTA and Ms. SPEIER changed their vote from ''aye'' to ''no.''

Mr. COFFMAN of Colorado changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. ROGERS of Michigan. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ROGERS of Michigan. In its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Rogers of Michigan moves to recommit the bill (H.R. 1256) to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

In section 919(c)(2) of the Federal Food, Drug, and Cosmetic Act, as added by section 101(b)(3) of the bill, amend subparagraph (B) to read as follows:

''(B) PROHIBITION AGAINST USE OF OTHER FUNDS.—Fees collected under subsection (a) are the only funds authorized to be made available for the purpose described in subparagraph (A).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. ROGERS) is recognized for 5 minutes to support his motion.

Mr. ROGERS of Michigan. Mr. Speaker, I want to thank my friends for bringing up and working on an issue that we all know is troublesome, smoking in America. We certainly don't want our kids to do it. We wouldn't wish it on any family. And sometimes we disagree on the smallest things and the paths to get there. And I think this is one of those occasions. But some of those differences have huge consequences. We even offered an amendment to say to the FDA if you're going to give them this authority, you ought to be able to get nicotine out of cigarettes. And the majority said ''no.''

So what we are going to do is we're going to have them create this whole new government structure to approve or authorize or regulate a drug that, if used as directed, will kill you—for the first time in the history of the FDA. It is a problem. But as long as we get to this place of eliminating smoking, maybe we are moving forward.

But here is a huge problem, and I hope my colleagues listen well. Because for several years during the course of this bill, we have been told and told again and told again that this will not impact the general fund of the FDA. It will not. But, in fact, it will. There is a dangerous loophole in this bill, and we together today can close it. I will tell you why this is important. Because it does allow in the bill specifically for money to come from the general fund of the FDA to get this thing going for as long as 6 months. Six months doesn't seem like a long time. But let me tell you, the FDA is strapped for resources and failing in many of its core missions.

Many of us here agree with that. We have often said it is not meeting its mission requirements. We need to give them more, more resources. This bill today takes away precious resources from some of the most dangerous diseases and cures that may be on their way at the time they don't need it. Do you realize last year the FDA inspected roughly 6,000 of 189,000 food facilities under its jurisdiction? Three percent. Americans eat food imported from 150 countries where they are processed in 189,000 plants, scattered from China to Fiji. But in 2007, the FDA inspected just 96 of those plants.

You pose to the new FDA Commissioner a very dangerous set of policy decisions. Do I not inspect food plants to get this new regulation going today or for the next 6 months? The last salmonella outbreak had 550 illnesses and eight deaths. You will make, today, the FDA Commissioner choose between one more inspection and catching one more bad outbreak of salmonella or stepping up and starting to regulate, in this new way, tobacco at the FDA. The salmonella outbreak cost the industry about $100 million just for tomatoes last year alone. People are dying because we are not meeting our obligations for food safety. This bill jeopardizes the Commissioner from meeting that core and important element in food safety in the United States.

But that is not all. Chronic pain. We are very close. They have new technology that is getting close to being approved by the FDA. You will make that Commissioner stand up and say, ''I'm sorry that you have arthritis and have waited and prayed every day of your life for that cure, that new medicine that is going to alleviate your pain and give you a quality of life. I'm sorry, we have to wait 6 months for that cure.'' Six months does mean a lot.

Pediatric cancer, we are very close to some great treatments, some great treatments. If it is your son or your daughter in your family, are you willing to say, let's wait 6 months for that cure, for that medicine, for that very treatment that may save your life? You make the FDA Commissioner choose when you pass this bill today if we don't close this loophole. It is not done.

Biologic drugs, we all know how important they are, what kind of cures they can bring, the innovation. They are already hurting economically. You're telling them, ''wait 6 months for that new cure for whatever disease ails you because we want to get this bureaucracy started at the FDA and take some of those resources.'' What scientist are we going to ask that Commissioner to remove from the bench to do that study for 6 months to find that cure? That is what we are doing today if we don't close this loophole.

Alzheimer's, we have some great cures. But they keep telling us they need additional resources to meet the demands on the new medicines that are coming forward to either alleviate pain or alleviate the disease or slow it or even cure it, God help us all if we can do that soon. But you make the Commissioner decide, today, to stop that research, to stop that process, to slow down the clinical trial so we can institute this new bureaucracy on cigarettes at the FDA.

Some pretty exciting stuff on HPV, cervical cancer is in the works.

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

Mr. ROGERS of Michigan. I will end with this because I can go on and on about all the diseases that mean so much to all of us, a very simple thing, close this dangerous loophole, vote for this motion to recommit, protect the families, stand with them as they pray each night for a cure for their diseases.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded to address their remarks to the Chair. All Members are reminded not to traffic the well while other Members are under recognition.

Mr. WAXMAN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Speaker, my colleagues, this bill will not divert resources away from other important functions at the Food and Drug Administration. It is fully funded by a user fee from the tobacco industry. And that user fee will fund this effort, and none of the funds to deal with tobacco will come out of other activities at FDA. But there is an exception. In the beginning, until the user fees are collected and disbursed, we want FDA to get going. So we allow the FDA to borrow money, no more than for two quarters, from the general revenue. But they have to pay it back. That is the only use of general revenues that

would be borrowed under this motion to recommit.

Now, the American Cancer Society is supporting our legislation. Would they support our legislation if it diverted the FDA from review of drugs that cancer patients rely on to save their lives? The same is true of all the other health groups that support our bill. They believe this bill accomplishes effective tobacco regulation without diverting the FDA from lifesaving activities that the FDA must undertake.

The bill is supported by 1,000 public health and other groups, including the Heart Association, the Lung Association, the Cancer Society and the American Public Health Association. They would not support this bill if it did what the gentleman from Michigan claims it does, because his claim is inaccurate. And these groups know that. And that is why they are supporting the Waxman-Platts legislation.

Simply put, the Waxman-Platts bill makes absolutely clear that the tobacco program will not detract from FDA's other activities, and we shouldn't delay the regulation of tobacco, which is really the impact of this motion to recommit should it be adopted. We shouldn't delay this long overdue measure based on a misplaced concern about FDA's other resource challenges.

So I would urge my colleagues to vote against this motion to recommit and to vote for the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 169, noes 256, not voting 6, as follows:

[Roll No. 186]

AYES—169

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

NOES—256

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)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gingrey (GA)
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
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Mack
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
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
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—6

Blunt
Hinojosa
Kaptur
Miller, Gary
Pascrell
Westmoreland

□ 1200

Mr. TEAGUE changed his vote from ''aye'' to ''no.''

Messrs. WALDEN of Oregon, RADANOVICH and WHITFIELD changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 298, noes 112, not voting 21, as follows:

[Roll No. 187]

AYES—298

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Camp
Cantor
Cao
Capito
Capps
Capuano
Carnahan
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)
DeFazio
DeGette
Delahunt
DeLauro
Dent
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
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
LaTourette
Lee (CA)
Lee (NY)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHugh
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Perlmutter
Peters
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wittman
Wolf
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOES—112

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Barton (TX)
Bishop (UT)
Blackburn
Boehner
Bonner
Boozman
Boustany
Bright
Burgess
Burton (IN)
Buyer
Calvert
Campbell
Carter
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Culberson
Davis (KY)
Davis (TN)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Flake
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirkpatrick (AZ)
Kissell
Kline (MN)
Lamborn
Latham
Latta
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McClintock
McCotter
McHenry
McIntyre
Mica
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Pence
Perriello
Peterson
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Radanovich
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuler
Shuster
Smith (NE)
Souder
Stearns
Sullivan
Thompson (PA)
Thornberry
Tiahrt
Whitfield
Wilson (SC)

NOT VOTING—21

Becerra
Bishop (GA)
Blunt
Broun (GA)
Cardoza
Carney
Gonzalez
Grijalva
Gutierrez
Hinojosa
Larson (CT)
Levin
Luján
Miller, Gary
Napolitano
Pascrell
Roybal-Allard
Salazar
Velázquez
Westmoreland
Wu

□ 1207

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WU. Mr. Speaker, I rise to inform the House that I missed rollcall No. 187. If I had been present I would have voted "aye" on the final passage of H.R. 1256. Mrs. NAPOLITANO. Mr. Speaker, on Thursday, April 2, 2009, I was delayed in a Congressional Hispanic Caucus meeting and was not able to vote on rollcall No. 187. Had I been present, I would have voted "aye" on passage of H.R. 1256—Family Smoking Prevention and Tobacco Control Act.

Ms. GRANGER. Mr. Speaker, on rollcall No. 187, I inadvertently pressed the "no" button. I meant to vote "aye" on passage of H.R. 1256.

Mr. BISHOP of Georgia. Mr. Speaker, during rollcall vote No. 187 on H.R. 1256, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. SALAZAR. Mr. Speaker, today the House voted on final passage of H.R. 1256, The Family Smoking Prevention and Tobacco Control Act. I was unavoidably detained and was unable to be here for the vote. Had I been present, I would have voted ''aye'' on the bill.

Mr. BECERRA. Mr. Speaker, I was detained in an elevator in the Capitol building due to a mechanical malfunction earlier today. As a result, I missed rollcall vote 187 on passage of H.R. 1256, Family Smoking Prevention and Tobacco Control Act. If present, I would have voted "aye."

Mr. LUJÁN. Mr. Speaker, on rollcall No. 187 I was held up in a meeting and unable to vote due to delayed elevators. Had I been present, I would have voted "aye."

Ms. ROYBAL-ALLARD. Mr. Speaker, on rollcall No. 187, due to delayed elevators. I was unable to get to the Chamber in time to note. Had I been present, I would have voted "aye."

Mr. GRIJALVA. Mr. Speaker, on rollcall No. 187, the elevator was delayed, and I missed the vote. Had I been present, I would have voted "aye."

Ms. VELÁZQUEZ. Mr. Speaker, on rollcall No. 187 I was held up in a meeting and unable to vote. Had I been present, I would have voted "aye."

Mr. GUTIERREZ. Mr. Speaker, on rollcall No. 187 I was held up in a meeting and unable to vote. Had I been present, I would have voted "aye."

Mr. LARSON of Connecticut. Madam Speaker, on April 2, 2009, I missed one vote regarding H.R. 1256, the Family Smoking Prevention and Tobacco Control Act. Had I been present, I would have voted "yea" on final passage (rollcall vote 187).

PERSONAL EXPLANATION

Mr. LEVIN. Mr. Speaker, I was unavoidably absent on April 1 during rollcall votes 175 through 182. Had I been present, I would have voted "yea" on rollcall vote 175 to table H. Res. 312; "yea" on rollcall vote 176 on agreeing to H. Res. 305; "yea" on rollcall vote 177 on agreeing to H. Res. 306; "yea" on rollcall vote 178 on passage of H. R. 1575; "yea" on rollcall vote 179 on agreeing to H. Res. 290; "nay" on rollcall vote 180 on agreeing to the Bean amendment to H. R. 1664; and "yea" on rollcall vote 182 on passage of H. R. 1664.

On April 2, I was absent for rollcall 187, final passage of H.R. 1256. Had I been present, I would have voted "aye."

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

The SPEAKER pro tempore. Pursuant to House Resolution 305 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the concurrent resolution, H. Con. Res. 85.

□ 1208

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the concurrent resolution (H. Con. Res. 85), with Mrs. TAUSCHER in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIR. When the Committee of the Whole House rose earlier, 60 minutes of debate remained on the concurrent resolution.

The gentleman from South Carolina (Mr. SPRATT) has 30 minutes remaining and the gentleman from Wisconsin (Mr. RYAN) has 30 minutes remaining.

Who yields time?

Mr. SPRATT. Madam Chair, we resume this morning. When we'd broken off last night, we'd had a lively but civil and spirited debate. There were some things said last night that were just so wildly off the mark that they bear just a minute of consideration to correct the RECORD.

It was said repeatedly that this resolution was about the biggest tax increase in history. In fact, don't take it from me. Look at the CBO. After examining the President's budget, they said it will work out to be a net tax reduction of $1.7 trillion over a 10-year period of time.

The size of the budget was mentioned several times in the debate. It's enormous, no question about it, but it's partly swollen by virtue of what has happened over the past year in the financial services industry, beginning

with the failure of Lehman Brothers, of other firms on Wall Street, and due to our intervention, which has cost us substantially and is factored into the budget that we are dealing with today.

Our friends were blaming that crisis on us. In truth, we all share some responsibility for it, but it's one of the reasons we have a swollen number.

Before we begin the debate proper, I would like to recognize for 1 minute the gentleman from New Jersey (Mr. ANDREWS) because he was an active participant in the debate last night. This is just to connect it to where we left off.

Mr. ANDREWS. Madam Chair, I think there are a couple of points that the RECORD should accurately reflect.

Number 1: There is no energy tax in this budget. It's a statement that has been claimed again and again and again. It's not correct.

Number 2: This budget reduces taxes for middle class Americans by a net $1.7 billion over time.

Number 3: The budget resolution assumes that the Pomeroy estate tax plan will be adopted, meaning that individuals will get a $3.5 million exemption and that couples will get a $7 million exemption from the estate tax.

Then the final point that, I think, can't be stated enough is: When our friends on the other side worry about doubling the national debt in 5 years, it's a subject for which they speak with great authority, because that's exactly what they just did. Their plan doubled that debt over 5 years. So they do know what they're talking about when that happens.

Mr. SPRATT. We now would like to return to the broad issue of fiscal responsibility. For the purposes of leading that debate, I would like to yield 15 minutes to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Madam Chair, I want to thank Chairman SPRATT. He and his staff have provided great leadership over the last month or so on the development of this budget resolution, and he has had many difficult positions to reconcile. He has worked closely with myself and with my Blue Dog colleagues, since the new President came into office, to put this budget resolution in place.

In March, Madam Chair, for the first time in 8 years, Congress had a President who sent us a budget blueprint that was honest and that laid out for the American people all of the expenditures and all of the projected revenues, projected expenditures, in an honest way so that the American people could see it.

What do I mean by that?

What I mean is, for the last 7 or 8 years and prior to the new administration coming in, when the President's budget came to Capitol Hill, it neglected to include massive spending obligations such as war-cost funding, Alternative Minimum Tax fixes, the Medicare physician payment fixes—these are all items that the American people and the Congress knew that we would do—disaster relief, middle-class tax cuts, and other tax provisions like the estate tax, which needed to be fixed because of the convoluted mess that was put in place in 2001 under the Bush tax plan.

□ 1215

Therefore, the budget President Obama sent us is honest. But honestly, it left a lot of us with sticker shock when we saw it because I don't think many of us and many of the American people realized how bad the situation had gotten over the last 7 or 8 years. I think we as a group—and I speak for the group that I work with, the Blue Dogs—we had two options: We could say ''no'' or we could work constructively to place this country back on the right track to fiscal discipline and fiscal responsibility. We chose the latter path, and that is to work with Chairman SPRATT to see if we couldn't get this country back on track.

We inherited a mess. The numbers are bad. But we, working together, we can get back on the right track to start with an honest document, an honest budget, and this certainly provides that.

Madam Chairman, I have several Members that would like to speak, and at this moment I am going to yield 2 minutes to a fellow Blue Dog from Louisiana, one of the leaders of the Blue Dogs, Representative MELANCON.

The CHAIR. The gentleman having the time may yield but not a specific block of time.

Mr. MELANCON. Thank you for the allotment of time, Mr. BOYD.

Let me start by saying that a budget resolution is not a binding document. It is a guideline, it is a principle, it is to give guidance to the Congress and to the administration. It has no taxes that are included in it. There are, in fact, spending cuts included in it.

Working with Chairman SPRATT, who has been diligent in trying to put together a good spending package, a good budget package, we, as the Blue Dogs, have consistently asked for help in trying to bring control over the spending that has occurred in this country over the last 8 years that has given us the deficit we have.

If you go and take a look at the last budget that President Bush put forward, add into that the offline budgets, the offline spending that he had, if you put them together then you'll find President Obama's budget in roughly the same numbers.

We are not fooling the American public anymore. We are trying to say to the American public, This is what your government has been spending and you deserve to know that. And as a Blue Dog, what we're saying is we're here to work with people to try to make this government work for the American public and the taxpayers of this country.

We have gone for too long with deceit and trying to trick the American public by thinking that they are not watching what was spent in the war, by not paying attention that the alternative minimum tax was funded out of budget, that we were just borrowing and spending, borrowing and spending. And if we keep this up, there will come a day when China will tell us when we can borrow and when we can spend, and I think I would rather have the dictate come from the American public rather than the country of China that holds our debt.

Mr. BOYD. I thank the gentleman from Louisiana for his work, and obviously, he has laid out what the problems are that exist before us. And one of the things that we wanted to do in this budget is make sure that we reincorporated the tools, the fiscal responsibility tools that were put in place in the 1990s by then-President Clinton, a Democratic-controlled White House, and a Republican-controlled House and Senate working together to put in place tools that would discipline the Congress in the way it collected and spent this money. Those tools were the PAYGO principle. Pay as you go. If you are going to create a new program or a new spending program or new tax cut, you had to figure out where the money was going to come from to pay for it so it would be budget deficit neutral.

Discretionary spending caps, a very important tool that I am sure that some on the other side of the aisle, Mr. RYAN and I, would certainly agree upon.

So those tools were put in place in the 1990s but then allowed to expire in 2002 shortly after the Bush administration came into power in January of 2001.

After those tools were allowed to expire, then you begin to see spending run out of control. And we had increases in all kinds of spending: defense spending, nondefense discretionary spending, mandatory—there were new mandatory programs created like the Medicare Prescription Drug Program without any accommodation for where that money would come from to pay for that.

So that's the kind of lack of discipline, lack of enforcement tools and lack of fiscal management that existed in the first 8 years of this decade. No more.

We have to discipline ourselves, and the Blue Dogs said we want PAYGO back in the statute. We want the tools that are needed to get us back on the fiscal track to get back to balance. We want them back in law. And Chairman SPRATT has accommodated us, and he put statutory PAYGO into this budget resolution, assumes that it will be passed by the House and the Senate and signed into law; and President Obama has committed to work with us on that.

So this has been a top priority for the Blue Dogs for years. We want to see programs like the Medicare Doctor Fix and tax relief and AMT and disaster relief, we want to see those benefit the American people. We want to also say to the American people, This is what your government is doing for you, and this is what it's going to cost you. I think it's time that we had that kind of straight talk for the American people, and this budget presumes that kind of straight talk.

So, Madam Chairman, I am extremely proud of what Chairman SPRATT has done to accommodate these provisions that the Blue Dogs have asked for.

On a more specific note, some of the things that we wanted done is we wanted these new initiatives of the President, we wanted them to be deficit neutral. Health care reform is going to be a major undertaking of this United States Congress and the new President, but we think it's something that's important for us to do for the benefit of the American people. And Chairman SPRATT has put in this budget resolution that we can do but it needs to be budget-deficit neutral. We don't have to go out and borrow the money some place to pay for that new program.

Climate change, another provision, energy, the whole climate change energy debate that we're going to have this year, and some things have to be done there. We want those provisions to be budget-deficit neutral. And they will be per this budget resolution.

There is always a debate about the amount of nondefense discretionary spending. Nondefense discretionary, you take the discretionary spending, you remove defense from it and then you have your other domestic discretionary nondefense spending and how much do you increase that or do you try to. Our objective was to try to get it as close to inflation with literally no increases until we get back on a good footing financially. And Chairman SPRATT has accommodated that request. I mean, the number—the increase in that number is 1.9 percent above inflation. That is a very, very small number. And we know that the American people are going to have to sacrifice, and we are willing to get into that sacrifice with them.

I see that we've just been joined, Madam Chairman, by the gentleman from Kansas, Mr. MOORE, and if Mr. MOORE would approach the microphone, I would love to yield him some time.

Representative MOORE from Kansas has been a leader in the Blue Dogs for a number of years now, and I would yield to him.

Mr. MOORE of Kansas. Thank you.

After years of irresponsible fiscal and economic policies, we're faced with a financial crisis that's affecting the lives of Americans all across our country. This administration in Congress and our Nation inherited from the previous administration a $5.8 trillion national debt which increased that much over the last 8 years. We're now in the worst recession since the Great Depression.

But Congress and the administration are working to develop a realistic plan to put our country back on a fiscally responsible path while making targeted investments and health care and energy research that will reduce future costs and lay the foundation for future economic growth. This budget is not perfect, but it does take several steps, in my mind, that are critical for us to return to the sustainable fiscal path.

The budget resolution for the first time makes a good-faith effort to provide us with a true accounting of our Nation's fiscal position and accounts for items that have been left out of the budget for years.

Second, the budget goes further than the President's budget in cutting the deficit by two-thirds over the next 4 years. These deficits are still too high, and there is no question that difficult choices need to be made. But we're back on a sustainable fiscal recovery.

And third, this budget gives us the best opportunity for reinstituting statutory PAYGO. This budget resolution makes sensible investments in several areas that are key to the long-term health of our Nation, including education, renewable energy technologies, and health care reform.

I thank Chairman SPRATT for his work on this budget resolution. I urge my colleagues to support it.

Mr. BOYD. Madam Chair, may I inquire how much time is remaining?

The CHAIR. The gentleman from Florida has 3 minutes remaining.

Mr. BOYD. Madam Chairman, I would like to remind the American people that there are some—and my friends on the other side of the aisle—there are some one-time costs accommodated for in this budget. And some may not think they are important, but I think they are certainly government responsibilities.

And one of these is the one-time cost of the census, the 10-year census. That's coming up soon, and we have to accommodate that census in the spending bill. So I would remind the American people that that is being done and that is a nondefense discretionary spending item.

There is also an item in here that relates to Farmers Home Administration defaults. Obviously, we are in a very unique time in this Nation's history in terms of home mortgage failures and foreclosures, and there are some extraordinary costs that are happening in the Farmers Home Administration as a result of these very difficult economic times we're in. So I would like to remind the American people that we have put some additional money in this budget to accommodate the associated costs with those foreclosures.

Madam Chair, the average level of nondefense discretionary spending between 1969 and 2008 was 3.8 percent. This budget projects a better path on spending than there was under the previous President. I and my Blue Dog colleagues support controls on nondefense discretionary numbers as a way to get our country back on track, and we have made tremendous progress in this budget to control government spending and growth.

Madam Chairman, to close out the few moments that I have left, I would like to call on my friend from Louisiana again, Mr. MELANCON.

Mr. MELANCON. Thank you, Representative BOYD.

A budget is only as strong as those who are here to enforce it. The Blue Dogs have been committed to fiscal responsibility and accountability for over 15 years, and we will be here to make sure that the House follows this blueprint for putting our government and the economy on a fiscally sustainable path. We are here to work with all in this Congress for a budget, for a country, for a government that works for the people again.

Mr. BOYD. I thank my friend, Mr. MELANCON.

And I would say as we close, Madam Chair, to the American people and to my chairman, Mr. SPRATT, I want to thank him for the great work he's done, and to the ranking member on the Republican side, Mr. RYAN. He's a wonderfully smart man, and we reach out a hand to work with him as we bring the country out of these very difficult economic times that we have.

The CHAIR. The gentleman from Wisconsin is recognized for 30 minutes.

Mr. RYAN of Wisconsin. Madam Chair, I will yield myself 5 minutes at this time.

Madam Chair, I just heard one of my colleagues say the cap-and-trade proposal is not in this budget. Let me show you the stalking horse that's in this budget. Page 30 on the chairman's mark, it says in their reserve fund on increasing energy independence, we can have legislation that provides for and limits reductions in greenhouse gas emissions.

Now, we just heard Mr. BLUMENAUER out on the floor a little while ago saying, ''Cap-and-trade. That's what cap-and-trade is. Our proposal to reduce greenhouse gas emissions is cap-and-trade.''

□ 1230

Now, it might not say cap-and-trade here, but you're saying we're going to achieve what cap-and-trade is.

One more point. You reconcile the Energy and Commerce Committee. What does that mean for people who don't know what reconciliation means? It means they're telling the Energy and Commerce Committee you can do whatever you want within your jurisdiction, $1 billion of savings. So you can have a $1.3 trillion cap-and-trade tax increase, and then have a $1.2999 trillion spending program out of it, and you satisfy your reconciliation instructions.

I heard somebody say, you know, the debt goes up under all these budgets. That is true. I've got news for everybody. The national debt is going to increase. It's going to go up under anybody's budget, under any conceivable scenario. You know why? The baby

boomers are retiring. We've got 40 million people who are going from paying taxes into the programs who are going to retire and collect money from these benefits. So the debt's going up, no two ways about that.

The question is, what are we doing about it? Do we have a really bad fiscal situation right now? Have we inherited a mess? Yes. The question is, what are we doing to clean up this mess? Are we making it better or are we making it worse?

I would suggest that the budget that is here before the floor makes it so much worse. We have a plan that we will talk about later that gets our debt and our borrowing under control. This is a budget that sends our budget deficit and debt out of control, doubling it in 5½ years, tripling it in a little over 10. More money going out the door in borrowing, raising the national debt under this Presidency than under all prior presidencies combined.

So let's see if we're really being fiscally conservative here. Let's review the budget of our Federal agencies.

The annual average increases in government agencies over the last 8 years, under a Republican President, Democrat and Republican Congress: legislative branch got an annual increase of 6.1 percent; the judiciary, an annual increase of 5.9 percent; education, an annual increase of 10.2 percent; Health and Human Services, annual increase of 7.7 percent; Justice, annual increase of 7.0 percent; Labor, annual increase of 9.1 percent; State Department, an annual increase of 11.9 percent; Transportation Department, annual increase of 6.5 percent. Let's go to the executive office of the President. We had some problems there with Katrina, 87.3 percent annual increase. Total outlays of our government, from our government agencies over the last 8 years: an annual increase of 6.4 percent.

So what's Congress doing this session? Are we being fiscally conservative? Are we being frugal? Are we watching taxpayer dollars? Look at the family budget. Do you think the family budget is going up an average of 6.4 percent a year? Inflation's not even 1 percent. Do you think State and local governments are going up that fast?

Let's look at what we just passed a month ago. An increase in this year's budget from the stimulus, the Education Department, get this, an increase of 196 percent, and this budget says let's throw on top of that a 13 percent increase.

HUD, an increase of 34 percent this year. What's going on top of that in this budget? Another 18 percent increase in their budget.

Labor Department, an increase this year, 38 percent in their budget. What does this do? Another 5 percent on top.

State Department, $600 million increase in stimulus. What are they saying in this budget? Let's increase the State Department by 41 percent.

The Environmental Protection Agency, good agency, they do smart, important things. In the stimulus bill this year, they got a 92 percent increase in their budget. What does this budget bill propose? Let's give them another 35 percent increase this year in their budget.

Madam Chair, this is reckless. This is reckless spending. Name me a family in Janesville, Wisconsin, that's going to get a 92 percent increase in their family budget. Name me a local government in your communities that's going to get a 196 percent increase in their budget this year.

We are spending like drunken sailors—wait, I apologize to the drunken sailors of America for that comment. This is reckless. This is why this budget doubles our national debt in five-and-a-half years and triples it in 10 years.

Madam Chair, at this moment, I would like to yield 2 minutes to the gentleman from Florida (Mr. PUTNAM).

Mr. PUTNAM. Madam Chair, I thank the gentleman for the time.

You know, in the confusion and the smoke and mirrors of what frequently passes for floor debate, the budget every year actually offers us very clear contrasts between priorities and the vision and the direction for the Nation.

America is at a historic crossroads. We have severe recession, record foreclosures, lack of credit, growing deficits, and high unemployment.

This year alone, Congress has spent $787 billion on an economic stimulus and another $480 billion on what's called an omnibus. This does not take into account the TARP spending, the Federal reserve lending programs that currently expose over $5 trillion in government capital to financial institutions and companies.

We are in the midst of an all-out economic downturn not experienced in generations, and yet, while families are cutting back from their own spending and reprioritizing their budgets, the Federal budget just keeps spending. Families and small businesses, and even local and State governments, have to make tough decisions, quite frankly decisions this Congress has been unwilling to make.

This isn't a budget. It's an invoice. It's at best a $3.5 trillion IOU deliverable to every hardworking family across the country, courtesy of Washington, DC. You earn it; we'll spend it.

The administration and the Congress had an opportunity to produce a responsible budget that would do more than throw borrowed money at old problems. Instead, we're debating a budget that proposes more spending, more taxing, more borrowing and no reforms.

If the majority's budget is supposed to represent a new era of responsibility, I'd hate to see what this Congress considers to be irresponsible. Washington continues to ask hardworking families to make tough decisions on their own, but the doublespeak coming out of our Nation's capital is quite the opposite.

The Democratic budget we are reconsidering today will not end Washington's spending spree but further saddle future generations with irresponsible spending priorities of this Congress and this administration. It assumes a peak deficit using terms and numbers that are inconceivable.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield the gentleman an additional 30 seconds.

Mr. PUTNAM. I thank the gentleman.

It is important that we adopt the Republican budget that offers no new taxes, lower spending, and lower deficits, and a lesser burden on future generations, who are going to be expected to carry America into the 21st century as a strong capitalistic and free society and not the Venezuelan model that we are creeping ever closer to each day.

Mr. RYAN of Wisconsin. At this time, Madam Chair, I'd like to yield 3 minutes to the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Madam Chairman, from the G–20 summit in England to factories in France to the streets of our Nation, the economic crisis is causing and exacerbating societal chaos.

Now, the Democrats' $3.6 trillion budget, that spends too much, borrows too much, and taxes too much, will wreak the chaos of the financial institutions within our political institutions and, thereby, further the economic disorder within our midst.

Thus, let us remember what working Americans already know: Big Government does not stop chaos. Big Government is chaos. And we cannot build a stable economy on government spending.

I urge rejection of the Democrats' $3.6 trillion budget that spends too much, borrows too much, and taxes too much.

Mr. RYAN of Wisconsin. At this moment, Madam Chair, I'd like to yield 3 minutes to the gentleman from Indiana (Mr. PENCE), the House Republican Conference chairman.

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

Mr. PENCE. I thank the gentleman for yielding.

The budget brought to the floor by the Democratic majority today spends too much, taxes too much, and borrows too much, and the American people know it.

This Democrat budget will double the national debt in 5 years, triple it in 10; 2010 spending alone is $3 trillion, 25 percent of GDP. More than $1 trillion in tax increases in the majority's budget. The 2010 deficit estimated at $1 trillion, and independent estimates suggest a deficit of nearly $1 trillion a year for the next 10 years.

The numbers tell the tale. The Democratic majority is proposing the most fiscally irresponsible budget in American history. But this isn't just about the numbers. It's not about dollars and cents alone.

It's about who we are as a country. It's about the American dream, and it's about our kids. It's about those small business owners and working families and family farmers that are dreading the idea of paying higher taxes during these hard times, higher marginal rates, higher national energy tax on every American household. And it's about our kids who may not even know or understand what they have to fear in the mountain range of debt that we are piling on.

It reminds me of a time a few years back I went to the CVS, forgot my wallet. I was with my 10-year-old daughter, and I reached down and I grabbed her purse, and I took out her little kid's debit card to pay for my Coke. I felt so guilty about it. I still feel bad about it today. Truth is, that's exactly what we're doing here.

Let's not do this to our kids. Let's not borrow from the next generation of Americans things that we ought to be dealing with in sacrifices and hard decisions today. Every American family, every American business is answering these challenging times by sitting down around tables, sitting down around desks, and with sacrifice and frugality, they're finding their way through these challenging days. Congress should do no different.

Let's reject this Democrat budget. Let's reject runaway Federal spending of those who believe we can borrow and spend and bail our way back to a growing economy, and embrace fiscal discipline and reform and tax relief in the Republican alternative that will truly put our fiscal house in order and get this economy growing again.

Mr. RYAN of Wisconsin. Madam Chair, I would like to yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Madam Chairman, I thank the gentleman from Wisconsin for his leadership on our alternative budget because, indeed, it is important that we bring forward a budget that is fiscally responsible because the Democrat budget does spend too much, tax too much, borrow too much, and it compromises hope and opportunity for future generations, and that is of such concern to me.

It is something that should not be lost in this debate, that after 232 years in this great Nation and 43 Presidents and the debt that was accrued there and for many of us, like me, that's too much. This budget is going to more than double that, and it is reckless.

I do think it is irresponsible that my grandchildren, one who is 10½ months old, one that will arrive in June, are going to be burdened with a $70,000 price tag because of the actions of this House. Indeed, I do see that as irresponsible, and it is something that angers me.

It also angers me that section 303 of this bill, it does have an energy tax in there. You can call it anything you want to, but according to MIT, not according to MARSHA, but according to MIT, $3,128 per household. Now, that $8 a week tax rebate that you're going to see in your check certainly goes away when compared with $3,128.

And Madam Chairman, a previous speaker said we've inherited a mess, the numbers are bad, these deficits are going to continue. You know what, they must have liked the deficits so much that they're going to double and triple them, because that is exactly what they're doing with these actions. Those deficits and that debt should be coming down, but these actions are going to see it double. They're going to triple it. So you must have liked it an awful lot because you're certainly dishing out more of it in the actions you're taking.

Someone else said this budget is just a guideline. You know what, Madam Chairman, isn't it interesting, if you don't spend everything that's in that guideline, all of the sudden the bureaucracy yells, well, look what, they cut us. Let's act responsibly.

Mr. SPRATT. Madam Chairman, for a rejoinder, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Madam Chair, I want to ask my friend from Tennessee who just spoke, if she's still here, that when she makes reference to MIT analysis about the so-called cap-and-trade, first of all, as my friend from Wisconsin knows very well, the way that we raise revenue in a budget resolution is to direct reconciliation instructions. And I frankly think his interpretation of the Energy and Commerce instruction is incorrect. It's for health care.

But I want to go back to what our friend from Tennessee just said about the MIT study, and I will ask unanimous consent at the appropriate time to enter this letter into the RECORD, a letter dated April 1 from Professor John Reilly, I believe is his name, who is the author of that study. I will read what he says.

□ 1245

He said, ''It has come to my attention that an analysis we conducted examining proposals to reduce greenhouse gas emissions has been misrepresented in recent press releases distributed by the National Republican Congressional Committee.

''The press release claims our report estimates an average cost per family of a carbon cap-and-trade program that would meet targets now being discussed in Congress to be over $3,000. But that is nearly 10 times the correct estimate, which is approximately $340.''

Is the gentlelady still on the floor? I would yield to my friend, the ranking member, to explain—is that the study on which you're relying?

Mr. RYAN of Wisconsin. I can't speak for her. Let me ask the gentleman this. It's my understanding that that MIT study comes up with these calculations based on the fact that people are getting rebates to offset the higher energy costs. I think that's right.

Mr. ANDREWS. Reclaiming my time, I believe that's true. But I would like you to answer the fundamental question: Is that the study on which you're relying?

Mr. RYAN of Wisconsin. I can't answer the question because the gentlelady said it. But here's the interesting point. Since you just acknowledged that that study rests upon the fact of having rebates go back to taxpayers, then why is it that this budget you're bringing to the floor repeals the rebates? This budget says the Making Work Pay tax credit goes away.

The CHAIR. The time of the gentleman has expired.

Mr. ANDREWS. If I can just ask for 30 more seconds.

Mr. SPRATT. I'm glad to yield 30 seconds. Maybe Mr. RYAN would yield some more time as well.

Mr. ANDREWS. The budget doesn't repeal any rebate whatsoever. What it does is set up a process where, if the Congress wants to deal with cap-and-trade, it will evaluate all the different ways the money could be a raised, the ways rebates could be paid, and whatnot.

I'm just very troubled that the minority continues to rely, apparently, on a study that the author claims is just being blatantly misrepresented.

Mr. SPRATT. Does the gentleman desire further time to rejoin?

Mr. RYAN of Wisconsin. I will simply say: Let's put the MIT study aside for a moment and look at the Congressional Budget Office. The Congressional Budget Office is saying it's going to hit families an average of $1,600 a year. That's still a lot. It's more than the Making Work Pay tax credit.

But I think it's also fairly revealing that since the chairman's mark takes away the Making Work Pay tax credit, the only way to get it back is impose a cap-and-trade regime to get those revenues. Even the Congressional Budget Office says the tax increase on families buying energy will far exceed the amount of the Make Work Pay tax credit.

No matter how you slice it, no matter how you dice it, people are going to get an energy tax increase if you pass that bill.

Mr. ANDREWS. Reclaiming my time, this argument we've heard ad nauseam here that there's $3,100 per home rests on two arguments. The first is that there is an instruction to raise the revenue in the budget. Mr. DREIER admitted on the floor earlier that's not the case. Then, the $3,100 rests upon this MIT study—and the author of the study has now told us that's a misrepresentation.

I think a lot of the other claims that the minority makes about the budget are equally invalid.

Mr. RYAN of Wisconsin. Might I ask for a unanimous consent agreement

then, just to make sure we're sure about this—to play it doubly safe—I would like to ask unanimous consent to remove the Commerce Committee reconciliation instructions out of this bill to make sure that that doesn't occur.

Mr. ANDREWS. I would object to that.

The CHAIR. The Chair cannot entertain that request in the Committee of the Whole.

Mr. SPRATT. I yield 2 minutes to the chairman of our caucus, the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. I want to thank the gentleman from South Carolina, Madam Chair, and commend him for the outstanding job that he has done and, most notably, as we heard from the President the other day, the civility in which you and Mr. RYAN conducted the hearings.

Our colleagues on the other side of the aisle are honorable people. They put forward proposals in an honorable fashion. They have done so for several years. This President and this administration inherited a deep and cavernous hole—from which it will take great effort, but we will make a steady ascent out of—not without having to face the largest deficits in the history of this country that were thrust upon this new President and this new Congress.

Yes, it was tried in the past to send more money, tax dollars back to the Nation's wealthiest 1 percent. Yes, they were lax in terms of oversight and review in what transpired on Wall Street that has brought this Nation the great difficulty that it is working through now.

The answer isn't the way it's been done in the past. The answer is in the hope that this administration and, under the tireless work of Mr. SPRATT, that we provide the American people—not the Nation's wealthiest 1 percent, not the barons on Wall Street—but the American people with an opportunity to invest in their health care, to invest in their energy systems.

The other ''do nothing approach'' of wanting to continue to export $200 billion abroad annually to pay taxes to Russia and the OPEC nations and Venezuela is counterproductive.

It doesn't help grow our economy here, it doesn't invest in the American people, it doesn't give them what they need in terms of health care and in education. And they are inextricably tied and linked to our future.

In a knowledge-based society, what we need is the budget that has been put before us today—that brings values back and educates our people, puts them back to work and gives them energy that will allow us to be independent from our foreign competitors.

Mr. SPRATT. Could I inquire of the Chair how much time is left on both sides?

The CHAIR. The gentleman from South Carolina has 7½ minutes remaining. The gentleman from Wisconsin has 17 minutes remaining.

Mr. RYAN of Wisconsin. Madam Chair, I will yield myself 2 minutes. The only thing that's on the ascent in this budget is the national debt, the budgets of our government agencies, the tax burden on the American people, the deficits. Because after you lower the deficit a little bit, it goes right back up.

You know what is ascending in this budget is the fact that the national debt goes to double of what it is today in 5½, triples in 10½ years. That's what's on the ascent.

Madam Chair, I appreciate the gentleman who just spoke. We're good friends. And he is an honorable man. We just have honorable disagreements. The chairman and I have a lot of respect for one another. We're friends. We have honest disagreements. I wish we would have more debate about this because we are really, truly debating the fiscal future of this Nation right here.

I asked for this unanimous consent to have what we call ''reconciliation'' taken out of the bill. What that means is they are setting up a procedural device so that they can bring through nationalizing our health care system, a brand new energy tax on top of all our energy, the largest tax increase in American history, the biggest debt increase ever.

They can bring this thing through here in just a few hours of debate in the people's House, no more than 20 hours of debate in the other Chamber, with no amendments. They can get this agenda passed so fast with this procedural stunt that the American people won't know what hit them.

I just have to ask a question. You know, should we be giving any government agency a 200 percent increase in their budget this year? The Education Department is great. It's education. Six cents on the dollar on education spending which, by the way, comes from the Federal Government. All the rest is State and local government.

Name me a family in America that just got a 196 percent increase in their family budget. We just gave that to the Department of Education. This budget says: Let's give them another 13 percent increase.

In February, we passed a bill giving the Environmental Protection Agency a 92 percent increase in their budget this year. This bill says that wasn't enough.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself an additional 30 seconds.

This bill says that wasn't enough. Let's give them another 35 percent. The problem is this: We're chasing ever-higher spending with ever-higher taxes, and the taxes never catch up with the spending. So the debt we're increasing is the highest we've ever seen. It is just so reckless, so irresponsible.

Madam Chair, at this time I yield 2 minutes to the gentlelady from Kansas (Ms. JENKINS).

Ms. JENKINS. Before ever serving in elected office, I spent nearly 20 years practicing public accounting—helping individuals and businesses balance their budgets. Balancing budgets is my business, and I'm certain of one thing—this budget spends too much, taxes too much, and borrows too much.

I recently asked my constituents in Kansas how this budget will impact them. I heard stories from small business owners who are afraid that higher taxes will force them to close their doors and lay off employees, as well as from middle-class families scrimping to pay their bills and just save a little each month.

One family wrote this: ''We are not asking for money from the government—just that they carefully take care of the taxes we pay. We consider paying taxes our responsibility as American citizens. But we also need to be able to have enough to live on.''

Gimmicks don't hide the fact that this budget will triple the Federal debt in 10 years, bringing it to $17.3 trillion by 2019, and will increase the tax burden on working families across the Nation to allow for massive new spending plans to grow government.

My constituents in Kansas sent me to Washington to protect their hard-earned paychecks. It's very disappointing that this budget falls so short of the fiscal discipline rhetoric that we have heard so much about lately.

The House should reject this budget resolution and adopt a responsible plan to curb spending, create jobs, and control debt. Our children's future depend on it.

Mr. RYAN of Wisconsin. At this time, I yield 3 minutes to the vice ranking member of the House Budget Committee, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding. As I listened closely to my friends on the other side of the aisle, there's a couple of themes that continue to reoccur. One theme is: It's not our fault. This mess was inherited. We sympathize with President Obama. He inherited a mess.

Well, Madam Chairman, he did inherit a mess—but he inherited a mess from a Democratic-controlled Congress.

In 2007 the deficit stood at $161 billion. Now, this year, for 2009, it's going to be $1.8 trillion—a tenfold increase under the Democratic watch in just 2 years. They inherited their own mess.

In December of 2006, unemployment stood at 4.4 percent. Now, 8.1 percent. Up 84 percent. On January 3, 2007, the Dow stood at 12,400. Most recently, it is now down 40 percent. The economic calamity happened on their watch.

Now, Madam Chair, I don't blame them for everything, but I don't understand how they accept responsibility for nothing. Absolutely nothing.

Madam Chair, what is so ironic, and it would be laughable if it wasn't so sad, is we have had Democratic leaders

come to the floor on previous budgets to decry the size of the national debt, to decry the size of the deficit.

When the deficit was less than $400 billion, and falling—still too great a number—the majority leader of the House, then minority leader, Mr. HOYER, the gentleman from Maryland, said this was equivalent to fiscal child abuse. Fiscal child abuse. And now we have a deficit of four and five times that—and stone-cold silence from the other side.

Madam Chair, reckless doesn't do justice to this budget. This is a radical budget. Radical. Never in the history of America have so few voted so fast to put so many in debt. More debt will be run up on this Democratic budget—this radical budget—in 10 years than has been run up in the entire history of our Republic. A sea of red ink for generations to come.

□ 1300

Now, part of that generation to come is my 7-year-old daughter and my 5-year-old son. I know the people on the other side of the aisle, they love their children, they love their grandchildren. But it is clear they don't love my children; because if they did, this radical budget would not be coming to the floor to put this level of debt which will bankrupt our Nation and crush the next generation, it wouldn't be on the floor. It would not be on the floor.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I give the gentleman an additional 30 seconds.

Mr. HENSARLING. And one other point I would like to make. I don't see the gentleman from New Jersey on the floor now. But in speaking about the national energy tax, it reminds me of that old joke, which I will not and cannot repeat on the floor but whose punch line is: Now we know what you are, now we are just haggling over price.

The Congressional Budget Office says the national energy tax is going to cost the average American family at least $1,600. We know what you are: You are a national energy tax. Now we are just haggling over the cost that will be imposed on struggling, hard-working families in America imposed by the Democrats.

Mr. RYAN of Wisconsin. At this time, Madam Chair, I yield 2 minutes to the gentleman from California, a member of the Budget Committee, Mr. NUNES.

Mr. NUNES. I thank the gentleman for yielding.

I had to come back down here because I heard folks on the other side of the aisle saying that there was no energy tax in here, and last night out here on the floor late in the evening we talked about cap-and-trade.

A lot of Americans don't know what cap-and-trade means, but cap-and-trade is an energy tax. It is not a baseball cap, it has nothing to do with international trade. It is an energy tax. It is a tax on everything that you use.

So I would ask my colleagues on the other side of the aisle to please explain to me where this $2 trillion comes from if it is not a tax. Does it come out of the sky? Do we print it at the Federal Reserve? Do we borrow it from the United Nations? But there is $2 trillion in this bill that has got to come from somewhere. So it is disguised as cap-and-trade, but it is a flat-out energy tax, unless someone can explain to me what it may be.

So what do we know about this budget? We know that it has a cap-and-tax, energy tax, $2 trillion. We know that we are going to have the largest tax increase in American history. We know that at the end of President Obama's first term that he will have amassed more debt than every single President that this country has ever had. More debt. Those are the things that we know.

So unless the majority can tell us what is going to happen, where this money is going to come from, I don't know what they are smoking but somebody's hallucinating, and we need to figure that out, Madam Chair.

So I would urge a ''no'' vote on this budget. Let's go back, let's determine where these taxes are coming from, because this is absolutely reckless.

Mr. RYAN of Wisconsin. At this time, Madam Chair, I yield 3 minutes to the gentleman from Indiana (Mr. BUYER).

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

Mr. BUYER. I want to thank the gentleman for his hard work, and I thank you and your staff also for creating this alternative budget. It is a budget I believe that you can be very proud of.

Madam Chair, this alternative budget for fiscal year 2010 would provide $106.4 billion for veterans health care and programs. This budget is $540 million above the administration's request.

The Republican alternative also reduces spending, it brings our national debt under control, and creates 2.1 million jobs, actually, more than the Democrat plan, all while not raising taxes.

This alternative budget also reflects the priorities of the House Committee on Veterans Affairs, the Republican views and estimates for FY 2010, which included ensuring a seamless transition from DOD to VA. It also provides for the innovative programs to help veterans gain job skills and good-paying jobs, and making sure the VA provides world-class health care to veterans; and, ensuring that veterans disability compensation claims are adjudicated quickly and accurately. I believe all of these are issues for which both Republicans and Democrats would equally embrace.

Madam Chair, while I am supportive of the increase that the President's budget proposed for veterans, the overall budget request, for which we are having to vote on here, is nothing more than the same old shell game that we have come to know here in Washington, D.C.

President Obama had promised this open and transparent budget; however, this budget contains many of the same tax hikes and gimmicks that hide the real truth from the American people about the real fiscal situation.

Earlier this year, it was rumored and later confirmed by the Secretary of Veterans Affairs, Eric Shinseki, that the administration was planning a proposal to bill veterans' health insurance to pay for VA treatment of their service-connected injuries. I, like many of my fellow veterans, was outraged by this proposal. We strongly believe that the same military values help guide us in our military service, and define the principles and allow us to say unto the administration that you should not be billing veterans to pay for their disabilities. It is one of the solemn obligations of government.

The budget views and estimates of the Republicans on the House Veterans' Affairs Committee took a very strong stand, while the Democrats' position was very muted. It wasn't until the veterans service organizations met with President Obama at the White House did this proposal then get out unto the American people. Only then did some of my Democrat leaders here in the House then, in order to get in front of that parade, said, ''Oh, yes, I am just as outraged.''

I look at it like this: Character is defined at the moment of calling. What do you do at the moment of call? Are you muted, or do you stand up and take charge and take control? It didn't happen, and I was greatly disappointed.

Thank you, for the time Mr. RYAN and I thank you and your staff for your hard work on this alternative budget. It is a budget of which we can be proud.

Madam Chair, the Republican Alternative for Fiscal Year 2010 Budget Resolution would provide $106.4 billion for Veterans healthcare and programs. This budget is $540 million above the Administration's request.

The Republican Alternative also reduces spending, brings our national debt under control, creates more than 2.1 million more jobs than the Democrat plan all while not raising taxes.

The Republican budget alternative reflects the priorities of the House Committee on Veterans' Affairs Republican Views and Estimates for FY 2010 which include:

ensuring a seamless transition from DoD to VA;

providing innovative programs to help veterans gain job skills and good paying jobs;

making sure VA provides world class health care to veterans; and

ensuring the veterans disability compensation claims are adjudicated quickly and accurately.

Madam Chair, while I am supportive of the increase that the President's budget proposes for veterans, the overall budget request is really nothing more than more of the same old Washington shell game. Instead of proposing an open and transparent budget, as President Obama and the Democrats promised, this budget contains many of the same tax hikes and gimmicks that hide the truth from the American people about our real fiscal situation.

Earlier this year it was rumored, and later confirmed by Secretary of Veterans Affairs Eric Shineski, that the Administration was planning a proposal to bill veterans' health insurance to pay for VA treatment of their service connected injuries.

I, like many of my fellow veterans, was outraged by this proposal and I strongly believe that the same military values that guided me and my fellow servicemembers should define how our government provides benefits and assistance to them now as veterans.

The prospect of VA collecting from third-party insurers for care provided for service-connected conditions is contrary to these military values and our obligation as a grateful Nation.

This proposal was soundly rejected by the Republican Members in our FY 2010 Views and Estimates and in the March 18th letter to the President by all members of the Republican House leadership and all of the Republican members of the Committee on Veterans' Affairs.

It was only after the voice of reason was heard from Republicans and numerous veteran service organizations that President Obama dropped his proposal.

However, by dropping his proposal the President left a $540 million hole in the VA budget. And, I am proud to say that the Republican Alternative budget includes $540 million to fill the gap.

While I am happy that this crisis was averted and this outrageous proposal was rejected, the fact that President Obama would even consider such a proposal is worrisome to me and other veterans advocates.

Madam Chair, the overall Democratic budget is not good for Americans, including veterans. The Democratic budget contains a $1.5 trillion tax hike. This includes tax hikes on veterans and their families, and veterans who own small businesses.

It is unfortunate that Democrats continue to try to pass the largest tax hike in American history. This is the wrong message to send to our veterans and their families when our country is in a recession.

Madam Chair, we are a nation at war, and we will win these wars. The best way to maintain morale of our servicemembers is to make tough decisions here that will engender their confidence in our capacity to preserve the vitality of this nation while they fight for its freedom.

I believe that the Republican alternative helps do exactly that, while honoring the promises we have made our veterans and their families.

The CHAIR. The gentleman from South Carolina has 7½ minutes remaining.

Mr. SPRATT. Madam Chair, I yield 2 minutes to the gentleman from Texas, the chairman of the Intelligence Committee, a Vietnam veteran, a colonel in the Border Guard, SILVESTRE REYES.

Mr. REYES. Madam Chair, I thank the gentleman for yielding, and I thank him for his leadership of the committee and for the inclusive process that he has utilized to come up with this budget resolution.

Madam Chair, I rise in support of H. Con. Res. 85, and I urge my colleagues to vote for this budget because, at a time when Americans are looking for leadership, at a time when they are looking for this new administration to keep our country safe, this budget resolution provides the tools to do just that. It provides increased support for our national security, it increases the funding for the Department of Defense and for the veterans budget. It also funds above the administration's defense request.

These additions help this country meet its military goals, it supports the efforts to reform the acquisition program, it supports the efforts to improve facilities, it supports and sets out important steps to help our country care for our wounded, our ill, and our injured servicemembers.

The resolution matches the President's request for overseas operations. Having his separate request is important. It provides the transparency that has been missing in describing the real cost of the wars in Iraq and Afghanistan.

This funding is important as we sustain our efforts in Iraq with an eye towards responsibly reducing troop levels throughout the coming 2 years. This funding is also important because it supports the administration's new Afghanistan strategy, and the intelligence community stands committed to supporting the new strategy using every means possible to attain success in Afghanistan.

The CHAIR. The time of the gentleman has expired.

Mr. SPRATT. I yield the gentleman an additional 30 seconds.

Mr. REYES. Our intelligence professionals stand ready to not only continue their support to the war fighter, but also to continue their support to the policymakers that are working on issues that affect not just our country but the entire world.

Again, I urge my colleagues to support the resolution. Americans are smart. They know who got us in this mess. They know what administration inherited a surplus and what administration inherited a mess. The record is clear. The dog they have sent out isn't hunting.

Mr. RYAN of Wisconsin. I assume the gentleman from South Carolina has the right to close. Is that correct, Madam Chair?

The CHAIR. The gentleman is correct.

Mr. RYAN of Wisconsin. Does the gentleman from South Carolina have any other speakers?

Mr. SPRATT. I yield 1 minute to the gentlelady from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. I come from the middle class. I was a military spouse, and my husband is now a veteran; my children and my husband all have a chronic disease, asthma; my mother is elderly; and, I pay college tuition for kids.

I looked at this budget from this prism: Does it help the middle class, the military and military families and vets, and those families with medical problems, the elderly, and families with kids in school? The answer is a resounding ''yes.'' And that is why I support this budget that supports the middle class.

Ninety-five percent of Americans will get a tax cut. This budget helps our military become better prepared and it supports military families. It increases VA funding by more that 11 percent in 2010. It will help reduce health care costs and help Americans get insurance coverage.

Budgets are moral documents stating our Nation's priorities. We are finally investing in America and in our middle class, and I am delighted to support this budget.

Mr. RYAN of Wisconsin. I take it the chairman has no other speakers?

Mr. SPRATT. I have one other speaker in addition possibly to myself. How much time is left?

The CHAIR. The gentleman from South Carolina has 4 minutes remaining, and the gentleman from Wisconsin has 4½ minutes remaining.

Mr. SPRATT. I reserve the balance of my time.

Mr. RYAN of Wisconsin. I take it the gentleman is waiting for the Speaker to come.

Madam Chair, there is a virtual conga line forming around the Capitol right now to come and get money. We are spending so much money these days. We have got to get this spending under control. It is out of control. And because the spending is out of control, the debt is going out of control.

But I want to talk about something else in the closing minutes of the general debate here, and that is about the biggest problem in America today: Jobs. We don't have enough of them. In my hometown of Janesville, Wisconsin, they closed down the General Motors plant. It is about three-quarters of a mile from my house. Two of my neighbors had their jobs there. Gone. High unemployment everywhere.

So the real question is, what are we doing to get jobs back in this economy, to get out of this deep recession, this the longest recession since 1945?

I would say that it is important to focus on one fact. Small businesses are the engine of economic growth in this economy. Seventy percent of our jobs come from small businesses. That is who got us our prosperity, that is who is going to get us our prosperity back.

And so what does this budget do for small businesses? Do you know what it says to small businesses? We are going to raise your taxes.

You have got to remember, Madam Chair, that the people who pay those rates that are being increased, those tax rates that are being increased in this budget are small businesses. They file their income taxes as individuals.

So we hear speaker after speaker after speaker saying, we are not doing these irresponsible tax cuts for the wealthiest 1 percent, the rich.

Look, Madam Chair, preying on people's emotions of fear and envy may be

a good political slogan, but it doesn't create jobs. Tapping into the legitimate anger and anxiety in America today is not leadership. Because what this does with these tax increases on small businesses is it demonizes those successful small businesses that are getting us our jobs, and it demoralizes those small business men and women in America who are trying to become successful. It tells them, you know what? If you work hard, if you achieve, if you take a risk, if you innovate, if you become an entrepreneur in this country, we are going to tax you, we are going to demonize you. You are one of the evil people.

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That is not America. That is not what this country is all about. We believe we ought to help people become successful. We want to reward work. We want that entrepreneurial, innovative spirit in America to come alive again.

The problem with this budget at the end of the day is it shuts off the wealth machine, the job creation machine of America. It makes it harder for those small business men and women to survive. The big reason why I voted against that stimulus package is because only 1 percent of it was actually dedicated toward encouraging small businesses to keep and create jobs. The rest of it was spending or tax rebates. There is a big difference here, a huge difference.

The American people finally have a very clear choice. Do you want bloated government? Do you want spending where every government agency gets double and triple-digit increases in their budget? Do you want record deficits, record tax increases and record debt increases? Or do you want to get this stuff under control? Do you want to get spending under control? Do you want to get borrowing under control? Do you want to get our deficits under control? Do you want to get taxes low so we can create more jobs?

At the end of the day, it is all about freedom. The budget they are bringing to the floor gives us less of it. The budget we are going to bring gives us more of it. That is what America is all about. America is the land of opportunity. We help people when they are down on their luck. We help people who cannot help themselves. But we create an entrepreneur activity. We create a country that rewards freedom, risk taking, advancement and success. Those are good things. This budget squelches that. This budget extinguishes those great aspects of America, the American ideal we have come to know and love. I say we keep it and reject this budget.

Mr. SPRATT. Could the Chair inform me how much time is now remaining?

The CHAIR. The gentleman from South Carolina has 4 minutes remaining.

Mr. SPRATT. I yield myself 3 minutes.

It has been difficult to sit here and listen to the cascade of unfounded facts. It is hard to respond to everything that has been said. But a few things need to be said clearly as we move forward with this debate. First of all, last night in particular, but again today, Member after Member got up and talked about the biggest tax increase in history. It is not here. It is not in this particular budget resolution. If you read CBO's analysis of the President's budget, you will see that CBO, not me, CBO finds that there is a net reduction of $1.7 trillion due to tax cuts that are incorporated in this budget resolution. For example, we have been saying for years that we would renew the middle-income tax cuts when it came time to, those that were middle-income tax cuts adopted between 2001 and 2003. Well, the date for their expiration is approaching, and we are coming forward with what we have said consistently for the last several years, we are renewing those tax cuts, the marital tax relief, child's tax credit, the 10 percent bracket, the Pomeroy substitute for estate taxes. We provide in this budget resolution for the renewal and the extension of those tax cuts. And as a result we have a net tax cut of $1.7 trillion.

Then there has been a lot of limiting of the size of the deficit for this year and next year. And as the Lord knows, I share the concerns. I pride myself on having been a budget hawk, on having brought together the Balanced Budget Act of 1997 and for the first time in 30 years actually, actually balanced the budget of the Federal Government. We did it.

Well, what has happened this year with the swollen budget that we have seen before us is that we have had a catastrophe in the financial markets. And much of the cost of that, the TARP, Fannie Mae, Freddie Mac, AIG, FDIC, the list goes on and on, and the costs that have come out of the Treasury are reflected in the swollen spending level of today. It isn't acknowledged, but spending is projected in the President's book here to come down from $3.9 trillion to $3.5 trillion, $400 billion per his recommendations here. You wouldn't have known that to listen to the cascade of facts coming forth.

Finally, as to spending levels, NDD, nondefense discretionary, often looked upon as an index as to whether or not Congress is exercising restraint in spending, the increase in NDD is about 4, 4½ percent. Defense, national defense, we want a strong national defense. We have always stood for that as Democrats and still do. We think we should restrain, however, the defense spending level. And it is restrained by the President to a 4 percent increase. Some would say that is a modest increase, but it is a big sum of money. We will be spending over $660 billion on national defense at that level.

For all of these reasons, the resolution before us should be ready and up for debate on the House floor.

I would now like to yield the balance of my time, 1 minute, to the Speaker of the House, Ms. PELOSI.

Ms. PELOSI. Madam Chair, I thank the gentleman for yielding. I thank him for his extraordinary mastery of the budget and for presenting us with the opportunity to vote for a statement of our national values here today.

Madam Chair, President Thomas Jefferson wisely stated that ''Every difference of opinion is not a difference of principle.'' That is so. But some are. The difference of opinion over this budget is a difference of principle, in fact, more than one principle. This budget is a statement of our national values and upholds the American principles of opportunity, security, responsibility and fairness.

It upholds the principle of fairness with tax cuts for the middle class, for 95 percent of the American people. It upholds the principle of fairness with health care for all Americans as a right, not a privilege. The budget will not only create a healthier America, but by lowering health care costs, health care reform is entitlement reform. By curtailing the rising costs of Medicare and Medicaid, health care reform will significantly reduce the deficit.

This budget upholds the principle of opportunity by advancing the President's investments in education from early childhood through post-secondary education and training. It supports the President's goal of improving education and training a workforce that is prepared to compete and succeed in the global economy.

This budget upholds the principle of security. The first responsibility we have as elected officials is to keep the American people safe. I am proud that in doing so, this budget gives the biggest increase ever to our veterans, the first time a President has submitted a budget which exceeds the veterans' independent budget. I hasten to add that in the last Congress, the new direction Congress exceeded the veterans' benefits under the leadership of CHET EDWARDS and Mr. SPRATT as well. On the battlefield, the military promises to leave no soldier behind. And when they come home, we promise to leave no veteran behind.

This budget upholds the principle of responsibility. The budget resolution begins the process of turning around the Republican budget legacy of deep deficits, mounting debt and economic decline due to the Bush administration's reckless fiscal policy. It takes steps to put the budget back on a fiscally sustainable path by restoring fiscal responsibility and cutting the deficit by more than one-half by 2013.

It upholds the principle of responsibility for our planet by investing in science, technology and renewable energy resources to reduce our dependence on foreign oil. That is a national security issue, an economic issue, an environmental health issue and a moral issue, if you believe as I do that

this planet is God's creation and we have a moral responsibility to preserve it. It is God's beautiful gift to us, and it is our responsibility to convey it to the next generation intact.

Mr. SPRATT, thank you again for this budget which will create economic growth, make America healthier and honor our veterans.

Decisions are liberating. By deciding to support this budget, Members are freeing themselves from past mistakes and stale assumptions. They are unleashing the possibilities of the future. This budget is the logical progression of the bold initiatives already taken in the first 3 months of this year. By providing health care for 11 million American children in the SCHIP Act and the recovery bill and the omnibus bill's investments in NIH cancer research and in health IT, this Congress has done more for health care in America than has been done in decades.

In terms of education, with the investments we made in the Recovery Act, the omnibus, the Edward M. Kennedy Serve America Act, and now this budget, we have done more for education than has been done in any one other period of time in our history.

On energy proposals, we plow new ground. As President Obama said, ''We will harness the sun and the winds and the soil to fuel our cars and run our factories.'' We have made the investments that will spur new growth of energy that we can produce here in America, creating new green collar jobs for American workers. This budget also allows for fiscally responsible legislation that will promote energy independence over the long term.

In terms of science, we have made bold and new investments in the area of science in both the Recovery Act and the omnibus. We also just passed a landmark public lands bill that will protect 2 million acres of natural heritage, the most sweeping conservation legislation in decades. So in terms of energy and the environment, we have made historic progress.

This budget is in stark contrast to the Republican budget's hollow shell. We must always strive to find common ground here in the Congress. However, when the American people voted for change in November, they did not vote to send us here to split the difference. They sent us here to make a difference. Sadly, that difference of opinion on this budget is a difference of principle.

Mr. SPRATT, again, I thank you and members of the committee for giving us the privilege of upholding America's principles of fairness, opportunity, security and responsibility today by voting ''aye.''

Mr. CONYERS. Madam Chair, last fall the American people voted for change and today we are seeing its vision implemented. As such, I rise in strong support of the Democratic budget.

For too long America has been distracted with misplaced priorities such as unnecessary wars, tax cuts for the ultra wealthy, and spending on unnecessary weapons systems. At the same time, our leaders were often negligent when it came to honouring our solemn commitment to the hard working men and women of America. It will take time to reverse failed Republican policies, but I believe the Democratic budget will lead America in a new direction by providing urgently needed health care reform, bringing back our tradition of progressive taxation, improving our education, and confronting global warming.

Everyday, we hear more bad news about companies laying off their workers—a sad occurrence that has increased the already alarming levels of Americans who lack access to health insurance. Madam Chair, access to health care is a human right and enacting today's legislation will bring us one step closer to desperately needed reform. This bill will do so by improving quality, expanding coverage, addressing the rising costs that create so much budget heartache for hardworking citizens. This bill will also add an important provision into the Budget Reconciliation which will allow for expedited consideration for health reform later this year. I enthusiastically support the inclusion of this provision as a means to move this critical legislation to the President's desk this year.

At the State of the Union, President Obama made it clear he wanted to cut the budget deficit in half; this budget fulfils that promise. Today's legislation takes the record deficit that President Obama and the 111th Congress inherited in 2009, and cuts it to $586 billion in 2013.

Madam Chair, for too long the broken ideology of trickle down economics has promoted tax cuts for the very rich as the solution to our nation's economic woes. After years of economic decline and stagnation it is evident this ideology is not viable. The Democratic budget will instead provide over $1.5 trillion in tax cuts to nearly 9 out of 10 Americans. This is done by giving Alternative Minimum Tax (AMT) relief, eliminating the estate tax, giving hard working a fair shot at higher education with tax relief in higher education. The Democratic budget funds these tax cuts by closing corporate loopholes and the ''tax gap.''

In this era of global competition, it is imperative that we give our students the world class education without staggering amounts of debts. The bill will continue to increase Pell grant funding, expand early childhood education programs, and expand federal school meals initiatives.

While some may see that this budget is too ambitious, I say that the state of our economy demand nothing less. I urge my colleagues to support this bill.

Mr. DINGELL. Madam Chair, today I rise in support of the fiscal year 2010 budget resolution. Today's vote on the budget is a critical one, not only because it finally invests resources in domestic priorities, but because it also takes into consideration the needs of our families.

Our economy is suffering, financial markets are in turmoil, and back home in Michigan we are facing an unemployment rate of 12 percent. My colleagues on the other side of the aisle suggest cutting our spending, while also providing huge tax cuts for their fat cat friends and more subsidies for oil and gas companies. These are not the folks that need government tax breaks and subsidies.

If it is not the government who will pump money into our economy, provide tax cuts to our families and make health care and education more affordable, then who will? We know that our banks are not lending, families are living paycheck to paycheck, and our small businesses and companies are struggling to maintain their payroll. The status quo is not an option.

For the first time in eight long years we have a President who proposed a budget that takes into consideration the long-term stability of our country and provides a strong economic plan to guide us out of this recession. To that end, Congress proposes cutting the deficit by nearly two-thirds by 2013, reducing discretionary spending to its lowest level ever, and including initiatives to cut waste, fraud and abuse, saving taxpayers nearly $50 billion. And for the first time, Congress and the administration are including the costs of the Wars in Iraq and Afghanistan in the budget, no longer hiding the costs in supplemental legislation.

Yes, Congress and this administration is tackling a lot at once, not only because the last administration left a platter of problems at our feet, but also because we can no longer afford to put off health care reform, or climate change, or quality education. Our country and our economy need a long-term solution.

Through this budget we will begin to tackle the rising costs of healthcare by reducing high administrative costs and rooting out inefficiencies. We will ensure that Medicare physician payments provide clear incentives for better quality care and ensure that primary care physicians are compensated for the hard work that they do. All of these steps will set the stage for health care reform and provide a down payment for legislation this summer.

This budget also continues our investment in education by raising the maximum Pell grant award, including additional assistance to help more low-income students complete college. This is critical to ensuring that our current and future employers continue to have a highly educated workforce. We need to keep our workforce competitive with our neighbors abroad and I strongly believe that ensuring access to education for all is one way to do that.

Finally, we will look towards laying the foundation for climate change legislation this summer by ensuring that funding and tax incentives in the stimulus bill receive significant funding—producing new sources of energy and creating green jobs across the country. Further, it will set aside funding to be used to pay for climate change legislation that the House and Senate are working on as we speak. This will ensure that the final product that makes it to the President's desk is paid for, allowing for responsible legislation that will cut greenhouse gas emissions, promote energy independence, and create new jobs in the energy sector.

I want to commend the leadership of the Obama administration and Chairman SPRATT for all of their hard work to put together this budget proposal. I know that producing a budget that will address the problems of the last eight years, while also investing in the priorities of our families, was not an easy task. However, it is high time that the budget helps all Americans, not just the wealthy. Let this budget be a message that Congress has heard our families loud and clear—we want to ensure your families are healthy, your children receive quality education, and your paychecks stretch a bit further than they used to. This is

particularly true for the people of the 15th District—you can rest assured that I am working tirelessly to help you through this tough time. Together we can, and we will, turn our country's economy around.

Mr. BISHOP of Georgia. Madam Chair, I want to say a few words in support of the Fiscal Year 2010 House Budget Resolution. This important legislation builds on the American Recovery and Reinvestment Act to create jobs and strengthen the American economy for the long-term. It also restores honesty and transparency to the congressional budget process and puts our nation on a clear path to recovery.

I want to especially commend House Budget Committee Chairman JOHN SPRATT, Office of Management and Budget Director Peter Orszag, and the leadership of the Blue Dog Coalition for their outstanding work in crafting this budget. As a Blue Dog, I am pleased that the budget incorporates many of the Coalition's principles—namely, commitments to statutory Pay-As-You-Go budget discipline, deficit neutral health care reform, eliminating $50 billion in waste and abuse in government spending, and cutting the deficit in half by Fiscal Year 2013.

Concerning the deficit, it is important to recall that America's fiscal house was in order when the Bush Administration took office eight years ago. There was a projected ten-year budget surplus of $5.6 trillion. The nation would have had the resources then to pay down the national debt, protect Social Security for future generations, and accommodate tax relief for hardworking American families.

In a few short years, the surplus disappeared and the national debt mushroomed. Rather than a $5.6 trillion surplus, Congress is now confronting a record $1 trillion deficit in 2009 alone. In fact, the nation is facing deficits in 2009 and 2010 that would be greater as a share of the economy than in any year since World War II.

According to the Center for Budget and Policy Priorities, the current recession ''is compounding the underlying long-term fiscal pressures resulting from rapidly rising health care costs, the aging of the population, past tax cuts, and war costs. If we continue current policies . . . the nation is on a path to amass $10 trillion in cumulative deficits over the next decade, during which time the deficit will not fall below 5 percent of GDP.'' Both as a member of the Blue Dog Coalition and, more importantly, as an American citizen, it was troubling to see that our nation's commitment to fiscal discipline was being so recklessly squandered during these eight years.

This budget resolution finally puts America's budget house in order. In addition to ensuring budget discipline, it makes vital investments in a number of areas. The House Budget Resolution strengthens education by providing additional funding for new initiatives in early childhood education and raising the Pell Grant award. It includes provisions to reduce health care costs while improving access to quality medical care.

The House Budget Resolution also supports veterans by increasing Veterans' Affairs funding by 11%. Finally, it increases our investments in renewable energy and energy efficiency by 18% in 2010 to promote clean energy technologies, industries, and jobs.

The House budget makes many of these investments at a lower level of nondefense discretionary funding than President Obama's original request. I also am pleased that it includes tax relief for middle-income taxpayers and small businesses, as well as an accurate accounting of the costs of our military operations in Iraq and Afghanistan.

This budget is good for Georgia and good for America. I am pleased to support it and I urge my colleagues to vote in favor of its adoption.

Mr. PETERS. Madam Chair, I rise today in support of the budget resolution. Like the President, I came to Washington this year at a time when we are both inheriting record budget deficits, and battling the worst economic crisis since the Great Depression. I am a strong believer in fiscal discipline, and I understand that the current budget deficits are unsustainable. However, I also know that it is next to impossible to bring our nation out of a deep recession and balance our budget at the same time. This budget is a blueprint for generating economic expansion. As our economy begins to grow again, deficits will be reduced over time.

This budget makes a great deal of progress on deficit spending, cutting the record budget deficit inherited from the last administration in half over the next five years. The budget also reaffirms the commitment of this Congress to the PAYGO rules, which require that new spending and tax cuts be offset by cuts in spending or new revenue so new measures do not increase our deficit and our national debt. The budget also ends the use of accounting tricks to hide costs of certain spending. For example, for the first time the budget includes both a full-year estimate for the cost of the wars in Iraq and Afghanistan for the budget year as well as estimates for future costs.

The quickest way to restore balanced budgets is to increase growth, and at a time when our economy is simply not functioning this plan has the investments and incentives to make that growth happen. This budget includes substantial middle class tax cuts, and makes critical investments in education, health care reform, and energy independence that are necessary to revive the economy and ensure that our nation leads the globe in next generation technologies.

In Michigan and Oakland County, this means investments in programs like MEP, which helps small manufacturers retool and retrain as they implement the next generation of manufacturing practices and green technologies. It also means investments in new advanced vehicle technologies, which will help ensure that the next generation of green vehicles are designed and built in Michigan, not overseas.

Madam Chair, I was elected to office along with President Obama because voters were demanding change. This budget delivers on the promises we made to voters last fall, by restoring fiscal discipline, delivering middle class tax cuts, making critical investments in our future, and laying the groundwork for future reforms. I urge my colleagues to join me in supporting this blueprint for job creation and robust economic growth in America.

Mr. TIAHRT. Madam Chair, I rise today in strong opposition to H. Con. Res. 85 Democrat budget resolution. Our economy is in chaos, every day more Americans lose jobs, and our retirement savings are dwindling. The only response Democrat leadership and this White House seems to have is to spend more. My colleagues on the other side of the aisle have forgotten that a successful economy comes from the ground up, not from the government down.

Do I have to remind the Speaker that ''money doesn't grow on trees?'' This money comes from the American people, directly from their wallets which are growing thinner and thinner by the day. What they need from us isn't a larger government, but a government that tightens its belt as they are forced to do. A government that helps the private sector get back on its feet and prosper. A government that creates a level playing field for American employers on the world market.

The past few months we have all become economics majors as we try to interpret and make decisions on complex financial markets. There is no question in my mind that everyone in this body wants to return to our country's historic economic success. I think there's considerable disagreement on how we get there, but I think at least we can start with the statement that we all want to end up in the same place. A place where our children can start a business or find a high quality, high paying job. Today's discussion—and indeed the focus of the entire Congress—should be on how to renew the American Dream.

I do not subscribe to Keynesian economics. Every thin dime this Congress spends—or more appropriately borrows—is the functional equivalent of a thick quarter the children of Kansas and the rest of America have to pay back later, and I have yet to see a government job that pays for itself. I don't believe that massive deficit spending as we see in this budget proposal is going to create private sector jobs in the short-term or revive our economy. In the short time he has been in office, we have already amassed $3 trillion in debt for a total of $8.7 trillion. $8.7 trillion is a lot of money, money we don't have and money that our children and grandchildren will be forced to pay back.

One of the very worst things that we, the Congress, can do is follow economic policies that result in raising taxes on American citizens and employers. We have enjoyed economic success in the past in large part because of our relatively low tax rates. To raise taxes will, in my view, not only hurt American wallets immediately, but also stifle the prospect of economic prosperity in the near future. Sadly this is where the administration is headed.

The president has made a big deal recently about Republicans being the ''party of no.'' I am ready to say ''yes.'' To say yes to policies that will help rebuild a sound economy for today and the future. We need to pursue common sense economic policies that work—while reducing the size and scope of a government that has strangled growth. We need to move toward competitive business tax rates to compete with the rest of the world. Ireland, though it too has been caught up in the worldwide downturn, is well poised to recover as it welcomes companies and fosters growth. We desperately need a common sense approach to regulation, with cost-based justification of the rules our bureaucrats impose on those who create jobs. We need to be energy independent. It's well past time that we adopt a ''loser pays'' approach to litigation as the United Kingdom follows. Finally, I hope we discuss the rising cost of health care (in addition to ensuring health care access), which is

one of the biggest burdens on our economy. I believe a consumer-based approach to health care delivery will benefit patients and our economy.

These ideas build the fundamental strength of our economy. That is how we can and will renew the dream and renew opportunity for ourselves and our children.

I'll close by saying that, although we are struggling today, I am confident and optimistic that the American people will overcome this downturn, as we always have. My concern is that borrowing and spending will prolong the pain instead of fixing the problem.

I look forward to our discussion today.

Mr. HOLT. Madam Chair, a budget is a moral document that demonstrates our values and priorities. I want to congratulate Chairman SPRATT for again bringing forth a budget that represents values of which we can be proud. This budget would make real investments in education, hometown security, veterans' programs, healthcare, and research and development while halving the budget deficit in four years.

I am pleased that this Fiscal Year 2010 budget continues to follow the pay-as-you-go (PAYGO) principle that the House restored at the start of the 110th Congress in January 2007. This ensures that every new dollar of spending is offset and will not worsen the deficit. Although the budget resolution does not set tax or spending levels, it does lay out the plan for the coming years to spend money and to raise revenues.

This budget validates the President's Inaugural declaration that we will ''restore science to its rightful place.'' This resolution restores science to its rightful place in terms of our national innovation investment by providing $31 billion for the science and research programs. In these troubled economic times, it is important to understand that while research lays the foundation for our long-term prosperity, research also creates jobs now. A report by the Information Technology and Innovation Foundation estimated that each additional $1 billion investment in research would create approximately 20,000 American jobs a year. This investment would provide jobs not just to scientists but also to research students, electricians who wire the labs, lab technicians who run the instrumentation, construction workers who will renovate the buildings, and many more. This job creation is comparable to or better than job creation for other spending, even in the short term, and over the long term, nothing produces jobs tomorrow like research today.

This budget would make a significant investment in our nation's energy future by building on the significant funding and tax incentives for renewable energy and energy efficiency that were contained in the recovery bill. The budget increases investments in energy programs by 18.4 percent to create new sources of renewable energy, to improve energy efficiency, and to expand research and technological development. The budget is committed to reducing greenhouse gas emissions and ensures that Congress has the flexibility to consider legislation for increasing our nation's energy independence.

Madam Chair, this budget honors our commitment to our nation's children by investing in education. The budget follows on the bold investments made by the economic recovery bill and provides further support for early childhood education. The budget supports education at a young age through a range of approaches, including strengthening and expanding early childhood education programs, home visiting programs, and child nutrition programs such as school meals. I am pleased that the budget also would help make college more affordable and accessible for students in New Jersey and throughout the country by increasing funding for Pell grants and providing additional assistance for low-income high school graduates. The budget further would expand our scientific workforce by tripling the number of graduate fellowships in science.

I am pleased that the budget addresses the fact that 46 million Americans are uninsured, with more than 8 out of 10 of those uninsured living in working families. Specifically, data from The Henry J. Kaiser Family Foundation show that 16 percent of New Jersey's residents were uninsured in 2007. This is despite the fact that health care spending has grown to about $7,026 per person as of 2007. According to a report from the Institute of Medicine, working-age Americans without health insurance are more likely to receive too little medical care too late and to receive poorer medical treatment throughout their lives. As a result, they are sick more often and die at a younger age. This budget resolution supports the President's goal for health care reform and provides opportunities for the relevant committees to work this year to draft reform legislation that will help more Americans get health insurance, reduce health care costs, and improve patient safety.

I strongly support the provisions in the budget that would invest $53.3 billion for veterans' programs, an increase of 11.5 percent over the 2009 level. I am pleased that the budget reverses the policies of the previous administration and restores health care eligibility for non-disabled veterans with modest incomes. This funding is more important than ever to treat the 908,690 Iraq and Afghanistan war veterans, many of whom suffer from post-traumatic stress disorder, traumatic brain injuries, or blast-related injuries.

I also am voting for the two alternatives offered by Mr. SCOTT and Ms. LEE because, although each is imperfect, each in different ways, they would advance the principles of equality and justice in our society and the peaceful resolution of international problems. I expect that neither of those alternatives will prevail over the well-crafted compromise of Mr. SPRATT, yet they are worthy of support.

Madam Chair, the budget produced by the Budget Committee, under the leadership of Representative SPRATT, reflects values of which we can be proud. It supports healthcare, science and engineering research, education, veterans, and national security programs while maintaining our commitment to fiscal responsibility. By adopting this budget and supporting the designated funding levels throughout the appropriations process, we would be investing in priorities important to our future.

Mr. STARK. Madam Chair, I rise today in measured support of H. Con. Res. 85, the FY 2010 Budget Resolution.

A budget is a moral document that should reflect our priorities as a nation and act as a blueprint for the investments our nation needs to be healthy and prosperous. By this measure, the budget resolution before us is not a perfect document. It does, however, provide for vital investments in health care, jobs, education, and the environment that will spur both short-term and long-term economic growth and make our country healthier and more humane.

This budget unfortunately continues to provide far too much money for defense—51 percent of discretionary spending. The $532.6 billion for defense includes billions for out-dated or just plain bad weapons systems and ideas, such as missile defense, space-based weapons, and the V–22 Osprey. Cutting these and other wasteful defense programs would save nearly $69 billion. These savings could be invested in reforming our education system, ending hunger, and rebuilding our infrastructure. The Congressional Progressive Caucus alternative budget would allow for those important investments and I am proud to support it.

While the budget before us is not perfect, it does steer us—after eight years headed the wrong way—in the right direction. It sets the stage for long overdue comprehensive health reform, while providing latitude for us to make improvements to Medicare. Within these budget parameters, we will be able to address structural problems with physician payment policies to increase access to primary care, provide incentives for coordinated patient-centered care, manage chronic diseases, and improve quality. We will build on what works in our existing system by creating a public health insurance plan available to everyone and preserving our existing employer-based system. This budget will allow us to make investments in our people and our future, yielding long-term benefits in both tangible cost savings and improved quality of life by finally achieving quality, affordable health care for all.

This budget provides a framework for economic prosperity and builds on the investments made by the American Recovery and Reinvestment Act in education and energy. Under this budget, education from early childhood through college is given top priority. It allows for the expansion of early childhood education programs and creation of a nurse visitation program that will assist new mothers raise healthy children. The bill also creates a framework to permanently reform the Pell Grant program and ensure that it provides yearly increases for students most in need of assistance.

Creating a clean energy economy will not only allow us to avoid the catastrophic consequences of global warming, it will also create jobs and spur innovation. This budget includes a roadmap for a comprehensive response to global warming and provides for investments in energy efficiency and technology that will lead to good paying jobs across the country. Already, the energy funds in the recovery bill are creating jobs in my district through the financing of a new solar panel manufacturing facility. These types of projects will become more common with the passage of this budget.

This budget clearly distinguishes the priorities of the new Congress and President Obama—jobs, universal health care, and a first rate education system—from the misplaced priorities of past Republican budgets—tax cuts for the wealthy, war, and an eviscerated safety net. I urge all of my colleagues to embrace priorities that put the health and wellbeing of people ahead of the narrow interests of the well connected and support this budget.

Mr. WOLF. Madam Chair, I am deeply disappointed that the FY 2010 budget resolution considering today represents another missed opportunity for both sides of the aisle to come together for the future of our country. Frankly, it continues down a very dangerous path that has been business as usual in the House for far too long. For our children and grandchildren we must come to grips with the financial crisis looming on the horizon.

We all know that we face enormous fiscal challenges in terms of the deficit, the debt, and solvency of entitlement programs such as Social Security, Medicare, and Medicaid. Addressing these issues in a meaningful and bipartisan way will take strong bipartisan commitment—the kind of commitment that is sorely lacking in the budget resolution that will be voted on in the House.

The statistics accompanying the nation's long-term fiscal health are astounding. The national debt has topped $11 trillion for the first time in history. While the White House claims that the president's budget proposal would increase the deficit by $6.9 trillion over ten years, the nonpartisan Congressional Budget Office projects that this figure will be closer to $9.3 trillion, more than a third higher than the administration's projection. By 2019 the government could be paying over $800 billion annually just in interest on this amount. China is one of our biggest bankers and now holds the paper on about one out of every 10 American dollars. Standard and Poor's Investment Service predicts loss of our triple-A bond rating as early as 2012. Moody's predicts 2018.

The American people are hurting. The U.S. unemployment rate hit 8.1 percent in February, the highest in more than 25 years. If that isn't troubling enough, leading economists are predicting the jobless rate could hit double digits by year's end.

Many of those lost jobs are coming from the U.S. manufacturing base, or what's left of it. The decay in U.S. manufacturing is real. Drive across the cast iron bridge linking Trenton, New Jersey, with Morrisville, Pennsylvania, and read the outdated sign: ''Trenton Makes, the World Takes.'' There was a time when Trenton made the steel used for the world's longest suspension bridges, its cars, and farm tools. The sign today could be: ''The World Makes and America Takes.''

This Congress must face the reality of America's long-term financial future and start a process that will reverse the downward slide we're facing. I've said it before and I'll say it again: Congress acting alone will not make the hard choices necessary to right our ship of state. The partisan divisions are too deep. We need a process outside of Congress to come to grips with the burden of debt we are piling on our children and grandchildren.

The American people—our constituents—understand that we are in serious trouble and that regular order in the House offers no way forward. The American people have no confidence in this Congress's ability to think outside of the box and come up with bipartisan solutions to the country's most pressing issues. A recent Peter Hart/Public Opinion Strategies survey confirmed that 56 percent of registered voters say a bipartisan commission rather than the regular congressional process is the best means to begin tackling our growing budget deficit and national debt.

There is a plan on the table right now that this House could act on to set up such a national commission. JIM COOPER and I—a Democrat and a Republican—have been working together on legislation—the SAFE Commission Act—that would establish a bipartisan commission to address entitlement spending, other spending and tax policy. When we reintroduced the bill last month, there were exactly 26 Republicans and 26 Democrats joining the effort as original cosponsors. Everything is on the table, because to reverse the current financial path, we must look at the big picture. And when the commission makes its legislative recommendations to Congress after extensive public hearings around the country, Congress is required to vote up or down, like the base-closing process, on the plan.

The Cooper-Wolf SAFE Commission Act has garnered support from the Heritage Foundation, Brookings Institution, Committee for a Responsible Federal Budget, Concord Coalition, National Federation of Independent Business, Business Roundtable, The Peterson Foundation and former U.S. Comptroller General David Walker. Newspapers across the country, including the Washington Times, Richmond Times-Dispatch, Winchester Star, Dallas Morning News and the Tennessean, have editorialized about SAFE being the only way forward. National syndicated columnists, including David Broder, Robert Samuelson and David Brooks have all written favorably about this proposal.

I submit for the record David Broder's piece ''Hiding a Mountain of Debt'' from last Sunday's Washington Post which speaks to the inability of Congress to tackle entitlement reform through regular order and suggests the Cooper-Wolf SAFE Commission as a bipartisan process that could help lawmakers face reality.

If there are other ideas about how to come to grips with the mountains of debt under which we are burying our children and grandchildren—that can pass—I implore our colleagues to offer them. We just can't continue with the same old tired process, drawing lines in the sand while the tsunami of debt comes crashing toward America's shore.

That process is on full display today with the business as usual tone on this year's budget resolution. The current process is broken. The SAFE Commission offers an opportunity to make a difference for the country's future, rather than just continuing to score political points as we see in the debate today.

The SAFE Commission process could be the foundation for a renaissance in America. It can renew Americans' confidence in the ability of our elected leaders to act and provide the opportunity to order priorities, create jobs and provide a quality of life unsurpassed in America. It can ensure that we have the funding for education, cutting edge technology, medical research, infrastructure improvements and other programs critical to providing a bright future for the next generation of Americans.

Why is every budget plan today from both sides of the aisle missing this critical component? For our country's future, this Congress and this administration must come together and work to set up a bipartisan panel to deal with America's long-term financial future to give hope to our children and grandchildren. The time bomb of debt is ticking and it's on our watch to act before the explosion buries our country.

[From the Washington Post, March 29, 2009]

HIDING A MOUNTAIN OF DEBT

(By David S. Broder)

With a bit of bookkeeping legerdemain borrowed from the Bush administration, the Democratic Congress is about to perform a cover-up on the most serious threat to America's economic future.

That threat is not the severe recession, tough as that is for the families and businesses struggling to make ends meet. In time, the recession will end, and last week's stock market performance hinted that we may not have to wait years for the recovery to begin.

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—and the absence of any serious-strategy for paying it all back.

The Congressional Budget Office sketched the dimensions of the problem on March 20, and Congress reacted with shock. The CBO said that over the next 10 years, current policies would add a staggering $93 trillion to the national debt—one-third more than President Obama had estimated by using much more optimistic assumptions about future economic growth.

As far as the eye could see, the CBO said, the debt would continue to grow by about $1 trillion a year because of a structural deficit between the spending rate, averaging 23 percent of gross domestic product, and federal revenue at 19 percent.

The ever-growing national debt will require ever-larger annual interest payments, with much of that money going overseas to China, Japan and other countries that have been buying our bonds.

Reacting to this scary prospect, the House and Senate budget committees took the paring knife to some of Obama's spending proposals and tax cuts last week. But many of the proposed savings look more like bookkeeping gimmicks than realistic cutbacks. The budget resolutions assume, for example, that no more money will be needed this year to bail out foundering businesses or pump up consumer demand, even though estimates of those needs start at $250 billion and go up by giant steps.

Republicans on the budget committees offered cuts that were larger and, in some but not all instances, more realistic.

But the main device the Democratic budgeteers employed was simply to shrink the budget ''window'' from 10 years to five. Instantly, $5 trillion in debt disappeared from view, along with the worry that long after the recession is past, the structural deficit would continue to blight the future of young, working families.

The Democrats did not invent this gimmick. They borrowed it from George W. Bush, who turned to it as soon as his inherited budget surpluses withered with the tax cuts and recession of 2001–02. But Obama had promised a more honest budget and said that this meant looking at the long-term consequences of today's tax and spending decisions.

There are plenty of people in Congress for whom the CBO report was no surprise, and some of them have proposed a solution that would confront this reality. Kent Conrad, the chairman of the Senate Budget Committee, and Judd Gregg, its ranking Republican, have offered a bill to create a bipartisan commission to examine every aspect of the budget—taxes, defense and domestic spending, and, especially, Medicare, Medicaid and Social Security. Congress would be required to vote promptly, up or down, on its recommendations, or come up with an alternative that would achieve at least as much in savings.

In the House, Democrat Jim Cooper of Tennessee and Republican Frank Wolf of Virginia have been pressing a similar proposal but have been regularly thwarted.

The roadblock in chief is Nancy Pelosi, the speaker of the House. She has made it clear that her main goal is to protect Social Security and Medicare from any significant reforms. Pelosi has not forgotten how Democrats benefited from the 2005–06 fight against Bush's effort to change Social Security. Her party, which had lost elections in 2000, 2002 and 2004, found its voice and its rallying cry to ''Save Social Security,'' and Pelosi is not about to allow any bipartisan commission to take that issue away from her control.

The price for her obduracy is being paid in the rigging of the budget process. The larger price will be paid by your children and grandchildren, who will inherit a future-blighting mountain of debt.

Mr. ETHERIDGE. Madam Chair, I rise in support of House Concurrent Resolution 85 (H. Con. Res. 85). This resolution builds on the work of this Congress to put our economy back on track, addressing the current crisis and building for future needs.

A budget is more than just a document, it is a statement of our priorities. This is an especially important budget and comes as our nation faces a number of challenges in our struggling economy. Across the country, millions of families are facing foreclosure or have lost their jobs, savings, or access to health care. We have seen the failure of many of our financial institutions, and a lack of credit that is necessary for our small businesses to grow. In my own state of North Carolina, the unemployment rate has risen to a historic high of 10.7 percent.

This budget begins to reverse the Bush Administration's failed policies and restore America's economic strength. H. Con. Res. 85 invests in priorities like health care, education, and energy independence to create jobs and get our economy back on track. As the former Superintendent of Schools in North Carolina, I know that the best investment we can make is in our children. I am pleased that H. Con. Res. 85 strongly supports early learning, including the President's initiatives to help strengthen and expand early childhood education and school meals initiatives. This budget also makes college more affordable and accessible by increasing Pell grants and providing additional assistance to help more low-income high school graduates attend and complete college. Education is the key to economic growth, future success, and access to opportunity for our citizens.

The legacy left by the previous administration includes mounting debt and economic decline and we must return to a fiscally sustainable path. In addition to education, this budget makes investments in health care, energy independence, and other areas in a fiscally responsible way. This budget cuts the deficit in half over four years and bolsters PAYGO, the rule requiring Congress to find revenue to offset spending proposals. As a Member of the Committee on Ways and Means, I am also pleased that this budget supports $1.5 trillion in tax cuts for low and middle income families.

This Budget Resolution provides a strong blueprint for our economic future. I support H. Con. Res. 85, and I urge my colleagues to join me in voting for its passage.

Ms. GINNY BROWN-WAITE of Florida. Madam Chair, I rise today in opposition to the majority's Budget Resolution.

CAP AND TRADE

The majority and President Obama's budget proposal calls for the passage of Cap and Trade legislation.

The President estimates that the auction associated with Cap and Trade will bring in more than $640 billion.

The administration admitted that number would be more like $1 trillion and possibly as high as $2 trillion.

Cap and Trade is a regressive tax because those with less income spend more of their paychecks on energy.

This plan will raise taxes on an average family by $1,600 annually.

Furthermore, if the United States acts without the support of China and India, Cap and Trade will only force more jobs out of the country.

Beyond the loss of jobs, Cap and Trade will tax every American for using energy.

SIZE OF DEFICITS/NATIONAL DEBT

If raising your taxes by $1,600 a year wasn't enough; President Obama and the Democrat Majority's budget resolution will increase your share of the national debt by more than $20,000 in four short years.

Today, every American's share of the National Debt is $36,000.

By the end of President Obama's first term in office, the national debt will have exploded to $54,000 per American.

This is a picture of my grandchildren. If you want to saddle your children and grandchildren with this type of debt then I would encourage you to vote for the majority's budget resolution.

If you do not, there is an alternative way forward. The Republican budget alternative taxes you less, spends less and borrows much less.

Ms. LINDA T. SÁNCHEZ of California. Madam Chair, I rise this morning to state my strong support for the budget resolution.

I'm excited to see that American working families will once again be prioritized.

It is a sight for sore eyes to see the President present an honest budget, putting an end to years of masking the costs of things we have to pay for, like the wars in Iraq and Afghanistan.

This is good news for working and middle-class families who have been struggling to keep their heads above water. For far too long, these families have been bearing the brunt of misplaced priorities, above all, the ever-rising cost of healthcare.

Too many never see a doctor until they visit an emergency room. The cost to employers, local, state and the federal government is unsustainable.

It is shameful that while the United States spends more than every other nation in the world on health care, we fail to care for everyone.

This budget makes a down payment on health care reform, invests in working families, and sets America on a fundamentally new course. I urge my colleagues to support this critical investment.

Mr. OBERSTAR. Madam Chair, adequate investment in our transportation and other public infrastructure is the foundation for future economic growth, and in these troubled times, it is needed more than ever.

The Budget Resolution before us today recognizes the importance of infrastructure investment— investment that will not only jump-start our economy now, but continue to pay dividends for many years into the future.

The Resolution provides a solid foundation for the surface transportation authorization act that must be completed this year. If the Resolution is applied over the six-year period from fiscal year 2010 through fiscal year 2015, it provides a base allocation of $324 billion for highway, highway safety, and transit programs. Importantly, this allocation restores $82 billion of highway contract authority that had been eliminated from the baseline because of FY 2009 rescissions that the baseline assumed to recur in all future years.

As a point of comparison, the budget resolution proposed by the Senate Committee on the Budget does not restore this $82 billion of highway contract authority. I will insert into the CONGRESSIONAL RECORD a state-by-state chart comparing the FY 2010 highway contract authority apportionments under the House and Senate budget resolutions (assuming the current law programs and formulas), to illustrate how devastating the Senate proposal would be for many States.

In addition, the House Budget Resolution establishes a Reserve Fund to allow the base allocation of $324 billion to be adjusted upward as necessary to accommodate higher funding levels to the extent they can be supported by the Highway Trust Fund. This Reserve Fund provides the flexibility necessary to accommodate surface transportation authorization legislation as it is developed and shaped by Congress this year.

For the Airport Improvement Program (AIP), the Resolution provides the full amounts authorized by H.R. 915, the ''FAA Reauthorization Act of 2009'', as ordered reported by the Committee on Transportation and Infrastructure on March 5, 2009. Specifically, the Resolution allocates $4.0 billion for AIP in FY 2010, increasing to $4.1 billion in FY 2011, and $4.2 billion in FY 2012. This funding will allow the AIP program to keep pace with inflationary cost increases, and begin to address the investment gap in airport safety and capacity needs.

For passenger rail, the Resolution accommodates the President's proposal for a new Federal commitment to high-speed rail transportation by increasing investment to $1 billion in FY 2010. Building on the $8 billion for high-speed rail provided in the American Recovery and Reinvestment Act of 2009, this additional funding will lead to the creation of several high-speed rail corridors across the country linking regional population centers.

For environmental infrastructure, the Resolution assumes $2.4 billion for the Clean Water State Revolving Fund program in FY 2010, consistent with the President's budget and H.R. 1262, the ''Water Quality Investment Act of 2009'', as passed by the House on March 12, 2009. I welcome and strongly support the President's proposal to significantly increase Federal support for restoring and maintaining the nation's water quality. It is indeed a refreshing change from the previous eight years, which saw some of the lowest funding levels requested by any administration since the creation of this program.

Finally, the Resolution rejects the Office of Management and Budget's proposal to change how programs funded by contract authority are treated for budget scoring purposes. This proposal, had it been adopted, would have converted the mandatory contract authority that currently funds our highway, highway safety, transit and airport grant programs to a simple

authorization of appropriations for budget scoring purposes. I am pleased that the Resolution continues to recognize the unique nature of trust-funded programs by rejecting this misguided proposal.

I thank Chairman SPRATT and the Committee on the Budget for their strong support for transportation and infrastructure programs, and I urge my colleagues to support the Resolution.

FY 2010 FEDERAL-AID HIGHWAY CONTRACT AUTHORITY COMPARISON OF HOUSE BUDGET RESOLUTION AND SENATE BUDGET RESOLUTION

State	House Budget Resolution (H. Con. Res. 85)	Senate Budget Resolution (S. Con. Res. 13)	Difference
Alabama	$750,502,172	$516,451,803	−$234,050,368
Alaska	439,554,461	302,479,599	−137,074,861
Arizona	734,391,521	505,364,622	−229,026,899
Arkansas	491,318,142	338,095,044	−153,223,098
California	3,429,330,000	2,359,845,892	−1,069,484,108
Colorado	519,743,051	357,654,101	−162,088,950
Connecticut	488,622,768	335,995,383	−152,627,385
Delaware	163,152,846	112,271,703	−50,881,142
Dist. of Col.	145,767,381	100,307,258	−45,460,123
Florida	1,895,296,186	1,304,234,359	−591,061,827
Georgia	1,279,712,245	880,623,534	−399,088,711
Hawaii	166,547,342	114,523,644	−52,023,698
Idaho	285,381,912	196,383,095	−88,998,817
Illinois	1,296,279,966	892,020,673	−404,259,294
Indiana	951,906,101	655,046,481	−296,859,621
Iowa	451,070,541	310,397,616	−140,672,924
Kansas	376,911,793	259,176,473	−117,735,320
Kentucky	652,507,863	449,017,053	−203,490,810
Louisiana	657,198,643	452,242,292	−204,956,351
Maine	174,639,887	120,551,562	−54,088,325
Maryland	596,761,038	410,652,679	−186,108,360
Massachusetts	604,230,800	415,488,222	−188,742,578
Michigan	1,037,618,157	713,504,389	−324,113,768
Minnesota	625,566,887	430,476,787	−195,090,100
Mississippi	466,071,827	320,721,163	−145,350,663
Missouri	889,273,176	611,943,309	−277,329,867
Montana	366,277,284	252,050,954	−114,226,329
Nebraska	286,487,562	197,142,114	−89,345,448
Nevada	311,525,651	214,373,365	−97,152,286
New Hampshire	166,488,270	114,483,223	−52,005,047
New Jersey	972,008,432	668,876,265	−303,132,167
New Mexico	364,249,524	250,653,966	−113,595,557
New York	1,660,321,081	1,141,694,643	−518,626,438
North Carolina	1,039,925,752	715,614,469	−324,311,283
North Dakota	241,653,208	166,290,394	−75,362,815
Ohio	1,321,137,088	909,125,872	−412,011,216
Oklahoma	570,787,695	392,779,712	−178,007,984
Oregon	456,610,251	314,209,806	−142,400,446
Pennsylvania	1,623,581,576	1,116,433,610	−507,147,966
Rhode Island	193,230,364	135,659,996	−57,570,368
South Carolina	620,987,972	427,326,829	−193,661,143
South Dakota	268,773,569	184,953,497	−83,820,072
Tennessee	824,732,715	567,531,810	−257,200,905
Texas	3,168,619,579	2,180,458,508	−988,161,071
Utah	313,958,483	216,047,035	−97,911,448
Vermont	168,547,458	115,983,429	−52,564,030
Virginia	976,733,110	672,128,732	−304,604,378
Washington	633,569,542	435,980,466	−197,589,075
West Virginia	416,728,500	286,769,231	−129,959,270
Wisconsin	734,296,976	505,300,612	−228,996,364
Wyoming	257,349,706	177,091,532	−80,258,174
TOTAL	37,527,938,057	25,824,428,808	−11,703,509,249

*This table is based on Federal Highway Administration (FHWA) technical assistance, and illustrates the estimated distribution of FY 2010 contract authority under the House and Senate budget resolutions (assuming current law programs and formulas). To have sufficient funds to meet all criteria of the Equity Bonus calculation, as in effect in FY 2009, an estimated $39 billion in contract authority would be required for apportioned programs. To perform the calculations with the amounts provided by the House and Senate budget resolutions, FHWA altered the funding floor element of the Equity Bonus calculation by lowering the 121 percent floor that is in effect for FY 2009 to 117.5 percent for the House resolution, and 80.8 percent for the Senate resolution.

Mrs. BIGGERT. Madam Chair, I rise to voice my concern over this proposed budget. As many of my colleagues have said, it taxes too much, borrows too much and spends too much.

And it will raise taxes during a recession when we shouldn't even be discussing tax hikes. Why do they want to raise taxes? Not to pay down the deficit but instead to fund another massive expansion of government. This plan, as proposed by the Administration, would place an immense burden on middle-class families.

They want to raise taxes on homeowners by limiting the mortgage tax interest rate deduction. We're facing a wave of foreclosures and should be encouraging responsible homeownership. Instead, this tax will discourage homeownership and further weaken the economy by delaying housing recovery efforts.

The proposal also furthers the Administration's plan to raise taxes on charitable contributions, discouraging Americans from donating to charities and nonprofits. This comes at a time when these organizations are needed most by struggling families. We should be encouraging Americans to help one another, not the opposite.

Madam Chair, the budget also paves the way for higher taxes on small businesses by reversing cuts to the death tax, punishing thrift, discouraging entrepreneurship and devastating family-owned small businesses.

This is certainly change, and not for the better.

Ms. HARMAN. Madam Chair, one of the most momentous votes I have cast as a Member of Congress occurred in my first year of service. It was a vote for President Clinton's budget, which made some difficult choices—among them, cutting spending and raising taxes to balance the federal budget. While controversial, I knew the Clinton budget charted the best course for the U.S. economy over the long run.

It came as no surprise, but my support for the Clinton budget became the primary issue in my first reelection campaign, which I won by only a whisker. Many of my colleagues were not so fortunate.

Today, the country is again in a perilous economic position—much more so than in 1993. And a new President is again outlining an ambitious economic agenda that could transform American society.

As in 1993, I intend to support the budget. President Obama inherited an economy and federal balance sheet in total disarray. He has made the difficult decision to prioritize long-delayed investments in health care reform, clean energy, and education, and to pay for them with responsible reversals of Bush Tax cuts for the most fortunate among us. I believe he has done so in an honest manner by, among other things, putting the costs of the wars in Iraq and Afghanistan on budget for the first time.

The budget isn't perfect—no budget is. I would prefer more deficit reduction in its out years. But the President has his priorities right, and is making the investments that this nation has put off for too long. This Congress should support him and pass this budget.

Ms. JACKSON-LEE of Texas. Madam Chair, as the House of Representatives begins to consider the President's Fiscal Year 2010 Budget, I would like to highlight a number of priorities. First, I would like to begin by saying President Obama has inherited an extensive deficit from the previous administration—the result of mistaken policies, misplaced priorities and an era of profound irresponsibility. This was no April Fools joke. Our budget deficit is a real problem with real consequences for the American people.

For too long, we have ignored the tough choices we needed to make and failed to address the big challenges our economy faces.

This lack of responsibility has left our nation with an economy in recession and an untenable fiscal situation—$1 trillion a year deficits on average over the coming decade.

The FY2010 budget submitted by the President is up front and honest about the challenges we face. Unlike the previous administration which assumed revenue from the Alternative Minimum Tax overwhelming the middle class and not accounting for the Medicare doctor's fee fix and the cost of the wars in Iraq and Afghanistan, there are no budget gimmicks in President Obama's budget to cover up the mess we're in.

I urge the President to include funding for summer jobs for youth. Our youth, and individuals that have opted not to go to college or institutions of higher learning, need to be engaged and employed. Employment will provide them with skills and aptitudes that are necessary to be productive in society. I urge funding for our youth.

I support the President's call for healthcare reform. I urge the Budget Committee to account for the cost of healthcare reform to ensure that the 45 million uninsured Americans (four million of which are children) have access to quality and affordable healthcare.

In addition, I urge the Committee to account for the following:

Funding the Minority AIDS Initiative at $610 million this year (an increase of nearly $200 million) to build capacity among minority run non-governmental organizations and to conduct outreach services among minority communities.

Funding the Ryan White CARE Act at $2.8 billion this year (an increase of $578 million) to support care and treatment programs at the local level to address the needs of people living with HIV/AIDS.

Funding the CDC Prevention activities for HIV, STD, TB and Viral Hepatitis at $2.28 billion (an increase of nearly $1.2 billion) to fund testing initiatives and support innovative prevention efforts at the local level.

Funding for Housing for people living with HIV/AIDS (HOPWA) at $360 million (an increase of $50 million) to provide supportive housing for people with AIDS.

Zeroing out funding for ineffective abstinence only until marriage programs to recover $99 million in funding. These programs have been proven to be ineffective.

Funding for comprehensive sex education programs that will be authorized by the REAL Act with at least $50 million this year to reduce spread of HIV and other sexually transmitted diseases and reduce unintended pregnancies.

A $200 million increase in funding for the National Center on Minority Health and Health Disparities at NIH.

Reserve funding ($3.5 billion) for the Health Equity and Accountability Act (not yet enacted).

I commend the President for requesting an increase of $15 billion for the Department of State and other international programs in FY2010, which is a 40% increase over the FY2009 level. I urge the Budget Committee to include this increase in the budget resolution. I am hopeful that these additional funds will go towards the Global Fund to Fight AIDS, Tuberculosis and Malaria; USAID; migration and refugee assistance; peacekeeping efforts in Darfur; education, healthcare and cultural exchange programs; child survival and health programs; and development assistance.

As the President begins to withdraw troops from Iraq, I also urge the Budget Committee to account for the need to increase Iraqi humanitarian assistance by $1.17 billion in FY2010.

I support the robust funding for our troops and America's national defense. I support reducing funding for the failed Ballistic Missile Defense program and reallocating those funds within the Defense Department to fund increases in shipbuilding, troop readiness, military and civilian pay, cancer research, and mental health services.

I have consistently fought for funding to weed out waste, fraud and abuse within the Department of Defense. The Defense Department has already saved an estimated $89 billion between FY01 and FY07 by implementing 1,682 of the Government Accountability Office's recommendations. President Obama's FY2010 Budget Overview reflects a similar commitment, as has the House Budget Committee under Chairman Spratt's leadership.

As the economy continues to worsen, I urge the Budget Committee to account for the increased need for income security programs, such as the Supplemental Nutrition Assistance Program, Unemployment Insurance, Medicaid, and the Recovery Act's COBRA subsidy.

I urge the President to consider including the necessary budget authority to account for the cost of increasing the federal minimum wage and indexing it to inflation. In addition, the Committee should consider the cost of reforming current asset tests for economic assistance. As more and more Americans lose their jobs, it makes little sense to force families to drain their savings to the extent necessary to qualify for certain temporary economic assistance programs.

Finally, the President should also consider the cost of redefining the Federal Poverty Level, which is currently $22,050 for a family of four (100%). I urge the creation of a Decent Living Standard Threshold to determine the amount of annual income that would allow an individual to live beyond deprivation at a safe and decent, but modest, standard of living.

The housing crisis lies at the center of the economic problems we face today. After the series of TARP bills, the Congress has just found out that bank executives have used over $100 million in TARP funds to pay for executive bonuses and other forms of compensation. I urge the President to reverse eight years of underfunding of the nation's affordable housing programs and we are pleased that the Administration has proposed a HUD budget that increases funding for the Department by 19 percent. I urge the President to match this aggressive budget authorization and to support large investments into the Community and Regional Development and the Income Security functions in order to account for increases in Affordable Housing programs.

Specifically, the President should consider including the necessary budget authority to fund the Section 8 public housing operating subsidy at 100% of need. In addition, the President must also consider providing sufficient budget authority for the renewal of all Section 8 vouchers currently in use.

Although the public housing capital fund received an injection of $4 billion in the recent stimulus package, this only represents 12.5 percent of the estimated $32 billion backlog in deferred capital needs. The President should include sufficient budget authority to allow housing authorities to address ongoing and deferred maintenance needs.

In addition, I urge the President to support the Administration's proposal to fund the National Affordable Housing Trust Fund at $1 billion and to fully fund the Community Development Block Grant program. I also urge full funding of HUD's housing programs for the elderly, disabled, and Native Americans, as well as for those programs that prevent homelessness. I support an increase in funding for the Neighborhood Stabilization Program, which allows states, localities, and nonprofits to buy up and rehabilitate abandoned and foreclosed properties.

I urge the President to account for funding efforts to combat and reduce juvenile crime and efforts to rehabilitate ex-offenders. I strenuously urge the full funding of the Second Chance Act, which provides transitional assistance to assist ex-offenders in coping with the challenges of reentry. Removing barriers to reentry has proven to reduce recidivism, which in the long run reduces crime. In addition, the President should account for much needed increases in youth crime intervention programs. Research has shown that targeting funding towards intervention rather than incarceration is more effective at reducing crime and saving the taxpayer money in the long run.

I have long supported efforts to increase funding for the Justice Assistance Program, the Juvenile Justice Program, Civil Rights Enforcement, the COPS Program, the Byrne Justice Grant Program, and State and Local Law Enforcement Assistance. I urge the President to account for sustaining many of the important increases for these programs that was included in the American Recovery and Reinvestment Act.

As the Chairwoman of the Children's Caucus, I support the President's efforts to reform and expand the Pell Grant program. Pell Grants are way to make education affordable to disadvantaged youth. This is very important to me.

I would like to see continued and sustained increases in education funding, especially for Title I and IDEA. Even though Congress is to consider the reauthorization of the No Child Left Behind Act this year, the Budget Committee should still account for the need to address the substantial funding shortfalls of this program over the last eight years. The American Recovery and Reinvestment Act made substantial increases, but I urge the President to account for sustaining many of these new investments.

The President must also account for needed increases in funding for Head Start, TRIO (including Upward Bound), GEAR UP, Youth Build, and vocational education programs. In addition, I urge the President to account for funding for expanded grants to states for workplace and community transition as authorized in the Higher Education Opportunity Act. These grants will better assist and encourage incarcerated individuals who have obtained a secondary school diploma or its recognized equivalent to acquire educational and job skills.

I urge this body to account for fully funding the historic increases in funding for Historically Black Colleges and Universities and Minority

Serving Institutions authorized in the Higher Education Act reauthorization enacted last year.

I support the President's efforts at increasing spending for infrastructural projects. The President's priorities are reminiscent of the New Deal where this country invested in building up our Nation. The President has made a significant effort at achieving this by his signing of HR 1, the Stimulus Act.

In the Stimulus Act, the President authorized money to be spent on infrastructural projects that were shovel ready, i.e., ready to be started within 120 days. I know that America could use this money.

Indeed, Houston would benefit. Houston's Metro Rail needs to complete its RAIL service in certain quadrants of Houston. The project has been twenty years in the making. I have worked with Leadership and Chairman OBERSTAR to ensure that METRO Rail projects get the funding that they need to be completed.

Completion of this mobility project would decrease congestion and pollution as Houstonians would travel via rail instead of using their cars. This would increase Houston mobility and the health of Houstonians as they would be forced to walk around instead of using their private transport.

The House Budget Committee has shown a commitment to increased funding for the Department of Veterans Affairs. I commend the President's budget for including a $25 billion above baseline increase for the VA over the next five years.

Other Priorities: Fully fund the Community Development Block Grant;

Increased funding for the Public Housing Capital Fund to continue to address eight years of stagnant funding under the Bush Administration; fully fund the Child Care and Development Block Grant; fully fund the Social Services Block Grant; increased funding for HOPE VI; fully fund the Neighborhood Stabilization Program; increased funding for the Affordable Housing Trust Fund; support for the creation of a National Infrastructure Bank; continued funding for Hurricane Katrina recovery and rebuilding efforts; increased funding for the Environmental Justice Small Grants Program; increased funding for the National Underground Railroad Network to Freedom program at the National Park Service. This is important to me. I worked to get funding for urban parks in the Stimulus bill. This increases the health and overall well being of constituents. It is necessary in urban meccas like Houston.

The CHAIR. All time for general debate has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PERLMUTTER) having assumed the chair, Mrs. TAUSCHER, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 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, had come to no resolution thereon.

GENERAL LEAVE

Mr. SPRATT. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous material on H. Con. Res. 85.

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

There was no objection.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

The SPEAKER pro tempore. Pursuant to House Resolution 316 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution, H. Con. Res. 85.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 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, with Mrs. TAUSCHER in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the concurrent resolution is considered read for amendment under the 5-minute rule.

The text of the concurrent resolution is as follows:

H. CON. RES. 85

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

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 year 2009 and for fiscal years 2011 through 2014.

(b) TABLE OF CONTENTS.—

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. Major functional categories.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House.
Sec. 202. Reconciliation in the Senate.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund for health care reform.
Sec. 302. Deficit-neutral reserve fund for college access, affordability, and completion.
Sec. 303. Deficit-neutral reserve fund for increasing energy independence.
Sec. 304. Deficit-neutral reserve fund for America's veterans and servicemembers.
Sec. 305. Deficit-neutral reserve fund for certain tax relief.
Sec. 306. Deficit-neutral reserve fund for a 9/11 health program.
Sec. 307. Deficit-neutral reserve fund for child nutrition.
Sec. 308. Deficit-neutral reserve fund for structural unemployment insurance reforms.
Sec. 309. Deficit-neutral reserve fund for child support.
Sec. 310. Deficit-neutral reserve fund for the Affordable Housing Trust Fund.
Sec. 311. Deficit-neutral reserve fund for home visiting.
Sec. 312. Deficit-neutral reserve fund for Low-Income Home Energy Assistance Program trigger.
Sec. 313. Reserve fund for the Surface Transportation Reauthorization.
Sec. 314. Current policy reserve fund for Medicare improvements.
Sec. 315. Current policy reserve fund for middle class tax relief.
Sec. 316. Current policy reserve fund for reform of the alternative minimum tax (AMT).
Sec. 317. Current policy reserve fund for reform of the Estate and Gift Tax.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Adjustments for direct spending and revenues.
Sec. 402. Adjustments to discretionary spending limits.
Sec. 403. Point of order against advance appropriations.
Sec. 404. Oversight of Government performance.
Sec. 405. Budgetary treatment of certain discretionary administrative expenses.
Sec. 406. Application and effect of changes in allocations and aggregates.
Sec. 407. Adjustments to reflect changes in concepts and definitions.
Sec. 408. Exercise of rulemaking powers.

TITLE V—POLICY

Sec. 501. Policy on middle-class tax relief and revenues.
Sec. 502. Policy on defense priorities.

TITLE VI—SENSE OF THE HOUSE

Sec. 601. Sense of the House on veterans' and servicemembers' health care.
Sec. 602. Sense of the House on homeland security.
Sec. 603. Sense of the House on promoting American innovation and economic competitiveness.
Sec. 604. Sense of the House regarding pay parity.
Sec. 605. Sense of the House on college affordability.
Sec. 606. Sense of the House on Great Lakes restoration.
Sec. 607. Sense of the House regarding the importance of child support enforcement.

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 2014:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2009: $1,532,571,000,000
Fiscal year 2010: $1,659,525,000,000.
Fiscal year 2011: $1,933,072,000,000.
Fiscal year 2012: $2,190,099,000,000.
Fiscal year 2013: $2,361,429,000,000.
Fiscal year 2014: $2,507,846,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2009: $0.
Fiscal year 2010: –$6,461,000,000.
Fiscal year 2011: –$155,559,000,000.
Fiscal year 2012: –$170,294,000,000.
Fiscal year 2013: –$153,908,000,000.
Fiscal year 2014: –$125,832,000,000.

(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: $3,675,133,000,000.
Fiscal year 2010: $2,892,061,000,000.
Fiscal year 2011: $2,866,329,000,000.
Fiscal year 2012: $2,913,316,000,000.
Fiscal year 2013: $3,095,704,000,000.
Fiscal year 2014: $3,286,135,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:
Fiscal year 2009: $3,357,255,000,000.
Fiscal year 2010: $2,996,234,000,000.
Fiscal year 2011: $2,981,872,000,000.
Fiscal year 2012: $2,939,612,000,000.
Fiscal year 2013: $3,093,577,000,000.
Fiscal year 2014: $3,261,525,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:
Fiscal year 2009: $1,824,684,000,000.
Fiscal year 2010: $1,336,709,000,000.
Fiscal year 2011: $1,048,800,000,000.
Fiscal year 2012: $749,513,000,000.
Fiscal year 2013: $732,148,000,000.
Fiscal year 2014: $753,679,000,000.

(5) DEBT SUBJECT TO LIMIT.—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: $12,017,000,000,000.
Fiscal year 2010: $13,223,000,000,000.
Fiscal year 2011: $14,350,000,000,000.
Fiscal year 2012: $15,276,000,000,000.
Fiscal year 2013: $16,162,000,000,000.
Fiscal year 2014: $17,100,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:
Fiscal year 2009: $7,730,000,000,000.
Fiscal year 2010: $8,768,000,000,000.
Fiscal year 2011: $9,684,000,000,000.
Fiscal year 2012: $10,344,000,000,000.
Fiscal year 2013: $10,934,000,000,000.
Fiscal year 2014: $11,577,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2009 through 2014 for each major functional category are:

(1) National Defense (050):
Fiscal year 2009:
(A) New budget authority, $618,057,000,000.
(B) Outlays, $646,810,000,000.
Fiscal year 2010:
(A) New budget authority, $562,033,000,000.
(B) Outlays, $606,043,000,000.
Fiscal year 2011:
(A) New budget authority, $570,107,000,000.
(B) Outlays, $587,945,000,000.
Fiscal year 2012:
(A) New budget authority, $579,135,000,000.
(B) Outlays, $576,023,000,000.
Fiscal year 2013:
(A) New budget authority, $589,895,000,000.
(B) Outlays, $584,670,000,000.
Fiscal year 2014:
(A) New budget authority, $603,828,000,000.
(B) Outlays, $595,476,000,000.

(2) International Affairs (150):
Fiscal year 2009:
(A) New budget authority, $40,885,000,000.
(B) Outlays, $37,797,000,000.
Fiscal year 2010:
(A) New budget authority, $45,320,000,000.
(B) Outlays, $43,461,000,000.
Fiscal year 2011:
(A) New budget authority, $49,146,000,000.
(B) Outlays, $48,642,000,000.
Fiscal year 2012:
(A) New budget authority, $53,742,000,000.
(B) Outlays, $52,123,000,000.
Fiscal year 2013:
(A) New budget authority, $59,160,000,000.
(B) Outlays, $55,773,000,000.
Fiscal year 2014:
(A) New budget authority, $64,388,000,000.
(B) Outlays, $59,292,000,000.

(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.

(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, $5,489,000,000.
(B) Outlays, $7,267,000,000.
Fiscal year 2011:
(A) New budget authority, $5,539,000,000.
(B) Outlays, $11,322,000,000.
Fiscal year 2012:
(A) New budget authority, $5,732,000,000.
(B) Outlays, $13,400,000,000.
Fiscal year 2013:
(A) New budget authority, $6,098,000,000.
(B) Outlays, $12,133,000,000.
Fiscal year 2014:
(A) New budget authority, $6,227,000,000.
(B) Outlays, $10,512,000,000.

(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, $37,387,000,000.
(B) Outlays, $40,450,000,000.
Fiscal year 2011:
(A) New budget authority, $38,600,000,000.
(B) Outlays, $40,237,000,000.
Fiscal year 2012:
(A) New budget authority, $39,249,000,000.
(B) Outlays, $40,058,000,000.
Fiscal year 2013:
(A) New budget authority, $39,348,000,000.
(B) Outlays, $39,754,000,000.
Fiscal year 2014:
(A) New budget authority, $40,017,000,000.
(B) Outlays, $39,957,000,000.

(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, $23,690,000,000.
(B) Outlays, $23,951,000,000.
Fiscal year 2011:
(A) New budget authority, $24,691,000,000.
(B) Outlays, $23,998,000,000.
Fiscal year 2012:
(A) New budget authority, $21,644,000,000.
(B) Outlays, $17,540,000,000.
Fiscal year 2013:
(A) New budget authority, $22,497,000,000.
(B) Outlays, $22,063,000,000.
Fiscal year 2014:
(A) New budget authority, $23,182,000,000.
(B) Outlays, $22,150,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2009:
(A) New budget authority, $694,439,000,000.
(B) Outlays, $665,437,000,000.
Fiscal year 2010:
(A) New budget authority, $60,933,000,000.
(B) Outlays, $85,638,000,000.
Fiscal year 2011:
(A) New budget authority, $26,181,000,000.
(B) Outlays, $37,954,000,000.
Fiscal year 2012:
(A) New budget authority, $9,561,000,000.
(B) Outlays, $8,645,000,000.
Fiscal year 2013:
(A) New budget authority, $17,247,000,000.
(B) Outlays, $5,585,000,000.
Fiscal year 2014:
(A) New budget authority, $11,226,000,000.
(B) Outlays, –$2,500,000,000.

(8) Transportation (400):
Fiscal year 2009:
(A) New budget authority, $122,457,000,000.
(B) Outlays, $87,784,000,000.
Fiscal year 2010:
(A) New budget authority, $88,151,000,000.
(B) Outlays, $95,695,000,000.
Fiscal year 2011:
(A) New budget authority, $89,071,000,000.
(B) Outlays, $96,474,000,000.
Fiscal year 2012:
(A) New budget authority, $90,047,000,000.
(B) Outlays, $95,851,000,000.
Fiscal year 2013:
(A) New budget authority, $90,866,000,000.
(B) Outlays, $96,150,000,000.
Fiscal year 2014:
(A) New budget authority, $91,809,000,000.
(B) Outlays, $96,793,000,000.

(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, $18,308,000,000.
(B) Outlays, $29,303,000,000.
Fiscal year 2011:
(A) New budget authority, $21,232,000,000.
(B) Outlays, $27,530,000,000.
Fiscal year 2012:
(A) New budget authority, $21,311,000,000.
(B) Outlays, $25,722,000,000.
Fiscal year 2013:
(A) New budget authority, $21,202,000,000.
(B) Outlays, $24,155,000,000.
Fiscal year 2014:
(A) New budget authority, $21,270,000,000.
(B) Outlays, $22,752,000,000.

(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, $93,689,000,000.
(B) Outlays, $140,300,000,000.
Fiscal year 2011:
(A) New budget authority, $107,858,000,000.
(B) Outlays, $141,108,000,000.
Fiscal year 2012:
(A) New budget authority, $117,121,000,000.
(B) Outlays, $118,391,000,000.
Fiscal year 2013:
(A) New budget authority, $115,931,000,000.
(B) Outlays, $118,888,000,000.
Fiscal year 2014:
(A) New budget authority, $125,788,000,000.
(B) Outlays, $120,959,000,000.

(11) Health (550):
Fiscal year 2009:
(A) New budget authority, $380,158,000,000.
(B) Outlays, $354,397,000,000.
Fiscal year 2010:
(A) New budget authority, $383,911,000,000.
(B) Outlays, $388,746,000,000.
Fiscal year 2011:
(A) New budget authority, $364,910,000,000.

(B) Outlays, $367,628,000,000.
Fiscal year 2012:
(A) New budget authority, $369,852,000,000.
(B) Outlays, $368,556,000,000.
Fiscal year 2013:
(A) New budget authority, $389,719,000,000.
(B) Outlays, $384,359,000,000.
Fiscal year 2014:
(A) New budget authority, $400,451,000,000.
(B) Outlays, $400,173,000,000.
(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, $449,653,000,000.
(B) Outlays, $449,784,000,000.
Fiscal year 2011:
(A) New budget authority, $505,171,000,000.
(B) Outlays, $504,962,000,000.
Fiscal year 2012:
(A) New budget authority, $513,824,000,000.
(B) Outlays, $513,591,000,000.
Fiscal year 2013:
(A) New budget authority, $558,235,000,000.
(B) Outlays, $558,381,000,000.
Fiscal year 2014:
(A) New budget authority, $616,315,000,000.
(B) Outlays, $616,150,000,000.
(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, $536,169,000,000.
(B) Outlays, $539,918,000,000.
Fiscal year 2011:
(A) New budget authority, $510,575,000,000.
(B) Outlays, $513,410,000,000.
Fiscal year 2012:
(A) New budget authority, $478,039,000,000.
(B) Outlays, $478,323,000,000.
Fiscal year 2013:
(A) New budget authority, $483,386,000,000.
(B) Outlays, $482,745,000,000.
Fiscal year 2014:
(A) New budget authority, $485,396,000,000.
(B) Outlays, $483,758,000,000.
(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.
(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, $106,365,000,000.
(B) Outlays, $105,468,000,000.
Fiscal year 2011:
(A) New budget authority, $112,842,000,000.
(B) Outlays, $112,386,000,000.
Fiscal year 2012:
(A) New budget authority, $108,702,000,000.
(B) Outlays, $108,103,000,000.
Fiscal year 2013:
(A) New budget authority, $113,803,000,000.
(B) Outlays, $113,151,000,000.
Fiscal year 2014:
(A) New budget authority, $116,021,000,000.
(B) Outlays, $115,480,000,000.
(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, $54,247,000,000.
(B) Outlays, $54,058,000,000.
(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, $21,979,000,000.
(B) Outlays, $22,757,000,000.
Fiscal year 2011:
(A) New budget authority, $22,316,000,000.
(B) Outlays, $23,147,000,000.
Fiscal year 2012:
(A) New budget authority, $22,737,000,000.
(B) Outlays, $23,795,000,000.
Fiscal year 2013:
(A) New budget authority, $22,750,000,000.
(B) Outlays, $23,492,000,000.
Fiscal year 2014:
(A) New budget authority, $23,415,000,000.
(B) Outlays, $23,629,000,000.
(18) Net Interest (900):
Fiscal year 2009:
(A) New budget authority, $288,955,000,000.
(B) Outlays, $288,955,000,000.
Fiscal year 2010:
(A) New budget authority, $284,085,000,000.
(B) Outlays, $284,085,000,000.
Fiscal year 2011:
(A) New budget authority, $323,266,000,000.
(B) Outlays, $323,266,000,000.
Fiscal year 2012:
(A) New budget authority, $387,483,000,000.
(B) Outlays, $387,483,000,000.
Fiscal year 2013:
(A) New budget authority, $470,452,000,000.
(B) Outlays, $470,452,000,000.
Fiscal year 2014:
(A) New budget authority, $560,137,000,000.
(B) Outlays, $560,137,000,000.
(19) Allowances (920):
Fiscal year 2009:
(A) New budget authority, $14,450,000,000.
(B) Outlays, $1,788,000,000.
Fiscal year 2010:
(A) New budget authority, $9,422,000,000.
(B) Outlays, $4,893,000,000.
Fiscal year 2011:
(A) New budget authority, $8,052,000,000.
(B) Outlays, $5,903,000,000.
Fiscal year 2012:
(A) New budget authority, $6,518,000,000.
(B) Outlays, $4,750,000,000.
Fiscal year 2013:
(A) New budget authority, $5,543,000,000.
(B) Outlays, $4,122,000,000.
Fiscal year 2014:
(A) New budget authority, $3,865,000,000.
(B) Outlays, $2,962,000,000.
(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, –$68,774,000,000.
(B) Outlays, –$68,774,000,000.
Fiscal year 2011:
(A) New budget authority, –$71,993,000,000.
(B) Outlays, –$71,993,000,000.
Fiscal year 2012:
(A) New budget authority, –$74,970,000,000.
(B) Outlays, –$74,970,000,000.
Fiscal year 2013:
(A) New budget authority, –$77,945,000,000.
(B) Outlays, –$77,945,000,000.
Fiscal year 2014:
(A) New budget authority, –$79,861,000,000.
(B) Outlays, –$79,861,000,000.
(21) Overseas Deployments and Other Activities (970):
Fiscal year 2009:
(A) New budget authority, $82,648,000,000.
(B) Outlays, $25,129,000,000.
Fiscal year 2010:
(A) New budget authority, $130,000,000,000.
(B) Outlays, $92,774,000,000.
Fiscal year 2011:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $76,530,000,000.
Fiscal year 2012:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $67,694,000,000.
Fiscal year 2013:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $57,830,000,000.
Fiscal year 2014:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $52,085,000,000.

TITLE II—RECONCILIATION

SEC. 201. RECONCILIATION IN THE HOUSE.

(a) HEALTH CARE REFORM.—

(1) Not later than September 29, 2009, the House Committee on Energy and Commerce shall report changes in laws to reduce the deficit by $1,000,000,000 for the period of fiscal years 2009 through 2014.

(2) Not later than September 29, 2009, the House Committee on Ways and Means shall report changes in laws to reduce the deficit by $1,000,000,000 for the period of fiscal years 2009 through 2014.

(b) INVESTING IN EDUCATION.—Not later than September 30, 2009, the House Committee on Education and Labor shall report changes in laws to reduce the deficit by $1,000,000,000 for the period of fiscal years 2009 through 2014.

(c) SINGLE ENGROSSMENT.—The House may direct the Clerk to add at the end of a bill addressed by this section the text of another measure addressed by this section as passed by the House to form a single engrossed reconciliation bill within the meaning of section 310 of the Congressional Budget Act of 1974.

SEC. 202. RECONCILIATION IN THE SENATE.

(Senate reconciliation instructions to be supplied by the Senate.)

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE REFORM.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes improvements to health care in America, which may include making affordable health coverage available for all, improving the quality of health care, reducing rising health care costs, building on and strengthening existing public and private insurance coverage, including employer-sponsored coverage, and preserving choice of provider and plan by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR COLLEGE ACCESS, AFFORDABILITY, AND COMPLETION.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable or accessible or that increases college enrollment and completion

through reforms to the Higher Education Act of 1965 or other legislation, including increasing the maximum Pell grant award annually by an amount equal to one percentage point more than the Consumer Price Index, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASING ENERGY INDEPENDENCE.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency;

(2) encourages investment in emerging energy or vehicle technologies or carbon capture and sequestration;

(3) limits and provides for reductions in greenhouse gas emissions;

(4) assists businesses, industries, States, communities, the environment, workers, or households as the United States moves toward reducing and offsetting the impacts of greenhouse gas emissions; or

(5) facilitates the training of workers for these industries (''green collar jobs'');

by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND SERVICEMEMBERS.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) enhances health care for military personnel or veterans;

(2) maintains the affordability of health care for military retirees or veterans;

(3) improves disability benefits or evaluations for wounded or disabled military personnel or veterans, including measures to expedite the claims process;

(4) expands eligibility to permit additional disabled military retirees to receive both disability compensation and retired pay (concurrent receipt); or

(5) eliminates the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation; and

does not authorize the Department of Veterans Affairs (VA) to bill private insurance companies for treatment of health conditions that are related to veterans' military service, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR CERTAIN TAX RELIEF.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for tax relief that supports working families, businesses, States, or communities, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 306. DEFICIT-NEUTRAL RESERVE FUND FOR A 9/11 HEALTH PROGRAM.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001, attacks by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD NUTRITION.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that reauthorizes, expands, or improves child nutrition programs by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR STRUCTURAL UNEMPLOYMENT INSURANCE REFORMS.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes structural reforms to make the unemployment insurance system respond better to serious economic downturns by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD SUPPORT.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that increases parental support for children, particularly from non-custodial parents, including legislation that results in a greater share of collected child support reaching the child, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR THE AFFORDABLE HOUSING TRUST FUND.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that capitalizes the existing Affordable Housing Trust Fund by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR HOME VISITING.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides funds to states for a program or programs of home visits to low-income mothers-to-be and low-income families which will produce sizeable, sustained improvements in the health and well-being of children and their parents, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM TRIGGER.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes the Low-Income Home Energy Assistance Program more responsive to energy price increases by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 313. RESERVE FUND FOR THE SURFACE TRANSPORTATION REAUTHORIZATION.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that reauthorizes surface transportation programs or that authorizes other transportation-related spending by providing new contract authority by the amounts provided in such measure if such measure establishes or maintains a solvent Highway Trust Fund over the period of fiscal years 2009 through 2015. ''Solvency'' is defined as a positive cash balance. Such measure may include a transfer into the Highway Trust Fund from other Federal funds, as long as the transfer of Federal funds is fully offset.

SEC. 314. CURRENT POLICY RESERVE FUND FOR MEDICARE IMPROVEMENTS.

(a) PROCEDURE.—The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would increase outlays by an amount not to exceed $87,290,000,000 in fiscal years 2010 through 2014 and, for the purposes of the Rules of the House of Representatives, by an amount not to exceed $284,970,000,000 in fiscal years 2010 through 2019 by reforming the Medicare payment system for physicians to—

(1) change incentives to encourage efficiency and higher quality care in a way that supports fiscal sustainability;

(2) improve payment accuracy to encourage efficient use of resources and ensure that primary care receives appropriate compensation;

(3) improve coordination of care among all providers serving a patient in all appropriate settings; or

(4) hold providers accountable for their utilization patterns and quality of care.

(b) APPLICABILITY.—For the purposes of section 401(a) of this resolution, the revisions made pursuant to this section shall apply only to a measure that includes the policies and the amounts described in this section.

SEC. 315. CURRENT POLICY RESERVE FUND FOR MIDDLE CLASS TAX RELIEF.

(a) PROCEDURE.—The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would decrease revenues (or increase outlays, as appropriate) by an amount not to exceed $698,571,000,000 in fiscal years 2010 through 2014 and, for the purposes of the Rules of the House of Representatives, by an amount not to exceed $1,848,523,000,000 in fiscal years 2010 through 2019, by extending certain provisions of the Internal Revenue Code of 1986 for middle class tax relief, including the—

(1) 10 percent individual income tax bracket;

(2) marriage penalty relief;

(3) child credit at $1,000 and partial refundability of the credit;

(4) education incentives;

(5) other incentives for middle class families and children;

(6) other reductions to individual income tax brackets; and

(7) small business tax relief.

(b) APPLICABILITY.—For the purposes of section 401(a) of this resolution, the adjustments made pursuant to this section shall apply only to a measure that includes the policies and the amounts described in this section.

SEC. 316. CURRENT POLICY RESERVE FUND FOR REFORM OF THE ALTERNATIVE MINIMUM TAX (AMT).

(a) PROCEDURE.—The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would decrease revenues by an amount not to exceed $68,650,000,000 in fiscal years 2010 through 2014 and fiscal years 2010 through 2019 by reforming the AMT so that tens of millions of working families will not become subject to it.

(b) APPLICABILITY.—For the purposes of section 401(a) of this resolution, the adjustments made pursuant to this section shall apply only to a measure that includes the policies and the amounts described in this section.

SEC. 317. CURRENT POLICY RESERVE FUND FOR REFORM OF THE ESTATE AND GIFT TAX.

(a) PROCEDURE.—The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would decrease revenues by an amount not to exceed $72,033,000,000 in fiscal years 2010 through 2014 and, for the purposes of the Rules of the House of Representatives, by an amount not to exceed $256,244,000,000 in fiscal years 2010 through 2019 by reforming the Estate and Gift Tax so that only a minute fraction of estates owe tax, by extending the law as in effect in 2009 for the Estate and Gift Tax.

(b) APPLICABILITY.—For the purposes of section 401(a) of this resolution, the adjustments made pursuant to this section shall apply only to a measure that includes the policies and the amounts described in this section.

TITLE IV—BUDGET ENFORCEMENT

SEC. 401. ADJUSTMENTS FOR DIRECT SPENDING AND REVENUES.

(a) ADJUSTMENTS TO MAINTAIN CURRENT POLICY.—

(1) Subject to the condition specified in paragraph (3), when the chairman of the Committee on the Budget evaluates the budgetary effects of a provision in any bill, joint resolution, amendment, or conference report for the purposes of the Congressional Budget Act of 1974, this resolution, or the Rules of the House of Representatives relative to baseline estimates that are consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, he shall exclude from his evaluation the budgetary effects of such provision if such effects would have been reflected in a baseline adjusted to maintain current policy.

(2) Paragraph (1) applies only to a provision with respect to which the chairman of the Committee on the Budget has exercised his authority to make budgetary adjustments under sections 314, 315, 316, and 317 of this resolution.

(3) Paragraph (1) shall apply only if the House of Representatives has previously passed a bill to impose statutory pay-as-you-go requirements, or the measure containing the provision being evaluated by the chairman of the Committee on the Budget imposes such requirements, and only if such bill is designated as providing statutory pay-as-you-go-requirements under this subsection.

(b) LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP).—Prior to consideration of a bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates $3,200,000,000 in funding for the Low-Income Home Energy Assistance program and provides additional appropriations of up to $1,900,000,000 for that program, then the chairman of the Committee on the Budget may revise the budgetary treatment of such additional amounts and allocate such additional budget authority and outlays resulting from that budget authority to the Committee on Appropriations.

(c) DEPOSIT INSURANCE.—When the chairman of the Budget Committee evaluates the budgetary effects of a provision of a bill, joint resolution, amendment, or conference report for the purposes of the Congressional Budget Act of 1974, this resolution, or the Rules of the House of Representatives, the chairman shall exclude the budgetary effects of any provision that affects the full funding of the deposit insurance guarantee commitment in effect on the date of enactment of Public Law 110–343, the Emergency Economic Stabilization Act of 2008.

SEC. 402. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.

(a) PROGRAM INTEGRITY INITIATIVES.—

(1) SOCIAL SECURITY ADMINISTRATION PROGRAM INTEGRITY INITIATIVES.—

(A) IN GENERAL.—Prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates $273,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration and (except as provided in subparagraph (B)) provides an additional appropriation of up to $485,000,000, and that amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(B) ASSET VERIFICATION.—The additional appropriation of $485,000,000 may also provide that a portion of that amount, not to exceed $34,000,000, instead may be used for asset verification for Supplemental Security Income recipients, but only if and to the extent that the Office of the Chief Actuary estimates that the initiative would be at least as cost effective as the redeterminations of eligibility described in subparagraph (A).

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—Prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates $5,117,000,000 to the Internal Revenue Service for Enforcement and provides an additional appropriation of up to $387,000,000 for Enforcement to address the Federal tax gap, and provides that such sums as may be necessary shall be available from the Operations Support account in the Internal Revenue Service to fully support these Enforcement activities, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—Prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates up to $311,000,000, and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(4) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—Prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates $10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to $50,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(5) PARTNERSHIP FUND FOR PROGRAM INTEGRITY INNOVATION.—Prior to consideration of any bill, joint resolution, amendment, or conference report that provides discretionary budget authority for a Partnership Fund for Program Integrity Innovation in the Office of Management and Budget in an amount not to exceed $175,000,000 for fiscal year 2010 and that designates the amount for the Partnership Fund for Program Integrity Innovation in the Office of Management and Budget, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(6) PROCEDURE FOR ADJUSTMENTS.—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the Committee on the Budget shall make the adjustments set forth in this subsection for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this subsection.

(b) COSTS OF OVERSEAS DEPLOYMENTS AND EMERGENCY NEEDS.—

(1) OVERSEAS DEPLOYMENTS AND RELATED ACTIVITIES.—If any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2009 or fiscal year 2010 for overseas deployments and related activities and such amounts are so designated pursuant to this subparagraph, then new budget authority, outlays, or receipts resulting therefrom shall not count for the purposes of the Congressional Budget Act of 1974 or this resolution.

(2) EMERGENCY NEEDS.—If any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated as necessary to meet emergency needs, then new budget authority and outlays resulting therefrom shall not count for the purposes of the Congressional Budget Act of 1974 or this resolution.

SEC. 403. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), any bill, joint resolution, amendment, or conference report making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) EXCEPTIONS.—An advance appropriation may be provided for fiscal year 2011 for programs, projects, activities, or accounts identified in the report to accompany this resolution or the joint explanatory statement of managers to accompany this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $28,852,000,000 in new budget authority, and for 2012, accounts separately identified under the same heading.

(c) DEFINITION.—In this section, the term ''advance appropriation'' means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2010 that first becomes available for any fiscal year after 2010.

SEC. 404. OVERSIGHT OF GOVERNMENT PERFORMANCE.

All committees are encouraged to conduct rigorous oversight hearings to root out waste, fraud, and abuse in all aspects of Federal spending and Government operations, giving particular scrutiny to issues raised by the Federal Office of the Inspector General or the Comptroller General of the United States. Based upon these oversight efforts, the committees are encouraged to make recommendations to reduce wasteful Federal spending to promote deficit reduction and long-term fiscal responsibility. Such recommendations should be submitted to the Committee on the Budget in the views and estimates reports prepared by committees as required under 301(d) of the Congressional Budget Act of 1974.

SEC. 405. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) SPECIAL RULE.—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

SEC. 406. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution, the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget.

(d) ADJUSTMENTS.—The chairman of the Committee on the Budget may adjust the aggregates, allocations, and other levels in this resolution for legislation which has received final Congressional approval in the same form by the House of Representatives and the Senate, but has yet to be presented to or signed by the President at the time of final consideration of this resolution.

SEC. 407. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chairman of the Committee on the Budget shall adjust any appropriate levels and allocations in this resolution accordingly.

SEC. 408. EXERCISE OF RULEMAKING POWERS.

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

TITLE V—POLICY

SEC. 501. POLICY ON MIDDLE-CLASS TAX RELIEF AND REVENUES.

It is the policy of this resolution to minimize fiscal burdens on working families and their children and grandchildren. It is the policy of this resolution to extend the following tax relief consistent with current policy—

(1) relief for the tens of millions of middle-income households who would otherwise be subject to the Alternative Minimum Tax (AMT) under current law;

(2) middle-class tax relief; and

(3) elimination of estate taxes on all but a minute fraction of estates by reforming and substantially increasing the unified tax credit.

In total, this resolution supports the extension of $1,700,000,000,000 in tax relief to individuals and families relative to current law. This resolution supports additional, deficit-neutral tax relief, including the extension of AMT relief, the research and experimentation tax credit, the deduction for State and local sales taxes, the enactment of a tax credit for school construction bonds, and other tax relief for working families. The cost of enacting such policies may be offset by reforms within the Internal Revenue Code of 1986 that produce higher rates of tax compliance to close the ''tax gap'' and reduce taxpayer burdens through tax simplification. The President's budget proposes a variety of other revenue offsets. Unless expressly provided, this resolution does not assume any of the specific revenue offset proposals provided for in the President's budget. Decisions about specific revenue offsets are made by the Ways and Means Committee, which is the tax-writing committee.

SEC. 502. POLICY ON DEFENSE PRIORITIES.

It is the policy of this resolution that—

(1) there is no higher priority than the defense of our Nation, and therefore the Administration and Congress will make the necessary investments and reforms to strengthen our military so that it can successfully meet the threats of the 21st century;

(2) acquisition reform is needed at the Department of Defense to end excessive cost growth in the development of new weapons systems and to ensure that weapons systems are delivered on time and in adequate quantities to equip our servicemen and servicewomen;

(3) the Department of Defense should review defense plans to ensure that weapons developed to counter Cold War-era threats are not redundant and are applicable to 21st century threats;

(4) sufficient resources should be provided for the Department of Defense to aggressively address the 758 unimplemented recommendations made by the Government Accountability Office (GAO) since 2001 to improve practices at the Department of Defense, which could save billions of dollars that could be applied to priorities identified in this section;

(5) the Department of Defense should review the role that contractors play in its operations, including the degree to which contractors are performing inherently governmental functions, to ensure it has the most effective mix of government and contracted personnel;

(6) the Department of Defense report to Congress on its assessment of Cold War-era weaponry, its progress on implementing GAO recommendations, and its review of contractors at the Department as outlined in paragraphs (3), (4), and (5) by a date to be determined by the appropriate committees;

(7) the GAO provide a report to the appropriate congressional committees by December 31, 2009, on the Department of Defense's progress in implementing its audit recommendations;

(8) ballistic missile defense technologies that are not proven to work through adequate testing and that are not operationally viable should not be deployed, and that no funding should be provided for the research or development of space-based interceptors;

(9) cooperative threat reduction and other nonproliferation programs (securing ''loose nukes'' and other materials used in weapons of mass destruction), which were highlighted as high priorities by the 9/11 Commission, need to be funded at a level that is commensurate with the evolving threat;

(10) readiness of our troops, particularly the National Guard and Reserves, is a high priority, and that continued emphasis is needed to ensure adequate equipment and training;

(11) improving military health care services and ensuring quality health care for returning combat veterans is a high priority;

(12) military pay and benefits should be enhanced to improve the quality of life for military personnel and their families;

(13) the Department of Defense should make every effort to investigate the national security benefits of energy independence, including those that may be associated with alternative energy sources and energy efficiency conversions;

(14) the Administration's budget requests should continue to comply with section 1008, Public Law 109–364, the John Warner National Defense Authorization Act for Fiscal Year 2007, and that to the extent practicable overseas military operations should no longer be funded through emergency supplemental appropriations; and

(15) when assessing security threats and reviewing the programs and funding needed to counter these threats, the Administration should do so in a comprehensive manner that includes all agencies involved in our national security.

TITLE VI—SENSE OF THE HOUSE

SEC. 601. SENSE OF THE HOUSE ON VETERANS' AND SERVICEMEMBERS' HEALTH CARE.

It is the sense of the House that—

(1) the House supports excellent health care for current and former members of the

United States Armed Services—they have served well and honorably and have made significant sacrifices for this Nation;

(2) the President's budget will improve health care for veterans by increasing appropriations for VA by 10 percent more than the 2009 level, increasing VA's appropriated resources for every year after 2010, and restoring health care eligibility to additional nondisabled veterans with modest incomes;

(3) VA is not and should not be authorized to bill private insurance companies for treatment of health conditions that are related to veterans' military service;

(4) VA may find it difficult to realize the level of increase in medical care collections estimated in the President's budget for 2010 using existing authorities; therefore, this resolution provides $540,000,000 more for Function 700 (Veterans Benefits and Services) than the President's budget to safeguard the provision of health care to veterans;

(5) it is important to continue providing sufficient and timely funding for veterans' and servicemembers' health care; and

(6) this resolution provides additional funding above the 2009 levels for VA to research and treat mental health, post-traumatic stress disorder, and traumatic brain injury.

SEC. 602. SENSE OF THE HOUSE ON HOMELAND SECURITY.

It is the sense of the House that because making the country safer and more secure is such a critical priority, the resolution therefore provides robust resources in the four budget functions—Function 400 (Transportation), Function 450 (Community and Regional Development), Function 550 (Health), and Function 750 (Administration of Justice)—that fund most nondefense homeland security activities that can be used to address our key security priorities, including—

(1) safeguarding the Nation's transportation systems, including rail, mass transit, ports, and airports;

(2) continuing with efforts to identify and to screen for threats bound for the United States;

(3) strengthening border security;

(4) enhancing emergency preparedness and training and equipping first responders;

(5) helping to make critical infrastructure more secure and resilient against the threat of terrorism and natural disasters;

(6) making the Nation's cyber infrastructure resistive to attack; and

(7) increasing the preparedness of the public health system.

SEC. 603. SENSE OF THE HOUSE ON PROMOTING AMERICAN INNOVATION AND ECONOMIC COMPETITIVENESS.

It is the sense of the House that—

(1) the House should provide sufficient investments to enable our Nation to continue to be the world leader in education, innovation, and economic growth as envisioned in the goals of the America COMPETES Act;

(2) this resolution builds on significant funding provided in the American Recovery and Reinvestment Act for scientific research and education in Function 250 (General Science, Space and Technology), Function 270 (Energy), Function 300 (Natural Resources and Environment), Function 500 (Education, Training, Employment, and Social Services), and Function 550 (Health);

(3) the House also should pursue policies designed to ensure that American students, teachers, businesses, and workers are prepared to continue leading the world in innovation, research, and technology well into the future; and

(4) this resolution recognizes the importance of the extension of investments and tax policies that promote research and development and encourage innovation and future technologies that will ensure American economic competitiveness.

SEC. 604. SENSE OF THE HOUSE REGARDING PAY PARITY.

It is the sense of the House that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

SEC. 605. SENSE OF THE HOUSE ON COLLEGE AFFORDABILITY.

It is the sense of the House that nothing in this resolution should be construed to reduce any assistance that makes college more affordable and accessible for students, including but not limited to student aid programs and services provided by nonprofit State agencies.

SEC. 606. SENSE OF THE HOUSE ON GREAT LAKES RESTORATION.

It is the sense of the House that this resolution recognizes the importance of funding for an interagency initiative to address regional environmental issues that affect the Great Lakes, and that coordinated planning and implementation among the Federal, State, and local government and nongovernmental stakeholders is essential to more effectively addressing the most significant problems within the Great Lakes basin.

SEC. 607. SENSE OF THE HOUSE REGARDING THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.

It is the sense of the House that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

The CHAIR. No amendment to the concurrent resolution is in order except the amendments printed in House Report 111–73. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and shall be debatable for 40 minutes, equally divided and controlled by the proponent and an opponent.

□ 1330

AMENDMENT NO. 1 OFFERED BY MS. WOOLSEY

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–73.

Ms. WOOLSEY. Madam Chairman, I have an amendment made in order by the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 in the nature of a substitute printed in House Report 111–73 offered by Ms. WOOLSEY:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010.

Congress declares that the concurrent resolution on the budget for fiscal year 2010 is hereby established and that the appropriate budgetary levels for fiscal years 2011 through 2019 are set forth.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2010 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 2010: $1,873,257,000,000.
Fiscal year 2011: $2,212,418,000,000.
Fiscal year 2012: $2,530,079,000,000.
Fiscal year 2013: $2,568,867,000,000.
Fiscal year 2014: $2,651,231,000,000.
Fiscal year 2015: $2,778,285,000,000.
Fiscal year 2016: $2,884,437,000,000.
Fiscal year 2017: $3,000,767,000,000.
Fiscal year 2018: $3,105,848,000,000.
Fiscal year 2019: $3,214,880,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2010: $207,271,000,000.
Fiscal year 2011: $123,787,000,000.
Fiscal year 2012: $169,687,000,000.
Fiscal year 2013: $53,530,000,000.
Fiscal year 2014: $17,573,000,000.
Fiscal year 2015: $2,333,000,000.
Fiscal year 2016: −$12,593,000,000.
Fiscal year 2017: −$28,218,000,000.
Fiscal year 2018: −$44,959,000,000.
Fiscal year 2019: −$64,154,000,000.

(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 2010: $3,624,687,000,000.
Fiscal year 2011: $3,073,855,000,000.
Fiscal year 2012: $3,205,250,000,000.
Fiscal year 2013: $3,458,856,000,000.
Fiscal year 2014: $3,667,585,000,000.
Fiscal year 2015: $3,841,631,000,000.
Fiscal year 2016: $4,054,487,000,000.
Fiscal year 2017: $4,236,563,000,000.
Fiscal year 2018: $4,428,912,000,000.
Fiscal year 2019: $4,701,771,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2010: $3,394,034,000,000.
Fiscal year 2011: $3,250,245,000,000.
Fiscal year 2012: $3,257,052,000,000.
Fiscal year 2013: $3,455,136,000,000.
Fiscal year 2014: $3,654,202,000,000.
Fiscal year 2015: $3,819,843,000,000.
Fiscal year 2016: $4,032,841,000,000.
Fiscal year 2017: $4,201,655,000,000.
Fiscal year 2018: $4,383,317,000,000.
Fiscal year 2019: $4,662,115,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2010: −$1,520,777,000,000.
Fiscal year 2011: −$1,037,828,000,000.
Fiscal year 2012: −$726,973,000,000.
Fiscal year 2013: −$886,269,000,000.
Fiscal year 2014: −$1,002,970,000,000.
Fiscal year 2015: −$1,041,557,000,000.
Fiscal year 2016: −$1,148,403,000,000.
Fiscal year 2017: −$1,200,887,000,000.
Fiscal year 2018: −$1,277,469,000,000.
Fiscal year 2019: −$1,447,234,000,000.

(5) DEBT SUBJECT TO LIMIT.—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 2010: $13,623,000,000.
Fiscal year 2011: $14,753,000,000.
Fiscal year 2012: $15,719,000,000.
Fiscal year 2013: $16,798,000,000.
Fiscal year 2014: $18,048,000,000.
Fiscal year 2015: $19,341,000,000.
Fiscal year 2016: $20,726,000,000.

Fiscal year 2017: $22,167,000,000.
Fiscal year 2018: $23,082,000,000.
Fiscal year 2019: $24,774,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:
Fiscal year 2010: $9,168,000,000.
Fiscal year 2011: $10,087,000,000.
Fiscal year 2012: $10,787,000,000.
Fiscal year 2013: $11,569,000,000.
Fiscal year 2014: $12,524,000,000.
Fiscal year 2015: $13,504,000,000.
Fiscal year 2016: $14,589,000,000.
Fiscal year 2017: $15,730,000,000.
Fiscal year 2018: $16,342,000,000.
Fiscal year 2019: $17,746,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2010 through 2019 for each major functional category are:

(1) National Defense (050):
Fiscal year 2010:
(A) New budget authority, $484,913,000,000.
(B) Outlays, $556,901,000,000.
Fiscal year 2011:
(A) New budget authority, $490,864,000,000.
(B) Outlays, $519,644,000,000.
Fiscal year 2012:
(A) New budget authority, $496,611,000,000.
(B) Outlays, $498,978,000,000.
Fiscal year 2013:
(A) New budget authority, $502,421,000,000.
(B) Outlays, $501,462,000,000.
Fiscal year 2014:
(A) New budget authority, $510,730,000,000.
(B) Outlays, $506,373,000,000.
Fiscal year 2015:
(A) New budget authority, $521,599,000,000.
(B) Outlays, $515,195,000,000.
Fiscal year 2016:
(A) New budget authority, $534,444,000,000.
(B) Outlays, $530,853,000,000.
Fiscal year 2017:
(A) New budget authority, $547,860,000,000.
(B) Outlays, $539,662,000,000.
Fiscal year 2018:
(A) New budget authority, $561,273,000,000.
(B) Outlays, $548,356,000,000.
Fiscal year 2019:
(A) New budget authority, $575,711,000,000.
(B) Outlays, $566,608,000,000.

(2) International Affairs (150):
Fiscal year 2010:
(A) New budget authority, $114,970,000,000.
(B) Outlays, $73,017,000,000.
Fiscal year 2011:
(A) New budget authority, $111,536,000,000.
(B) Outlays, $95,422,000,000.
Fiscal year 2012:
(A) New budget authority, $116,170,000,000.
(B) Outlays, $106,351,000,000.
Fiscal year 2013:
(A) New budget authority, $121,624,000,000.
(B) Outlays, $114,275,000,000.
Fiscal year 2014:
(A) New budget authority, $126,909,000,000.
(B) Outlays, $119,649,000,000.
Fiscal year 2015:
(A) New budget authority, $132,829,000,000.
(B) Outlays, $124,896,000,000.
Fiscal year 2016:
(A) New budget authority, $134,429,000,000.
(B) Outlays, $127,666,000,000.
Fiscal year 2017:
(A) New budget authority, $136,053,000,000.
(B) Outlays, $129,803,000,000.
Fiscal year 2018:
(A) New budget authority, $137,702,000,000.
(B) Outlays, $131,638,000,000.
Fiscal year 2019:
(A) New budget authority, $138,386,000,000.
(B) Outlays, $133,313,000,000.

(3) General Science, Space, and Technology (250):
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 2010:
(A) New budget authority, $4,489,000,000.
(B) Outlays, $6,258,000,000.
Fiscal year 2011:
(A) New budget authority, $34,404,000,000.
(B) Outlays, $12,806,000,000.
Fiscal year 2012:
(A) New budget authority, $49,427,000,000.
(B) Outlays, $22,244,000,000.
Fiscal year 2013:
(A) New budget authority, $49,619,000,000.
(B) Outlays, $28,356,000,000.
Fiscal year 2014:
(A) New budget authority, $49,540,000,000.
(B) Outlays, $33,827,000,000.
Fiscal year 2015:
(A) New budget authority, $49,454,000,000.
(B) Outlays, $37,392,000,000.
Fiscal year 2016:
(A) New budget authority, $49,374,000,000.
(B) Outlays, $42,783,000,000.
Fiscal year 2017:
(A) New budget authority, $49,300,000,000.
(B) Outlays, $42,783,000,000.
Fiscal year 2018:
(A) New budget authority, $48,664,000,000.
(B) Outlays, $45,569,000,000.
Fiscal year 2019:
(A) New budget authority, $48,096,000,000.
(B) Outlays, $45,432,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2010:
(A) New budget authority, $37,267,000,000.
(B) Outlays, $40,347,000,000.
Fiscal year 2011:
(A) New budget authority, $38,438,000,000.
(B) Outlays, $40,102,000,000.
Fiscal year 2012:
(A) New budget authority, $39,194,000,000.
(B) Outlays, $39,969,000,000.
Fiscal year 2013:
(A) New budget authority, $39,288,000,000.
(B) Outlays, $39,678,000,000.
Fiscal year 2014:
(A) New budget authority, $39,865,000,000.
(B) Outlays, $39,837,000,000.
Fiscal year 2015:
(A) New budget authority, $40,019,000,000.
(B) Outlays, $39,848,000,000.
Fiscal year 2016:
(A) New budget authority, $40,790,000,000.
(B) Outlays, $40,567,000,000.
Fiscal year 2017:
(A) New budget authority, $41,166,000,000.
(B) Outlays, $40,981,000,000.
Fiscal year 2018:
(A) New budget authority, $42,293,000,000.
(B) Outlays, $40,925,000,000.
Fiscal year 2019:
(A) New budget authority, $42,960,000,000.
(B) Outlays, $41,376,000,000.

(6) Agriculture (350):
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 2010:
(A) New budget authority, $311,743,000,000.
(B) Outlays, $335,449,000,000.
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, −$5,609,000,000.
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 2010:
(A) New budget authority, $75,066,000,000.
(B) Outlays, $95,695,000,000.
Fiscal year 2011:
(A) New budget authority, $75,636,000,000.
(B) Outlays, $96,474,000,000.
Fiscal year 2012:
(A) New budget authority, $98,462,000,000.
(B) Outlays, $107,642,000,000.
Fiscal year 2013:
(A) New budget authority, $119,071,000,000.
(B) Outlays, $125,386,000,000.
Fiscal year 2014:
(A) New budget authority, $120,840,000,000.
(B) Outlays, $134,959,000,000.
Fiscal year 2015:
(A) New budget authority, $123,757,000,000.
(B) Outlays, $139,178,000,000.
Fiscal year 2016:
(A) New budget authority, $126,638,000,000.
(B) Outlays, $141,433,000,000.
Fiscal year 2017:

(A) New budget authority, $141,512,000,000.
(B) Outlays, $150,476,000,000.
Fiscal year 2018:
(A) New budget authority, $156,430,000,000.
(B) Outlays, $164,149,000,000.
Fiscal year 2019:
(A) New budget authority, $171,397,000,000.
(B) Outlays, $179,113,000,000.
(9) Community and Regional Development (450):
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 2010:
(A) New budget authority, $133,053,000,000.
(B) Outlays, $154,565,000,000.
Fiscal year 2011:
(A) New budget authority, $154,265,000,000.
(B) Outlays, $172,456,000,000.
Fiscal year 2012:
(A) New budget authority, $164,840,000,000.
(B) Outlays, $163,698,000,000.
Fiscal year 2013:
(A) New budget authority, $172,710,000,000.
(B) Outlays, $168,557,000,000.
Fiscal year 2014:
(A) New budget authority, $180,538,000,000.
(B) Outlays, $175,166,000,000.
Fiscal year 2015:
(A) New budget authority, $184,905,000,000.
(B) Outlays, $181,800,000,000.
Fiscal year 2016:
(A) New budget authority, $191,786,000,000.
(B) Outlays, $187,159,000,000.
Fiscal year 2017:
(A) New budget authority, $197,379,000,000.
(B) Outlays, $192,874,000,000.
Fiscal year 2018:
(A) New budget authority, $202,388,000,000.
(B) Outlays, $198,073,000,000.
Fiscal year 2019:
(A) New budget authority, $207,486,000,000.
(B) Outlays, $203,039,000,000
(11) Health (550):
Fiscal year 2010:
(A) New budget authority, $457,065,000,000.
(B) Outlays, $458,262,000,000.
Fiscal year 2011:
(A) New budget authority, $449,195,000,000.
(B) Outlays, $450,767,000,000.
Fiscal year 2012:
(A) New budget authority, $473,453,000,000.
(B) Outlays, $471,828,000,000.
Fiscal year 2013:
(A) New budget authority, $495,022,000,000.
(B) Outlays, $489,506,000,000.
Fiscal year 2014:
(A) New budget authority, $518,905,000,000.
(B) Outlays, $518,537,000,000.
Fiscal year 2015:
(A) New budget authority, $544,357,000,000.
(B) Outlays, $541,826,000,000.
Fiscal year 2016:
(A) New budget authority, $571,489,000,000.
(B) Outlays, $568,888,000,000
Fiscal year 2017:
(A) New budget authority, $605,267,000,000
(B) Outlays, $602,522,000,000.
Fiscal year 2018:
(A) New budget authority, $638,240,000,000.
(B) Outlays, $635,420,000,000.
Fiscal year 2019:
(A) New budget authority, $673,957,000,000.
(B) Outlays, $670,849,000,000.
(12) Medicare (570):
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, $638,661,000,000.
(B) Outlays, $635,342,000,000.
Fiscal year 2017:
(A) New budget authority, $643,767,000,000.
(B) Outlays, $640,482,000,000.
Fiscal year 2018:
(A) New budget authority, $649,064,000,000.
(B) Outlays, $645,615,000,000.
Fiscal year 2019:
(A) New budget authority, $666,500,000,000.
(B) Outlays, $662,774,000,000.
(13) Income Security (600):
Fiscal year 2010:
(A) New budget authority, $628,967,000,000.
(B) Outlays, $602,778,000,000.
Fiscal year 2011:
(A) New budget authority, $611,606,000,000.
(B) Outlays, $603,175,000,000.
Fiscal year 2012:
(A) New budget authority, $608,287,000,000.
(B) Outlays, $603,838,000,000.
Fiscal year 2013:
(A) New budget authority, $618,526,000,000.
(B) Outlays, $615,949,000,000.
Fiscal year 2014:
(A) New budget authority, $620,972,000,000.
(B) Outlays, $617,395,000,000.
Fiscal year 2015:
(A) New budget authority, $626,055,000,000.
(B) Outlays, $622,632,000,000.
Fiscal year 2016:
(A) New budget authority, $638,661,000,000.
(B) Outlays, $635,342,000,000.
Fiscal year 2017:
(A) New budget authority, $643,767,000,000.
(B) Outlays, $640,482,000,000.
Fiscal year 2018:
(A) New budget authority, $649,064,000,000.
(B) Outlays, $645,615,000,000.
Fiscal year 2019:
(A) New budget authority, $666,500,000,000.
(B) Outlays, $662,774,000,000.
(14) Social Security (650):
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 2010:
(A) New budget authority, $106,043,000,000
(B) Outlays, $105,412,000,000
Fiscal year 2011:
(A) New budget authority, $113,588,000,000
(B) Outlays, $113,372,000,000
Fiscal year 2012:
(A) New budget authority, $108,754,000,000
(B) Outlays, $108,301,000,000
Fiscal year 2013:
(A) New budget authority, $149,292,000,000
(B) Outlays, $148,847,000,000
Fiscal year 2014:
(A) New budget authority, $150,628,000,000
(B) Outlays, $150,314,000,000
Fiscal year 2015:
(A) New budget authority, $152,378,000,000
(B) Outlays, $152,044,000,000
Fiscal year 2016:
(A) New budget authority, $157,714,000,000.
(B) Outlays, $157,603,000,000.
Fiscal year 2017:
(A) New budget authority, $156,141,000,000.
(B) Outlays, $156,129,000,000.
Fiscal year 2018:
(A) New budget authority, $154,286,000,000.
(B) Outlays, $154,255,000,000.
Fiscal year 2019:
(A) New budget authority, $161,337,000,000.
(B) Outlays, $161,244,000,000.
(16) Administration of Justice (750):
Fiscal year 2010:
(A) New budget authority, $54,299,000,000.
(B) Outlays, $52,726,000,000.
Fiscal year 2011:
(A) New budget authority, $55,323,000,000.
(B) Outlays, $56,779,000,000.
Fiscal year 2012:
(A) New budget authority, $55,159,000,000.
(B) Outlays, $56,804,000,000.
Fiscal year 2013:
(A) New budget authority, $54,979,000,000.
(B) Outlays, $55,907,000,000.
Fiscal year 2014:
(A) New budget authority, $54,848,000,000.
(B) Outlays, $54,948,000,000.
Fiscal year 2015:
(A) New budget authority, $55,776,000,000.
(B) Outlays, $55,684,000,000.
Fiscal year 2016:
(A) New budget authority, $56,730,000,000.
(B) Outlays, $56,575,000,000.
Fiscal year 2017:
(A) New budget authority, $57,707,000,000.
(B) Outlays, $57,512,000,000.
Fiscal year 2018:
(A) New budget authority, $60,517,000,000.
(B) Outlays, $60,310,000,000.
Fiscal year 2019:
(A) New budget authority, $62,912,000,000.
(B) Outlays, $62,692,000,000.
(17) General Government (800):
Fiscal year 2010:
(A) New budget authority, $23,137,000,000.
(B) Outlays, $23,695,000,000.
Fiscal year 2011:
(A) New budget authority, $23,371,000,000.

(B) Outlays, $24,134,000,000.
Fiscal year 2012:
(A) New budget authority, $24,004,000,000.
(B) Outlays, $24,972,000,000.
Fiscal year 2013:
(A) New budget authority, $24,018,000,000.
(B) Outlays, $24,721,000,000.
Fiscal year 2014:
(A) New budget authority, $24,685,000,000.
(B) Outlays, $24,881,000,000.
Fiscal year 2015:
(A) New budget authority, $26,135,000,000.
(B) Outlays, $26,140,000,000.
Fiscal year 2016:
(A) New budget authority, $26,954,000,000.
(B) Outlays, $26,963,000,000.
Fiscal year 2017:
(A) New budget authority, $27,826,000,000.
(B) Outlays, $27,496,000,000.
Fiscal year 2018:
(A) New budget authority, $28,704,000,000.
(B) Outlays, $28,314,000,000.
Fiscal year 2019:
(A) New budget authority, $29,679,000,000.
(B) Outlays, $29,112,000,000.
(18) Net Interest (900):
Fiscal year 2010:
(A) New budget authority, $287,050,000,000.
(B) Outlays, $287,050,000,000.
Fiscal year 2011:
(A) New budget authority, $328,247,000,000.
(B) Outlays, $328,247,000,000.
Fiscal year 2012:
(A) New budget authority, $393,807,000,000.
(B) Outlays, $393,807,000,000.
Fiscal year 2013:
(A) New budget authority, $482,392,000,000.
(B) Outlays, $482,392,000,000.
Fiscal year 2014:
(A) New budget authority, $584,552,000,000.
(B) Outlays, $584,552,000,000.
Fiscal year 2015:
(A) New budget authority, $672,195,000,000.
(B) Outlays, $672,195,000,000.
Fiscal year 2016:
(A) New budget authority, $750,106,000,000.
(B) Outlays, $750,106,000,000.
Fiscal year 2017:
(A) New budget authority, $823,704,000,000.
(B) Outlays, $823,704,000,000.
Fiscal year 2018:
(A) New budget authority, $910,458,000,000.
(B) Outlays, $910,458,000,000.
Fiscal year 2019:
(A) New budget authority, $996,787,000,000.
(B) Outlays, $996,787,000,000.
(19) Allowances (920):
Fiscal year 2010:
(A) New budget authority, $299,989,000,000.
(B) Outlays, $31,654,000,000.
Fiscal year 2011:
(A) New budget authority, −$1,016,000,000.
(B) Outlays, $109,350,000,000.
Fiscal year 2012:
(A) New budget authority, −$1,367,000,000.
(B) Outlays, $73,953,000,000.
Fiscal year 2013:
(A) New budget authority, −$1,763,000,000.
(B) Outlays, $35,147,000,000.
Fiscal year 2014:
(A) New budget authority, −$2,040,000,000.
(B) Outlays, $19,839,000,000.
Fiscal year 2015:
(A) New budget authority, −$2,074,000,000.
(B) Outlays, $10,504,000,000.
Fiscal year 2016:
(A) New budget authority, −$2,108,000,000.
(B) Outlays, $4,320,000,000.
Fiscal year 2017:
(A) New budget authority, −$1,943,000,000.
(B) Outlays, $241,000,000.
Fiscal year 2018:
(A) New budget authority, −$1,978,000,000.
(B) Outlays, −$1,338,000,000.
Fiscal year 2019:
(A) New budget authority, −$2,015,000,000.
(B) Outlays, −$1,594,000,000.
(20) Undistributed Offsetting Receipts (950):
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.
(21) Overseas Deployments and Other Activities (970):
Fiscal year 2010:
(A) New budget authority, $130,000,000,000.
(B) Outlays, $82,814,000,000.
Fiscal year 2011:
(A) New budget authority, $30,000,000,000.
(B) Outlays, $49,142,000,000.
Fiscal year 2012:
(A) New budget authority, $30,000,000,000.
(B) Outlays, $36,435,000,000.
Fiscal year 2013:
(A) New budget authority, $30,000,000,000.
(B) Outlays, $31,949,000,000.
Fiscal year 2014:
(A) New budget authority, $30,000,000,000.
(B) Outlays, $30,682,000,000.
Fiscal year 2015:
(A) New budget authority, $30,000,000,000.
(B) Outlays, $30,224,000,000.
Fiscal year 2016:
(A) New budget authority, $30,000,000,000.
(B) Outlays, $29,729,000,000.
Fiscal year 2017:
(A) New budget authority, $30,000,000,000.
(B) Outlays, $29,729,000,000.
Fiscal year 2018:
(A) New budget authority, $30,000,000,000.
(B) Outlays, $29,729,000,000.
Fiscal year 2019:
(A) New budget authority, $300,000,000,000.
(B) Outlays, $29,729,000,000.

The CHAIR. The gentlewoman from California (Ms. WOOLSEY) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WOOLSEY. Madam Chair, I yield myself 3 minutes.

As we face the huge challenges ahead of us, the financial crisis, wars in two countries, rising unemployment, crumbling infrastructure, lack of affordable health care, high energy prices and global climate change, the budget is the legislation that will address all of these issues at one time. That's why, as co-chair, with Congressman RAÚL GRIJALVA of the Congressional Progressive Caucus, I'm pleased to present the Fiscal Year 2010 Progressive Caucus Budget Alternative.

In November the American people voted to take the country in a new direction, and that is exactly what the CPC budget does, not by making small adjustments, but by fundamentally changing the way our government allocates its resources. That's why the CPC budget eliminates more than $60 billion in unneeded spending at the Pentagon, much of which is spent on weapons designed to fight the former Soviet Union. Our budget cuts defense spending by a total of $158 billion in Fiscal Year 2010.

The CPC alternative budget saves another $8.7 billion a year by fully implementing the nearly 800 outstanding GAO recommendations to reduce waste, fraud and abuse at the DOD.

And finally, we can save another $90 billion by executing a timely and complete withdrawal of our troops from Iraq.

Our budget restores fairness and balance to the Tax Code by rolling back the Bush tax breaks for the top 1 percent, closing loopholes for corporations that would equal $100 billion in savings a year, ensuring that Wall Street pays its fair share for the burden placed on taxpayers by the TARP program, and limiting the tax deductibility of excessive CEO pay.

With these offsets, the CPC budget then sets forth an ambitious agenda to address the most pressing matters facing America today. We invest $991 billion in nondefense discretionary spending for fiscal year 2010, which is $469 billion over the President's budget. This bold infusion of resources includes $300 billion in stimulus that was left out of the economic recovery package, and increases spending for domestic priorities. These investments include: $120 billion a year to ensure that every American has health care; $90 billion a year to cut the poverty rate in America by 50 percent; up to $80 billion a year to rebuild and reinvest in our infrastructure; and an increase of $60 billion for international assistance for nonmilitary foreign assistance to fight the root causes of terrorism, to support the 21st century diplomacy.

The CHAIR. The time of the gentlewoman has expired.

Ms. WOOLSEY. I yield myself as much time as I may consume. And to meeting basic human needs, universal education and worldwide prevention of HIV/AIDS, TB and malaria.

Thirty billion dollars a year in our budget is for the President's budget to fight global warming and promote energy independence.

Over $70 billion a year will fully fund the Elementary and Secondary Education Act and IDEA, and $45 billion a year to make veterans health care an entitlement.

Madam Chair, these are the major priorities of the Progressive Caucus alternative budget, and I urge my colleagues to pay attention to it and to vote for it.

I reserve the balance of my time.

Mr. HENSARLING. Madam Chair, I rise to claim the time in opposition.

The CHAIR. The gentleman from Texas is recognized for 20 minutes.

Mr. HENSARLING. Madam Chair, I yield myself as much time as I may consume.

Madam Chair, first I do want to offer my congratulations to the gentlelady for simply offering the budget. As one who has written budgets before, on behalf of the Republican Study Committee, it is hard, difficult, challenging work, but I know the lady is committed to her set of principles. They are diametrically opposed to mine, but I respect her body of work and her commitment to her philosophy.

Madam Chairman, as we look at this budget and the other Democrat alternatives, frankly, they have a whole lot more in common than they have in their differences. All of these budgets, all of these Democratic budgets, are simply radical. They are radical departures from over 200 years of history in America.

Every single one, Madam Chairman, spends too much. They tax too much, and they borrow too much. We are looking, even prior to the submission of this progressive budget, much less the Democratic-controlled House Budget Committee budget, we were looking at drowning in a sea of red ink. We were looking at entitlement spending simply being out of control.

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

Listen to our most recent former Comptroller General Walker of the General Accountability Office. ''The rising costs of government entitlements are a fiscal cancer, a fiscal cancer that threatens catastrophic consequences for our country and could bankrupt America.''

Now, Madam Chairman, that was all before the submissions of these budgets. And let's look at the recent history of this Democratic-controlled Congress. Seven hundred billion dollars of bailout money, costing every American household $6,034. Now, some Members on the other side of the aisle claim the taxpayer is going to get his money back. I hope that proves to be true. As history is my guide, I have some doubts.

A $1.13 trillion government stimulus plan, not a plan to stimulate the economy, a plan to stimulate big government, costing every American household $9,810. Madam Chairman, where are they going to get this money? People are losing their jobs. Credit is being contracted. And yet, spending bill after spending bill after spending bill.

Then, Madam Chairman, a $410 billion omnibus spending bill, costing every American household $3,534. Now, on top of all this, on top of all this massive spending, we have the single largest budget in American history being proposed, more spending than this Nation has ever seen. More spending than this Nation has ever seen, even with respect to the economy, with the exception of World War II.

These are budgets that are going to impose costs on the average American family of over $30,000. Again, Madam Chairman, this progressive budget, along with all the other Democratic budgets, spends too much, it taxes too much, and it borrows too much.

Now, Madam Chairman, speaker after speaker has come to the floor to decry the inherited economic mess. There is an economic mess. But our President inherited this economic mess from a Democratic-controlled Congress. When the Republicans were last in control of Congress, the deficit was $160 billion and falling. And now, just 2 years later, just 2 years later, it was $1.3 trillion, and the President decided to add on another 500, $600 billion on top of that. We're looking at an increase in the Federal deficit of tenfold in just 2 years.

And now, Madam Chairman, each one of these Democratic budgets is proposing more debt, more debt in the next 10 years than has been run up in the previous 200 years of our Nation's history, going back to the dawn of the Republic. We have never seen these levels of debt.

Again, Madam Chairman, never in our history have so few voted so fast to indebt so many and do so little good. As history is my guide, no nation, no nation has ever borrowed or spent its way into prosperity, no matter how they tried. This is simply radical.

Madam Chairman, who ever thought we would see the day where European socialists are lecturing the United States of America about fiscal responsibility. What a topsy-turvy world we live in, Madam Chairman. Never thought we would have seen the day. But now that spectacle is on television.

Madam Chairman, who ever thought we would see the day where our Secretary of State has to go to China and beg them to keep on buying our debt? Even the Chinese, the Communist Chinese, are now lecturing the United States of America about its profligate spending.

Madam Chairman, if any of these Democratic budgets are passed, we will be the first generation in America's history to leave the next generation with less freedom, less opportunity and a lower standard of living. It is unavoidable. And that's why this budget is so radical.

Madam Chairman, I reserve the balance of my time.

Ms. WOOLSEY. Madam Chairman, I am honored to yield 3 minutes to the chairman of the Financial Services Committee, BARNEY FRANK of Massachusetts, who is the author of this year's reduction of Cold War weapons in our CPC budget.

Mr. FRANK of Massachusetts. Madam Chairman, I admire the work that's been done by the leadership of the Progressive Caucus and the staff.

Before getting to that I would like to make two, I think, corrections to my friend from Texas. First, I know people on that side have a propensity to see socialists everywhere. But the people who are most lecturing the American Government are the president of France, Nicolas Sarkozy, and the chancellor of Germany, Angela Merkel, two conservatives. So his invocation of socialists lecturing us is a further example of the propensity to see socialists where they are not. In fact, we have not heard that from the British Government, which is run by the Labor Party. But the Gaullist president of France and the Christian Democratic chancellor of Germany would object to being called socialists by my friend from Texas.

Secondly, he says this would be the first administration in history to hand on to the next generation a lower standard of living. No, it won't even be, if that happens, the first administration to do it in this century because the Bush administration has done just that. If you look at what the standard of living was after this terrible economic crisis that came under the Bush administration, we've already hit that goal.

Now, as to spending. A riddle, Madam Chairman. When is government spending not government spending? And on the other hand, when does government spending which, according to the conservatives, destroys jobs, in fact creates jobs? The answer is when it's for weapons.

We have, on the other side, a form of weaponized Keynesianism. When it comes to spending money to build roads or improve medical infrastructure or do other things that are enhancing the quality of life, they tell us that government spending doesn't create a job. But when we are talking about continuing to produce weapons that have the admirable purpose of defeating the Soviet Union in the Cold War, and we're still producing the weapons, then somehow we have to keep them going because of its job creation capacity.

Military spending. George Bush, in his exit interview with the Wall Street Journal, hardly a harsh critic for him on the editorial page, said the main reason he had to spend so much was the ramp-up in military spending. I just disagree with him that it was necessary. The wholly unnecessary, in fact, damaging Iraq war has cost us hundreds and hundreds of billions of dollars.

I am amazed that people can lament spending and forget the elephant in the room. And when the elephant forgets the elephant in the room, I suppose it's even more surprising, because it is massive military spending now and for the future that is the problem.

We're worried about entitlements. I am less concerned about a 73-year-old woman getting a cost of living increase than I am about building the F–22 when we no longer need it.

And we have missile defense. Now, I don't keep up, since I became chairman of the committee I've been a little diverted, with the news as much as I used to. And I haven't reviewed all the fatwas out of that lunatic regime in Iran. But I do not remember them threatening to destroy Prague. I do not remember the pronouncement in which Iran said, you Czechs better watch out; we're going to bomb you.

Despite the absence of any such threat, the budget that my friends on the other side would like commits us to spending billions of dollars to defend Prague against Iran. I'd rather protect old people against poverty.

Mr. HENSARLING. Madam Chairman, I would first yield myself 30 seconds to say to the distinguished chairman of the Financial Services Committee, and my friend, that I would certainly concede the point that he is probably far more familiar with socialists in Europe than I am, and I concede that point.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. HENSARLING. I would be happy to yield to the distinguished chairman.

Mr. FRANK of Massachusetts. Well, the people I mentioned were Nicolas Sarkozy, who is the non-socialist, Gaullist president of France and Angela Merkel, the non-socialist chancellor of Germany.

Mr. HENSARLING. With 30 seconds, I'll reclaim my time.

I would also point out to the distinguished chairman of the Financial Services Committee Article I, section 9 of our Constitution that puts the spending power with the Congress, and to remind him that his party has been in control for the last 2 years.

□ 1345

With that, Madam Chair, I would like to yield 3 minutes to the gentleman from South Carolina.

Mr. INGLIS. Madam Chair, I congratulate the gentleman on his work on this alternative that we are going to see.

The one before us is the Progressive budget, and it seems to me that what we have here is a continuation of the problem that we are all focused on, which is we've overdosed on credit, and there really is a limit to how much you can spend. This is an unfortunate thing. We wish that we had no limits, but there are limits. I hope that Progressives won't stand on the floor and say what I've often heard them say before, which is, ''The question is not whether we can afford to do this. The question is whether we can afford not to do this,'' which is, of course, inherently irresponsible because there are limits. There are limits on how much money there is available, on how many resources we can commit to various programs and projects, and we've got to live within those limits.

There has been a lot of talk about inheriting this financial mess, and as the gentleman from Texas said a little while ago, it is a mess, and it is something that this administration is dealing with and that this majority is dealing with, but it's also something that we've got to admit has been coming for a long time. This is not, really, a brand new thing. The housing bubble was new—or the bursting of it was new. The buildup and the blowing up of that bubble took a while. The bursting of it is more recent, but the thing has been going on for a long time under, frankly, Republicans and Democrats. It is the runaway spending and entitlements that must be constrained. I would submit the only way to change it is to change the underlying programs and the incentives and the way that those programs work.

For example, in Medicare, we just have got to find a way to incentivize the patient to care about how much it costs, and we have just got to find a way to make prevention part of our health system. Now, that's something we need to come together on and figure out—Progressives, conservatives, Republicans, Democrats.

How do you do that? How do you change the underlying incentives in a program like Medicare to bring it under control? I would submit that these sorts of things where you just sort of cap the rate of growth really don't work because we've seen that, we've done that, and then we've extended the cap, so that doesn't work.

What's going to have to happen is we have to figure out a way to come into those programs, those big ones—Medicare, Medicaid, Social Security—and figure out a way to change the underlying program. Hopefully, we can do that in a cooperative, collaborative way. There are ideas on this side of the aisle that will work in health care—that will work to bring down the cost, the runaway cost of Medicare and Medicaid. I hope that we can get to that.

Ms. WOOLSEY. I'm honored to yield a minute and a half to the former co-chair of the Progressive Caucus, Barbara Lee from California.

Ms. LEE of California. Madam Chair, let me just say that I rise today in strong support of the Congressional Progressive Caucus budget substitute, and I want to commend Congresswoman WOOLSEY and Congressman GRIJALVA—co-chairs of the CPC—and their staffs for their very hard and tireless work on this great budget.

Budgets are not only fiscal documents; they are moral documents. They reflect our Nation's values and priorities. For example, in our budget, we redeploy all of our troops and contractors out of Iraq, and we cap the tax deductibility of excessive CEO pay. That totals about $120 billion in our budget. Our budget, however, puts $120 billion a year into health care for all Americans. Those are our values.

The CPC budget provides critical relief to those who are suffering during this economic crisis. It revitalizes our economy, and it cuts poverty in half in 10 years. We eliminate waste, fraud and abuse at the Pentagon, and we eliminate Cold War era weapons systems to the tune of about $60 billion a year. Smart security is also a critical component of this budget, and we must use this in places like Afghanistan where we know that there is clearly no military solution.

I was concerned about that reality on September 14, 2001 when I voted against the military authorization to provide a blank check for endless wars, and I still remain unpersuaded today that sending more troops to Afghanistan will actually advance our national security interests. We must be a Nation committed to exercising the tools of smart security for the 21st century, and this budget puts us on that path.

Mr. HENSARLING. Madam Chair, may I inquire how much time is remaining on each side?

The CHAIR. The gentleman from Texas has 10 minutes remaining. The gentlewoman from California has 12 minutes remaining.

Mr. HENSARLING. At this time, Madam Chair, I would like to yield 3 minutes to the gentleman from Michigan.

Mr. ROGERS of Michigan. Madam Chair, I rise in opposition to the Democrat budget, and I do so reluctantly. We were hoping that we could come together on something that takes the country forward.

When you look at how Americans are hurting—and I'm from Michigan, and nobody knows about hurting economies like we do in Michigan—it's painful, but the prescription that the Democrats offer is dangerous: Borrow more money. Spend more money. Tax the very people who are going to get us out of this recession—the small business people. It's not that we're taxed too little already, and we have to be taxed more.

I mean this bill says: Listen, you know what? With your electric bill, Americans, you're not paying enough. We're going to charge you the largest utility tax increase in the history of the United States under this cap-and-tax program in the Democrat blueprint. We're going to borrow more in the next 10 years than for all the wars that we've ever fought combined. We're going to spend every penny of it.

So what happens if you're building cars or if, actually, you work for a small business in Lansing, Michigan? You're getting up in the morning under the Democrat tax bill, and you're going to pay a lot more for your shower in the morning. You're going to put the laundry in before you go to work, and you're paying a lot more to do your laundry. Your kids are doing their homework on the Internet. They're paying more to do their homework on the Internet. You turn on your coffee maker, and you're paying more. You get out to the car of which you paid a sales tax. You pay a tax for your license plate. You pay a tax for your driver's license. You pay a State gas tax and a Federal gas tax. Guess what?

Your gas bill is going up to drive to work under this plan.

You get to work, and for the privilege of showing up at this small business, you're going to pay more for taxes for that small business. The electric bills in that place are going up, in some cases the estimates are, by 177 percent. You're paying more. You pay a city income tax, a State income tax, a Federal income tax. You pay your unemployment tax and your Workers' Comp tax.

You get home, and you're paying a huge property tax. Oh, by the way, that's going up, too. When you go to call your Congressman to complain, you pay a special universal tax on your phone. You sit down to have a beer to relax, and you pay a Federal excise tax on that beer. You pay more for wine to get it in the country. You pay more for 1 percent milk.

All of this is at a time when people are hurting. It's the most regressive tax you can propose. The poorest Americans are already taxed to death. This is the wrong prescription. It borrows too much; it spends too much; it taxes too much.

I encourage my friends and colleagues from the other side of the aisle who talk about priorities to name me the importance of raising the cost of doing your laundry, of keeping your food cold, of cooking your food, and of keeping your house either warm or cool to the average American, and tell me that's a good priority for the future of job growth and development.

Madam Chair, I would urge the rejection of the Democrat budget, and would urge putting some common sense back in this equation.

Ms. WOOLSEY. Madam Chair, I yield a minute and a half to a Progressive vice chair, KEITH ELLISON from Minnesota.

Mr. ELLISON. Madam Chair, I rise today in strong support of the Progressive budget, and I want to thank our leadership in the Progressive Caucus for pulling the budget together. Though I do plan on supporting the House Democratic budget resolution, I believe that our Progressive budget differs in two important ways, and that's why I urge my colleagues to support the Progressive budget.

First, the Progressive alternative fully funds President Obama's international affairs request—Function 150 account. I believe robust funding for international affairs, which covers funds to combat HIV, tuberculosis and malaria as well as funding to help reconstruction in Afghanistan, is critical to our Nation's public diplomacy.

Our country has a unique opportunity to rebuild alliances across the globe, and we need to meet our foreign policy challenges in the 21st century. To accomplish this task, our country and this Congress must demonstrate a strong commitment to funding international aid.

Second, the Progressive Caucus budget embraces President Obama's commitment to retire Cold War weapons systems, and the Progressive budget goes further than the House Democratic budget in cutting defense spending. The Progressive budget reduces wasteful spending that, according to the GAO, costs taxpayers $8.7 billion a year. The Progressive Caucus budget also eliminates unnecessary and obsolete Cold War weapons systems, saving taxpayers $60 billion a year. I know my Republican colleagues are in favor of cutting those wasteful programs.

The CHAIR. Without objection, the gentleman from California may control the time of the gentleman from Texas.

There was no objection.

Mr. HENSARLING. Thank you, Madam Chair.

Mr. DANIEL E. LUNGREN of California. At this time, I would like to yield 3 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank my colleague from California for yielding.

Madam Chair, folks in western North Carolina are hurting. We've seen the rise in unemployment. We've seen the economic dislocation that this recession has created. We've seen the impact it has on small towns and communities, on families that are struggling to make ends meet, and we've seen the rise in unemployment that generally has occurred. These are tough economic times, and I think we have to have a responsible Federal budget to meet these tough economic times.

Families have to tighten their belts during these tough times. Likewise, I think the Federal Government should do the same. I think it's wrong to raise taxes in a time of recession. I think it's wrong to raise taxes on people who are already hurting. That's why I oppose this budget that's being presented here today.

In fact, it's not simply enough as a public policymaker to reject a proposal, but you should offer your own, your own ideas on the way to properly act. Therefore, I am voting for two alternatives that will be better than the budget offered here today—the Obama-Pelosi budget—that I'm offering through the Republican Study Committee and through the Republican Members.

We have a budget that spends far less without raising taxes and that borrows far less than this current budget. Moreover, I'm supporting a budget alternative that balances the budget without raising taxes, in fact, making the 2001 and 2003 tax cuts permanent, which will help families and small businesses. After all, we should not be taxing and spending and borrowing more. We should be cutting, saving and incentivizing great economic growth, and we should be helping small businesses expand and maintain even the workers that they currently have, and we should be helping small families as well.

So I think it's reasonable to support a balanced budget without raising taxes, and I think it's irresponsible to support a budget that raises taxes, especially to the magnitude of this liberal budget offered here on the House floor.

With that, I urge the adoption of the Republican Study Committee alternative, of the Republican alternative, and urge the rejection of the Obama-Pelosi budget and especially of this very liberal budget offered here on the floor today.

Ms. WOOLSEY. Madam Chair, how much time is remaining?

The CHAIR. The gentlewoman from California has 10½ minutes remaining. The gentleman from California has 4½ minutes remaining.

Ms. WOOLSEY. Madam Chair, I am honored to yield a minute and a half to the gentleman from Oregon (Mr. BLUMENAUER).

□ 1400

Mr. BLUMENAUER. Thank you. I appreciate the gentlewoman's courtesy in permitting me to speak on this.

It was interesting here to watch the exchange on the floor where my good friend, the Chair of the Financial Services Committee, had to instruct my friend from Texas—I guess who's left the floor—about who is a socialist and who isn't.

It's no small point that people on the other side who are offering their world view don't actually know who our allies are and who runs two of the top eight economies in the world. It's the same sort of disregard for facts that has encouraged them to willfully misrepresent the costs of coming to grips with global warming and carbon pollution. And in fact, the chair of the Global Climate Committee Program at MIT had to send a letter to the Republican leader explaining that they are misleading people by attaching a $3,000 figure, indicating that that is grossly out of proportion and depends entirely on what would happen with a much smaller burden.

The point is, under the progressive budget, under the other Democratic alternatives, these moneys would be returned to people to reduce their energy costs, create green jobs. There was a time when conservatives would be worried about cost overruns in the Department of Defense and wasteful spending on Cold War weapons. That time is not now.

It's why I support these budgets and urge the rejection of the Republican alternatives.

Mr. DANIEL E. LUNGREN of California. Madam Chair, I will reserve at this time.

Ms. WOOLSEY. Madam Chairwoman, I yield 2 minutes to the outspoken Progressive leader, SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Chairwoman, we come to this floor with a sobering recognition: $657 billion spent on the war in Iraq. Certainly we would not take one cent away from

our soldiers, their care, the care of their families. But $657 billion on a war that generated the kind of controversy and questionable results that the Iraq war created puts us in the position we're in today.

For at the same time that we were fighting a war, the last administration saw no reason to ask America to sacrifice. And so it gave these enormous—that administration gave these enormous tax cuts that put us in this very difficult position of reaching $1 trillion in debt.

What we do today with this budget—and I stand here as a vice chair and one believing in the principles of this administration of helping America restore itself in energy, health care, education—this budget, the Progressive Caucus budget, puts more money to extinguish poverty, it cuts the tax cuts that have been given to the rich, and it invests those moneys in education, climate control, as well as providing for our veterans, and, yes, it does something enormously unique: it provides a pathway for rehabilitation for ex-offenders. It intervenes with respect to youths who are involved in crime, and it provides the resources to fully fund what we call the Second Chance bill, allowing ex-offenders to be rehabilitated to go back to their families and get their families off of welfare.

Research has shown that targeting funding towards intervention rather than incarceration is more effective than reducing crime and saves the taxpayers' money in the long run.

This is a bill for the people of America. I ask my colleagues to support it and to support the President's budget.

Madam Chair, I would like to rise in support of the budget put forward today by the Congressional Progressive Caucus. This alternative budget combats the worsening poverty and Hurricane Katrina redress, renews federal commitment to fully address the on-going suffering of the victims of Hurricane Katrina and help cut the poverty rate in America by 50 percent during the next decade with increased funding for decent affordable housing, anti-hunger programs, and more quality child care. This Progressive budget restores the 21st century social contract and safety net; Economic Stimulus #2 ($300 billion), which provides more immediate help to overcome the "Iraq recession" through increased federal assistance for unemployment insurance, food stamps, Federal Medical Assistance Percentage (FMAP) payments to states, and housing assistance.

The Congressional Progressive Budget targets waste, fraud, and abuse in federal government, starting with Pentagon savings and projects enactment of the Common Sense Budget Act, which would save at least $60 billion/year on largely obsolete Cold War weapons systems plus billions more in waste, fraud, and abuse in DOD spending identified by the nonpartisan Government Accountability Office (GAO).

This Progressive budget repeals the Bush tax cuts for the top 1 percent of taxpayers—due to expire in 2010 regardless and beyond—savings of at least $222 billion and cracks down on corporate welfare while projecting elimination of various corporate tax loopholes such as deductibility of advertising for junk mail, imaging purposes, etc. and special tax breaks for oil and gas industry and other extraction industries.

This alternative budget shifts some spending and increases other non-military spending to fight root causes of terrorism—21st century diplomacy, meeting basic human needs (e.g. HIV/AIDS/TB, universal basic education for all); Global Warming and Energy Independence, sustained investments in renewable energy and energy independence, including needed extension of production and investment tax credits. This budget includes full funding of authorized levels for green jobs and pathways out of poverty grants. In addition, climate policy should significantly reduce greenhouse gas emissions in a manner which supports economic security and health of low-income and moderate-income families and communities of color and education for all—fully fund Elementary and Secondary Education Act and IDEA prospectively and improve Teacher Corps and job training. This "progressive" budget includes Medicare for All—affordable, accessible, quality health care for all Americans, starting with full funding of SCHIP to cover every child in America.

Included in this budget is Guaranteed Veterans' Health Care—which ensures whatever federal funding is needed to provide health care (including mental health) for all America's veterans (including but not limited to veterans of the Iraq and Afghanistan military operations; support for the Middle-Class—increase funding to protect fundamental worker rights, enforce fair credit and lending practices, and promote livable wages and safe workplaces; and rebuild America's Communities—substantially increase funding for Community Development Block Grants, Social Services Block Grants, and community policing, and authorize release of funds available through the gas tax to clean-up leaking underground storage tanks that threaten the drinking water of nearly half of all Americans. This progressive budget increases funding supporting the Office of Environmental Justice and environmental justice programs, including community grants and a review of the EPA and other agencies' policies to ensure they are protective of minority and low-income communities. Madam Chair, we need to pass a real budget for America that's forward thinking and "progressive" that will get us back on the right track.

Mr. DANIEL E. LUNGREN of California. Madam Chair, I yield myself 1 minute.

Madam Chair, when I listen to some of the debate on the floor, I wonder what the American people might think. As I reflect on the words that were just spoken, it sounds like we have a greater imperative to somehow deal with this notion of climate change than we do with defending the American people.

The budget that's presented to us by the Congressional Progressive Caucus cuts defense enormously, and yet we keep hearing that, well, we don't want to take any money away from the troops, we don't want to take any money away from the equipment. But we cut defense enormously.

And one has to ask, what is the first obligation of government? It is to create a modicum of security so the American people can live their lives in a sense of safety, so they can attempt to be the best that God gave them the skills to be. That's the first obligation of local governments, the first obligation of State governments, and I would hope at some point in time in this debate it would be acknowledged by the other side that it is the first obligation of the Federal Government.

Ms. WOOLSEY. Madam Chairwoman, I yield 2 minutes to the Progressive Caucus vice chair, DONNA EDWARDS from Maryland.

Ms. EDWARDS of Maryland. Madam Chairman, I rise today in support of the Progressive Caucus budget alternative. Budgets are about goals, aspirations, values and vision. This budget sets the right priorities for the future of this Nation, cutting Cold War weapons systems and investing in the future, investing in our veterans, investing in their families and children and in workers and de-investing in the things that don't work.

Investment number one. The lack of affordable health care is the number one drain on our economy, and it must be fixed immediately. The Progressive budget steps up the President's commitment by investing nearly $120 billion a year to ensure that every American can have affordable, high-quality health care.

Investment number two. We need a national commitment to accelerate the development and commercialization of clean, renewable energy sources to get serious about our dependence on fossil fuels. And any climate change policy must recognize that we have to protect the most vulnerable by significantly reducing greenhouse gas emissions in a manner that supports economic security and the health of low- and moderate-income families and communities of color.

The Progressive budget spends $30 billion a year for the next decade to create 3 million clean energy jobs dedicated to increasing our energy independence and protecting our environment.

This is about the future, and the budget takes unprecedented steps to eliminate outdated and Cold War weapons systems, repeal the Bush tax cuts and make much-needed investments in our Nation's infrastructure, including wastewater and energy-efficient transportation systems.

Madam Chairman, I urge my colleagues to vote for the Congressional budget alternative to build on the President's commitment for a comprehensive approach to meet our current and future fiscal priorities.

Mr. DANIEL E. LUNGREN of California. At this time, Madam Chair, I would yield 2 minutes to the gentleman from Illinois.

Mr. KIRK. Madam Chairman, the United States, according to the Bureau of Public Debt, has already borrowed $2.07 trillion this year. This is in borrowings of short-term debt and adding new debts to the accounts of the United States.

But what is known, and not well in this Congress, is we gave new authority to the Fed to buy Treasury securities. That means that one part of the government is already borrowing money from another part of the government. This new Fed authority has been used very heavily since the start of the new year. In fact, records from the Bureau of Public Debt show that the Fed has bought $75 billion of U.S. debt.

But here's the key thing: All of that purchasing power is from newly printed money. These charts show how the printing presses of the United States are now running on overtime to fund the current spending of this Congress, and the budget underlying this proposal that we're talking about would accelerate that.

You have to worry with the President of the United States at the G–20 summit now, being told by the Chancellor of the German Republic and by the French President that our borrowing is already too heavy. In fact, according to CBO scoring for the majority budget, which is the real debate that we will consider here today, the United States, if it applied to enter the European Union, would not be allowed because our borrowing is already too heavy and would violate the Maastricht Treaty. You've got to worry when the Chinese Government is saying that the dollar is unsound. And when you see these results of the Fed printing money and then purchasing U.S. securities, how the debasing of the dollar threatens the long-term economic future of the United States.

When we see the borrowing rate of the Bureau of the Public Debt, we see that they are now borrowing at a rate of $159 billion per week. Look it up on their Web site. And that is just to support the underlying budget. To accelerate the borrowing requirement of the United States would be fundamentally unsafe and unsound.

Ms. WOOLSEY. Madam Chairwoman, I now yield 3 minutes to the chairman of the Judiciary Committee, JOHN CONYERS of Michigan.

Mr. CONYERS. Madam Chairman, I am happy that my friend on Judiciary, DAN LUNGREN, is managing the time on the other side because he will remember that it was last Thursday that the Republicans held a press conference and announced their non-budget budget with—but then they said that it's coming out. And then yesterday the Republican budget came out, and it had a few numbers in it.

And I am intrigued by, I think it's a general Republican assumption that with a stimulus plan by the present administration to create jobs, to give relief to the poor, to give relief to people who are in distressed markets, we are now saying that the President's budget is going to—as my friend from Michigan, MIKE ROGERS, just enunciated on the floor—that your electric bills will go up and all costs will rise under the Democratic budget.

Now, clearly both of these can't be the same. There is something missing here. And what I submit is that we have a progressive budget that goes beyond the good budget offered by the President. But to be comparing, as someone—I think it was the gentleman from California was just talking about—how can you be cutting all of this out of national defense?

Well, easy. Wasting money and having fraud is not a way of protecting the Nation. And the OMB has found billions of dollars of fraud. So that's what we're taking out of the military budget. That doesn't make the country weaker. It makes the country stronger.

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. CONYERS. I can't. And furthermore, we're talking about cutting out all of these ancient missile systems. I am sure that the gentleman from California, a veteran legislator in his second career back here, knows that there are a lot of these exotic missile systems that don't work any more. You can't use them in the Middle East or in the kind of warfare that we're fighting when we're fighting against terrorists and insurgents. And people are just fed up with it.

Mr. DANIEL E. LUNGREN of California. Madam Chair, may I inquire as to whether or not the other side has more than one speaker on this subject.

Ms. WOOLSEY. Madam Chairwoman, we have two speakers including closing.

Mr. DANIEL E. LUNGREN of California. I will reserve.

Ms. WOOLSEY. Madam Chairwoman, I am proud to yield 1½ minutes to the chairman of the Africa and Global Health Subcommittee, DONALD PAYNE of New Jersey.

Mr. PAYNE. Madam Chair, let me commend the gentlelady from California for presenting this very important budget. And let me also state, to the gentleman from California, that it's no question that in our parameter we provide for providing for the common defense but we also say that it's a part of our country to promote the general welfare. It seems that that part tends to be left out in many instances.

□ 1415

So I rise in strong support of the Progressive Caucus budget. As a member of the caucus, I am proud of the work we have done to restore common sense to the Federal budget by addressing our Nation's most pressing domestic needs.

As I travel around my congressional district in New Jersey, it is obvious that families are suffering as a result of many of the decisions of the previous administration, including their determination to siphon valuable resources away from our communities and direct them towards the ill-advised invasion and occupation of Iraq.

It is time to rebuild our own Nation by embracing the priorities embodied in this bill: providing a strong economic stimulus package of $300 billion that includes an extension of unemployment insurance, as well as improvements in transportation infrastructure, school construction, and needed water projects. Our budget pays for these domestic needs by redeploying U.S. troops out of Iraq and repealing the Bush tax breaks for the wealthiest among us.

I urge that we support this commonsense Progressive Caucus budget because it puts America first.

Mr. DANIEL E. LUNGREN of California. Madam Chair, I yield myself the balance of our time.

I have never been in a place where a $4.3 trillion budget over the period that we're talking about, which is what the Republican budget is, is somehow seen as parsimonious. The other side seems to suggest that we are not attempting to try and pay for those things for which there is a reason for the Federal Government to be involved.

Secondly, I would say this. I have been a leader for the last two Congresses in an effort, on a bipartisan basis, to try and reduce or to encourage the President to negotiate with Russia to reduce our overall nuclear weapon arsenal, and the President has indicated this last week he's going to do that. But I have looked at the figures, and if we reduced it to the numbers that the President is talking about that we've urged, it wouldn't even come close to be the cut that you're talking about on your side.

The suggested cuts in defense spending in this budget, in the Democratic budget, but in this budget particularly, it doesn't just cut fat. It cuts muscle. It cuts sinew. It cuts bone. It makes us less able to defend the American people. And let's just be very, very clear about that. No one, no respected member of any previous administration in terms of national defense has suggested that you can support this kind of a budget presented here.

So let's make it very clear to the American people what we're talking about here. Are we going to do the fundamental job of preserving liberty and preserving freedom or are we, in fact, going to cut defense and, in the process, burden our people with more spending, more taxation, more borrowing, increasing the size of government, which ultimately takes freedom away from individual Americans?

Ms. WOOLSEY. Madam Chairman, well, I'd just like to point out that the other side of the aisle must like the Congressional Progressive Caucus budget very much because they've spent the entire hour either promoting their own budget or attacking the President's budget and letting our budget stand as it is.

I'm proud of the Congressional Progressive budget. We cut defense spending by $158 billion in fiscal year 2010 alone, and we increase nondefense discretionary spending to $991 billion, and that's quite an effort and quite an accomplishment.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WOOLSEY).

The question was taken; and the Chair announced that the ayes appeared to have it.

RECORDED VOTE

Ms. WOOLSEY. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 84, noes 348, not voting 5, as follows:

[Roll No. 188]

AYES—84

Abercrombie
Baldwin
Becerra
Blumenauer
Brady (PA)
Capps
Capuano
Carson (IN)
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cummings
Davis (IL)
DeFazio
Doyle
Edwards (MD)
Ellison
Engel
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Fudge
Grijalva
Gutierrez
Hare
Hastings (FL)
Hinchey
Hirono
Holt
Honda
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kucinich
Lee (CA)
Markey (MA)
McCollum
McDermott
McGovern
Miller, George
Moore (WI)
Moran (VA)
Nadler (NY)
Napolitano
Norton
Oberstar
Obey
Olver
Pallone
Pastor (AZ)
Payne
Pingree (ME)
Polis (CO)
Rahall
Rangel
Richardson
Rodriguez
Roybal-Allard
Rush
Sánchez, Linda T.
Schakowsky
Serrano
Slaughter
Speier
Stark
Thompson (MS)
Tierney
Towns
Velázquez
Waters
Watson
Watt
Waxman
Welch
Wexler
Woolsey
Wu

NOES—348

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd
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
Cardoza
Carnahan
Carney
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Dahlkemper
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Deal (GA)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Eshoo
Etheridge
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Flake
Fleming
Forbes
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Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Harman
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hodes
Hoekstra
Holden
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jenkins
Johnson (IL)
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
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
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)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Neal (MA)
Neugebauer
Nunes
Nye
Olson
Ortiz
Pascrell
Paul
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rehberg
Reichert
Reyes
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
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Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Weiner
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—5

Hinojosa
Lewis (GA)
Miller, Gary
Sablan
Westmoreland

□ 1446

Mr. GRIFFITH, Ms. KILPATRICK of Michigan, Messrs. MASSA, KIND, MURPHY of Connecticut, VAN HOLLEN, Mrs. DAVIS of California, Mr. GORDON of Tennessee, and Mr. AL GREEN of Texas changed their vote from ''aye'' to ''no.''

Messrs. ABERCROMBIE, CLEAVER, and WAXMAN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. JORDAN OF OHIO

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111–73.

Mr. JORDAN of Ohio. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 in the nature of a substitute printed in House Report 111–73 offered by Mr. JORDAN of Ohio:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010.

Congress declares that the concurrent resolution on the budget for fiscal year 2010 is hereby established and that the appropriate budgetary levels for fiscal year 2009 and for fiscal years 2011 through 2019 are set forth.

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: $1,530,000,000,000.
Fiscal year 2010: $1,635,000,000,000.
Fiscal year 2011: $1,885,000,000,000.
Fiscal year 2012: $2,068,000,000,000.
Fiscal year 2013: $2,186,000,000,000.
Fiscal year 2014: $2,284,000,000,000.
Fiscal year 2015: $2,406,000,000,000.
Fiscal year 2016: $2,507,000,000,000.
Fiscal year 2017: $2,617,000,000,000.
Fiscal year 2018: $2,716,000,000,000.
Fiscal year 2019: $2,818,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2009: −$3,000,000,000.
Fiscal year 2010: −$31,000,000,000.
Fiscal year 2011: −$203,000,000,000.
Fiscal year 2012: −$292,000,000,000.
Fiscal year 2013: −$329,000,000,000.
Fiscal year 2014: −$350,000,000,000.
Fiscal year 2015: −$370,000,000,000.
Fiscal year 2016: −$390,000,000,000.
Fiscal year 2017: −$412,000,000,000.
Fiscal year 2018: −$435,000,000,000.
Fiscal year 2019: −$461,000,000,000.

(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: $3,100,000,000,000.
Fiscal year 2010: $2,468,000,000,000.
Fiscal year 2011: $2,302,000,000,000.
Fiscal year 2012: $2,416,000,000,000.
Fiscal year 2013: $2,501,000,000,000.
Fiscal year 2014: $2,569,000,000,000.
Fiscal year 2015: $2,650,000,000,000.
Fiscal year 2016: $2,728,000,000,000.
Fiscal year 2017: $2,775,000,000,000.
Fiscal year 2018: $2,833,000,000,000.
Fiscal year 2019: $2,907,000,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2009: $3,041,000,000,000.
Fiscal year 2010: $2,587,000,000,000.
Fiscal year 2011: $2,495,000,000,000.
Fiscal year 2012: $2,536,000,000,000.
Fiscal year 2013: $2,602,000,000,000.
Fiscal year 2014: $2,659,000,000,000.
Fiscal year 2015: $2,733,000,000,000.
Fiscal year 2016: $2,787,000,000,000.
Fiscal year 2017: $2,837,000,000,000.
Fiscal year 2018: $2,897,000,000,000.
Fiscal year 2019: $2,933,000,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2009: $1,511,000,000,000.
Fiscal year 2010: $952,000,000,000.
Fiscal year 2011: $610,000,000,000.

Fiscal year 2012: $468,000,000,000.
Fiscal year 2013: $416,000,000,000.
Fiscal year 2014: $375,000,000,000.
Fiscal year 2015: $327,000,000,000.
Fiscal year 2016: $280,000,000,000.
Fiscal year 2017: $220,000,000,000.
Fiscal year 2018: $181,000,000,000.
Fiscal year 2019: $116,000,000,000.

(5) DEBT SUBJECT TO LIMIT.—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: $9,674,000,000,000.
Fiscal year 2010: $11,454,000,000,000.
Fiscal year 2011: $12,440,000,000,000.
Fiscal year 2012: $13,416,000,000,000.
Fiscal year 2013: $14,111,000,000,000.
Fiscal year 2014: $14,717,000,000,000.
Fiscal year 2015: $15,361,000,000,000.
Fiscal year 2016: $15,904,000,000,000.
Fiscal year 2017: $16,443,000,000,000.
Fiscal year 2018: $16,930,000,000,000.
Fiscal year 2019: $16,914,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2009: $7,416,000,000,000.
Fiscal year 2010: $8,070,000,000,000.
Fiscal year 2011: $8,543,000,000,000.
Fiscal year 2012: $8,914,000,000,000.
Fiscal year 2013: $9,177,000,000,000.
Fiscal year 2014: $9,425,000,000,000.
Fiscal year 2015: $9,603,000,000,000.
Fiscal year 2016: $9,723,000,000,000.
Fiscal year 2017: $9,782,000,000,000.
Fiscal year 2018: $9,428,000,000,000.
Fiscal year 2019: $9,362,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The 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, $700,705,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2010:
(A) New budget authority, $692,033,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2011:
(A) New budget authority, $620,110,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2012:
(A) New budget authority, $629,140,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:
(A) New budget authority, $639,900,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:
(A) New budget authority, $653,830,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:
(A) New budget authority, $660,000,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:
(A) New budget authority, $665,000,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:
(A) New budget authority, $670,000,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
(A) New budget authority, $675,000,000,000.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
(A) New budget authority, $688,000,000,000.
(B) Outlays, an amount to be derived from function 920.

(2) International Affairs (150):

Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

(3) General Science, Space, and Technology (250):

Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
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Fiscal year 2012:
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Fiscal year 2013:
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Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

(4) Energy (270):

Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

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Fiscal year 2015:
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Fiscal year 2016:
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Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

(5) Natural Resources and Environment (300):

Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
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Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(6) Agriculture (350):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
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Fiscal year 2018:
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Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(7) Commerce and Housing Credit (370):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
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Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(8) Transportation (400):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
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Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(9) Community and Regional Development (450):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
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Fiscal year 2016:
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Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(11) Health (550):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(12) Medicare (570):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(13) Income Security (600):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(14) Social Security (650):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(15) Veterans Benefits and Services (700):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(16) Administration of Justice (750):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(18) Net Interest (900):
Fiscal year 2009:
(A) New budget authority, $169,000,000,000.
(B) Outlays, $169,000,000,000.
Fiscal year 2010:
(A) New budget authority, $162,000,000,000.
(B) Outlays, $162,000,000,000.
Fiscal year 2011:
(A) New budget authority, $190,000,000,000.
(B) Outlays, $190,000,000,000.
Fiscal year 2012:
(A) New budget authority, $236,000,000,000.
(B) Outlays, $236,000,000,000.
Fiscal year 2013:
(A) New budget authority, $293,000,000,000.
(B) Outlays, $293,000,000,000.
Fiscal year 2014:
(A) New budget authority, $350,000,000,000.
(B) Outlays, $350,000,000,000.
Fiscal year 2015:
(A) New budget authority, $388,000,000,000.
(B) Outlays, $388,000,000,000.
Fiscal year 2016:
(A) New budget authority, $412,000,000,000.
(B) Outlays, $412,000,000,000.
Fiscal year 2017:
(A) New budget authority, $425,000,000,000.
(B) Outlays, $425,000,000,000.
Fiscal year 2018:
(A) New budget authority, $454,000,000,000.
(B) Outlays, $454,000,000,000.
Fiscal year 2019:
(A) New budget authority, $470,000,000,000.
(B) Outlays, $470,000,000,000.
(19) Allowances (920):
Fiscal year 2009:
(A) New budget authority, $2,560,000,000,000.
(B) Outlays, $3,395,000,000,000.
Fiscal year 2010:
(A) New budget authority, $2,193,000,000,000.
(B) Outlays, $2,978,000,000,000.
Fiscal year 2011:
(A) New budget authority, $2,064,000,000,000.
(B) Outlays, $2,877,000,000,000.
Fiscal year 2012:
(A) New budget authority, $2,153,000,000,000.
(B) Outlays, $2,892,000,000,000.
Fiscal year 2013:
(A) New budget authority, $2,186,000,000,000.
(B) Outlays, $2,927,000,000,000.
Fiscal year 2014:
(A) New budget authority, $2,210,000,000,000.
(B) Outlays, $2,954,000,000,000.
Fiscal year 2015:
(A) New budget authority, $2,278,000,000,000.
(B) Outlays, $3,021,000,000,000.
Fiscal year 2016:
(A) New budget authority, $2,363,000,000,000.
(B) Outlays, $3,087,000,000,000.
Fiscal year 2017:
(A) New budget authority, $2,434,000,000,000.
(B) Outlays, $3,166,000,000,000.
Fiscal year 2018:
(A) New budget authority, $2,503,000,000,000.

(B) Outlays, $3,242,000,000,000.
Fiscal year 2019:
(A) New budget authority, $2,597,000,000,000.
(B) Outlays, $3,311,000,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(21) Overseas Deployments and Other Activities (970):
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2011:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2012:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2013:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2014:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2015:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2016:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2017:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2018:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.
Fiscal year 2019:
(A) New budget authority, an amount to be derived from function 050.
(B) Outlays, an amount to be derived from function 050.

TITLE II—RECONCILIATION SUBMISSIONS

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS TO SLOW THE GROWTH IN MANDATORY SPENDING AND TO ACHIEVE DEFICIT REDUCTION.—(1) Not later than July 13, 2009, the House committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The House Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $1,370,000,000 in outlays for fiscal year 2010 and $10,185,000,000 in outlays for the period of fiscal years 2010 through 2014.

(B) COMMITTEE ON EDUCATION AND LABOR.—The House Committee on Education and Labor shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $1,100,000,000 in outlays for fiscal year 2010 and $8,300,000,000 in outlays for the period of fiscal years 2010 through 2014.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $19,990,000,000 in outlays for fiscal year 2010 and $241,900,000,000 in outlays for the period of fiscal years 2010 through 2014.

(D) COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT.—The House Committee on Government Reform and Oversight shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $92,000,000 in outlays for fiscal year 2010 and $1,710,000,000 in outlays for the period of fiscal years 2010 through 2014.

(E) COMMITTEE ON RESOURCES.—The House Committee on Resources shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $250,000,000 in outlays for fiscal year 2010 and $4,937,000,000 in outlays for the period of fiscal years 2010 through 2014.

(F) COMMITTEE ON WAYS AND MEANS.—The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce the deficit by $7,000,000,000 for fiscal year 2010 and $214,800,000,000 for the period of fiscal years 2010 through 2014.

(G) SPECIAL RULE.—The chairman of the Committee on the Budget may take into account legislation enacted after the adoption of this resolution that is determined to reduce the deficit and may make applicable adjustments in reconciliation instructions, allocations, and budget aggregates and may also make adjustments in reconciliation instructions to protect earned benefit programs.

(b) SUBMISSION PROVIDING FOR CHANGES IN REVENUE.—The House Committee on Ways and Means shall report a reconciliation bill not later than June 8, 2009, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than $31,000,000,000 for fiscal year 2010 and by not more than $1,205,000,000,000 for the period of fiscal years 2009 through 2014.

(c) REVISION OF ALLOCATIONS.—(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(b) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

SEC. 202. SUBMISSION OF REPORTS ON MANDATORY SAVINGS.

In the House, not later than June 15, 2009, all House committees shall identify savings amounting to one percent of total mandatory spending under its jurisdiction from activities that are determined to be wasteful, unnecessary, or lower-priority. For purposes of this section, the reports by the reports by each committee shall be inserted in the Congressional Record by the chairman of the Committee on the Budget not later than June 15, 2009.

TITLE III—BUDGET ENFORCEMENT

SEC. 301. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) EXCEPTION.—In the House, an advance appropriation may be provided for fiscal year 2011 and fiscal years 2012 for programs, projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,565,000,000 in new budget authority.

(c) DEFINITION.—In this section, the term ''advance appropriation'' means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2010 that first becomes available for any fiscal year after 2010.

SEC. 302. TURN OFF THE GEPHARDT RULE.

Rule XXVII shall not apply with respect to the adoption by the Congress of a concurrent resolution on the budget for fiscal year 2010.

SEC. 303. EMERGENCY SPENDING.

(a) DESIGNATIONS.—

(1) GUIDANCE.—In the House, if a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (2). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(2) CRITERIA.—

(A) IN GENERAL.—Any such provision is an emergency requirement if the underlying situation poses a threat to life, property, or national security and is—

(i) sudden, quickly coming into being, and not building up over time;

(ii) an urgent, pressing, and compelling need requiring immediate action;

(iii) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(iv) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(b) ENFORCEMENT.—It shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment or conference report that contains an emergency designation unless that designation meets the criteria set out in subsection (a)(2).

(c) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of subsection (c).

(d) DISPOSITION OF POINTS OF ORDER IN THE HOUSE.—As disposition of a point of order under subsection (b) or subsection (c), the Chair shall put the question of consideration with respect to the proposition that is the subject of the point of order. A question of consideration under this section shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent of the point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

SEC. 304. CHANGES IN ALLOCATIONS AND AGGREGATES RESULTING FROM REALISTIC SCORING OF MEASURES AFFECTING REVENUES.

(a) Whenever the House considers a bill, joint resolution, amendment, motion or conference report, including measures filed in compliance with section 201(b), that propose to change Federal revenues, the impact of such measure on Federal revenues shall be calculated by the Joint Committee on Taxation in a manner that takes into account—

(1) the impact of the proposed revenue changes on—

(A) Gross Domestic Product, including the growth rate for the Gross Domestic Product;

(B) total domestic employment;

(C) gross private domestic investment;

(D) general price index;

(E) interest rates; and

(F) other economic variables;

(2) the impact on Federal Revenue of the changes in economic variables analyzed under paragraph (1).

(b) The chairman of the Committee on the Budget may make any necessary changes to allocations and aggregates in order to conform this concurrent resolution with the determinations made by the Joint Committee on Taxation pursuant to subsection (a).

SEC. 305. PROHIBITION ON USING REVENUE INCREASES TO COMPLY WITH BUDGET ALLOCATIONS AND AGGREGATES.

(a) For the purpose of enforcing this concurrent resolution in the House, the chairman of the Committee on the Budget shall not take into account the provisions of any piece of legislation which propose to increase revenue or offsetting collections if the net effect of the bill is to increase the level of revenue or offsetting collections beyond the level assumed in this concurrent resolution.

(b) Subsection (a) shall not apply to any provision of a piece of legislation that proposes a new or increased fee for the receipt of a defined benefit or service (including insurance coverage) by the person or entity paying the fee.

SEC. 306. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels to carry out this resolution.

SEC. 307. DIRECT SPENDING SAFEGUARD.

(a) It shall not be in order in the House of Representatives to consider an direct spending legislation that would increase an on-budget deficit or decrease an on-budget surplus as provided by subsection (e) for any applicable time period.

(b) For purposes of this section, the term ''applicable time period'' means any of the following periods:

(1) The period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.

(2) The period of the 5 fiscal years following first 5 years covered in the most recently adopted concurrent resolution on the budget.

(c) For purposes of this section and except as provided in subsection (d), the term ''direct-spending legislation'' means any bill, joint resolution, amendment, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) For purposes of this section, the term ''direct-spending legislation'' does not include—

(1) any legislation the title of which is as follows: ''A bill to preserve Social Security.''; or

(2) any legislation that would cause a net increase in aggregate direct spending of less than $100,000,000 for any applicable time period.

(e) If direct spending legislation increases the on-budget deficit or decreases an on-budget surpluses when taken individually, it must also increase the on-budget deficit or decrease the on-budget surplus when taken together with all direct spending legislation enacted since the beginning of the calendar year not accounted for in the baseline assumed for the most recent concurrent resolution on the budget, except that direct spending effects resulting in net deficit reduction enacted pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available.

(f) This section may be waived by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(g) For purposes of this section, the levels of budget authority and outlays for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget.

(h) The Committee on Rules may not report a rule or order proposing a waiver of subsection (a).

SEC. 308. BUDGET PROTECTION MANDATORY ACCOUNT.

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the ''Budget Protection Mandatory Account''. The Account shall be divided into entries corresponding to the allocations under section 302(a) of the Congressional Budget Act of 1974 in the most recently adopted concurrent resolution on the budget, except that it shall not include the Committee on Appropriations.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution (other than an appropriation bill), the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Mandatory Account by the amounts specified in paragraph (2); and

(B) reduce the applicable section 302(a) allocations by the amount specified in paragraph (2).

(2) Each amount specified in paragraph (1)(A) shall be the net reduction in mandatory budget authority (either under current law or proposed by the bill or joint resolution under consideration) provided by each amendment that was adopted in the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in paragraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution, other than an appropriation bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in mandatory authority (either under current law or proposed by a bill or joint resolution under consideration) provided by each amendment adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in paragraph (1) is as follows: ''The amount of mandatory budget authority reduced by this amendment may be used to offset a decrease in revenues.''

(B) All points of order are waived against an amendment including the text specified

in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term—

(1) ''appropriation bill'' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2008 or any subsequent fiscal year, as the case may be.

(2) ''mandatory budget authority'' means any entitlement authority as defined by, and interpreted for purposes of, the Congressional Budget Act of 1974.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

SEC. 309. BUDGET DISCRETIONARY ACCOUNTS.

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the ''Budget Protection Discretionary Account'';. The Account shall be divided into entries corresponding to the allocation to the Committee on Appropriations, and the committee's suballocations, under section 302(a) and 302(b) of the Congressional Budget Act of 1974.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House appropriations bill, the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Discretionary Account by the amounts specified in paragraph (2).

(B) reduce the applicable 302(a) and (b) allocations by the amount specified in paragraph (2).

(2) Each amount specified in subparagraph (A) shall be the net reduction in discretionary budget authority provided by each amendment adopted by the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in paragraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House appropriations bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in discretionary budget authority provided by each amendment that was adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in paragraph (1) is as follows: ''The amount of discretionary budget authority reduced by this amendment may be used to offset a decrease in revenues.''

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term ''appropriation bill'' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2010 or any subsequent fiscal year, as the case may be.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

SEC. 310. TREATMENT OF RESCISSION BILLS IN THE HOUSE.

(a)(1) By February 1, May 1, July 30, and November 11 of each session, the majority leader shall introduce a rescission bill. If such bill is not introduced by that date, then whenever a rescission bill is introduced during a session on or after that date, a motion to discharge the committee from its consideration shall be privileged after the 10-legislative day period beginning on that date for the first 5 such bills.

(2) It shall not be in order to offer any amendment to a rescission bill except an amendment that increases the amount of budget authority that such bill rescinds.

(b) Whenever a rescission bill passes the House, the Committee on the Budget shall immediately reduce the applicable allocations under section 302(a) of the Congressional Budget Act of 1974 by the total amount of reductions in budget authority and in outlays resulting from such rescission bill.

(c)(1) It shall not be in order to consider any rescission bill, or conference report thereon or amendment thereto, unless—

(A) in the case of such bill or conference report thereon, it is made available to Members and the general public on the Internet for at least 48 hours before its consideration; or

(B)(i) in the case of an amendment to such rescission bill made in order by a rule, it is made available to Members and the general public on the Internet within one hour after the rule is filed; or

(ii) in the case of an amendment under an open rule, it is made available to Members and the general public on the Internet immediately after being offered; in a format that is searchable and sortable.

(2) No amendment to an amendment to a rescission bill shall be in order unless germane to the amendment to which it is offered.

(d) As used in this section, the term ''rescission bill'' means a bill or joint resolution which only rescinds, in whole or in part, budget authority and which includes only titles corresponding to the most recently enacted appropriation bills that continue to include unobligated balances.

TITLE IV—JOINT SELECT COMMITTEE ON EARMARK REFORM

SEC. 401. JOINT SELECT COMMITTEE ON EARMARK REFORM.

(a) ESTABLISHMENT AND COMPOSITION.—There is hereby established a Joint Select Committee on Earmark Reform. The joint select committee shall be composed of 16 members as follows:

(1) 8 Members of the House of Representatives, 4 appointed from the majority party by the Speaker of the House, and 4 from the minority party to be appointed by the minority leader; and

(2) 8 Members of the Senate, 4 appointed from the majority party by the majority leader of the Senate, and 4 from the minority party to be appointed by the minority leader.

A vacancy in the joint select committee shall not affect the power of the remaining members to execute the functions of the joint select committee, and shall be filled in the same manner as the original selection.

(b) STUDY AND REPORT.—

(1) STUDY.—The joint select committee shall make a full study of the practices of the House, Senate, and Executive Branch regarding earmarks in authorizing, appropriation, tax, and tariff measures. As part of the study, the joint select committee shall consider the efficacy of—

(A) the disclosure requirements of clause 9 of rule XXI and clause 17 of rule XXIII of the Rules of the House of Representatives, House Resolution 491, and rule XLIV of the Standing Rules of the Senate, and the definitions contained therein;

(B) requiring full transparency in the process, with earmarks listed in bills at the outset of the legislative process and continuing throughout consideration;

(C) requiring that earmarks not be placed in any bill after initial committee consideration;

(D) requiring that Members be permitted to offer amendments to remove earmarks at subcommittee, full committee, floor consideration, and during conference committee meetings;

(E) requiring that bill sponsors and majority and minority managers certify the validity of earmarks contained in their bills;

(F) recommending changes to earmark requests made by the Executive Branch through the annual budget submitted to Congress pursuant to section 1105 of title 31, United States Code;

(G) requiring that House and Senate amendments meet earmark disclosure requirements, including amendments adopted pursuant to a special order of business;

(H) establishing new categories for earmarks, including—

(i) projects with National scope;

(ii) military projects; and

(iii) local or provincial projects, including the level of matching funds required for such project.

(2) REPORT.—

(A) The joint select committee shall submit to the House and the Senate a report of its findings and recommendations not later than 6 months after adoption of this concurrent resolution.

(B) No recommendation shall be made by the joint select committee except upon the majority vote of the members from each House, respectively.

(C) Notwithstanding any other provision of this resolution, any recommendation with respect to the rules and procedures of one House that only affects matters related solely to that House may only be made and voted on by members of the joint select committee from that House and, upon its adoption by a majority of such members, shall be considered to have been adopted by the full committee as a recommendation of the joint select committee.

In conducting the study under paragraph (1), the joint select committee shall hold not fewer than 5 public hearings.

(c) RESOURCES AND DISSOLUTION.—

(1) The joint select committee may utilize the resources of the House and Senate.

(2) The joint select committee shall cease to exist 30 days after the submission of the report described in subsection (a)(2).

(d) DEFINITION.—For purposes of this section, the term ''earmark'' shall include congressional earmarks, congressionally directed spending items, limited tax benefits, or limited tariff benefits as those terms are used in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate. Nothing in this subsection shall confine the study of the joint select committee or otherwise limit its recommendations.

SEC. 402. MORATORIUM ON CONSIDERATION OF EARMARKS.

(a) IN THE HOUSE.—It shall not be in order to consider a bill, joint resolution, or conference report containing a congressional earmark, limited tax benefit, or limited tariff benefit (as such terms are used in clause 9 of rule XXI of the Rules of the House of Representatives) until the filing of the report required under section 401.

(b) IN THE SENATE.—[To be supplied.]

The CHAIR. The gentleman from Ohio (Mr. JORDAN) and a Member opposed each will control 20 minutes.

Mr. SPRATT. Madam Chair, I rise in opposition and ask unanimous consent

that the gentleman from Oregon (Mr. BLUMENAUER) control the remainder of my time.

The CHAIR. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The CHAIR. The Chair recognizes the gentleman from Ohio.

Mr. JORDAN of Ohio. Madam Chair, I yield 3 minutes to the chair of the Republican Study Committee, our colleague from the State of Georgia, Congressman PRICE.

Mr. PRICE of Georgia. Madam Chair, we all know that we cannot continue to burn through the future of our kids and grandkids with oversized Federal spending. Our Republican Study Committee budget takes a bold but responsible approach to getting our fiscal house in order, achieving balance by the year 2019. Yes, Madam Chair, achieving balance, as you see from this chart right here.

Our budget preserves the tax relief adopted earlier in this decade, it encourages small businesses to create jobs, and it protects families from any tax increase.

Now, how do we get to balance? Our budget ends, ends the misguided spending bills and bailouts of recent years. Our budget includes a 1 percent annual reduction to all nondefense discretionary spending. Defense is fully funded. We simply require each Department to find and eliminate 1 percent of wasteful spending under their jurisdiction each year, one penny out of every dollar. Is that too much, Madam Chair?

The key to fiscal sustainability lies in reforming entitlements, particularly Medicare, and our Republican Study Committee budget says we must address our entitlement of crisis boldly and today.

Our RSC budget responsibly slows the growth of Medicare to the rate used during the Contract with America. A successful result was a balanced budget. Our budget responsibly says that we cannot just kick this can down the road any further.

In fact, in an op-ed this morning in the Wall Street Journal, Majority Leader STENY HOYER writes, ''The single most important thing we can do to get our budget under control is to deal with the costs of our entitlement programs. We simply must act in a bipartisan way to choose and implement such reforms.'' Absolutely, Mr. Leader. But, unfortunately, their budget and the Democrat's budget ignores a $34 trillion unfunded liability.

Our RSC budget says we will get our entitlements under control, and we will do it today. We recognize the responsibility we have to come together in a bipartisan way to find solutions that preserve Medicare without bankrupting our Nation.

Budgets are priorities, Madam Chair. And the priority of our budget is a responsible, stable, and commonsense approach to spending that saves our children's and our grandchildren's future. It is not an easy task, but governing is about making tough choices, and we need to do it today.

I urge my colleagues to stand up for taxpayers, to stand up for market principles, to stand up for the solvency of our Nation and support this responsible, stable, commonsense budget.

Mr. BLUMENAUER. Madam Chair, I yield myself 1 minute.

Today, you are going to have an opportunity to listen to debate from our friends on the other side of the aisle on an alternative that seems too good to be true, and in fact it is, because they are proposing today a budget alternative that they never imposed when they had control of all the levers of power: Additional tax cuts that are outmoded and discredited, and we can't afford; and, most important, cutting aid to Americans most in need, students, the elderly, the sick, disabled, assaulting our environment, the elements that are so important as we are fighting, with our new President, to try and get the economy back on track and moving forward.

With that, I yield 2 minutes to the gentleman from New Hampshire (Mr. HODES).

Mr. HODES. Madam Chair, I thank the gentleman for yielding.

I rise in opposition to the Republican budget because, simply put, their plan represents more of the same failed policies that caused our economic collapse. Their plan is designed to move us backwards.

I support our budget because it will move our country forward. Our plan is honest because it gives the American people a true picture of what we are facing. It is visionary because it invests in health care, energy, and education. And, it is fair because it gives middle-class families real tax relief. It is fiscally responsible because it cuts the deficit in half by 2013.

Our economic plan provides for the overhaul of our health care system, because we can't afford half-hearted reform. Our plan invests in renewable energy to make us energy independent, and creates green jobs to power America for the 21st century.

Our plan invests in educating our citizens, and building a 21st century workforce that can beat the global competition. Our plan will cut the deficit in half by 2013, and provides the largest tax cut for middle-class Americans in history. It is the economic plan to help families who have lost their jobs, who are worried about paying their bills, concerned about how they will afford their children's education and pay for health insurance. Our economic plan will move our economy forward for the millions of working families who are struggling in this economy.

I urge my colleagues to reject the Republican alternative and support our plan to invest in America's future.

Mr. JORDAN of Ohio. I thank the Chair. Before yielding to our colleague from Tennessee, I would say this. Our budget grows every year. It just doesn't grow at a pace that is going to saddle future generations of Americans with a debt they can't pay back. And that is why it is a responsible budget.

I yield to the gentlelady from Tennessee, a champion of conservative principles, Mrs. BLACKBURN, for 2 minutes.

Mrs. BLACKBURN. Madam Chair, I thank the gentleman from Ohio for his great work on our RSC budget, because it is a responsible approach. It is good common sense. It is built on stability. And that is what the American people want to see right now.

I am also so pleased that we continue the tax reductions that were passed in 2001 and 2003. One of the things we are hearing from so many of our small business constituents is that they want to be sure that the death tax does not come back in 2010. Of course, we know the Democrat budget does that. And it is so interesting; our budget does something that is important: It leaves money with the taxpayer, leaves it in their pocket.

And, Madam Chair, I have heard comments from this floor about failed policies and tax codes being too convoluted. But I will tell you, leaving money in the taxpayers' pockets is neither a failed tax policy nor a convoluted tax policy. It is what ought to be done. They have earned that money. They deserve to keep it.

The fact is that our budget would balance, it would come into balance without a tax increase. Without pulling more money out of the taxpayers' pocket, it would come into balance by 2019.

That is something that is important for our children, our grandchildren, and for future generations, because we know you get there by making a reduction in discretionary nondefense, nonveteran spending. That 1 percent across-the-board reduction is legislation I have offered every year that I have been in Congress, and I am so pleased it is included in this budget, as it was in 2006 in the Deficit Reduction Act.

I commend my colleagues for their good work on this. This is a responsible, stable, commonsense approach to our Nation's fiscal situation. I encourage an ''aye'' vote for the RSC budget.

Mr. BLUMENAUER. Madam Chair, it is my pleasure to yield 2 minutes to the gentleman from Maryland, Mr. VAN HOLLEN, a member of the Ways and Means Committee and a distinguished member of our leadership.

Mr. VAN HOLLEN. I thank my colleague.

This budget is a carbon copy of the failed policies we have seen over the last 8 years. It is a budget that looks in the rearview mirror in the past; it is not a budget that looks to the future. In fact, this budget, like the next Republican budget we will see, is going to slam a brake on the economic recovery plan that this Congress passed and is

now working its way through our economy, through all the communities in this country.

While that economic recovery plan is putting shovels in the ground and putting people back to work, this budget puts up a big stop sign and says, we are not going to provide any funds after the first year. We are going to take those shovels away. We are going to take those jobs back.

I think anybody who thinks that the economic recovery plan should be stopped after only 1 year does not have a clear understanding of the economic pain that is being experienced throughout this country.

On health care, President Obama has said that we need to reform our health care system to provide universal coverage, quality care, and reduced health care costs. This approach takes a meat ax to the Medicare program, cutting hundreds of billions of dollars in an automatic way. It doesn't tell us how to do it, it just says you have got to find a way to do it, cut hundreds of billions of dollars. If you are going to do that, tell us what your plan is so people know how it is going to affect them.

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The Republican plan goes back to the same old tax cutting for the wealthiest Americans, whereas the Democratic plan provides tax cuts of $1.5 trillion for working Americans, not just the wealthiest. We invest in clean energy. They, again, give big tax breaks to the oil companies when we need to be diversifying our sources of energy.

We have seen this plan before. It is the plan that has been given to us for the last 8 years. This is the Bush administration program all over again. I think the American people have learned that those policies that are reflected in this budget helped get us into this fix that we are in today. Let's not look to the past. Let's move to the future. Let's adopt the Spratt budget.

Mr. JORDAN of Ohio. Madam Chair, before I yield to my colleague from Louisiana, I yield myself 30 seconds just to respond briefly.

We do put up a stop sign. We put up a stop sign to debt. Under the Obama Democratic budget plan, $23 trillion in national debt would be brought to the citizens of this country. Now think about what it takes to repay that. You would have to first get to balance, then you would have to run a $1 trillion surplus for 23 years just to pay that debt off. So we do put up a stop sign. It is a stop sign to that kind of debt.

And with that, I yield 2 minutes to my good friend from Louisiana (Mr. SCALISE).

Mr. SCALISE. Madam Chair, I want to thank the gentleman from Ohio for yielding and especially for his leadership on bringing here to the floor a vote on a balanced budget. If you look, there is a clear contrast right now between the budget that President Obama presented and this budget that we are going to get to vote on.

If you look at the deficits over the last few years, represented by the blue figures, and in the current budget and the continuation of these runaway deficit spending budgets over the next few years, many of my friends on the other side have criticized this spending, these deficits, right here. Of course, many of them voted for these budgets that increased these deficits. I didn't vote for any of these budgets. And I'm tired of the runaway spending. But those same people who criticized these deficits are voting for this level of spending, these deficits, $1.9 trillion this year, deficits going out as far as the eye can see. In fact, if you look at the ultimate result of that runaway deficit spending, President Obama, in his first 5½ years, will double the national debt.

We have got to get control of runaway spending and these out-of-control debts that we are racking up for our children and grandchildren to pay off. And if you are wondering what the American people are telling us, do they want this runaway spending? No. All across the country, you are having these uprisings, taxpayer tea parties. Citizens out there are showing up in thousands at a time, two in my district on April 15, bringing tea bags saying, ''Enough is enough. Stop this runaway spending.''

We finally have a balanced budget that we will get to vote on. And for those people, and I know I reach out to my Blue Dog friends on the other side, anybody who says they are fiscally responsible has to vote for a balanced budget, because you cannot vote for the President's budget for this level of runaway spending and call yourself ''fiscally conservative.'' You just can't do it. Don't go back home and say you're fiscally conservative and come up here in Washington and spend trillions of dollars of our children's and grandchildren's money. This is money we don't have.

We have got to stop this madness. People across the country are saying just that. Four thousand people are showing up in Cincinnati, Ohio, or Orlando and saying ''stop.'' We have an alternative. I would urge my friends on both sides of the aisle to vote for a balanced budget.

Mr. BLUMENAUER. It is interesting that my friend from Louisiana didn't vote for those budget deficits in the past because he wasn't in Congress. But if he had been here and joined with the Republican majority, he would have voted for them. That is what got us into this fix.

I yield 1 minute to the gentleman from New York (Mr. TONKO), a new Member who wasn't a part of this in the past, but is working on solutions in the future.

Mr. SCALISE. Will the gentleman yield?

Mr. BLUMENAUER. I'm happy to yield on your time.

PARLIAMENTARY INQUIRY

Mr. SCALISE. Then I would ask a parliamentary inquiry to the Chair.

The CHAIR. The gentleman may state his inquiry.

Mr. SCALISE. The gentleman from Washington, rather than directing his question to the Chair, made a comment about me saying I would have voted for a bill that I would not have voted for. I would just ask the Chair, isn't it parliamentary procedure to direct questions or comments about people to the Chair, not to individual Members, especially when what they are saying is not accurate about that Member?

The CHAIR. All comments must be directed to the Chair.

Mr. BLUMENAUER. I will take 15 seconds, if I may, before recognizing the gentleman from New York.

What I said was the gentleman didn't vote for it because he wasn't here. But if he was and voted with the majority of Republicans, he would have been part of that problem.

I yield to the gentleman from New York.

Mr. TONKO. Madam Chair, I rise today to express my support for a budget that will help improve our economy and institute a plan to reduce the deficit in the long term. My hope is that this House will pass a budget that provides for a reduction of the deficit of over 50 percent by the year 2013 by cutting ineffective programs and reforming government contracting and defense purchasing.

In addition, we need a budget that finally addresses health care reform, which will reduce the single largest portion of our Federal budget. In addition, critical reforms and investments in energy will increase our energy independence, which will protect our economy and improve our national security.

We must not forget how we got here. It was during the prior administration, the Bush administration, and the Republicans in control of Congress that squandered a record surplus inherited by this House through irresponsible spending and tax cuts. Those solutions were more of the same. But the American people are demanding a new direction, and this budget must represent the reforms that we need. America spoke clearly this past November with a resounding voice. They called for action. They called for a change in the course of the direction of this country. They called for growing our economy. They called for addressing the budget deficit. They called for creating jobs.

This budget that we can vote on, presented by the President, will allow us to address those four major points. I stand in defense of that budget and ask that this House approve that given budget that will be before us later today.

Mr. JORDAN of Ohio. Madam Chair, I would yield 2 minutes to our good friend from Georgia, Congressman KINGSTON.

Mr. KINGSTON. I thank the gentleman for yielding.

And I just wanted to remind my friends, because there seems to be a

historical glitch in their brains, but the Democrats took over in October of 2006. For you guys to keep reaching back and insisting all of our problems belong to George Bush is ridiculous. Speaker PELOSI was sworn in in January 2007. Do you have a problem with the spending up here? Talk to Speaker PELOSI. Your budget spends too much, taxes too much and borrows too much. Think about the borrowing for a minute. Here, the RSC budget, which I'm glad to support, moves us towards a surplus. Instead, you take the Pelosi debt of $11 trillion and you double it in 5 years and triple it in 10 years. Great work.

On tax relief, the Pelosi Democrats call for a $1.3 trillion tax increase and one that is going to take away from the working people, whereas the RSC budget calls for $1.2 trillion in tax relief. And I know the Democrat Party has moved away from people who have a lot of achievements. In fact, there seems to be some problem that if you have achieved something, then you're guilty and we need to tax you more. But the RSC budget works for tax fairness.

And I think it is important, particularly for small businesses and corporations. We go out there, and I know we have got our first European President right now going over there to the EU, but those folks, those corporations pay 25 percent in taxes. Globally, we have got to compete against them, where our corporations pay 35 percent in taxes. We need tax fairness. The RSC budget will create 2 to 3 million jobs. And that is what this is about.

In terms of reform, the Pelosi Democrats seem to be determined to put their head in the sand and ignore reforms that are needed for Social Security, Medicaid and Medicare. Now they have taken away from the seniors Medicare Advantage. I'm not sure why they think that is pro-senior. All the seniors I have talked to are very disturbed that the Democrats would take that away from them. But the reality is what we want to do is preserve——

The CHAIR. The time of the gentleman has expired.

Mr. JORDAN of Ohio. I yield the gentleman 1 additional minute.

Mr. KINGSTON. What we want to do is preserve the doctor-patient relationship. It appears that the Pelosi Democrats want to have a government-hospital relationship. And speaking for me, I don't like bureaucrats running health care.

There are some tough decisions that are going to be made. I was a Member of Congress when President Clinton started AmeriCorps. He said it was going to be a 5-year program. Now we just renewed it at $5 billion. And it is almost two decades later. We need to come together and make some tough choices.

The Republicans have offered several alternatives. We are ready to work with you. If you could back off some of your taxing, some of your spending and some of your borrowing, I think we could come out of here with a good, pro-job budget that turns the economy around. And I look forward to working with you on that.

Mr. BLUMENAUER. I yield myself 15 seconds just to point out to my good friend from Georgia that he confuses the marginal rate with the rate that corporations actually pay. Thirty-five percent is the marginal rate. If he looks at how much American corporations actually pay, because almost nobody pays the marginal rate because of the loopholes, it is down to about 5 percent. It's the second lowest of the top 20 economies.

I yield 2 minutes to my good friend from the real State of Washington, not Oregon, and a member of the Budget Committee, Mr. LARSEN.

Mr. LARSEN of Washington. Madam Chair, perhaps I can rise today and try to lower the temperature a little bit as I rise to oppose the substitute budget before us and express my strong support for the Budget Committee resolution that is on the floor today a little later.

It is because our budget puts President Obama's plan to invest in our Nation's priorities into action, our budget is part of a comprehensive approach to create jobs and to build a foundation for our country's long-term economic strength. Congress and this administration have already taken action to save or create 3.5 million jobs, to keep families in their homes and to stabilize our financial markets. The economy is clearly job number one for all of us here. President Obama inherited an economic mess from the last administration, including record deficits and soaring unemployment. It is going to take some time, some hard work, some very difficult choices for us to get past this economic and this fiscal crisis and to move our country in a new direction.

I hosted some town talks with about 200 of my constituents this past weekend in Marysville and Lake Stevens. And let me tell you, they are worried. They are worried about the economy. They are ready for a new direction. They are looking for answers from this Congress and from the President. President Obama and Chairman SPRATT have proposed a budget resolution that moves our country in the right direction by investing in clean energy, in education and affordable health care for families and businesses. This budget also invests in our Nation's national security, provides a nearly 4 percent increase in funding for the Department of Defense to keep our country safe and to support our military folks and their families. And for the first time, the President's budget in this resolution includes an honest and transparent accounting of the cost of sustaining our wars in Iraq and Afghanistan. It creates jobs that target investments. It reforms health care, energy and education.

The substitute before us today does the opposite, cutting those investments that we need to strengthen our economy for the long term. Instead of moving us in a new direction that we need, this substitute unfortunately relies on the failed approaches of the past.

So I'm urging my colleagues to oppose the substitute and support the budget resolution that we are going to see later on the floor today.

Mr. JORDAN of Ohio. Madam Chairman, I'm pleased to yield 3 minutes to former RSC chair and current conference chair, the gentleman from Indiana.

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

Mr. PENCE. I thank the gentleman for yielding.

I commend the gentleman from Ohio for his work on the Republican Study Committee Budget Alternative, and I especially commend the chairman of the Republican Study Committee, the gentleman from Georgia, TOM PRICE, for his extraordinary and visionary leadership.

The budget brought to the majority today, as has been said again and again, spends too much, taxes too much and borrows too much, and the American people know it. The Democrat budget will double the national debt in 5 years. It will triple it in 10. The 2010 spending $3 trillion, 25 percent of gross domestic product, more than $1 trillion in tax increases on virtually every American, a 2010 deficit of $1 trillion and nearly $1 trillion deficits every year for the next 10 years.

The hard truth is the Democrat majority has brought to this floor the most fiscally irresponsible budget in American history. And the American people know we can do better. They are doing better. And every family farm or small business across this country, around every kitchen table, Americans are making tough choices. They are sitting down as families and in enterprises, deciding what they can put off for tomorrow, what they don't have to spend today, finding ways maybe for a job in town for a little more income. Everywhere in America, the American people are meeting these challenging economic times with frugality, with sacrifice, and with courage, everywhere but in Washington, D.C.

□ 1515

The American people long for men and women in this Congress to show the same character, to make the same tough choices. And I'm proud to stand with the Republican Study Committee and this budget alternative that answers that call.

A balanced budget; under the RSC alternative the budget outlook improves every single year, and achieves a surplus budget in 2019, $1.2 trillion of tax relief over the next 5 years for virtually every American, fully funding defense spending, and provides zero growth baseline for non-defense spending, and repeals the obscene spending

spree of stimulus bills and omnibus bills that has overtaken our country.

No changes in Social Security, increases in Medicare, and provides increases equivalent to inflation in Medicaid. And a raft of reforms of unnecessary spending, ending the earmarking culture on Capitol Hill.

After years of runaway spending, the American people long for courage and sacrifice on the floor of this Congress. And my Republican colleagues have brought together an alternative that answers that call.

It's time that we embrace fiscal discipline and reform, lower taxes and growth. I urge my colleagues to join me in supporting the Republican Study Committee budget alternative.

Mr. BLUMENAUER. Madam Chair, it is my pleasure to yield 2 minutes to the gentleman from Ohio (Mr. BOCCIERI).

Mr. BOCCIERI. My friends here and colleagues here today, there's a rap song that goes ''Don't Believe the Hype.''

Let me give you the rap sheet on the hype of the proposal that we're about to discuss here today. It's about giving to the wealthiest among us, giving back to the corporate influences that have led us to the job loss that we have found, to the market principles that have led us to near and utter collapse of our housing industry, and cuts in vital programs that invest in our country, our people, and in America.

Now, I know there are some on the other side who believe the principles of Rush Limbaugh, that they want to see our President fail. And by asking our President to fail, they are asking America to fail. And this budget right here that we are talking about, that President Obama has introduced, invests in our people, invests in our programs, and invests in our country.

You know, in 2004, our Secretary of Health and Human Services, under the Bush administration, Tommy Thompson, flew to Iraq to make sure that every man, woman and child in Iraq had universal health care coverage. Billions of dollars were spent. Yet, my colleagues on the other side didn't bat an eye when those proposals were before us; didn't bat an eye to invest in other countries. But now we have an opportunity to invest in America. A $1.5 trillion tax cut to middle-class families. We're going to cut the deficit in half by 2013.

And finally, finally, my colleagues, we're going to have honest budgeting accounting principles for America and our people.

The question before us today is, will we act or will we stall? Will we invest, or will we continue to divest in America? Will we believe in our country, and will we believe in our people? That's what this budget debate is about. That's what these investments are about, and that's why it's so important that we reject this notion and embrace our ideas of success.

Mr. JORDAN of Ohio. I would be happy to yield 2 minutes to the gentleman from Arizona, a friend and colleague, Congressman FLAKE.

Mr. FLAKE. I thank the gentleman for yielding.

Madam Chair, I think we owe our constituents a little honesty here. We know that we can't grow an economy when we're dragging around debt that equals about 80 percent of GDP. Yet that's what is contemplated in the Democrats' budget.

We know that future generations will be taxed far in excess of their ability to sustain today's level of spending, yet that is what we are going to impose on future generations.

Now, part of the reason we're in such dire financial straits today is because we had a real estate bubble that burst. More money was invested in the real estate sector than the market could ultimately sustain.

But the budget being proposed today funds another bubble in another sector of the economy, the government sector. Under this budget, more money is being spent by government than the market can ultimately sustain. Now, you can call it government spending. You can call it critical investment. You can call it whatever you want. But it doesn't change the fact that the market simply can't sustain this level of spending.

Madam Chair, we can't suspend the laws of economics. We're trying awful hard here, but we can't. Yet that's what this budget pretends we can do.

We need to pass a budget that recognizes that our job here is to allow the private sector to pull us out of this recession. We should enact a budget that doesn't serve political ends, but rather, imposes a tax and regulatory environment that allows the private sector to allocate capital in a way that rewards hard work and ingenuity. That's what the RSC budget does. It recognizes who will eventually pull us out of this recession, the private sector, not the government sector.

Mr. BLUMENAUER. Madam Chair, may I inquire as to the time remaining for both sides.

The CHAIR. The gentleman from Oregon has 8½ minutes remaining. The gentleman from Ohio has 5 minutes remaining.

Mr. BLUMENAUER. Thank you.

I would like to yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I rise in opposition to the amendment. And I must say to my friends on the other side of the aisle, I think they've lost the moral right to lecture us about fiscal responsibility, given their record over the past 8 years.

I will support the overall budget, although I want to state that I have a couple of reservations, which I'm assured will be worked out. The cuts in Function 150 in foreign assistance need to be restored. And I believe very strongly that the $250,000 threshold that the budget assumes in terms of taxing people above that, that needs to be raised because in high-cost-of-living States like mine in New York, it is not fair to have it at that level. The level needs to be higher.

I like this budget. It talks about the President's vision and America's vision, not only in terms of fixing our economy, but in terms of education, health care, and energy. We should support the overall budget and reject this amendment.

Mr. JORDAN of Ohio. Madam Chair, I would be pleased to yield 2 minutes to the gentleman from Louisiana, Dr. CASSIDY.

Mr. CASSIDY. Madam Chair, I speak against the Democrats' budget and for the alternative. Justice John Marshall said that the power to tax is the power to destroy. Now, that power shouldn't be used unless we understand the consequences.

This Democrats' budget taxes without regard to consequences. And I know that because it includes over $30 billion in tax increases on America's energy economy.

Now, what are these consequences? The energy industry, which employs about 320,000 people in Louisiana, will not hire new workers and may have to lay some off. And, because we disincentivized domestic production, America will buy more foreign oil, as opposed to using our own oil, which is produced by American workers.

I offered an amendment yesterday to establish a point of order against tax legislation that would either destroy U.S. energy jobs or increase our dependence on foreign oil, and I was defeated on a straight party-line vote.

The only recourse to save these jobs, which are not for CEOs, but are for people who work on rigs, they're welders, they are pipeline pipefitters. The only way to save these jobs and defend America's energy security is to vote against this Democrats budget.

Mr. BLUMENAUER. Madam Chair, I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. I thank the gentleman for yielding.

Madam Chair, I rise in support of this budget. I didn't do it without some reservation, because I've been spending a lot of time listening to the needs of this country as it juxtaposes itself in the world, in Afghanistan and in Iraq, certainly in South America where I served as a Peace Corps volunteer. And what I think is very dangerous about the thinking of cutting the foreign aid, the 150 account, is that is all the humanitarian aid. If the combatant commanders tell us that you cannot win this war on military terms, that you're going to have to use civilian power, that's what we call soft power, smart power, then that's the account that invests in it, the account that invests in foreign aid and extended IMET programs to bring foreign officers to train in the United States, to send Peace Corps volunteers around the world. And I'm a strong supporter of what has been promised to be working that out. And I think that it's a bold budget for

a great new President of the United States, and I look forward to supporting it.

The CHAIR. The gentleman from Ohio has 3½ minutes remaining. The gentleman from Oregon has 6½ minutes remaining.

Mr. JORDAN of Ohio. Madam Chair, I think we'll reserve.

Mr. BLUMENAUER. Madam Chair, I will yield 2 minutes to the gentlelady from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I am committed to what the President is committed to. All of us who believe that there needs to be a new day in America are committed to a new era of responsibility renewing America's promise.

And my good friends on the other side of the aisle are in direct contrast to that because if we pass this budget, the Republican Study Group, study caucus, we will see a continuation of crumbling bridges, workers and veterans waiting months or years for benefits, the very veterans, 167,000 plus, that are returning back from the Iraq war, many who will be returning back from Afghanistan, the very families that we see in our community, we will see them missing out on the necessary resources to provide a new era of responsibility.

One of the important aspects of this legislation, our budget, focuses on protecting families.

Let me share one vision; protect families' financial health. Our budget, the President's budget, has a plan that must reduce the growing premiums and other costs American citizens and businesses pay for health care. People must be protected from bankruptcy due to catastrophic illness. We have a placeholder, a place to address the question of reforming our health care. We have a provision or a concept to make health care coverage affordable. The plan must reduce high administrative costs, unnecessary tests and services, waste and other inefficiencies.

In the President's budget he believes in renewing America. The budget that we have on the floor now believes in undermining the health care safety net. It does not have the details that are necessary. It cuts key services. It certainly doesn't provide a bridge, an ongoing bridge into the 21st century.

My friends, we need to move forward with the President's vision, and we need to oppose the RSC budget.

Mr. JORDAN of Ohio. I yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank my colleague from Ohio for crafting a reasonable budget that brings us to balance. And I'm proud to stand on the House Floor today and support the Republican Study Committee alternative budget, which would bring our Federal budget to balance within the budget window.

The Obama budget, the Obama-Pelosi budget offered here on this House floor today, adds massive amounts to our Federal debt and does not come to balance. Even over 75 years they're running massive deficits that further add to our national debt and pass those debts on to the next generation. I think that's irresponsible.

The Republican Study Committee budget, as I said, brings us to balance. It also funds necessary and important government functions like veterans' health care. It has no cuts to veterans' health care. But it also maintains our commitment to seniors and Social Security. It maintains our commitment to Medicare and Medicaid, but makes those programs sustainable over the next generation and generations to come and, at the same time, reduces our deficit and brings us to balance.

This is a strong budget. It funds veterans' health care, as I said, and it also funds our necessary defense of this great country and maintains a strong posture internationally as well.

This is a good budget that I'm proud to support. As a Member of Congress, and as a policy maker, I think it's important that we put forward realistic ideas. We cannot simply say no to the massive spending of the Obama-Pelosi budget. But we have to say yes to something. And this is a budget that we can say yes to because it brings us to balance. It's good for, not just the current generation, but puts us on the right footing for economic growth, for small business growth and for our families as well.

I think it's very important that we support a balanced budget, and that's why I'm here today to support this budget, and I'm proud to vote ''yes.''

□ 1530

Mr. BLUMENAUER. Madam Chair, I will yield myself the remainder of the time.

The CHAIR. The gentleman from Oregon is recognized for 4½ minutes.

Mr. BLUMENAUER. Thank you.

It is interesting listening to my other friends because, when they had their hands on the levers of power—of the Presidency and of Congress—they engineered the massive debt that the President inherited with a combination of tax cuts for people who needed it the least and with a rate of spending increase that was greater than Lyndon Johnson's in the Great Society. Not only was it greater than Bill Clinton's spending, but it was greater than Lyndon Johnson's in the Great Society.

Now, all of a sudden, when they're out of power, they're suggesting that they're going to do something that they never did when they had control. They're proposing a massive, across-the-board cut of about $1.4 trillion over the next 10 years. Now, this is serious money, dealing with serious programs that the American people count on, and they count on them today more than ever before: Pell Grants, food stamps, nutrition activities, health care for low-income people, Medicare.

Madam Chair, the range of activities that would be subjected to the budget knife—again, that they never did when they were in control but that they propose to do now—would have the impact of scaling down our growth and our activities, and it would put the burden on those who can least afford it.

When it comes to taxes, well, they're back to the same old story. They want to make permanent tax cuts that we found out were not affordable in the form that they passed them, and worse, they would increase taxes on about a quarter of the Americans who are lower income Americans.

Madam Chair, in the Democratic budget, there are no tax increases this year. We understand that it's not appropriate to raise taxes.

Mr. MCHENRY. Will the gentleman yield?

Mr. BLUMENAUER. I will yield on your time.

Mr. MCHENRY. Well, I have no more time.

Mr. BLUMENAUER. I will yield on your time.

Mr. MCHENRY. The tax increase yesterday was in place on tobacco, which the gentleman supported.

The CHAIR. The gentlemen will suspend.

The gentleman from Oregon has the time.

Mr. BLUMENAUER. In this budget that we are going to be offering up, there are no tax increases. The House of Representatives, in its wisdom, did recently approve a tobacco tax increase that provides health care for 4 million American children, something that the last Congress passed, and there were bipartisan votes who supported that because that's good for Americans.

What we are seeing in paychecks this month across America is that 95 percent of the people are witnessing the promise of a reduction in taxes being delivered by President Obama and this Congress. This is for 95 percent of the American people.

I find it interesting the rhetoric about bureaucrats running health care. In fact, my friend from North Carolina just pointed out that they protect the bureaucrats running health care for veterans. They protect the veterans with the program.

Mr. MCHENRY. Will the gentleman yield? Will the gentleman yield since he used my name?

Mr. BLUMENAUER. I will yield on your time only. I have very few minutes left.

Mr. MCHENRY. You don't control the time. Therefore, you can't yield it.

The CHAIR. The gentlemen will suspend.

The gentleman from Oregon does control the time in opposition, and the gentleman from North Carolina has already been told at least once that he is not going to be yielded to.

Mr. MCHENRY. Thank you.

The CHAIR. The gentleman will suspend.

Mr. MCHENRY. Thank you.

Mr. BLUMENAUER. Madam Chair, health care is one of these critical areas. There is nothing in the Democratic budget that suggests we're going

to turn over to some shadowy, bureaucratic influence a bureaucratic mechanism that's going to control Americans' health care.

What President Obama has suggested and what we've been discussing in our Ways and Means Committee, for instance, is having an opportunity for more choices for Americans, including some that are subsidized by the Federal Government to help fill some of these gaps.

It's interesting that, on one hand, they'll talk about something that isn't true—the shadowy bureaucratic control of health care—while they kind of conveniently forget that some of the best health care in America is provided by government, itself, by government bureaucrats, if you will, in the Veterans Administration. It's a little embarrassing to watch this schizophrenia that our friends are engaged in.

One of the most insidious portions of both of these budgets is to be found in taking back the recovery funds that States across America are counting on for economic recovery. I suggest that's a mistake as well and another reason to reject the Republican alternative.

The CHAIR. The gentleman's time has expired.

The gentleman from Ohio is recognized for 1½ minutes.

Mr. JORDAN of Ohio. Thank you, Madam Chair.

Before yielding the balance of our time, let me just thank our chairman of the RSC for his leadership on this particular issue. Also, our staff did tremendous work in helping us put this budget together that we think is responsible, stable and represents common sense.

With that, I would yield to our former chairman, the gentleman from Arizona, Congressman SHADEGG.

Mr. SHADEGG. I thank the gentleman for yielding, and I compliment the Republican Study Committee budget.

Madam Chair, it has been, indeed, the most conservative and the lowest spending budget ever presented on this floor, year after year, for every year that I have been here.

I want to address one of the comments made on the other side. The other side has said over and over again there isn't a tax increase. Well, you can use those words carefully, but you have to look at the reality of the budget.

In point of fact, there is, roughly, $682 billion in government revenue to be derived from the imposition of a cap-and-trade program. That revenue has to come from somewhere. It will come from the American people. Indeed, it probably isn't a tax increase because it will come from every single American, including those who currently don't pay taxes. If that's not a burden on this economy at the wrong time, I don't know what is.

In point of fact, this budget contains the largest deficit, $1.8 trillion in 2009, four times larger than the largest previous record of $407 billion. It contains the largest deficit as a percentage of the gross domestic product since World War II, and it will result in the largest national debt, $12.7 trillion in 2009, greater than the sum of all debt from 1789 to today.

Our grandparents and parents have been recognized as the greatest generation. They conquered fascism. They saved freedom. They put America on a course to prosperity. With this budget, we are progressing rapidly toward what will be labeled, I fear, the ''reckless generation.'' We are shirking our responsibility to our children and to our grandchildren. It will double the national debt in 5 years, and it will triple it in 10.

Do we want to be remembered as that ''reckless generation''? Every American balances their budget. We must balance the Nation's budget.

The CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. JORDAN).

The question was taken; and the Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. JORDAN of Ohio. Madam Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 111, noes 322, not voting 4, as follows:

[Roll No. 189]

AYES—111

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Campbell
Cantor
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Culberson
Deal (GA)
Fallin
Flake
Fleming
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Graves
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hoekstra
Inglis
Issa
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Olson
Paul
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Radanovich
Rehberg
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Thompson (PA)
Thornberry
Tiahrt
Wamp
Whitfield
Wilson (SC)
Young (AK)
Young (FL)

NOES—322

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boehner
Bono Mack
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
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
Faleomavaega
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
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)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Putnam
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler

Wilson (OH) Wittman Wolf Woolsey Wu Yarmuth

NOT VOTING—4

Hinojosa Miller, Gary Sablan Westmoreland

□ 1606

Messrs. MARSHALL, CAPUANO, McDERMOTT, RUSH, Ms. FUDGE, Ms. LORETTA SANCHEZ of California, Messrs. WILSON of Ohio, LEWIS of California, TIERNEY, GUTIERREZ, Ms. SPEIER, Messrs. McMAHON, MOLLOHAN, and BUYER changed their vote from ''aye'' to ''no.''

Messrs. ALEXANDER, REHBERG, SENSENBRENNER, ADERHOLT, BOOZMAN, and LATTA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. LEE OF CALIFORNIA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111–73.

Ms. LEE of California. Madam Chair, I rise to offer that amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 in the nature of a substitute printed in House Report 111–73 offered by Ms. LEE of California:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010.

The Congress determines and declares that the concurrent resolution on the budget for fiscal year 2010, including appropriate budgetary levels for fiscal years 2011 through 2014.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2010 through 2014:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2010: $1,716,425,000,000.
Fiscal year 2011: $1,959,232,000,000.
Fiscal year 2012: $2,205,599,000,000.
Fiscal year 2013: $2,377,029,000,000.
Fiscal year 2014: $2,524,106,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be adjusted are as follows:

Fiscal year 2010: $50,439,000,000.
Fiscal year 2011: −$129,999,000,000.
Fiscal year 2012: −$154,794,000,000.
Fiscal year 2013: −$138,308,000,000.
Fiscal year 2014: −$109,552,000,000.

(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 2010: $2,928,107,000,000.
Fiscal year 2011: $2,880,744,000,000.
Fiscal year 2012: $2,920,761,000,000.
Fiscal year 2013: $3,102,569,000,000.
Fiscal year 2014: $3,292,316,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2010: $3,015,166,000,000.
Fiscal year 2011: $2,999,583,000,000.
Fiscal year 2012: $2,951,584,000,000.
Fiscal year 2013: $3,101,616,000,000.
Fiscal year 2014: $3,268,044,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2010: −$1,298,741,000,000.
Fiscal year 2011: −$1,040,351,000,000.
Fiscal year 2012: −$745,985,000,000.
Fiscal year 2013: −$724,587,000,000.
Fiscal year 2014: −$743,938,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the debt subject to limit are as follows:

Fiscal year 2010: $13,185,000,000.
Fiscal year 2011: $14,304,000,000.
Fiscal year 2012: $15,226,000,000.
Fiscal year 2013: $16,105,000,000.
Fiscal year 2014: $17,033,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2010: $8,730,000,000.
Fiscal year 2011: $9,638,000,000.
Fiscal year 2012: $10,294,000,000.
Fiscal year 2013: $10,876,000,000.
Fiscal year 2014: $11,510,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2010 through 2014 for each major functional category are:

(1) National Defense (050):
Fiscal year 2010:
(A) New budget authority, $562,033,000,000.
(B) Outlays, $606,043,000,000.
Fiscal year 2011:
(A) New budget authority, $570,107,000,000.
(B) Outlays, $587,945,000,000.
Fiscal year 2012:
(A) New budget authority, $579,135,000,000.
(B) Outlays, $576,023,000,000.
Fiscal year 2013:
(A) New budget authority, $589,895,000,000.
(B) Outlays, $584,670,000,000.
Fiscal year 2014:
(A) New budget authority, $603,828,000,000.
(B) Outlays, $595,476,000,000.

(2) International Affairs (150):
Fiscal year 2010:
(A) New budget authority, $47,820,000,000.
(B) Outlays, $44,646,000,000.
Fiscal year 2011:
(A) New budget authority, $50,146,000,000.
(B) Outlays, $49,806,000,000.
Fiscal year 2012:
(A) New budget authority, $54,242,000,000.
(B) Outlays, $52,933,000,000.
Fiscal year 2013:
(A) New budget authority, $59,660,000,000.
(B) Outlays, $56,437,000,000.
Fiscal year 2014:
(A) New budget authority, $64,888,000,000.
(B) Outlays, $59,864,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2010:
(A) New budget authority, $31,339,000,000.
(B) Outlays, $32,568,000,000.
Fiscal year 2011:
(A) New budget authority, $31,593,000,000.
(B) Outlays, $32,528,000,000.
Fiscal year 2012:
(A) New budget authority, $33,473,000,000.
(B) Outlays, $32,570,000,000.
Fiscal year 2013:
(A) New budget authority, $34,519,000,000.
(B) Outlays, $33,715,000,000.
Fiscal year 2014:
(A) New budget authority, $35,786,000,000.
(B) Outlays, $34,936,000,000.

(4) Energy (270):
Fiscal year 2010:
(A) New budget authority, $5,989,000,000.
(B) Outlays, $7,332,000,000.
Fiscal year 2011:
(A) New budget authority, $5,789,000,000
(B) Outlays, $11,456,000,000.
Fiscal year 2012:
(A) New budget authority, $5,982,000,000.
(B) Outlays, $13,561,000,000.
Fiscal year 2013:
(A) New budget authority, $6,348,000,000.
(B) Outlays, $12,333,000,000.
Fiscal year 2014:
(A) New budget authority, $6,477,000,000.
(B) Outlays, $10,747,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2010:
(A) New budget authority, $38,387,000,000.
(B) Outlays, $40,987,000,000.
Fiscal year 2011:
(A) New budget authority, $39,100,000,000.
(B) Outlays, $40,719,000,000.
Fiscal year 2012:
(A) New budget authority, $39,499,000,000.
(B) Outlays, $40,403,000,000.
Fiscal year 2013:
(A) New budget authority, $39,598,000,000.
(B) Outlays, $40,052,000,000.
Fiscal year 2014:
(A) New budget authority, $40,267,000,000.
(B) Outlays, $40,240,000,000.

(6) Agriculture (350):
Fiscal year 2010:
(A) New budget authority, $23,990,000,000.
(B) Outlays, $24,177,000,000.
Fiscal year 2011:
(A) New budget authority, $24,816,000,000.
(B) Outlays, $24,134,000,000.
Fiscal year 2012:
(A) New budget authority, $21,719,000,000.
(B) Outlays, $17,637,000,000.
Fiscal year 2013:
(A) New budget authority, $22,572,000,000.
(B) Outlays, $22,145,000,000.
Fiscal year 2014:
(A) New budget authority, $23,257,000,000.
(B) Outlays, $22,226,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2010:
(A) New budget authority, $61,933,000,000.
(B) Outlays, $86,392,000,000.
Fiscal year 2011:
(A) New budget authority, $26,581,000,000.
(B) Outlays, $38,393,000,000.
Fiscal year 2012:
(A) New budget authority, $9,761,000,000.
(B) Outlays, $8,929,000,000.
Fiscal year 2013:
(A) New budget authority, $17,447,000,000.
(B) Outlays, $5,812,000,000.
Fiscal year 2014:
(A) New budget authority, $11,426,000,000.
(B) Outlays, −$2,296,000,000.

(8) Transportation (400):
Fiscal year 2010:
(A) New budget authority, $92,151,000,000.
(B) Outlays, $98,713,000,000.
Fiscal year 2011:
(A) New budget authority, $90,071,000,000.
(B) Outlays, $97,779,000,000.
Fiscal year 2012:
(A) New budget authority, $91,047,000,000.
(B) Outlays, $97,057,000,000.
Fiscal year 2013:
(A) New budget authority, $91,866,000,000.
(B) Outlays, $97,189,000,000.
Fiscal year 2014:
(A) New budget authority, $92,809,000,000.
(B) Outlays, $97,793,000,000.

(9) Community and Regional Development (450):
Fiscal year 2010:
(A) New budget authority, $19,808,000,000.
(B) Outlays, $29,589,000,000.
Fiscal year 2011:
(A) New budget authority, $21,732,000,000.
(B) Outlays, $28,002,000,000.
Fiscal year 2012:
(A) New budget authority, $21,811,000,000.
(B) Outlays, $26,362,000,000.

Fiscal year 2013:
(A) New budget authority, $21,702,000,000.
(B) Outlays, $24,737,000,000.
Fiscal year 2014:
(A) New budget authority, $21,770,000,000.
(B) Outlays, $23,300,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2010:
(A) New budget authority, $101,689,000,000.
(B) Outlays, $143,798,000,000.
Fiscal year 2011:
(A) New budget authority, $110,858,000,000.
(B) Outlays, $145,767,000,000.
Fiscal year 2012:
(A) New budget authority, $119,121,000,000.
(B) Outlays, $121,593,000,000.
Fiscal year 2013:
(A) New budget authority, $117,931,000,000.
(B) Outlays, $121,001,000,000.
Fiscal year 2014:
(A) New budget authority, $127,788,000,000.
(B) Outlays, $122,938,000,000.
(11) Health (550):
Fiscal year 2010:
(A) New budget authority, $391,911,000,000.
(B) Outlays, $391,549,000,000.
Fiscal year 2011:
(A) New budget authority, $368,910,000,000.
(B) Outlays, $372,589,000,000.
Fiscal year 2012:
(A) New budget authority, $371,852,000,000.
(B) Outlays, $372,204,000,000.
Fiscal year 2013:
(A) New budget authority, $391,719,000,000.
(B) Outlays, $386,781,000,000.
Fiscal year 2014:
(A) New budget authority, $402,451,000,000.
(B) Outlays, $402,273,000,000.
(12) Medicare (570):
Fiscal year 2010:
(A) New budget authority, $449,653,000,000.
(B) Outlays, $449,784,000,000.
Fiscal year 2011:
(A) New budget authority, $505,171,000,000.
(B) Outlays, $504,962,000,000.
Fiscal year 2012:
(A) New budget authority, $513,824,000,000.
(B) Outlays, $513,591,000,000.
Fiscal year 2013:
(A) New budget authority, $558,235,000,000.
(B) Outlays, $558,381,000,000.
Fiscal year 2014:
(A) New budget authority, $616,315,000,000.
(B) Outlays, $616,150,000,000.
(13) Income Security (600):
Fiscal year 2010:
(A) New budget authority, $539,169,000,000.
(B) Outlays, $541,952,000,000.
Fiscal year 2011:
(A) New budget authority, $511,575,000,000.
(B) Outlays, $514,689,000,000.
Fiscal year 2012:
(A) New budget authority, $478,289,000,000.
(B) Outlays, $478,908,000,000.
Fiscal year 2013:
(A) New budget authority, $483,636,000,000.
(B) Outlays, $483,126,000,000.
Fiscal year 2014:
(A) New budget authority, $485,646,000,000.
(B) Outlays, $484,026,000,000.
(14) Social Security (650):
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.
(15) Veterans Benefits and Services (700):
Fiscal year 2010:
(A) New budget authority, $108,365,000,000.
(B) Outlays, $107,110,000,000.
Fiscal year 2011:
(A) New budget authority, $113,842,000,000.
(B) Outlays, $113,461,000,000.
Fiscal year 2012:
(A) New budget authority, $109,202,000,000.
(B) Outlays, $108,706,000,000.
Fiscal year 2013:
(A) New budget authority, $114,303,000,000.
(B) Outlays, $113,682,000,000.
Fiscal year 2014:
(A) New budget authority, $116,521,000,000.
(B) Outlays, $115,987,000,000.
(16) Administration of Justice (750):
Fiscal year 2010:
(A) New budget authority, $55,857,000,000.
(B) Outlays, $53,911,000,000.
Fiscal year 2011:
(A) New budget authority, $54,892,000,000.
(B) Outlays, $56,654,000,000.
Fiscal year 2012:
(A) New budget authority, $54,238,000,000.
(B) Outlays, $56,151,000,000.
Fiscal year 2013:
(A) New budget authority, $54,069,000,000.
(B) Outlays, $55,097,000,000.
Fiscal year 2014:
(A) New budget authority, $54,747,000,000.
(B) Outlays, $54,593,000,000.
(17) General Government (800):
Fiscal year 2010:
(A) New budget authority, $22,304,000,000.
(B) Outlays, $23,008,000,000.
Fiscal year 2011:
(A) New budget authority, $22,641,000,000.
(B) Outlays, $23,446,000,000.
Fiscal year 2012:
(A) New budget authority, $23,062,000,000.
(B) Outlays, $24,108,000,000.
Fiscal year 2013:
(A) New budget authority, $23,075,000,000.
(B) Outlays, $23,811,000,000.
Fiscal year 2014:
(A) New budget authority, $23,740,000,000.
(B) Outlays, $23,952,000,000.
(18) Net Interest (900):
Fiscal year 2010:
(A) New budget authority, $283,806,000,000.
(B) Outlays, $283,806,000,000.
Fiscal year 2011:
(A) New budget authority, $322,481,000,000.
(B) Outlays, $322,481,000,000.
Fiscal year 2012:
(A) New budget authority, $386,228,000,000.
(B) Outlays, $386,228,000,000.
Fiscal year 2013:
(A) New budget authority, $468,617,000,000.
(B) Outlays, $468,617,000,000.
Fiscal year 2014:
(A) New budget authority, $557,618,000,000.
(B) Outlays, $557,618,000,000.
(19) Allowances (920):
Fiscal year 2010:
(A) New budget authority, $10,422,000,000.
(B) Outlays, $5,423,000,000.
Fiscal year 2011:
(A) New budget authority, $9,052,000,000.
(B) Outlays, $6,722,000,000.
Fiscal year 2012:
(A) New budget authority, $6,768,000,000.
(B) Outlays, $5,268,000,000.
Fiscal year 2013:
(A) New budget authority, $5,793,000,000.
(B) Outlays, $4,466,000,000.
Fiscal year 2014:
(A) New budget authority, $4,115,000,000.
(B) Outlays, $3,266,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2010:
(A) New budget authority, −$68,774,000,000.
(B) Outlays, −$68,774,000,000.
Fiscal year 2011:
(A) New budget authority, −$71,993,000,000.
(B) Outlays, −$71,993,000,000.
Fiscal year 2012:
(A) New budget authority, −$74,970,000,000.
(B) Outlays, −$74,970,000,000.
Fiscal year 2013:
(A) New budget authority, −$77,945,000,000.
(B) Outlays, −$77,945,000,000.
Fiscal year 2014:
(A) New budget authority, −$79,861,000,000.
(B) Outlays, −$79,861,000,000.
(21) Overseas Deployments and Other Activities (970):
Fiscal year 2010:
(A) New budget authority, $130,000,000,000.
(B) Outlays, $92,774,000,000.
Fiscal year 2011:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $76,530,000,000.
Fiscal year 2012:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $67,694,000,000.
Fiscal year 2013:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $57,830,000,000.
Fiscal year 2014:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $52,085,000,000.

TITLE II—MISCELLANEOUS PROVISIONS

SEC. 201. DEPARTMENT OF DEFENSE REPORT TO CONGRESS.

(a) FINDINGS.—The Congress finds that—

(1) between 2001 and 2007, GAO provided the Department of Defense with 2864 recommendations, many related to improving their business practices and, to date, the Department of Defense has implemented 1389 recommendations and closed 215 recommendations without implementation; and

(2) the GAO estimates that the 1389 implemented recommendations have yielded the Department of Defense a savings of $63.7 billion between fiscal years 2001 and 2007.

(b) ASSUMPTION; REPORT.—

(1) ASSUMPTION.—This resolution assumes $300,000,000 to be used by the Department of Defense to implement the remaining 1260 recommendations of the Government Accountability Office.

(2) REPORT.—The Secretary of Defense should submit a report to Congress within 90 days that demonstrates how each such recommendation will be implemented, and, in the case of any such recommendation that cannot be implemented, a detailed reason for such inability to implement such recommendation.

The CHAIR. The gentlewoman from California (Ms. LEE) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE of California. Madam Chair, I yield myself as much time as I may consume.

As chair of the Congressional Black Caucus and along with my colleague from Virginia, Congressman SCOTT, I rise to offer the Congressional Black Caucus substitute budget amendment.

Madam Chair, a budget is more than a fiscal document. It really is a moral document. It defines who we are as a Nation. It reflects our priorities and our values. That's why I'm pleased that the Congressional Black Caucus' budget priorities are a reflection of our values and the challenges that we face as a Nation. The theme of the CBC budget is, ''Building Upon the President's Blueprint for Success.''

President Obama's budget is a welcome shift in priorities away from the failed policies of the previous administration. By investing in education, health care, clean energy, transportation, and our veterans, the CBC

budget, Mr. SPRATT's budget, the Democratic budget, the President's budget, are all excellent blueprints to continue with our economic recovery and to return to fiscal responsibility.

However, the CBC budget actually builds upon these investments by immediately repealing the 2001 and 2003 Bush-era tax cuts that benefit the wealthiest Americans and shifts those savings towards education, health care, job training, international trade, justice, transportation, and veterans.

The CBC budget assumes that funding for the ballistic missile defense system will be reduced and reallocated within the national defense function to increase funding for vital health care research programs and care for our wounded warriors.

In addition, reallocated funding should also be set aside to allow the Defense Department to finish implementing the remaining Government Accountability Office's recommendations to address waste, fraud, and abuse within the Defense Department. Our CBC budget targets waste, fraud, and abuse in the Federal Government, starting with, of course, savings at the Pentagon.

Critical reviews by the GAO have already saved $89 billion—that's just since 2001—in waste, fraud, and abuse, often simply by improving the Pentagon's business and accounting systems.

The CBC budget would fully fund the continued work of implementing all of GAO's recommendations and squeeze these savings from the Department of Defense without sacrificing any of our military strength or readiness.

GAO released the report that my language in the Democratic fiscal year 2009 budget required. The GAO has issued 637 reports to the Defense Department between 2001 and 2007 that included 2,700 specific recommendations for the Department of Defense to save our taxpayers dollars. We have successfully implemented 1,600 of those, saving over $89 billion, which over the next 7 fiscal years is going to be about $12.7 billion.

So the Congressional Black Caucus supports our President as he works to clean up this mess that was left to him. This budget, though, reflects our historical reputation, our historical work for the last 40 years, and really does reflect the CBC's role as the conscience of the Congress. This budget builds upon our moral imperative to really ensure the American dream for all.

Now, Madam Chair, I ask unanimous consent that the gentleman from Virginia (Mr. SCOTT) be able to control the remainder of the time.

The CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. SCOTT of Virginia. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in support of the Congressional Black Caucus substitute. The Congressional Black Caucus believes that the historic investments outlined in the President's budget and the Democratic budget are excellent blueprints to continue our road towards economic recovery and return to fiscal responsibility.

The base bill and the CBC alternative adopt the economic theories which were the basis for the 1993 budget which eliminated the deficit and produced surpluses sufficient to pay off the national debt held by the public by last year when we had the surpluses. It produced record jobs and more than tripled the Dow Jones Industrial Average. And we reject the economic theory that eliminated the surpluses, replaced them with record deficits, produced the worst job performance since the Great Depression, and the Dow lower after 8 years than it started.

The CBC is fully behind the committee budget, as far as it goes. However, the CBC budget builds upon that budget.

First, the CBC budget immediately repeals the remaining Bush tax cuts that primarily affect that portion of the family's income that exceeds $250,000, rather than waiting for these tax cuts to expire at the end of 2010, as the committee budget does. Over the last 8 years, these tax cuts have cost the Federal Government trillions of dollars, while the promised benefits of trickle-down economics never materialized.

The CBC budget also immediately eliminates the phase out and repeal of what are called PEP and Pease, which deal with itemized deductions and personal exemptions.

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These important tax provisions were part of the Omnibus Reconciliation Act of 1990, which was signed into law by the first President Bush.

Together, repealing these provisions of the 2001 and 2003 Bush tax cuts will have virtually no effect on taxpayers with family incomes under $250,000, and will yield an estimated $42.2 billion in additional revenue in fiscal year 2010 alone.

In addition, the CBC budget also creates a Bush debt tax, which adds approximately one-half of 1 percent surtax on that portion of a family's income that exceeds $1 million. The CBC proposes to use the proceeds of this surtax exclusively for deficit reduction. Over a 10-year period, the Joint Committee on Taxation estimates this surtax will raise about $63 billion.

The CBC budget uses the additional revenue to increase our investments in our priorities for a more prosperous future for every American. Above the committee bill, the CBC budget provides an additional $18 billion for health care; $17 billion for education, job training, and social services; $8 billion for transportation and infrastructure; an additional $5.5 billion for administration of justice; $5 billion for international affairs; $4.7 billion for income security; and the CBC is particularly proud to add $4.5 billion for veterans' benefits and services—more than enough to fund each of our VA hospitals by more than $20 billion a year.

The CBC pays for all of these increases and still produces a 5-year budget deficit that is $67 billion lower than the base bill and saves the American people $7 billion in interest on the national debt.

The Congressional Black Caucus wants to reject the reckless budgets over the last 8 years and return to the fiscal responsibility of the 1990s, while creating jobs and addressing our national priorities.

I, therefore, urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. I rise in opposition to the amendment.

The CHAIR. The gentleman from Florida is recognized for 20 minutes.

Mr. MARIO DIAZ-BALART of Florida. I'd like to yield myself 1 minute.

First and foremost, I want to thank the CBC for putting together a budget. It's a difficult task. We know how much work it takes. So we thank them for their efforts. I want to thank them for proposing a substitute budget that really highlights the dramatic differences between the two sides—the priority differences.

If you loved the tax increases and the spending binge and the soaring deficits and the unprecedented debt that the underlying budget brings you, you will fall in love with this budget as well. This is the Democratic budget on steroids—even more spending, even more tax increases, and even more deficits.

As economic conditions continue to deteriorate for 2009, this budget immediately increases taxes for small businesses and for individuals that are set to expire in 2011.

Just like the Democrat's budget, this substitute increases taxes by $1.5 trillion, with a T—make sure we don't get confused here—over the next 10 years. Just like the Democrat's budget, this substitute budget increases spending by $18.3 trillion, with a T, over just the next 5 years. And just like the Democrat's budget, this substitution also increases the national debt to $17 trillion by 2014. Again, unprecedented levels of spending of taxes.

I urge a defeat of this amendment.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I yield 2 minutes to the gentlelady from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. First of all, I want to thank the President for his commitment to transforming our health care system so that everyone has access to quality health care—and demonstrating that commitment in this budget.

I then would like to thank Chairwoman BARBARA LEE and Congressman BOBBY SCOTT for adding to and filling out that outline to even better meet

the needs of our communities and all Americans, while remaining fiscally responsible.

In health care, with the additional $18 billion the CBC budget includes, we are able to fund a robust Ryan White that ends ADAP waiting lists; increases funding to the hard-hit South; brings services to incarcerated and ex-offender populations; and increases funding for the Minority AIDS Initiative.

An estimated in excess of 83,000 African Americans die from preventable causes every year. Our budget will raise the National Center for Minority and Health Disparity Research to an institute and increase its funding.

Lastly, our budget sets aside funding for the Health Equity and Accountability Act, which expands needed data collection, provides quality services for individuals with limited English proficiency; expands health programs to build a diverse workforce that is needed today; provides targeted and comprehensive services for diseases causing the disparities; elevates and expands the Indian Health Service; supports facilities and institutions in underserved communities and responds to the call for community-driven programs that address the health and social determinants that fuel the disparities through the creation of Health Empowerment Zones.

I urge our colleagues to pass this budget, to vote ''aye'' on a budget which ups the investment in all Americans and reduces the deficit.

Mr. MARIO DIAZ-BALART of Florida. I now yield 2 minutes to a member of the Budget Committee, the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Madam Chairman, today, in America, there is a set of parents that are sitting at the table with their teenage son. Their teenage son does not have a job, but he's provided an allowance by his parents.

They're sitting at the table because, unbeknownst to the parents until today, he has taken out four credit cards and run them up to the maximum. So the discussion with the teenage son is, What are we going to do about this?

The teenage sons says, I will find a summer job mowing lawns. And they say, Well, what are you going to do in the fall? It's going to take you longer than that to pay back your credit cards. Let's worry about that when the fall comes.

In order to avoid a big scene, the parents say, Okay, we'll worry about it when the fall comes. Now give us your credit cards so we can tear them up and stop this bleeding.

The son, of course says, You can't have my credit cards. I've become used to this lifestyle. I'm going to keep my credit cards and run them up some more.

As we know, that teenage son is the Democrat budget and the parents are the American taxpayers.

Mr. SCOTT of Virginia. I yield 2 minutes to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Let me commend the Congressional Black Caucus and its chair, Congresswoman LEE, and to our leader on the Budget Committee for many, many years, Representative BOBBY SCOTT from Virginia, for presenting this very sound budget.

As we know, we are supposedly a country that not only promotes the general welfare, as it does to provide for the common defense but, in many instances, we find that promoting the general welfare is lost. The Congressional Black Caucus budget takes care of that.

But, in the meantime, as a member of the Foreign Affairs Committee and the chairman of the House Subcommittee on Africa and Global Health, I have been deeply disturbed by the damage done over the past 8 years to the reputation and the standing of the United States of America around the globe.

By replacing diplomacy with the use of force and military threats in the Middle East and other regions and dismissing our longtime allies, France and Germany, as ''Old Europe,'' the previous administration alienated those who had looked to the United States for moral leadership.

Under the Obama administration and the Democrat Congress, we now have the opportunity to move in a more constructive and positive direction by investing in overseas development and restoring diplomacy to our international relations efforts.

In crafting the international affairs portion of the Congressional Black Caucus budget, we have allocated increased funding to assist other nations in lifting themselves out of poverty, a critical part of the plan to restore America's reputation and prestige around the world.

We were pleased that in the Budget Committee our chairman's mark increased funding for international affairs by 11 percent over FY 2009 levels. The CBC budget provides for an additional $2.5 billion on top of that, which puts funding for international affairs closer to the President's request.

The CHAIR. The time of the gentleman has expired.

Mr. SCOTT of Virginia. I yield the gentleman an additional 30 seconds.

Mr. PAYNE. The President's request puts us closer to there. The additional allocation would go toward increased funding for the global fund to fight AIDS, tuberculosis, malaria; USAID programs; Iraq humanitarian assistance; migration and refugee assistance; peacekeeping efforts in Darfur; education, health care, and cultural exchange programs; child survival and health programs; and development assistance.

Vote for the CBC budget and let's restore America's promise and America's greatness in the eyes of the world.

Mr. MARIO DIAZ-BALART of Florida. I'd like to yield myself 30 seconds. I just want to mention that the relationship the gentleman mentioned with Germany and France—how ironic that those two countries are now lecturing the United States because the United States is spending too much. I never thought I'd live to see that happen.

With that, Madam Chairwoman, if I may, I'd like to yield 3 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. This is really about the future of our country. For those of us that have worried about the trends in spending and we've watched, of course with alarm—from George Washington to George Bush—we have watched what Thomas Jefferson warned us about. This proclivity in politics to spend now and leave this burden on the next generation has advanced and advanced.

But all of that debt together is not as great as the debt we're undertaking in the next 10 years. We are going to see that debt level double in the next 5½ years because of the massive increase in government spending that we are embarking on. Over the next 10 years we're going to see it triple.

I want you to think for a minute about what this means to your children. The Congressional Budget Office is nonpartisan. The Congressional Budget Office tells us that the tax rates for lower-income Americans, when we finally get around to recognizing that we can't borrow more, will have to go up drastically; will have to go up, in their estimation, to 26 percent. For middle income, it will go from 25 to 66 percent. Think what that's going to mean for small businesses.

No. The time to get a handle on this is now. The time to bring this back into check, because the Congressional Budget Office—even the Director of the President's Budget Office has come out recently and said Oh, these numbers are not sustainable. No, they're not.

And it's here in the House where spending bills originate that we're going to have to reverse this course, because if we do not, how are we going to maintain the ability to continue to go out with these Treasuries and borrow as much as we've borrowed several times again from the Europeans and from the Chinese?

Yes, the governments in Europe are lecturing us. All over the world people are lecturing us. At the G20 they're saying: How can you go forward with these massive spending increases? It is not sustainable. And they're right. They're absolutely right.

I oppose this budget because this unchecked spending will result in borrowing hundreds of billions of dollars from China and the Middle East and other nations that own our growing debt.

I think we all know as individuals that money doesn't grow on trees. But it is the American taxpayer who will eventually end up paying for all this spending. At a time when many taxpayers are hurting—they can't afford their mortgages right now, they are losing money in their pensions, they're

worried about losing their jobs—it is wrong at this time to make the argument that we're going to seize this opportunity to expand all of these government agencies and programs.

When Americans are tightening their belts, shouldn't the government be at least trying to balance its books?

Mr. SCOTT of Virginia. Madam Chair, I yield 2 minutes to a member of the Budget Committee, the gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. I thank the gentleman from Virginia. Madam Chair, I rise in favor of the Congressional Black Caucus alternative budget. The CBC budget builds on the essential investments made by the President and the Democratic resolution. Both of these budgets represent the same important priorities—investing in education, health care, energy independence, and veterans.

□ 1630

In order to build on these investments, the CBC budget unashamedly immediately repeals the 2001 and 2003 trickle-down, ownership society, on-your-own tax cuts that benefited the wealthiest Americans, and puts those savings towards strategic investments in ordinary Americans.

In times of recession, the most fortunate must do more to contribute to the common good and to reduce the raging deficit.

The CBC budget supports increased funding for international affairs, which pays for critical life-saving foreign assistance such as HIV/AIDS, TB, malaria, and child survival. Indeed, as Secretary Clinton has said, hunger, poverty, desperation, and chaos are our greatest enemies abroad.

The CBC budget increases funding for veterans' benefits, weatherization assistance, energy efficiency, renewable energy programs, and invests in clean energy technology. The CBC budget increases funding for education which will go towards key programs like title I, Head Start, TRIO, GEAR UP, STEM programs, and early education programs. It is important that we give our young people an opportunity to succeed, and the CBC budget does this.

Last night on the floor, I emphasized that the spread of inequality is astounding, which means more people are forced to take minimum wage jobs, more people receiving government assistance, and even more people falling into poverty. Just this week, over 600,000 people filed for unemployment compensation, and the CBC budget does not ignore this.

The CHAIR. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. I yield an additional 30 seconds.

Ms. MOORE of Wisconsin. The WIC program and Low-Income Energy Assistance Program all recognize this.

I just want to end, Madam Chair, with a quote from Plato.

''The form of law which I propose would be as follows: In a state which is desirous of being saved from the greatest of all plagues, not faction, but rather distraction, there should exist among the citizens neither extreme poverty nor, again, excessive wealth, for both are productive of great evil. Now the legislator should determine what is to be the limit of poverty or of wealth.''

Mr. MARIO DIAZ-BALART of Florida. Madam Chair, I now at this time recognize for 3 minutes a gentleman who comes with years of leadership experience in the California legislature, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Madam Chair, I feel a moment of rare bipartisan agreement coming on. I noticed several of my friends on the left said that our problems are rooted in the fiscal mismanagement of the Bush administration. The gentleman from Virginia had a very good chart entitled Record Deterioration of the Budget Under Republican Administration.

I agree. There is no denying it, George W. Bush increased spending twice as fast as his predecessor Bill Clinton did. He turned a budget surplus into a chronic deficit. You are absolutely right.

So if we all agree that Bush spent too much and borrowed too much, then why in the world would we want to pursue the same folly on an even grander scale? Why would we take that Bush administration's unsustainable rate of spending growth and send it even higher? Why would we want to take that budget deficit, which is indefensible, and triple it?

If budgets that spend too much and borrow too much on the road to economic prosperity work, then why aren't we already enjoying a period of unprecedented economic expansion? The fact is, these policies don't work. And it doesn't matter whether the President is a Democrat or a Republican. They don't work, because government cannot inject a single dollar into the economy that it has not first taken out of that same economy. Those policies don't work for the same reason that you can't spend yourself rich or borrow your way out of debt or tax your way to prosperity.

If you want to know where these policies lead, just look to my home State of California. I have watched three governors, Republican and Democrat, do exactly what my friends on the left assure us is the road to prosperity. They increased spending at unsustainable rates, they ran up unprecedented debts, and they imposed crushing new taxes. And the result is that today California has been transformed from the Nation's Golden State to a state of collapse.

A record level of government spending has not produced prosperity; it has produced one of the highest unemployment rates in the country. Interest costs driven by years of borrowing are now eating into its budget. Its tax burden is producing a population exodus unknown since the days of the Dust Bowl. In fact, the State has spent so much that it has just imposed the biggest tax increase by any State in American history. California has borrowed so much that it is now in very real danger of defaulting on its obligations before the end of the summer. And, I am concerned that the President and many Democrats in Congress are making exactly the same mistake that the Bush administration made and that three California governors made, only on a much greater scale.

Madam Chair, I would suggest that, at a moment like this, perhaps it is time that we recognize the first law of holes: When you are in one, stop digging.

Mr. SCOTT of Virginia. Madam Chair, I yield 1½ minutes to the gentlelady from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. Madam Speaker, I rise today in strong support of the Congressional Black Caucus budget alternative, and I thank the able leadership of Chairwoman LEE and Mr. SCOTT for providing us an alternative budget that builds on the framework set forth by President Obama, while increasing investments in areas we in the CBC deem most critical for some of our most vulnerable communities and setting a framework for the future.

Budgets are about priorities, and what has happened over this last decade has been a reframing and reshifting of the priorities, and it is time to get those straight and that is exactly what this budget does:

Provides investments of $18 billion for health care reform, because the lack of health care is the single largest obstacle to a future of economic prosperity and health for all Americans. This budget provides an additional $17 billion to improve our education system, including important funding for Job Corps centers across this country to train our young people for jobs for the future. An additional $8 billion would be added to transportation and infrastructure, because we must increase mass transit capabilities and update our crumbling water and sewer infrastructure nationwide.

And we have to invest in green jobs, which this budget does, for a 21st century global economy. And we make these real commitments for our veterans and military families; and we don't do it by accident; we do it by repealing the Bush tax cuts of 2001 and 2003 immediately. This would result in an estimated $42.2 billion in additional revenue for fiscal 2010 alone. That's what this budget proposes.

Madam Chair, we have to remember that it was the failed policies of the previous administration that left President Obama and the American people with the largest deficit in history.

The CHAIR. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. I yield an additional 15 seconds.

Ms. EDWARDS of Maryland. And an economy in the worst recession in 70 years.

I urge my colleagues to vote in strong support of the Congressional Black Caucus budget alternative as an important step on the road to economic recovery and prosperity for all for the future.

The CHAIR. The gentleman from Virginia has 4¼ minutes remaining. The gentleman from Florida has 11½ minutes remaining.

Mr. MARIO DIAZ-BALART of Florida. I would like to now recognize the gentleman from Missouri (Mr. AKIN) for 3 minutes.

Mr. AKIN. Madam Chair, there have been people that are saying that America as a nation is going down the path of socialism. We are becoming a socialized nation. But, you know, that isn't really quite fair. Not like the socialized nations of Europe anyway. Because, according to the standards of the European Union, they would not accept America with the budget that is being proposed here this very day.

Now, the spending that we are looking at is unprecedented. We have heard about the Bush administration spending money. They spent too much. We have acknowledged that. But let me tell you, what we have seen here in just 3 months makes the Bush administration look like mere pikers.

The Wall Street bailout, we did half of that this year, $350 billion. Then we added to that this economic stimulus, or as I would prefer to call it, porkulus, $787 billion. Let's understand what this number ''a billion'' means.

You have heard that the wars in Afghanistan and Iraq were really expensive. Day after day we have been told, hey, this war in Iraq is just draining money out of America. Yet, add up every day of that war, add it to the war in Afghanistan, and that number is smaller than what the House approved for this stimulus bill in the first 5 weeks that Congress has been in session. And then you have got the omnibus, another 400-some.

So what happens with this level of unprecedented spending? Well, the theory is supposed to be that if you spend enough money, it will make the economy better.

Now, I don't know very many American families who would buy something as silly as that. If you are in trouble financially, do you go and buy a brand-new car and spend money like mad? No. You hunker down a little bit and you try to be careful what you are spending. And yet somehow there is this theory that if we spend money, it is going to make everything okay.

They tried that in the days of FDR. The Secretary of Treasury, after 8 years of trying that foolishness, came before this Congress in 1939 with the quote, ''We have tried spending. The unemployment is as bad as when we started.'' And it didn't work. It didn't work for Japan, and it won't work for us if we keep down the spending.

Look at the comparison. We have heard about Bush spending. This is his average annual deficit, $300 billion. This is proposed by the President. The budget we are looking at here is even more, twice as much. If you take a look at the highest deficit, this was Bush in 2008 with the Democrats in Congress, $459 billion, and yet we are looking at $1.2 trillion. Our new President makes President Bush look like a piker.

Now, did you ever go to first grade and they said, what is it that doesn't fit in in this picture? Take a look at the deficits that have been run or the actual surpluses of all of these different years. And here we go along. These are the Bush years. And guess what line doesn't fit? I mean, we are talking about absolutely radical levels of spending, and here on the floor right now is being proposed even more than that.

Then we hear that the Democrats are saying, oh, this is really good because, look, we are going to take this great big spike and we are going to spend it at half the rate. It is like somebody has been smoking funny cigarettes around here.

Mr. SCOTT of Virginia. Madam Chair, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Chair, I do believe that it matters whether the President is a Democrat or a Republican. I do believe it matters whether we give huge tax breaks to the wealthiest 1 percent of the population or whether we rescind them.

I want to commend Representatives LEE, SCOTT, and MOORE for their strong leadership on the development of this budget, and I rise in strong support of it. Especially do I want to commend them for looking after the criminal justice needs that exist in our country, and putting in resources for programs to assist those who are in need of help, in need of reentry, in need of trying to get their lives back together so that they, too, can share in the American dream.

So this budget is about the future development of America, and I support it strongly and urge its adoption.

Mr. MARIO DIAZ-BALART of Florida. Madam Chair, I now yield 2 minutes to the distinguished gentleman from the State of Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. I thank the gentleman from Florida for the time.

Madam Chair, the American people deserve order in the fiscal house of government. America deserves a responsible, fair, creative, and smart Federal Government that protects our most vulnerable, strengthens opportunity, and protects our country. Our constituents deserve for us to say together ''yes'' to fiscal stability, ''yes'' to a balanced budget, ''yes'' to small business and entrepreneurs, and ''yes'' to creating opportunities to help families get ahead in life. But they also need us to say ''no,'' no to the concept that there is free money, free money for the government to give, to spend, and to bail out with. The only thing free here is that the government is acting free from restraint and free from responsibility.

Let's put today's debate into context. Six months ago, Congress passed a bailout for Wall Street, forcing America to buy bad corporate assets. Weeks ago, an omnibus holdover budget bill increased spending by 10 percent. Then a stimulus bill added another $800 billion. Not to mention that between the Federal Reserve, the Department of the Treasury, and the FDIC there is another $10 trillion of taxpayer dollars on the line right now. Now, today another budget adds another layer of spending.

It is a dizzying array of interventions that is reshaping the nature of the relationship between this government and our people. The result: Massive Federal debt, $2 trillion this year alone, larger than the entire Federal budget was before the year 2000.

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This debt is a tax passed on to our children, or it is a sale of the Nation's assets overseas. We owe China $1 trillion. Or potentially it creates inflationary pressures. That is a particularly regressive form of taxation for the poorest and most vulnerable among us.

Madam Chair, we all know what we must do. And we know it will be hard. There is no denying that. We must prioritize. We must choose. We must be creative. We must be like a family that has to tighten its belt and steady itself during a rough period, but also look forward toward a more excellent way.

Mr. MARIO DIAZ-BALART of Florida. May I inquire from the Chair how much time remains on both sides?

The CHAIR. The gentleman from Florida has 6½ minutes remaining. The gentleman from Virginia has 3¼ minutes remaining.

Mr. MARIO DIAZ-BALART of Florida. Madam Chairwoman, I would like to yield myself 1 minute.

Again, I just want to emphasize that we keep hearing criticism of the previous administration for spending too much. And yet this bill makes that spending look like child's play. It makes that debt look like child's play. It makes that deficit look like child's play. And so you cannot on one side, like this bill does, criticize a previous administration for spending too much, for putting us in too much debt, and then do much more of the same, much more to an unprecedented level like this country has never seen, never seen such large tax increases, never seen such large debt, has never seen such large deficits as this bill would put on the American people. Again, facts are stubborn things.

With that, I reserve.

Mr. SCOTT of Virginia. Madam Chair, I yield 1 minute to the gentlelady from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Let me acknowledge the leadership of our CBC chair, BARBARA LEE, and Congressman SCOTT and Congresswoman MOORE for spending the time to develop this alternative budget. And this is not because we don't support the President's budget. This is because we wanted to see some progressive and visionary funding that is motivated by principle and compassion. We are not socialists. We do not, however, want to forget that we do have poor and vulnerable people that do not have homes, that do not have health care and do not have enough food.

We are here not because we know we are going to win this vote. We are here because we feel the responsibility to put it before the people. There are a lot of people in this country with problems, and we as a Congressional Black Caucus do not intend to allow it to be forgotten. We are not talking about African Americans. We are talking about all of the poor, the children and the homeless families. They need attention. And we must not forget it. And we must not remain in denial.

Madam Chair, I want to thank Chairwoman BARBARA LEE, the Congressional Black Caucus and my colleague, Congressman SCOTT from Virginia, for their leadership and unwavering support for the development of this alternative budget.

The CBC alternative budget is filled with progressive and visionary funding that is motivated by principle and compassion. It is a budget that voices the concerns and needs of the poor, the children, and the elderly.

I support and agree with President Obama's Budget. I also support CBC budget to increase American priorities such as our transportation system. The CBC budget would add an additional 8 billion dollars to support our transportation needs.

The CBC alternative budget understands that our Nation's transportation system is the backbone of our economy and our way of life, neither of which we can afford to shortchange.

Our Nation's future depends more and more on the quality of our innovative ideas. The fruits of these investments meet vital national needs and improve the quality of life for all Americans.

Like the President's budget, CBC alternative budget also provides funding for programs and services crucial to the American people, rather than continuing to provide tax breaks for the wealthy.

As lawmakers, we do have the responsibility to ensure that all Americans, including minorities, are able to move ahead to achieve the American Dream. Life, liberty, and the pursuit of happiness meant all people.

Mr. MARIO DIAZ-BALART of Florida. Madam Chairwoman, I would like to now yield 1½ minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

When you look at the Democrats' budget, the numbers are just staggering. 2010 spending, $3 trillion, 25 percent of gross domestic product, $1.2 trillion tax increase over 10 years, $1 trillion spending increase over 5 years, nondefense discretionary spending increases 12 percent, the national debt increases $5.1 trillion, doubling over 5 years. The 2010 deficit will be $1.2 trillion.

How can you look at these numbers and conclude anything other than we simply can't sustain this level of debt? We can't grow an economy when we are dragging this level of debt. It simply defies the laws of economics. We can't do that.

Now some in defense of the Democratic budget will say, ''we inherited this fiscal mess that we are in.'' I will stipulate to that. We didn't do a very good job when we were in the majority controlling spending. But you don't put your foot on the accelerator when you are headed toward a fiscal cliff. And that is what this budget does. It simply gets us there a lot faster. And we simply can't do that.

Madam Chair, I would urge us to reject the overall budget, adopt something that we can actually afford and sustain and that will get us growing economically again.

Mr. SCOTT of Virginia. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH).

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

Mr. FATTAH. To my great friend from Arizona, sometimes if you're turning in front of an 18-wheeler, you should hit the accelerator and get out the way. The important point here is that no matter what the cost of education, ignorance costs our country more. What we have is, some who stand in opposition today, they know the cost of everything, but the value of seemingly nothing. It is critically important. And that is why the conscience of the CBC members dictates that this alternative be brought to the floor, that we point a direction, not just complain and recite the problems, but that we offer up real solutions, and that we are required to, as Members of this body, not just go along to get along.

As a major supporter of President Obama's budget and program, I think he is moving our country in the right direction. But it is important for us to show that even more can be done and should be done. And I believe as we go forward, it will be done. We will work together. Republicans have forfeited their right to lead based on the situation they brought this country to. We are prepared to lead. Others need to step aside.

Mr. MARIO DIAZ-BALART of Florida. I reserve at this time, Madam Chairwoman.

The CHAIR. The gentleman has 4 minutes remaining. He is reserving his time. The gentleman from Virginia has 1¼ minutes.

Mr. SCOTT of Virginia. I would inquire to the gentleman from Florida if he has additional speakers?

Mr. MARIO DIAZ-BALART of Florida. Madam Chairwoman, we might have one but maybe not. We are definitely getting to the bottom here, the bottom of the list I should say.

Mr. SCOTT of Virginia. I will yield 1 minute to the gentlelady from California (Ms. WATERS).

Ms. WATERS. Madam Chair, I wanted to get to the floor to congratulate Congressman BOBBY SCOTT for the hard work that he has done to bring the CBC's budget before this Congress and all of those who worked with him. I would like to thank my colleagues of the CBC, and especially our chairwoman, BARBARA LEE, for continuing the tradition of having an alternative budget. It is so important because each year we show the world what is possible, what can be done, how we can invest in human potential. This budget does just that. What I really like about this budget is it truly is building upon the President's blueprint for success. This budget, in investing in human potential, invests $18 billion more on health care, $17 billion more on education, job training and social services, $8 billion more on transportation and infrastructure. And I am sure you have heard some of these numbers as CBC members have come before you today to support this budget. I won't go any further except to say that this a good budget. Please support it.

Mr. MARIO DIAZ-BALART of Florida. Madam Chairwoman, I would like to yield myself 2 minutes.

Madam Chairwoman, one of the things that we need to be aware of is that when we keep hearing about more spending, more spending, more spending, more spending, more spending, all that spending is being paid for how? Well, it is very simple, by either huge tax increases, and that is why this budget has the largest tax increases in the history of this country, tax increases that we have never seen before, and unprecedented levels of debt, of borrowing.

What does that mean, government borrowing? Let me tell you what that means, Madam Chairwoman. It is basically like identity theft. The Federal Government is now in the process, if this were to become law, of taking, of stealing our children's and our grandchildren's credit cards and running them up at unprecedented levels. And yes, those credit cards are going to have to be paid back with interest. And that is what we are about to do at unprecedented levels. So when we keep hearing about all these great things that government is going to be doing, just remember, it is on the credit card of our children and our grandchildren.

This is a country that always, always by tradition worked hard to make sure that future generations were better off. We are about to embark on a road that this country has never been on before, leaving our children and our grandchildren with the largest debt, the largest debt that anybody has ever seen, has ever left for future generations. That is totally unacceptable.

I reserve.

Mr. SCOTT of Virginia. Madam Chair, I'm prepared to close. Does the gentleman want to proceed?

Mr. MARIO DIAZ-BALART of Florida. Madam Chairwoman, we thought we had another person. He is not here. I believe we get to close, is that correct?

The CHAIR. Yes. The gentleman from Florida has the right to close.

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

The CHAIR. The gentleman from Virginia has 15 seconds.

Mr. SCOTT. Madam Chair, before I start, I would like to yield for a unanimous consent request to the gentlelady from Texas.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Seventeen billion dollars in education and social services. I rise in support of the CBC budget for America.

Ms. SHEILA JACKSON-LEE. Madam Chair, I rise today in support of the Congressional Black Caucus (CBC) Budget Substitute for the Fiscal Year Budget for 2010, introduced by my distinguished colleague from California, REPRESENTATIVE BARBARA LEE and my colleague from Virginia, Representative ROBERT C. "BOBBY" SCOTT.

While I support the Budget as put forth by our majority on the Budget Committee, the CBC budget augments the President's budget and the Democratic budget by providing for modest spending increases above the Democratic Budget on important programs.

The President's budget is astonishing as he inherited one of the worst economic situations in recent history. The former administration, after being the first administration since the Civil War to have a surplus turned over to it, the former President left President Obama with the largest deficit in history and an economy that is in the worst recession in seventy (70) years. The CBC Budget will help turn our economy around and return the economy to fiscal responsibility.

I, along with other members of the CBC, support our President as he works to clean up the mess that was left to him. Nevertheless, the CBC has submitted its budget proposal which I also support.

The CBC budget fully funds No Child Left behind (NCLB), the State Children's Health Insurance Program (SCHIP), and it provides additional funding for the fight against global AIDS, Community Development Block Grants (CDBG) and higher education among other items.

The CBC pays for these increases by immediately repealing the Bush-era tax cuts for those earning over $200,000 for single filers and $250,000 for joint filers. The CBC budget also eliminates the phase-out and repeal of PEP and Pease. These important tax provisions were apart of the Omnibus Reconciliation Act of 1990 and signed into law by the first President Bush and ensure that the wealthiest Americans are paying their fair share in taxes. Repealing these provisions of the 2001 and 2003 Bush tax cuts will yield an estimated $42.2 billion in additional revenue for Fiscal Year 2010.

Importantly, the CBC Budget creates the Bush Debt Tax, which adds a modest 0.565% surtax on adjustable gross income exceeding $500,000 for individuals and $1 million for joint filers. The CBC budget will use this surtax for deficit reduction. Over a ten year period, the Joint Committee on Taxation estimates this surtax will raise about $63 million. The CBC budget takes these savings and applies them towards increased investments in important functions that will help Americans become more prosperous.

The CBC Budget provides an additional $18 million for healthcare; $17 billion for education, job training, and social services, $8 billion for Transportation and Infrastructure; $5.5 billion for the administration of justice and approximately the same for international affairs; $5 billion for income security and veterans benefits, and $3 billion for community and regional development and homeland security.

The CBC Budget pays for all these increases and still produces a five-year budget deficit that is $67 billion lower than the Democratic Budget and saves America $7 billion on the National Debt.

ADVANCING THE PRIORITIES OF THE AMERICAN PEOPLE

We must not only be economically healthy, but assist in balancing it with the health, education, and security of our citizens. The CBC budget will advance the priorities of the American people by:

Covering all eligible children with health insurance through funding SCHIP, more than the Democratic budget to help one of our most vulnerable populations—children;

Ensuring No Child Left Behind (NCLB) has increased funding for Head Start programs, IDEA, college access programs, college loan programs and job training;

Honoring our veterans by increasing funding for health care, benefits and educational opportunities;

Making more local communities with support through increases to Community Development Block Grants, nutrition programs and housing programs; and

Contributing to the global community by investing in child survival and health, international family planning and the global effort to fight AIDS.

HEALTH INITIATIVES

The CBC budget under the Health Function 550 included a program that I continually push for increased funding, and that is the Juvenile Diabetes Research Foundation. Hope for juvenile diabetes cure lies in research. Real progress is being made, thanks largely to government funding of the Special Diabetes Program.

The health and health care spending in the CBC budget alternative is the fiscally, socially and morally appropriate and responsible response and it will improve the health, well being and life opportunities of all Americans.

The CBC budget like the President's budget, strengthens our nation's overwhelmed and under-resourced health care system, champions the critically important health care needs of health care seekers, and fills the gaps in health care access and quality that detrimentally affect our nation's health care providers and the overall health care system.

The CBC budget alternative strengthens and expands the State Children's Health Insurance Program to ensure that the majority of the nation's 9 million uninsured children have access to health care. This is of particular relevance to the CBC because a disproportionate number of the 9 million uninsured children today are African American or Hispanic. Without reliable access to quality health care, children are in poorer health, are less productive in school and in their communities, and are less likely to fulfill their life's potential.

STRENGTHENS MEDICARE

The CBC budget alternative strengthens Medicare—a critically important program that ensures that our nations' senior citizens, as well as those living with disabilities, have access to the health care services and treatments they need to live longer, healthier and fuller lives.

The CBC budget alternative also:

Saves Title VII (health professions training) programs, which are integral to strengthening and expanding tomorrow's health care workforce;

Funds the Ryan White HIV/AIDS Program in a manner that allows it to expand ADAP, the efforts of National Minority AIDS Education Training Centers, and the other important services and treatments offered to our most vulnerable with HIV infection;

Funds the Minority AIDS Initiative in a manner that will build the needed capacity in racial and ethnic minority communities throughout the nation to respond and address HIV/AIDS;

It is our children that will bring forth a thriving future. We need to invest in tomorrow by investing in them today. This starts with their physical well-being. Children, who cannot see the doctor when they are sick, research programs that are not adequately funded to find a cure for diseases such as diabetes, hurt our future generations, and not help lay a foundation for a bright future.

EDUCATION AND AFRICAN AMERICANS IN TEXAS

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

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

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

PORT OF HOUSTON AND SECURITY MEASURES

Last week, I had the pleasure of meeting with the Port Authority of Houston. They were here to discuss their security measures but also their need for continued federal dollars. The Bush Administration claims they want to secure our nation but cuts funding in areas that are important to our local security such as the ports in Houston, Texas. The CBC seeks to cure that shortfall.

ADMINISTRATION OF JUSTICE

Under the proposed CBC budget, there is emphasis on the administration of justice and the protection of all Americans. The CBC budget funds programs that are important to our communities. The CBC budget funds the

Justice Assistance Grant Program, Juvenile Justice Programs, the Byrne Weed and Seed Program, Office of Violence Against Women, COPS and JAG programs. All of these programs help keep American communities safe and provide for greater law enforcement at the federal, state, and local enforcement levels. The CBC budget reinvests in DOJ Prisoner Reentry Program. In addition, the CBC budget invests in our children by requiring funding for Boys and Girls clubs. This investment in our communities and in our children helps keep our youths safe and out of the prison system.

GENERAL SCIENCES, SPACE AND TECHNOLOGY

The CBC budget proposes to invest heavily in our nation's development in science, space, and technology. The CBC budget also invests in the NSF—Education and Research Programs, with a special emphasis on Minority Post Doctorates. The CBC budget not only invests in minorities, it also invests in women by providing for Graduate Research Fellowships for Women in Engineering and Computer Science.

ENERGY

The CBC budget addresses the environment, energy, and natural resources. These programs are of particular interest to the people of Texas and I think it is necessary for America to remain a vital, energy efficient country.

EDUCATION, TRAINING, EMPLOYMENT, AND SOCIAL SERVICES

The proposed CBC budget puts greater emphasis on education, training, employment, and social services. These are critical to the needs of Americans and minority populations in general.

The CBC budget provides funding for the No Child Left Behind Act. Included in that Act is funding for Title I, Safe and Drug Free Schools, 21st Century Learning Centers, and Teacher Quality Programs. We must continue to invest in our children because they represent the future of America.

The CBC budget also recognizes that there must be investment in Head Start, mentoring, and drop out prevention. The proposed CBC budget provides money to vocational programs and increases the funding of HBCUs. The CBC budget provides for funding in investment in Minority Science and Engineering Improvement. The CBC budget invests in adult employment and training activities.

CONCLUSION

This important piece of legislation gives us a budget that is balanced fiscally and morally. It does not sacrifice the great many programs and services that this nation needs to correct eight years or more of decay.

Defense of our nation is important, however, we must not support only one portion of the budget to the detriment of everything else. The CBC budget makes tough choices that result in a fiscally and morally responsible budget that will fund essential programs and services vital to our communities and the American people as a whole.

I urge my colleagues to join me in supporting the Congressional Black Caucus Budget Substitute for FY2010.

Mr. SCOTT of Virginia. Madam Chair, I yield myself the balance of my time.

Madam Chair, the Congressional Black Caucus budget is based on the budget of 1990–1993 that worked. It rejects the budget of 2001 that didn't. It saves money and invests in our priorities. It is a good budget. The base budget is good, but the CBC budget is better.

Madam Chair, I ask that we adopt the CBC budget, and I yield back the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Madam Chairwoman, I want to thank the gentleman from Virginia for his hard work. I want to just throw some facts out there. This budget spends too much, it taxes too much and it borrows way too much.

The debt held by the public under this budget will double in 5½ years—double in 5½ years. It triples in a little over 10 years. The kind of red ink that this budget proposes for our children and our grandchildren is more under this presidency than under the presidencies between George Washington and George W. Bush combined.

Again, it increases taxes on all the American people. On January 1, 2011, the income tax rates go up. That is a tax increase. On January 1, 2011, as Mr. RYAN said, the capital gains rates go up. And as he repeated, that is also a tax increase. On January 1, 2011, the dividends tax rate goes up. That is a huge tax increase. On January 1, 2010, the AMT will go up to 26 million Americans who are now not paying it. This imposes a national energy tax, a new tax, a tax increase when you turn on the lights, when you pump your gas, if you use gas to cook, if you use it for industry, on all energy consumption in this country. That is what we are facing. This puts our country on the road to insolvency.

So I commend the gentleman from Virginia and his colleagues for putting together this amendment. But this is not where this country needs to go. Let's not forget who pays the bills, our children and our grandchildren. Let's not do this to them. Let's leave them a brighter future, a stronger America.

For those reasons, because this does not do that, because this burdens them like never before, I respectfully request a ''no'' vote on this amendment.

Mr. CONYERS. Madam Chair, as we all know, the recession we are facing today is the most severe since the Great Depression. It is evident that the Bush Administration's economic policies have failed us. With a new President, we now have the ability to begin to repair our economy and get our country back on track.

Madam Chair, we must significantly cut our bloated defense spending. I agree with my friend and fellow chair, Representative BARNEY FRANK, that we should reduce defense spending by at least 25 percent. The CPC budget does this by withdrawing our troops from the senseless war in Iraq, saving American tax payers $105 billion in 2010, and by ending the procurement of antiquated Cold War weapons systems that no longer further our common national defense. These actions will save another $60 billion, yes $60 billion dollars, per year. This budget will also address the root causes of terrorism by enacting and fully funding the SMART Security Platform for the 21st Century. This is a more effective, targeted, and nuanced national security strategy that will focus more of our resources on the critical issues that affect our national security: nonproliferation, conflict prevention, international diplomacy, and multilateralism.

Furthermore, the CPC budget will offer serious reform that will bring back America's tradition of progressive taxation. First, it eliminates the Bush tax cuts for those in the top 1 percent, increasing government revenues by $84 billion. Moreover, the bill will force banks, who helped create this financial disaster, to self finance their received bail outs by implanting a one quarter of 1 percent tax on all stock and futures trading. Lastly, it will end outrageous overseas corporate tax havens in the Caribbean, Switzerland, and all elsewhere—bringing $100 billion in taxes back to the American treasury.

With these extra $300 billion government revenues the CPC budget will help hard working Americans through these tough economic times. Specifically, the budget alternative adds funding for job training, puts Americans to work with robust transportation funding, extends COBRA health benefits, and provides extra food stamps for the poor, women, and infants.

In these dire times, the Progressive Caucus budget will help us realign our fiscal policy with our values as a nation. As we cut useless defense spending and misdirected tax cuts for the wealthy, while providing aid to the middle and working classes, we will make an important statement: America honors work and those who play by the rules; we appreciate the success of the wealthy, but we expect them to reciprocate when it comes to promoting the common good. America will strengthen its national security by working with our allies around the world and by showing compassion to our brothers and sisters who lack our economic blessings. Finally, and most importantly, America is a flexible country that can and will change with the times, make smart investments, and lead the world in a new economic direction. I encourage my colleagues to support the Progressive Caucus' alternative budget so that we may move forward as a nation that honors work, justice, and peace.

Madam Chair, now more then ever Americans are seeking government to help them during these uncertain times. For too long, Members on the other side advocated for no government intervention, citing the mantra of extreme free market capitalism. Now we are seeing the devastating consequences. The Congressional Black Caucus budget is one way to confront our pressing issues and move America forward.

Today's legislation addresses minority health needs. It calls for significant increases in funding for the Minority AIDS Initiative, Ryan White CARE Act, and CDC Prevention activities for HIV, STD, TB and Viral Hepatitis. Furthermore, the CBC budget calls for a $200 million increase in funding for the National Center on Minority Health and Health Disparities at NIH. These programs will promote better public health services to the many who depend on these programs.

Madam Chair, in the richest country in the world, access to housing is a human right. After many years of underfunding of the nation's affordable housing programs, the CBC fully funds Section 8 public housing to 100% of need. Furthermore, the bill calls for $360

million increase to housing for people living with HIV/AIDS (HOPWA). Lastly, the CBC urges an increase in funding for the Neighborhood Stabilization Program, which allows states, localities, and nonprofits to buy up and rehabilitate abandoned and foreclosed properties.

As Chairman of the House Judiciary Committee, I whole heartily support The CBC efforts to reduce juvenile crime and efforts to rehabilitate ex-offenders. Today's legislation would fully fund the Second Chance Act, an important bill that gives assistance ex-offenders during their reclamation to society and may ultimately reduce crime. Furthermore, the CBC budget will increase funding for the Justice Assistance Program, the Juvenile Justice Program, Civil Rights Enforcement, the COPS Program, the Byrne Justice Grant Program, and State and Local Law Enforcement Assistance.

During these tough economic times, we need expanded and improved access to high quality education. The CBC budget supports the President' to expand the Pell Grant program to hardworking students. It is a national shame that the Bush administration woefully underfunded the No Child Left Behind Act and the today's legislation calls for substantial increase in funding level. Furthermore, CBC budget calls on Congress to fully fund Head Start, TRIO (including Upward Bound), GEAR UP, Youth Build, and vocational education programs.

I could go on about the features of this legislation but clearly it puts Americans first. I urge my colleagues to support this legislation.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Chair announced that the ayes appeared to have it.

RECORDED VOTE

Ms. LEE of California. Madam Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 113, noes 318, answered ''present'' 1, not voting 5, as follows:

[Roll No. 190]

AYES—113

Abercrombie
Andrews
Baldwin
Becerra
Berman
Bishop (GA)
Blumenauer
Bordallo
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carson (IN)
Castor (FL)
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (IL)
DeFazio
Delahunt
DeLauro
Doyle
Edwards (MD)
Ellison
Engel
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Fudge
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Harman
Hastings (FL)
Hinchey
Hirono
Holt
Honda
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kennedy
Kilpatrick (MI)
Larson (CT)
Lee (CA)
Lewis (GA)
Loebsack
Lynch
Markey (MA)
Matsui
McCollum
McDermott
McGovern
Meek (FL)
Meeks (NY)
Miller, George
Moore (WI)
Moran (VA)
Nadler (NY)
Napolitano
Norton
Oberstar
Obey
Olver
Pallone
Pastor (AZ)
Payne
Pingree (ME)
Price (NC)
Rangel
Richardson
Rothman (NJ)
Roybal-Allard
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Speier
Stark
Sutton
Thompson (MS)
Towns
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Woolsey
Wu

NOES—318

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Cao
Capito
Cardoza
Carnahan
Carney
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Cuellar
Culberson
Dahlkemper
Davis (CA)
Davis (KY)
Davis (TN)
Deal (GA)
DeGette
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hodes
Hoekstra
Holden
Hunter
Inglis
Inslee
Israel
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Marshall
Massa
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Neal (MA)
Neugebauer
Nunes
Nye
Olson
Ortiz
Pascrell
Paul
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Reyes
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Visclosky
Walden
Walz
Wamp
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Yarmuth
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Davis (AL)

NOT VOTING—5

Buyer
Hinojosa
Miller, Gary
Sablan
Westmoreland

□ 1724

Messrs. BACA, CALVERT, HALL of Texas, FRANKS of Arizona, and HERGER changed their vote from ''aye'' to ''no.''

Messrs. ROTHMAN of New Jersey and HINCHEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. RYAN OF WISCONSIN

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111–73.

Mr. RYAN of Wisconsin. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 in the nature of a substitute printed in House Report 111–73 offered by Mr. RYAN of Wisconsin:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010.

(a) DECLARATION.—The Congress declares that the concurrent resolution on the budget for fiscal year 2010 is hereby established and that this resolution sets forth the appropriate budgetary levels for fiscal year 2009, fiscal years 2011 through 2019, and fiscal years 2020 through 2082.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2010.

TITLE I— RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Recommended Levels and Amounts for Each of Fiscal Years 2009 Through 2019

Sec. 101. Recommended levels and amounts.
Sec. 102. Functional categories.

Subtitle B—Recommended Levels and Amounts for Each of Fiscal Years 2020 Through 2082

Sec. 111. Major categories.
Sec. 112. Social Security spending levels.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House of Representatives.

TITLE III—CONGRESSIONAL POLICY STATEMENTS
Sec. 301. Policy statement on Medicare.
Sec. 302. Policy statement on Medicaid.
Sec. 303. Policy statement on affordable and accessible health care.
Sec. 304. Policy statement on Social Security.
Sec. 305. Policy statement on energy.
Sec. 306. Policy statement on taxes.
TITLE IV—SHORT-TERM BUDGET ENFORCEMENT
Sec. 401. Restrictions on advance appropriations.
Sec. 402. Roll Call Vote Required on Increasing the Debt Limit.
Sec. 403. Budget compliance statements.
Sec. 404. Cost estimates for conference reports and unreported measures.
Sec. 405. Roll call votes for new spending.
Sec. 406. Adjustments to reflect changes in concepts and definitions.
Sec. 407. Social Security off-budget compliance statement.
Sec. 408. Applications and effects of changes in allocations and aggregates.
Sec. 409. Emergency spending and contingency operations.
TITLE V—LONG-TERM BUDGET ENFORCEMENT
Sec. 501. Spending and revenue increase controls.
Sec. 502. Prevent increases in the long-term unfunded liability of the Federal Government.
Sec. 503. Estimates of the Committee on the Budget of the House of Representatives.
Sec. 504. Projections.
TITLE VI—EARMARK REFORM
Sec. 601. Moratorium on consideration of earmarks.
Sec. 602. Joint select committee on earmark reform.
TITLE VII—PAY-AS-YOU-GO ENFORCEMENT FOR MANDATORY SPENDING
Sec. 701. Pay-as-you-go for mandatory spending legislation.
TITLE VIII—DISCRETIONARY SPENDING LIMITS
Sec. 801. Discretionary spending limits.

TITLE I— RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Recommended Levels and Amounts for Each of Fiscal Years 2009 Through 2019

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 this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2009: $1,497,570,000,000.
Fiscal year 2010: $1,618,785,000,000.
Fiscal year 2011: $1,865,734,000,000.
Fiscal year 2012: $2,083,686,000,000.
Fiscal year 2013: $2,126,661,000,000.
Fiscal year 2014: $2,238,870,000,000.
Fiscal year 2015: $2,361,363,000,000.
Fiscal year 2016: $2,462,383,000,000.
Fiscal year 2017: $2,572,003,000,000.
Fiscal year 2018: $2,671,254,000,000.
Fiscal year 2019: $2,773,775,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2009: −$35,000,000,000.
Fiscal year 2010: −$47,201,000,000.
Fiscal year 2011: −$222,897,000,000.
Fiscal year 2012: −$276,706,000,000.
Fiscal year 2013: −$388,676,000,000.
Fiscal year 2014: −$394,788,000,000.
Fiscal year 2015: −$414,589,000,000.
Fiscal year 2016: −$434,647,000,000.
Fiscal year 2017: −$456,982,000,000.
Fiscal year 2018: −$479,553,000,000.
Fiscal year 2019: −$505,259,000,000.

(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: $3,653,504,000,000.
Fiscal year 2010: $2,691,668,000,000.
Fiscal year 2011: $2,601,381,000,000.
Fiscal year 2012: $2,626,004,000,000.
Fiscal year 2013: $2,767,920,000,000.
Fiscal year 2014: $2,928,726,000,000.
Fiscal year 2015: $3,047,662,000,000.
Fiscal year 2016: $3,191,583,000,000.
Fiscal year 2017: $3,288,776,000,000.
Fiscal year 2018: $3,402,832,000,000.
Fiscal year 2019: $3,471,097,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2009: $3,355,330,000,000.
Fiscal year 2010: $2,727,108,000,000.
Fiscal year 2011: $2,684,319,000,000.
Fiscal year 2012: $2,653,894,000,000.
Fiscal year 2013: $2,778,937,000,000.
Fiscal year 2014: $2,924,914,000,000.
Fiscal year 2015: $3,037,015,000,000.
Fiscal year 2016: $3,184,193,000,000.
Fiscal year 2017: $3,278,461,000,000.
Fiscal year 2018: $3,388,274,000,000.
Fiscal year 2019: $3,487,199,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2009: $1,857,760,000,000.
Fiscal year 2010: $1,108,323,000,000.
Fiscal year 2011: $818,585,000,000.
Fiscal year 2012: $570,208,000,000.
Fiscal year 2013: $652,276,000,000.
Fiscal year 2014: $686,043,000,000.
Fiscal year 2015: $675,652,000,000.
Fiscal year 2016: $721,810,000,000.
Fiscal year 2017: $706,457,000,000.
Fiscal year 2018: $717,020,000,000.
Fiscal year 2019: $713,424,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of debt are as follows:

Fiscal year 2009: $12,051,000,000.
Fiscal year 2010: $13,206,000,000.
Fiscal year 2011: $13,198,000,000.
Fiscal year 2012: $14,660,000,000.
Fiscal year 2013: $15,470,000,000.
Fiscal year 2014: $16,353,000,000.
Fiscal year 2015: $17,242,000,000.
Fiscal year 2016: $18,177,000,000.
Fiscal year 2017: $19,115,000,000.
Fiscal year 2018: $19,718,000,000.
Fiscal year 2019: $20,683,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2009: $7,763,000,000,000.
Fiscal year 2010: $8,571,000,000,000.
Fiscal year 2011: $9,252,000,000,000.
Fiscal year 2012: $9,728,000,000,000.
Fiscal year 2013: $10,240,000,000,000.
Fiscal year 2014: $10,831,000,000,000.
Fiscal year 2015: $11,405,000,000,000.
Fiscal year 2016: $12,039,000,000,000.
Fiscal year 2017: $12,677,000,000,000.
Fiscal year 2018: $12,978,000,000,000.
Fiscal year 2019: $13,655,000,000,000.

SEC. 102. FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2009 through 2019 are as follows:

(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, $696,703,000,000.
(B) Outlays, $696,128,000,000.
Fiscal year 2011:
(A) New budget authority, $619,767,000,000.
(B) Outlays, $663,705,000,000.
Fiscal year 2012:
(A) New budget authority, $628,785,000,000.
(B) Outlays, $643,223,000,000.
Fiscal year 2013:
(A) New budget authority, $639,535,000,000.
(B) Outlays, $642,425,000,000.
Fiscal year 2014:
(A) New budget authority, $653,458,000,000.
(B) Outlays, $647,334,000,000.
Fiscal year 2015:
(A) New budget authority, $668,321,000,000.
(B) Outlays, $659,306,000,000.
Fiscal year 2016:
(A) New budget authority, $683,448,000,000.
(B) Outlays, $677,586,000,000.
Fiscal year 2017:
(A) New budget authority, $699,003,000,000.
(B) Outlays, $688,336,000,000.
Fiscal year 2018:
(A) New budget authority, $715,041,000,000.
(B) Outlays, $699,584,000,000.
Fiscal year 2019:
(A) New budget authority, $731,508,000,000.
(B) Outlays, $720,053,000,000.

(2) International Affairs (150):

Fiscal year 2009:
(A) New budget authority, $40,885,000,000.
(B) Outlays, $37,797,000,000.
Fiscal year 2010:
(A) New budget authority, $35,588,000,000.
(B) Outlays, $39,430,000,000.
Fiscal year 2011:
(A) New budget authority, $35,381,000,000.
(B) Outlays, $39,612,000,000.
Fiscal year 2012:
(A) New budget authority, $35,967,000,000.
(B) Outlays, $38,879,000,000.
Fiscal year 2013:
(A) New budget authority, $37,207,000,000.
(B) Outlays, $38,229,000,000.
Fiscal year 2014:
(A) New budget authority, $38,414,000,000.
(B) Outlays, $37,610,000,000.
Fiscal year 2015:
(A) New budget authority, $39,983,000,000.
(B) Outlays, $37,678,000,000.
Fiscal year 2016:
(A) New budget authority, $40,758,000,000.
(B) Outlays, $37,809,000,000.
Fiscal year 2017:
(A) New budget authority, $41,561,000,000.
(B) Outlays, $38,295,000,000.
Fiscal year 2018:
(A) New budget authority, $42,332,000,000.
(B) Outlays, $38,860,000,000.
Fiscal year 2019:
(A) New budget authority, $43,179,000,000.
(B) Outlays, $39,496,000,000.

(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, $29,905,000,000.
(B) Outlays, $31,845,000,000.
Fiscal year 2011:
(A) New budget authority, $30,132,000,000.
(B) Outlays, $31,288,000,000.
Fiscal year 2012:
(A) New budget authority, $30,356,000,000.
(B) Outlays, $30,346,000,000.
Fiscal year 2013:
(A) New budget authority, $30,557,000,000.
(B) Outlays, $30,443,000,000.
Fiscal year 2014:
(A) New budget authority, $30,883,000,000.
(B) Outlays, $30,709,000,000.
Fiscal year 2015:
(A) New budget authority, $30,828,000,000.

(B) Outlays, $30,542,000,000.
Fiscal year 2016:
(A) New budget authority, $31,873,000,000.
(B) Outlays, $31,484,000,000.
Fiscal year 2017:
(A) New budget authority, $32,444,000,000.
(B) Outlays, $32,019,000,000.
Fiscal year 2018:
(A) New budget authority, $32,997,000,000.
(B) Outlays, $32,571,000,000.
Fiscal year 2019:
(A) New budget authority, $33,609,000,000.
(B) Outlays, $33,153,000,000.
(4) Energy (270):
Fiscal year 2009:
(A) New budget authority, $43,919,000,000.
(B) Outlays, $2,952,000,000.
(A) Fiscal year 2010:
(A) New budget authority, $4,534,000,000.
(B) Outlays, $7,144,000,000.
Fiscal year 2011:
(A) New budget authority, $4,579,000,000.
(B) Outlays, $11,004,000,000.
Fiscal year 2012:
(A) New budget authority, $4,765,000,000.
(B) Outlays, $12,932,000,000.
Fiscal year 2013:
(A) New budget authority, $5,126,000,000.
(B) Outlays, $11,514,000,000.
Fiscal year 2014:
(A) New budget authority, $5,246,000,000.
(B) Outlays, $9,746,000,000.
Fiscal year 2015:
(A) New budget authority, $5,314,000,000.
(B) Outlays, $6,264,000,000.
Fiscal year 2016:
(A) New budget authority, $5,404,000,000.
(B) Outlays, $4,420,000,000.
Fiscal year 2017:
(A) New budget authority, $5,506,000,000.
(B) Outlays, $4,263,000,000.
Fiscal year 2018:
(A) New budget authority, $5,040,000,000.
(B) Outlays, $3,736,000,000.
Fiscal year 2019:
(A) New budget authority, $4,662,000,000.
(B) Outlays, $3,781,000,000.
(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, $35,185,000,000.
(B) Outlays, $41,367,000,000.
Fiscal year 2011:
(A) New budget authority, $35,428,000,000.
(B) Outlays, $40,695,000,000.
Fiscal year 2012:
(A) New budget authority, $36,118,000,000.
(B) Outlays, $39,709,000,000.
Fiscal year 2013:
(A) New budget authority, $36,225,000,000.
(B) Outlays, $38,525,000,000.
Fiscal year 2014:
(A) New budget authority, $36,806,000,000.
(B) Outlays, $38,063,000,000.
Fiscal year 2015:
(A) New budget authority, $37,078,000,000.
(B) Outlays, $37,614,000,000.
Fiscal year 2016:
(A) New budget authority, $38,111,000,000.
(B) Outlays, $38,252,000,000.
Fiscal year 2017:
(A) New budget authority, $38,996,000,000.
(B) Outlays, $39,042,000,000.
Fiscal year 2018:
(A) New budget authority, $40,420,000,000.
(B) Outlays, $39,309,000,000.
Fiscal year 2019:
(A) New budget authority, $41,293,000,000.
(B) Outlays, $40,027,000,000.
(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, $23,747,000,000.
(B) Outlays, $23,994,000,000.
Fiscal year 2011:
(A) New budget authority, $24,784,000,000.
(B) Outlays, $24,076,000,000.
Fiscal year 2012:
(A) New budget authority, $21,698,000,000.
(B) Outlays, $17,598,000,000.
Fiscal year 2013:
(A) New budget authority, $22,508,000,000.
(B) Outlays, $22,087,000,000.
Fiscal year 2014:
(A) New budget authority, $23,176,000,000.
(B) Outlays, $22,153,000,000.
Fiscal year 2015:
(A) New budget authority, $22,574,000,000.
(B) Outlays, $21,518,000,000.
Fiscal year 2016:
(A) New budget authority, $22,694,000,000.
(B) Outlays, $21,792,000,000.
Fiscal year 2017:
(A) New budget authority, $22,959,000,000.
(B) Outlays, $22,007,000,000.
Fiscal year 2018:
(A) New budget authority, $23,586,000,000.
(B) Outlays, $22,616,000,000.
Fiscal year 2019:
(A) New budget authority, $24,247,000,000.
(B) Outlays, $23,099,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2009:
(A) New budget authority, $694,439,000,000.
(B) Outlays, $665,437,000,000.
Fiscal year 2010:
(A) New budget authority, $53,919,000,000.
(B) Outlays, $81,268,000,000.
Fiscal year 2011:
(A) New budget authority, $25,853,000,000.
(B) Outlays, $35,561,000,000.
Fiscal year 2012:
(A) New budget authority, $10,548,000,000.
(B) Outlays, $8,926,000,000.
Fiscal year 2013:
(A) New budget authority, $18,989,000,000.
(B) Outlays, $6,848,000,000.
Fiscal year 2014:
(A) New budget authority, $13,166,000,000.
(B) Outlays, −$770,000,000.
Fiscal year 2015:
(A) New budget authority, $13,482,000,000.
(B) Outlays, −$2,355,000,000.
Fiscal year 2016:
(A) New budget authority, $13,394,000,000.
(B) Outlays, −$2,063,000,000.
Fiscal year 2017:
(A) New budget authority, $18,333,000,000.
(B) Outlays, $3,571,000,000.
Fiscal year 2018:
(A) New budget authority, $18,313,000,000.
(B) Outlays, $1,686,000,000.
Fiscal year 2019:
(A) New budget authority, $18,526,000,000.
(B) Outlays, $6,377,000,000.
(8) Transportation (400):
Fiscal year 2009:
(A) New budget authority, $122,457,000,000.
(B) Outlays, $87,784,000,000.
Fiscal year 2010:
(A) New budget authority, $73,942,000,000.
(B) Outlays, $95,080,000,000.
Fiscal year 2011:
(A) New budget authority, $74,428,000,000.
(B) Outlays, $95,330,000,000.
Fiscal year 2012:
(A) New budget authority, $74,959,000,000.
(B) Outlays, $94,496,000,000.
Fiscal year 2013:
(A) New budget authority, $75,482,000,000.
(B) Outlays, $94,646,000,000.
Fiscal year 2014:
(A) New budget authority, $76,250,000,000.
(B) Outlays, $94,986,000,000.
Fiscal year 2015:
(A) New budget authority, $77,055,000,000.
(B) Outlays, $94,657,000,000.
Fiscal year 2016:
(A) New budget authority, $77,947,000,000.
(B) Outlays, $93,628,000,000.
Fiscal year 2017:
(A) New budget authority, $78,847,000,000.
(B) Outlays, $93,754,000,000.
Fiscal year 2018:
(A) New budget authority, $79,758,000,000.
(B) Outlays, $95,243,000,000.
Fiscal year 2019:
(A) New budget authority, $80,761,000,000.
(B) Outlays, $96,852,000,000.
(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, $15,337,000,000.
(B) Outlays, $28,736,000,000.
Fiscal year 2011:
(A) New budget authority, $15,243,000,000.
(B) Outlays, $25,640,000,000.
Fiscal year 2012:
(A) New budget authority, $15,372,000,000.
(B) Outlays, $22,255,000,000.
Fiscal year 2013:
(A) New budget authority, $15,292,000,000.
(B) Outlays, $19,425,000,000.
Fiscal year 2014:
(A) New budget authority, $15,450,000,000.
(B) Outlays, $17,388,000,000.
Fiscal year 2015:
(A) New budget authority, $15,679,000,000.
(B) Outlays, $16,052,000,000.
Fiscal year 2016:
(A) New budget authority, $15,949,000,000.
(B) Outlays, $15,373,000,000.
Fiscal year 2017:
(A) New budget authority, $16,230,000,000.
(B) Outlays, $15,537,000,000.
Fiscal year 2018:
(A) New budget authority, $16,502,000,000.
(B) Outlays, $15,798,000,000.
Fiscal year 2019:
(A) New budget authority, $16,807,000,000.
(B) Outlays, $16,050,000,000.
(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, $94,430,000,000.
(B) Outlays, $140,624,000,000.
Fiscal year 2011:
(A) New budget authority, $100,425,000,000.
(B) Outlays, $138,168,000,000.
Fiscal year 2012:
(A) New budget authority, $104,574,000,000.
(B) Outlays, $109,894,000,000.
Fiscal year 2013:
(A) New budget authority, $99,607,000,000.
(B) Outlays, $105,778,000,000.
Fiscal year 2014:
(A) New budget authority, $106,379,000,000.
(B) Outlays, $104,136,000,000.
Fiscal year 2015:
(A) New budget authority, $107,578,000,000.
(B) Outlays, $109,050,000,000.
Fiscal year 2016:
(A) New budget authority, $110,808,000,000.
(B) Outlays, $111,157,000,000.
Fiscal year 2017:
(A) New budget authority, $113,222,000,000.
(B) Outlays, $113,434,000,000.
Fiscal year 2018:
(A) New budget authority, $114,972,000,000.
(B) Outlays, $115,574,000,000.
Fiscal year 2019:
(A) New budget authority, $116,738,000,000.
(B) Outlays, $117,370,000,000.
(11) Health (550):
Fiscal year 2009:
(A) New budget authority, $380,158,000,000.
(B) Outlays, $354,397,000,000.
Fiscal year 2010:
(A) New budget authority, $382,701,000,000.
(B) Outlays, $388,322,000,000.
Fiscal year 2011:
(A) New budget authority, $362,157,000,000.
(B) Outlays, $366,125,000,000.

Fiscal year 2012:
(A) New budget authority, $366,206,000,000.
(B) Outlays, $365,877,000,000.
Fiscal year 2013:
(A) New budget authority, $384,837,000,000.
(B) Outlays, $380,587,000,000.
Fiscal year 2014:
(A) New budget authority, $393,583,000,000.
(B) Outlays, $394,963,000,000.
Fiscal year 2015:
(A) New budget authority, $416,232,000,000.
(B) Outlays, $414,586,000,000.
Fiscal year 2016:
(A) New budget authority, $440,850,000,000.
(B) Outlays, $438,783,000,000.
Fiscal year 2017:
(A) New budget authority, $472,198,000,000.
(B) Outlays, $469,835,000,000.
Fiscal year 2018:
(A) New budget authority, $502,675,000,000.
(B) Outlays, $500,219,000,000.
Fiscal year 2019:
(A) New budget authority, $535,998,000,000.
(B) Outlays, $533,214,000,000.
(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, $442,815,000,000.
(B) Outlays, $442,947,000,000.
Fiscal year 2011:
(A) New budget authority, $487,442,000,000.
(B) Outlays, $487,269,000,000.
Fiscal year 2012:
(A) New budget authority, $491,952,000,000.
(B) Outlays, $491,715,000,000.
Fiscal year 2013:
(A) New budget authority, $540,003,000,000.
(B) Outlays, $540,125,000,000.
Fiscal year 2014:
(A) New budget authority, $593,406,000,000.
(B) Outlays, $593,211,000,000.
Fiscal year 2015:
(A) New budget authority, $618,202,000,000.
(B) Outlays, $617,949,000,000.
Fiscal year 2016:
(A) New budget authority, $674,176,000,000.
(B) Outlays, $674,288,000,000.
Fiscal year 2017:
(A) New budget authority, $698,771,000,000.
(B) Outlays, $698,566,000,000.
Fiscal year 2018:
(A) New budget authority, $724,830,000,000.
(B) Outlays, $724,560,000,000.
Fiscal year 2019:
(A) New budget authority, $804,287,000,000.
(B) Outlays, $804,379,000,000.
(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, $531,436,000,000.
(B) Outlays, $536,129,000,000.
Fiscal year 2011:
(A) New budget authority, $502,767,000,000.
(B) Outlays, $506,623,000,000.
Fiscal year 2012:
(A) New budget authority, $444,772,000,000.
(B) Outlays, $445,920,000,000.
Fiscal year 2013:
(A) New budget authority, $448,294,000,000.
(B) Outlays, $448,504,000,000.
Fiscal year 2014:
(A) New budget authority, $448,678,000,000.
(B) Outlays, $447,863,000,000.
Fiscal year 2015:
(A) New budget authority, $451,192,000,000.
(B) Outlays, $450,486,000,000.
Fiscal year 2016:
(A) New budget authority, $461,271,000,000.
(B) Outlays, $460,636,000,000.
Fiscal year 2017:
(A) New budget authority, $464,233,000,000.
(B) Outlays, $463,622,000,000.
Fiscal year 2018:
(A) New budget authority, $467,351,000,000.
(B) Outlays, $466,592,000,000.
Fiscal year 2019:
(A) New budget authority, $481,975,000,000.
(B) Outlays, $480,964,000,000.
(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, $106,358,000,000.
(B) Outlays, $105,017,000,000.
Fiscal year 2011:
(A) New budget authority, $112,806,000,000.
(B) Outlays, $111,832,000,000.
Fiscal year 2012:
(A) New budget authority, $108,643,000,000.
(B) Outlays, $107,500,000,000.
Fiscal year 2013:
(A) New budget authority, $113,722,000,000.
(B) Outlays, $112,512,000,000.
Fiscal year 2014:
(A) New budget authority, $115,929,000,000.
(B) Outlays, $114,819,000,000.
Fiscal year 2015:
(A) New budget authority, $118,184,000,000.
(B) Outlays, $117,546,000,000.
Fiscal year 2016:
(A) New budget authority, $124,798,000,000.
(B) Outlays, $124,320,000,000.
Fiscal year 2017:
(A) New budget authority, $124,546,000,000.
(B) Outlays, $124,059,000,000.
Fiscal year 2018:
(A) New budget authority, $124,034,000,000.
(B) Outlays, $123,478,000,000.
Fiscal year 2019:
(A) New budget authority, $132,515,000,000.
(B) Outlays, $131,887,000,000.
(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, $54,159,000,000.
(B) Outlays, $52,611,000,000.
Fiscal year 2011:
(A) New budget authority, $52,227,000,000.
(B) Outlays, $54,395,000,000.
Fiscal year 2012:
(A) New budget authority, $52,785,000,000.
(B) Outlays, $54,581,000,000.
Fiscal year 2013:
(A) New budget authority, $53,363,000,000.
(B) Outlays, $54,157,000,000.
Fiscal year 2014:
(A) New budget authority, $54,247,000,000.
(B) Outlays, $54,058,000,000.
Fiscal year 2015:
(A) New budget authority, $55,345,000,000.
(B) Outlays, $55,083,000,000.
Fiscal year 2016:
(A) New budget authority, $56,664,000,000.
(B) Outlays, $56,349,000,000.
Fiscal year 2017:
(A) New budget authority, $58,019,000,000.
(B) Outlays, $57,658,000,000.
Fiscal year 2018:
(A) New budget authority, $61,193,000,000.
(B) Outlays, $60,826,000,000.
Fiscal year 2019:
(A) New budget authority, $64,023,000,000.
(B) Outlays, $63,627,000,000.
(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, $21,590,000,000.
(B) Outlays, $22,457,000,000.
Fiscal year 2011:
(A) New budget authority, $21,869,000,000.
(B) Outlays, $22,744,000,000.
Fiscal year 2012:
(A) New budget authority, $22,218,000,000.
(B) Outlays, $23,311,000,000.
Fiscal year 2013:
(A) New budget authority, $21,988,000,000.
(B) Outlays, $22,800,000,000.
Fiscal year 2014:
(A) New budget authority, $22,481,000,000.
(B) Outlays, $22,760,000,000.
Fiscal year 2015:
(A) New budget authority, $23,050,000,000.
(B) Outlays, $23,200,000,000.
Fiscal year 2016:
(A) New budget authority, $23,673,000,000.
(B) Outlays, $23,780,000,000.
Fiscal year 2017:
(A) New budget authority, $24,344,000,000.
(B) Outlays, $24,099,000,000.
Fiscal year 2018:
(A) New budget authority, $25,069,000,000.
(B) Outlays, $24,743,000,000.
Fiscal year 2019:
(A) New budget authority, $25,833,000,000.
(B) Outlays, $25,350,000,000.
(18) Net Interest (900):
Fiscal year 2009:
(A) New budget authority, $289,044,000,000.
(B) $289,044,000,000.
Fiscal year 2010:
(A) New budget authority, $282,801,000,000.
(B) Outlays, $282,801,000,000.
Fiscal year 2011:
(A) New budget authority, $317,087,000,000.
(B) Outlays, $317,087,000,000.
Fiscal year 2012:
(A) New budget authority, $373,346,000,000.
(B) Outlays, $373,346,000,000.
Fiscal year 2013:
(A) New budget authority, $447,727,000,000.
(B) Outlays, $447,727,000,000.
Fiscal year 2014:
(A) New budget authority, $530,456,000,000.
(B) Outlays, $530,456,000,000.
Fiscal year 2015:
(A) New budget authority, $595,684,000,000.
(B) Outlays, $595,684,000,000.
Fiscal year 2016:
(A) New budget authority, $649,165,000,000.
(B) Outlays, $648,965,000,000.
Fiscal year 2017:
(A) New budget authority, $695,308,000,000.
(B) Outlays, $695,308,000,000.
Fiscal year 2018:
(A) New budget authority, $757,439,000,000.
(B) Outlays, $759,439,000,000.
Fiscal year 2019:
(A) New budget authority, $813,257,000,000.
(B) Outlays, $813,257,000,000.
(19) Allowances (920):
Fiscal year 2009:

(A) New budget authority, −$120,000,000.
(B) Outlays, -$12,000,000.
Fiscal year 2010:
(A) New budget authority, −$145,294,000,000.
(B) Outlays, -$240,726,000,000.
Fiscal year 2011:
(A) New budget authority, −$152,721,000,000.
(B) Outlays, -$238,695,000,000.
Fiscal year 2012:
(A) New budget authority, −$128,918,000,000.
(B) Outlays, -$178,622,000,000.
Fiscal year 2013:
(A) New budget authority, −$154,485,000,000.
(B) Outlays, -$189,489,000,000.
Fiscal year 2014:
(A) New budget authority, −$182,519,000,000.
(B) Outlays, -$187,808,000,000.
Fiscal year 2015:
(A) New budget authority, −$201,917,000,000.
(B) Outlays, -$201,643,000,000.
Fiscal year 2016:
(A) New budget authority, −$232,899,000,000.
(B) Outlays, -$225,865,000,000.
Fiscal year 2017:
(A) New budget authority, −$264,079,000,000.
(A) Outlays, -$253,329,000,000.
Fiscal year 2018:
(B) New budget authority, −$296,107,000,000.
(B) Outlays, -$283,946,000,000.
Fiscal year 2019:
(A) New budget authority, −$445,841,000,000.
(B) Outlays, -$409,457,000,000.
(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, −$68,444,000,000.
(B) Outlays, -$68,444,000,000.
Fiscal year 2011:
(A) New budget authority, −$71,653,000,000.
(B) Outlays, -$71,653,000,000.
Fiscal year 2012:
(A) New budget authority, −$74,620,000,000.
(B) Outlays, -$74,620,000,000.
Fiscal year 2013:
(A) New budget authority, −$77,585,000,000.
(B) Outlays, -$77,585,000,000.
Fiscal year 2014:
(A) New budget authority, −$79,491,000,000.
(B) Outlays, -$79,491,000,000.
Fiscal year 2015:
(A) New budget authority, −$82,077,000,000.
(B) Outlays, -$82,077,000,000.
Fiscal year 2016:
(A) New budget authority, −$85,522,000,000.
(B) Outlays, -$85,522,000,000.
Fiscal year 2017:
(A) New budget authority, $94,114,000,000.
(B) Outlays, $94,114,000,000.
Fiscal year 2018:
(A) New budget authority, $98,707,000,000.
(B) Outlays, $98,707,000,000.
Fiscal year 2019:
(A) New budget authority, $102,274,000,000.
(B) Outlays, $102,274,000,000.

Subtitle B—Recommended Levels and Amounts for Each of Fiscal Years 2020 Through 2082

SEC. 111. MAJOR CATEGORIES.

The Congress determines and declares that the appropriate levels of outlays and revenues for the Federal Government for calendar years 2020 through 2082 are as follows:

Calendar Year	Debt	Health and Retirement Security	Other Non-interest Spending	Total Spending	Revenues	Deficits
2020	33%	10.3%	8.1%	19.8%	18.0%	−1.5%
2021	33%	10.6%	8.0%	20.1%	18.2%	−1.8%
2022	34%	10.8%	8.0%	20.4%	18.2%	−2.1%
2023	35%	11.2%	8.0%	20.8%	18.3%	−2.5%
2024	37%	11.4%	7.9%	21.0%	18.3%	−2.7%
2025	39%	11.6%	7.9%	21.3%	18.3%	−3.0%
2026	40%	11.7%	7.9%	21.4%	18.3%	−3.1%
2027	43%	11.9%	7.9%	21.7%	18.3%	−3.4%
2028	44%	12.1%	7.9%	22.0%	18.3%	−3.7%
2029	47%	12.0%	7.8%	22.1%	18.3%	−3.8%
2030	49%	12.2%	7.8%	22.3%	18.3%	−4.0%
2031	51%	12.2%	7.7%	22.3%	18.3%	−4.0%
2032	53%	12.3%	7.7%	22.3%	18.3%	−4.0%
2033	55%	12.2%	7.6%	22.3%	18.3%	−4.0%
2034	57%	12.2%	7.6%	22.2%	18.3%	−3.9%
2035	58%	12.3%	7.5%	22.4%	18.3%	−4.1%
2036	60%	12.2%	7.5%	22.4%	18.3%	−4.1%
2037	62%	12.2%	7.4%	22.5%	18.3%	−4.2%
2038	64%	12.1%	7.4%	22.5%	18.3%	−4.2%
2039	66%	12.0%	7.4%	22.4%	18.3%	−4.1%
2040	67%	11.8%	7.3%	22.3%	18.3%	−4.0%
2041	69%	11.7%	7.3%	22.2%	18.3%	−3.9%
2042	70%	11.5%	7.3%	21.9%	18.3%	−3.6%
2043	71%	11.4%	7.2%	21.9%	18.3%	−3.6%
2044	72%	11.3%	7.2%	21.8%	18.3%	−3.5%
2045	72%	11.2%	7.1%	21.6%	18.3%	−3.3%
2046	73%	11.0%	7.1%	21.5%	18.3%	−3.2%
2047	73%	11.1%	7.1%	21.6%	18.3%	−3.3%
2048	74%	10.8%	7.0%	21.3%	18.3%	−3.0%
2049	74%	10.7%	7.0%	21.2%	18.3%	−2.9%
2050	74%	10.7%	7.0%	21.3%	18.3%	−3.0%
2051	74%	10.6%	6.9%	21.1%	18.3%	−2.8%
2052	73%	10.5%	6.9%	20.9%	18.3%	−2.6%
2053	73%	10.5%	6.9%	20.8%	18.3%	−2.5%
2054	73%	10.4%	6.8%	20.7%	18.3%	−2.4%
2055	72%	10.4%	6.8%	20.7%	18.3%	−2.4%
2056	72%	10.3%	6.8%	20.5%	18.3%	−2.2%
2057	71%	10.3%	6.7%	20.5%	18.3%	−2.2%
2058	71%	10.3%	6.7%	20.5%	18.3%	−2.2%
2059	71%	10.4%	6.7%	20.7%	18.3%	−2.4%
2060	71%	10.4%	6.6%	20.5%	18.3%	−2.2%
2061	70%	10.3%	6.6%	20.4%	18.3%	−2.1%
2062	70%	10.3%	6.6%	20.3%	18.3%	−2.0%
2063	69%	10.3%	6.5%	20.2%	18.3%	−1.9%
2064	68%	10.3%	6.5%	20.3%	18.3%	−2.0%
2065	67%	10.3%	6.4%	20.4%	18.3%	−2.1%
2066	67%	10.2%	6.4%	20.2%	18.3%	−1.9%
2067	66%	10.2%	6.4%	20.0%	18.3%	−1.7%
2068	65%	10.3%	6.3%	19.8%	18.3%	−1.5%
2069	64%	10.3%	6.3%	19.7%	18.3%	−1.4%
2070	63%	10.3%	6.3%	19.7%	18.3%	−1.4%
2071	62%	10.3%	6.2%	19.7%	18.3%	−1.4%
2072	61%	10.3%	6.2%	19.8%	18.3%	−1.5%

Calendar Year	Debt	Health and Retirement Security	Other Non-interest Spending	Total Spending	Revenues	Deficits
2073	61%	10.3%	6.2%	19.9%	18.3%	−1.6%
2074	59%	10.4%	6.1%	19.9%	18.3%	−1.6%
2075	59%	10.2%	6.1%	19.6%	18.3%	−1.3%
2076	57%	10.2%	6.1%	19.5%	18.3%	−1.2%
2077	56%	10.2%	6.0%	19.4%	18.3%	−1.1%
2078	54%	10.2%	6.0%	19.0%	18.3%	−0.7%
2079	52%	10.2%	6.0%	18.9%	18.3%	−0.6%
2080	50%	10.2%	5.9%	18.6%	18.3%	−0.3%
2081	48%	10.2%	5.9%	18.3%	18.3%	0.0%
2082	47%	10.1%	5.9%	18.2%	18.3%	0.1%

SEC. 112. SOCIAL SECURITY SPENDING LEVELS.

The concurrent resolution assumes the following levels of Social Security spending as a percentage of gross domestic product from calendar years 2020 through 2082:

Calendar Year	Percent of GDP
2020	5.1%
2021	5.2%
2022	5.3%
2023	5.5%
2024	5.6%
2025	5.7%
2026	5.8%
2027	5.9%
2028	6.0%
2029	6.0%
2030	6.1%
2031	6.1%
2032	6.2%
2033	6.2%
2034	6.2%
2035	6.3%
2036	6.3%
2037	6.3%
2038	6.3%
2039	6.3%
2040	6.3%
2041	6.3%
2042	6.2%
2043	6.2%
2044	6.2%
2045	6.2%
2046	6.1%
2047	6.2%
2048	6.1%
2049	6.1%
2050	6.1%
2051	6.1%
2052	6.1%
2053	6.1%
2054	6.1%
2055	6.1%
2056	6.1%
2057	6.1%
2058	6.1%
2059	6.2%
2060	6.2%
2061	6.2%
2062	6.2%
2063	6.2%
2064	6.2%
2065	6.2%
2066	6.2%
2067	6.2%
2068	6.3%
2069	6.3%
2070	6.3%
2071	6.3%
2072	6.3%
2073	6.3%
2074	6.4%
2075	6.3%
2076	6.3%
2077	6.3%
2078	6.4%
2079	6.4%
2080	6.4%
2081	6.4%
2082	6.4%

TITLE II—RECONCILIATION

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—(1) Not later than July 29, 2009, the House committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the House of Representatives. After receiving those recommendations from the applicable committees of the House, the Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $38,481,000,000 for the period of fiscal years 2010 through 2019.

(B) COMMITTEE ON EDUCATION AND LABOR.—The Committee on Education and Labor shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $22,708,000,000 for the period of fiscal years 2010 through 2019.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $666,135,000,000 for the period of fiscal years 2010 through 2019.

(D) COMMITTEE ON FINANCIAL SERVICES.—The Committee on Financial Services shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $28,400,000,000 for the period of fiscal years 2010 through 2019.

(E) COMMITTEE ON FOREIGN AFFAIRS.—The Committee on Foreign Affairs shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $1,839,000,000 for the period of fiscal years 2010 through 2019.

(F) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $4,320,000,000 for the period of fiscal years 2010 through 2019.

(G) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $1,984,000,000 for the period of fiscal years 2010 through 2019.

(H) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $10,263,000,000 for the period of fiscal years 2010 through 2019.

(I) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The Committee on Transportation and Infrastructure shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $1,665,000,000 for the period of fiscal years 2010 through 2019.

(J) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $605,049,000,000 for the period of fiscal years 2010 through 2019.

(b) SUBMISSION OF REVISED ALLOCATIONS.—(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

TITLE III—CONGRESSIONAL POLICY STATEMENTS

SEC. 301. POLICY STATEMENT ON MEDICARE.

(a) MEDICARE POLICY.—It is the policy of this concurrent resolution that Congress will enact legislation to ensure the Medicare benefit continues to provide health care coverage for seniors by establishing a new methodology to make the program solvent and fiscally sustainable. Legislation shall be enacted that:

(1) Expands protections for seniors against catastrophic medical costs, simplifies beneficiary contributions, updates Medicare payments, increases flexibility for hospitals serving unusually high numbers of low-income patients, and reduces the prescription drug benefit subsidy for high-income seniors (household incomes over $170,000). To ensure that the cost of frivolous litigation is not passed on to beneficiaries, the medical malpractice system is reformed.

(2) Preserves the current Medicare program for individuals 55 and older. For those under 55, the resolution gradually converts the current Medicare program into one in which Medicare beneficiaries receive a premium support payment—equivalent to 100 percent of the cost of the Medicare benefit—to purchase health coverage from a menu of Medicare-approved plans, similar to options available to Members of Congress. The premium support payment is risk-adjusted to increase with age and health status, and income-related so low-income seniors receive extra support. Premiums continue to be based on an all-beneficiary average, so the phasing of the younger population into the new program will not increase premiums for the population continuing in the existing program.

(b) FORCE AND EFFECT OF THE MEDICARE TRIGGER.—The Medicare trigger as set forth in section 803 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 shall apply during the 111th Congress.

SEC. 302. POLICY STATEMENT ON MEDICAID.

It is the policy of this concurrent resolution that Medicaid—

(1) is outdated and fiscally unsustainable;

(2) has a payment error rate of at least 10 percent (as reported by GAO in January 2009);

(3) without major reform, its recipients' access to health care is in jeopardy;

(4) must be reformed to make the health care safety net stronger and more reliable for the neediest populations;

(5) must be modernized by enhancing State flexibility and their sensitivity to spending growth, while allowing States to offer their Medicaid populations more options; and

(6) recipients, like all other Americans, deserve to make their own health care decisions instead of government bureaucrats dictating them.

SEC. 303. POLICY STATEMENT ON AFFORDABLE AND ACCESSIBLE HEALTH CARE.

It is the policy assumption of this concurrent resolution that legislation should be enacted that reforms the health care marketplace by ensuring universal access to health coverage for every American regardless of pre-existing health conditions. It allows individuals who like their health coverage to keep what they have, and offers those without coverage access health care options similar to what Members of Congress have. The resolution prevents the expansion of entitlements, the creation of government-controlled health plans, and the imposition of new mandates or taxes on businesses. Individuals must have the freedom to choose the health care plan that best meets their needs and freedom from government bureaucrats making their health care decisions. Medical professionals must not be prohibited—either through the use of comparative effectiveness data or otherwise—from providing and/or prescribing care they believe to be medically necessary.

SEC. 304. POLICY STATEMENT ON SOCIAL SECURITY.

(a) FINDINGS.—

(1) More than 30 million Americans depend on Social Security as a key part of their retirement. Since enactment, Social Security has served as a vital leg on the ''three-legged stool'' of retirement security, which today includes employer provided pensions as well as personal savings.

(2) Every year, the Social Security Trustees report warns of the dire financial straits that Social Security is in. Each year without reform, the financial condition of Social Security becomes more precarious, and the threat to seniors becomes more pronounced—

(A) in 2041, the Trust Fund will be exhausted, and will be unable to pay scheduled benefits; and

(B) with the exhaustion of the Trust Fund in 2041, benefits will be cut 22 percent across the board—hurting all those who rely upon Social Security as a fundamental part of their retirement security; and by 2082, the cuts required would equal 25 percent.

(3) The current recession is exacerbating the crisis to Social Security. The most recent March 2009 CBO baseline finds that the cash surplus in 2010 will only be $3 billion—down $22 billion from just 3 months ago. Should the recession continue, we may enter into a cash deficit in 2010—8 years earlier than expected.

(4) Lower-income Americans rely on Social Security for a larger proportion of their retirement income. Therefore, reforms should take into consideration the need to protect lower-income Americans' retirement security.

(5) Americans deserve to have their elected Representatives take seriously the issue of Social Security reform. We must work together—in a bipartisan fashion—in order to solve this crisis. In this spirit, this resolution puts forth a reform that was first proposed by the current Director of the Office of Management and Budget.

(b) POLICY ON SOCIAL SECURITY.—It is the policy of this resolution that Congress should begin to act on Social Security. Should the Trustees of the Social Security Trust Fund determine that the Trust Fund would be unable to pay scheduled benefits within five years (currently estimated in 2036); reforms such as the following are recommended to be implemented to mitigate across-the-board cuts in benefit payments:

(1) Provide for a phase in of low-earner benefit enhancement. This would protect lower-income Americans meeting certain requirements by ensuring they receive a benefit of at least 120 percent of the poverty line.

(2) Reduce the 15-percent Primary Insurance Amount bracket by 0.25 percentage points per year, from the date at which SSA finds it cannot meet scheduled benefits within 5 years (currently 2036). Phase in over 20 years.

(3) The spending, revenue, deficit, and debt levels in this concurrent resolution assume current law benefits will be fully paid and do not assume any savings in Social Security.

SEC. 305. POLICY STATEMENT ON ENERGY.

(a) ENERGY POLICY.—It is recognized that:

(1) energy is recognized as a vital component to our national and economic security.

(2) our dependence on foreign oil, natural gas, and other sources of energy is a threat to our national and economic security;

(3) our dependence on foreign oil, natural gas, and other fuel sources is contributing to a massive transfer of wealth outside of the United States;

(4) increasing production of domestic energy will reduce our dependence on foreign oil, natural gas, and other sources of energy;

(5) high rates of taxes levied upon domestic production of oil and natural gas energy sources will place domestic producers at a competitive disadvantage relative to foreign competitors and will discourage domestic energy production;

(6) a significant amount of oil and natural gas reserves are believed to be located on Federal lands including the Outer Continental Shelf, the Gulf of Mexico, the Arctic National and Wildlife Refuge, the National Petroleum Reserve, the Intermountain West Region;

(7) domestic energy development on Federal lands should comply with environmental laws and regulations and should be conducted in an environmentally responsible manner that minimizes the disruption to fish, plant, insect, and animal wildlife;

(8) alternative forms of energy development including solar, wind, biomass, wave, tidal, hydro, and other forms can produce pollution-free energy with favorable environmental benefits, including the reduction of global green house gas emissions;

(9) increased nuclear energy is an important component to achieving an energy supply free of green house gas emissions;

(10) lower energy prices will do more to promote economic growth, raise living standards, increase incomes, and create jobs than will higher energy prices;

(11) numerous studies on cap and trade conducted by government agencies, universities, think tanks, and industry groups agree that cap and trade will raise energy prices for businesses and consumers; and

(12) revenues, royalties, fees, and taxes raised from developing energy projects located on Federal lands could provide billions of dollars to the Treasury which could be used to fund increased Federal participation and support for alternative, renewable, and nuclear energy projects without raising new taxes or increasing energy prices on businesses and consumers.

(b) STATEMENT ON ENERGY POLICY.—It is the policy of this concurrent resolution that the energy policy of the United States is to—

(1) support our national and economic security by reducing our dependence on foreign oil, natural gas, and other sources of energy;

(2) support the increased development of energy on Federal lands in an environmentally responsible manner consistent with existing laws and regulations in a manner that minimizes the impact on fish, plant, insect, and animal wildlife;

(3) support the development of alternative, renewable, and nuclear sources of energy that will reduce reliance on foreign oil and contribute to reduced levels of global green house gasses;

(4) direct revenues from royalties, bonus bids, fees, rents, and other taxes levied on new energy projects on Federal lands to fund increased Federal participation in research, development, loans, loan guarantees, insurance, tax credits and subsidies, and other assistance that will encourage new development of alternative, renewable, and nuclear sources of energy;

(5) ensure taxes levied on domestic oil and natural gas produces do not place them at a competitive disadvantage relative to foreign competitors, lead to job losses, or encourage a greater dependence on foreign sources of oil, natural gas, or other energy sources; and

(6) pursue policies that keep energy prices low and contribute to economic growth and avoid policies that raise energy prices on American businesses and consumers.

SEC. 306. POLICY STATEMENT ON TAXES.

(a) IN GENERAL.—The policies of this concurrent resolution include the following assumptions:

(1) The Federal tax code is needlessly complex and burdensome, and it tends to discourage economic growth and United States competitiveness.

(2) The policies included in this resolution are aimed at addressing these problems.

(b) TAXES ON INDIVIDUALS.—This concurrent resolution would give individuals a choice in paying their Federal income taxes. Individuals can choose to pay their Federal taxes under the existing tax code, with all the familiar deductions and schedules, or they could move to a highly simplified income tax system. This simplified tax system broadens the tax base by cleaning out nearly all the existing tax deductions and credits, compresses the tax schedule down to two low rates and retains a generous standard deduction and exemption level. The tax form for this system could fit on a postcard. Within ten years of enactment of this legislation, individuals would choose one of the two tax systems: the current tax code or the simplified system. Individuals are allowed one additional changeover between the two tax systems over the course of their lifetimes. Individuals are also allowed to change tax systems when a major life event (death, divorce, or marriage) alters their filing status. In contrast to the six rates in the current tax code, the simplified tax has just two rates: 10 percent on adjusted gross income (AGI) up to $100,000 for joint filers and $50,000 for single filers; and 25 percent on taxable income above these amounts. These tax brackets are adjusted by a cost-of-living adjustment as measured by the consumer price index. The simplified code eliminates nearly all existing tax deductions, exclusions, and other special provisions, but it retains a generous base exemption amount for all taxpayers. The standard deduction for joint filers is $25,000 for joint filers and $12,500 for single filers. The personal exemption amount is $3500. This proposal patches the alternative minimum tax (AMT) at the 2009 level for the foreseeable future in order to prevent millions of middle class Americans from being ensnared by an unfair tax hike. This tax system also maintains the current lower

rates on capital gains and dividends for all taxpayers.

(c) TAXES ON CORPORATIONS.—The U.S. corporate income tax rate is the second highest in the industrialized world. The tax leads to lowers wages for workers, higher prices for consumers, and it also discourages foreign investment in the U.S. This concurrent resolution assumes policies that address these problems by lowering the U.S. corporate tax rate from 35 percent to 25 percent, pushing it into the more competitive range among industrialized countries. In conjunction with this move, the resolution repeals the tax deduction for U.S. production activities (section 199), as companies receiving this benefit will now be taxed at the lower 25-percent rate. It also temporarily suspends the tax on capital gains for the rest of 2009 and 2010. These policies are designed to keep overall Federal tax revenues at approximately 18.3 percent of GDP for the foreseeable future, roughly equivalent to the long-term historical average.

TITLE IV—SHORT-TERM BUDGET ENFORCEMENT

SEC. 401. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) ADVANCE APPROPRIATION.—In the House, an advance appropriation may be provided for the fiscal years 2011 and 2012 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,565,000,000 in new budget authority in each year.

(c) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making general appropriations or any new budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2010 that first becomes available for any fiscal year after 2010.

SEC. 402. ROLL CALL VOTE REQUIRED ON INCREASING THE DEBT LIMIT.

With respect to the adoption by the Congress of a concurrent resolution on the budget for fiscal year 2010, the clerk of the House shall not prepare an engrossment of a joint resolution increasing or decreasing, as the case may be, the statutory limit on the public debt.

SEC. 403. BUDGET COMPLIANCE STATEMENTS.

Each report of a committee on a public bill or public joint resolution shall contain a budget compliance statement prepared by the chairman of the Committee on the Budget, if timely submitted prior to the filing of the report, which shall include assessment by such chairman as to whether the bill or joint resolution complies with the requirements of sections 302, 303, 306, 311, and 401 of the Congressional Budget Act of 1974.

SEC. 404. COST ESTIMATES FOR CONFERENCE REPORTS AND UNREPORTED MEASURES.

It shall not be in order to consider a conference report or an unreported bill or joint resolution unless an estimate of costs as described in clause 3(d)(2) of rule XIII has been printed in the Congressional Record at least one day before its consideration.

SEC. 405. ROLL CALL VOTES FOR NEW SPENDING.

The yeas and nays shall be considered as ordered when the Speaker puts the question on passage of a bill or joint resolution, or on adoption of a conference report, for which the chairman of the Budget Committee has advised the Speaker that such bill, joint resolution, or conference report authorizes or provides new budget authority of not less than $50,000,000. The Speaker may not entertain a unanimous consent request or motion to suspend this section.

SEC. 406. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the chairman of the Committee on the Budget shall make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 407. SOCIAL SECURITY OFF-BUDGET COMPLIANCE STATEMENT.

As required by section 13301 of the Budget Enforcement Act of 1990 and section 301(a) of the Congressional Budget Act of 1974, this concurrent resolution on the budget does not include the outlays and revenue totals of the old-age, survivors, and disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals.

SEC. 408. APPLICATIONS AND EFFECTS OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels to reflect the timing of responses to reconciliation directives pursuant to section 201 of this resolution.

SEC. 409. EMERGENCY SPENDING AND CONTINGENCY OPERATIONS.

(a) EMERGENCY SPENDING DESIGNATION .—In the House, if any bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, and such provision is designated as an emergency pursuant to this section, then the new budget authority, new entitlement authority, outlays, or receipts resulting therefrom shall not count for purposes of the Congressional Budget Act of 1974.

(b) CONTINGENCY OPERATIONS RELATED TO THE GLOBAL WAR ON TERRORISM AND FOR UNANTICIPATED DEFENSE NEEDS.— In the House, if any bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that makes appropriations for fiscal year 2010 for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, then the new budget authority, new entitlement authority, outlays, or receipts resulting therefrom shall not count for purposes of the Congressional Budget Act of 1974.

TITLE V—LONG-TERM BUDGET ENFORCEMENT

SEC. 501. SPENDING AND REVENUE INCREASE CONTROLS.

It shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment, motion, or conference report, unless war has been declared or during a recession, as determined by the House Budget Committee, that causes aggregate—

(1) Federal spending levels, in any fiscal year to exceed the percentage of spending relative to the gross domestic product as set forth in section 510; and

(2) Federal revenue levels, in any fiscal year, to exceed the percentage of revenue relative to the gross domestic product as set forth in section 510.

SEC. 502. PREVENT INCREASES IN THE LONG-TERM UNFUNDED LIABILITY OF THE FEDERAL GOVERNMENT.

(a) LONG-TERM SOLVENCY POINT OF ORDER.—It shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment thereto, or conference report thereon, if such measure includes a provision that causes a net increase in the long-term unfunded liability of the Federal Government.

(b) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill and joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), and amendments thereto and conference reports thereon, an estimate of whether the measure causes, relative to current law—

(1) a net increase in the Medicare Part A Trust Fund's unfunded liability; and

(2) a net increase in the long-term unfunded liability of the Federal Government.

(c) GOVERNMENT ACCOUNTABILITY OFFICE.—The GAO shall assess the level of the Federal Government's long-term unfunded obligations and provide a report to the Committee on the Budget of the House, and other appropriate committees, as soon as practicable after the beginning of each session of Congress.

(d) DEPARTMENT OF THE TREASURY.—The Department of the Treasury shall assess the level of the Federal Government's long-term unfunded obligations and provide a report to the Committee on the Budget of the House, and other appropriate committees.

(e) HOUSE BUDGET COMMITTEE DETERMINATION.—The chairman of the House Budget Committee shall advise the Chair as to the whether a measure referred to in subsection (a) complies with this section.

SEC. 503. ESTIMATES OF THE COMMITTEE ON THE BUDGET OF THE HOUSE OF REPRESENTATIVES.

The Committee on the Budget of the House of Representatives shall include in the report referred to section 308(b)(2) of the Congressional Budget Act of 1974 an estimate of the level of total spending in outlays and revenue for the period of fiscal years 2010 through 2082 as a percentage of gross domestic product for purposes of this section.

SEC. 504. PROJECTIONS.

(a) CBO LONG-TERM ECONOMIC GROWTH AND BUDGET PROJECTIONS.—By February 1 of each calendar year, for each fiscal year within the long-term period, as set forth in section 512, CBO shall prepare a report that sets forth the amount of total spending of the Government in outlays, and the amount of total

spending for the functional categories set forth in section 112 .

(b) INCLUSION IN THE FINAL SPENDING REDUCTION REPORT.—Each report prepared pursuant to subsections [(a) and (b)] shall be included in the preview spending reduction report and final spending reduction report, as applicable, set forth in sections [703 and 704].

TITLE VI—EARMARK REFORM

SEC. 601. MORATORIUM ON CONSIDERATION OF EARMARKS.

(a) IN THE HOUSE.—It shall not be in order to consider a bill, joint resolution, or conference report containing a congressional earmark, limited tax benefit, or limited tariff benefit (as such terms are used in clause 9 of rule XXI of the Rules of the House of Representatives) until the end of the first session of the 111th Congress.

(b) IN THE SENATE.—[To be supplied.]

SEC. 602. JOINT SELECT COMMITTEE ON EARMARK REFORM.

(a) ESTABLISHMENT AND COMPOSITION.—There is hereby established a Joint Select Committee on Earmark Reform. The joint select committee shall be composed of 16 members as follows:

(1) 8 Members of the House of Representatives, 4 appointed from the majority party by the Speaker of the House, and 4 from the minority party to be appointed by the minority leader.

(2) 8 Members of the Senate, 4 appointed from the majority party by the majority leader of the Senate, and 4 from the minority party to be appointed by the minority leader.

A vacancy in the joint select committee shall not affect the power of the remaining members to execute the functions of the joint select committee, and shall be filled in the same manner as the original selection.

(b) STUDY AND REPORT.—

(1) STUDY.—The joint select committee shall make a full study of the practices of the House, Senate, and Executive Branch regarding earmarks in authorizing, appropriation, tax, and tariff measures. As part of the study, the joint select committee shall consider the efficacy of—

(A) the disclosure requirements of clause 9 of rule XXI and clause 17 of rule XXIII of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, and the definitions contained therein;

(B) requiring full transparency in the process, with earmarks listed in bills at the outset of the legislative process and continuing throughout consideration;

(C) requiring that earmarks not be placed in any bill after initial committee consideration;

(D) requiring that Members be permitted to offer amendments to remove earmarks at subcommittee, full committee, floor consideration, and during conference committee meetings;

(E) requiring that bill sponsors and majority and minority managers certify the validity of earmarks contained in their bills;

(F) recommending changes to earmark requests made by the Executive Branch through the annual budget submitted to Congress pursuant to section 1105 of title 31, United States Code;

(G) requiring that House and Senate amendments meet earmark disclosure requirements, including amendments adopted pursuant to a special order of business; and

(H) establishing new categories for earmarks, including—

(i) projects with national scope;

(ii) military projects; and

(iii) local or provincial projects, including the level of matching funds required for such project.

(2) REPORT.—

(A) The joint select committee shall submit to the House a report of its findings and recommendations not later than 6 months after adoption of this concurrent resolution.

(B) No recommendation shall be made by the joint select committee except upon the majority vote of the members from each House, respectively.

(C) Notwithstanding any other provision of this resolution, any recommendation with respect to the rules and procedures of one House that only affects matters related solely to that House may only be made and voted on by members of the joint select committee from that House and, upon its adoption by a majority of such members, shall be considered to have been adopted by the full committee as a recommendation of the joint select committee.

In conducting the study under paragraph (1), the joint select committee shall hold not fewer than 5 public hearings.

(c) RESOURCES AND DISSOLUTION.—

(1) the joint select committee may utilize the resources of the House and Senate.

(2) the joint select committee shall cease to exist 30 days after the submission of the report described in subsection (a)(2).

(d) DEFINITION.—For purposes of this section, the term ''earmark'' shall include congressional earmarks, congressionally directed spending items, limited tax benefits, or limited tariff benefits as those terms are used in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate. Nothing in this subsection shall confine the study of the joint select committee or otherwise limit its recommendations.

TITLE VII—PAY-AS-YOU-GO ENFORCEMENT FOR MANDATORY SPENDING

SEC. 701. PAY-AS-YOU-GO FOR MANDATORY SPENDING LEGISLATION.

(a) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the House to consider any direct spending legislation, excluding the impact of any revenue provisions, that would increase the budget deficit or cause a budget deficit for any of applicable time periods as set forth in paragraph (2).

(2) APPLICABLE TIME PERIOD.—For purposes of this subsection, the term ''applicable time period'' means—

(A) the current fiscal year;

(B) the budget year;

(C) the period of the 5 fiscal years following the current fiscal year; and

(D) the period of the 5 fiscal years following the 5 fiscal years referred to in subparagraph (C).

(3) DIRECT SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) BASELINE.—Estimates prepared pursuant to this subsection shall use the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget.

(c) POINT OF ORDER PROTECTION IN THE HOUSE.—In the House, it shall not be in order to consider a rule or order that waives the application of subsection (a). As disposition of a point of order under this section, the Chair shall put the question of consideration with respect to the rule or order that waives the application of subsection (a). The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

TITLE VIII—DISCRETIONARY SPENDING LIMITS

SEC. 801. DISCRETIONARY SPENDING LIMITS.

(a) DISCRETIONARY SPENDING LIMITS.—As used in this section, the term ''discretionary spending limits'' mean—

(1) NONDEFENSE DISCRETIONARY CATEGORY.—

(A) Fiscal Year 2010:
(i) Budget authority: $479,559,000,000.
(ii) Outlays: $538,888,000,000.
(B) Fiscal Year 2011:
(i) Budget authority: $480,712,000,000.
(ii) Outlays: $552,231,000,000.
(C) Fiscal Year 2012:
(i) Budget authority: $482,150,000,000.
(ii) Outlays: $546,975,000,000.
(D) Fiscal Year 2013:
(i) Budget authority: $483,679,000,000.
(ii) Outlays: $547,914,000,000.
(E) Fiscal Year 2014:
(i) Budget authority: $485,264,000,000.
(ii) Outlays: $547,703,000,000.
(F) Fiscal Year 2015:
(i) Budget authority: $487,437,000,000.
(ii) Outlays: $548,092,000,000.
(G) Fiscal Year 2016:
(i) Budget authority: $488,275,000,000.
(ii) Outlays: $549,089,000,000.
(H) Fiscal Year 2017:
(i) Budget authority: $489,369,000,000.
(ii) Outlays: $551,612,000,000.
(I) Fiscal Year 2018:
(i) Budget authority: $490,787,000,000.
(ii) Outlays: $553,312,000,000.
(J) Fiscal Year 2019:
(i) Budget authority: $491,468,000,000.
(ii) Outlays: $555,520,000,000.

(2) DEFENSE DISCRETIONARY CATEGORY.—

(A) Fiscal Year 2010:
(i) Budget authority: $691,128,000,000.
(ii) Outlays: $690,463,000,000.
(B) Fiscal Year 2011:
(i) Budget authority: $614,293,000,000.
(ii) Outlays: $658,207,000,000.
(C) Fiscal Year 2012:
(i) Budget authority: $623,612,000,000.
(ii) Outlays: $638,011,000,000.
(D) Fiscal Year 2013:
(i) Budget authority: $634,421,000,000.
(ii) Outlays: $637,332,000,000.
(E) Fiscal Year 2014:
(i) Budget authority: $648,249,000,000.
(ii) Outlays: $642,132,000,000.
(F) Fiscal Year 2015:
(i) Budget authority: $663,024,000,000.
(ii) Outlays: $653,987,000,000.
(G) Fiscal Year 2016:
(i) Budget authority: $678,064,000,000.
(ii) Outlays: $672,185,000,000.
(H) Fiscal Year 2017:
(i) Budget authority: $693,507,000,000.
(ii) Outlays: $682,823,000,000.
(I) Fiscal Year 2018:
(i) Budget authority: $709,411,000,000.
(ii) Outlays: $693,937,000,000.
(J) Fiscal Year 2019:
(i) Budget authority: $725,737,000,000.
(ii) Outlays: $714,265,000,000.

(b) ADJUSTMENT AUTHORITY.—If the chairman of the Committee on the Budget adjusts the allocations set forth pursuant to section 302(a), or other adjustments as applicable, of the Congressional Budget Act of 1974, corresponding adjustments may be made to the discretionary caps set forth in subsection (a).

(c) POINT OF ORDER.—It shall not be in order in the House, unless it has been designated pursuant to section 410 of this resolution, to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that causes the discretionary spending limits in this section to be exceeded, as determined by estimates provided by the chairman of the Budget Committee of the House.

(d) CONCURRENT RESOLUTION ON THE BUDGET.—It shall not be in order to consider a concurrent resolution on the budget if such resolution—

(1) does not include discretionary caps for the fiscal years covered by this resolution with separate defense and nondefense categories; or

(2) includes discretionary spending levels higher than those included in this section for the nondefense category set forth in this section.

The CHAIR. The gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Madam Chair, at this time, I would like to yield 1 minute to the distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague from Wisconsin for yielding.

Madam Chair and my colleagues, I think all of us know that our economy is in big trouble. American families are struggling; small businesses are struggling; unemployment is increasing, and one of the hallmarks of being an American is that each generation was proud of the fact that they were leaving for the next generation a better country with more opportunities, better than what they'd had. A lot of Americans today don't believe that that will happen.

But we can go back to the greatest generation. The greatest generation during World War II was called the ''greatest generation'' because those men and women stood up and fought for America and did what they had to do so that their kids and grandkids could pursue the American dream. They made the tough choice to get involved, to go to war, to do what they had to do.

As we look at this budget that we have in front of us, there are no tough choices. The Democrat plan to increase spending, to increase taxes and to increase the debt makes no difficult choices. Why? Because, when you just keep spending money, you don't have to make decisions. You just keep spending money. The fact is, if you look at this budget, it spends too much; it taxes too much, and it puts too much debt on the backs of our kids and grandkids.

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If you look at the chart next to me, you can see this red line, and this red line indicates the amount of spending that we see in the plan offered by our Democrat colleagues. The green line, as an example, is the spending represented in the Republican budget alternative that does, in fact, spend less.

But it is not just spending. When you look at the taxes in this bill, it will increase taxes several trillion dollars—that's with a ''T.'' Now, the majority wants to say, Well, no, that's not what the budget says. That's why I have described their budget as the Bernie Madoff budget because they tinkered and hid all of the really serious proposals that they all have in mind to do.

They have talked about their cap-and-trade, their national energy tax, but you can't see it in here. And so let us just call it what it is, the Bernie Madoff budget, because if you look at the other documents, they want to do cap-and-trade, which is a national energy tax, $1.5 trillion, they want to let all of the tax cuts that were passed early in this decade, they want to allow them all to expire and even have other ideas to bring back the death tax, the tax that is on top of taxes that were paid when you earn the money, capital gain taxes you paid along the way. And if you saved money and you did the responsible thing, when you die, we're going to come in and take half of it. Now, this is un-American.

So you have got too much spending, you've got way too many ideas about raising taxes. And then we get to the really tough part of this budget.

We get to the debt. You know, we actually do have to borrow money. The Chinese have been our biggest loaners here over the last decade. We've accumulated some $5.8 trillion worth of debt over the last 220 years and 43 Presidents. This budget doubles the debt in 5 years. It triples the national debt in 10 years. And one only has to look at this chart—the blue line is the debt that we've accumulated, the red line being the amount of debt that will be accumulated over the course of this budget and into the future. The green line represents a Republican alternative, which I think is a much, much safer bet and, frankly, reduces the debt that our kids and grandkids are going to have to pay.

So if you look at a budget, it's always called an outline, a roadmap. Well, I have a description of what this budget is. It's a roadmap to disaster. As I said earlier this year, we're going to be the party of better solutions. We clearly are not in agreement with the Democrat budget. PAUL RYAN, or my colleague from Wisconsin, and the members of the Budget Committee on our side of the aisle have put together a better solution that has less spending, that has less taxes and much less debt on the backs of our kids and grandkids.

As I said before, previous generations have made tough decisions, tough decisions to ensure that your kids and grandkids would have a brighter future. The budget presented by the majority doesn't make those tough decisions. There is no question that our budget does require us to make tough decisions.

We actually deal with the issue of entitlements, which is important for us to deal with because there is no way to balance the budget and begin to reduce the debt unless you begin to look at these entitlement programs where our generations made promises to ourselves that our kids and grandkids can't afford. We need to do it in a responsible way. We need to do it in a bipartisan way to preserve these, perhaps to help those people who depend upon them, but also to make them affordable for our kids and grandkids who get to pay the bill.

And so we do make tough decisions. And that's the real point of why the American people send us here. They send us here to make the decisions on behalf of our country, on behalf of their kids and grandkids. And we can't just run away from those decisions—which was represented by the Democrat budget—we have to make them. And when we don't make those decisions, those tough decisions, it's our kids and grandkids who are going to pay the price: higher taxes, bigger government, and most importantly, less opportunities for them.

You know, one thing that has been great about America is that we allow the American people to keep more of what they earn in our budget, small businesses to keep more of what they earn. They are the engines of economic growth. They are the engines of opportunity in America. Most of you have traveled around the world and you know, there is no country like ours. None anywhere in the world. Why? Because in America, you can grow up and be anything you want to be, you can do anything you want to do.

And the reason for that is we have a system that allows the American people to keep more of their money, to make decisions for themselves and their own family. We have opportunities, opportunities you don't see any place else in the world.

The budget presented by the majority will stamp out those opportunities because the economic growth that we will have as a result of this budget will slow dramatically, and when you slow economic growth, you slow job creation in America and you slow down the opportunities available to our kids and grandkids to grow up and be anything that they want to be.

I would suggest to my colleagues it's time to say ''no'' to the irresponsible spending plan, taxing plan, and borrowing plan presented by the majority and to support the Republican alternative, which requires us to make the tough decisions that the American people sent us here to make.

Mr. SPRATT. Madam Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from South Carolina is recognized for 20 minutes.

Mr. SPRATT. Madam Chairman, I yield 1½ minutes to the gentleman from New York, the distinguished chairman of the Ways and Means Committee, Mr. RANGEL.

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

Mr. RANGEL. Madam Chairman, our minority leader said that it's time for us to say ''no.'' Well, that's all they've been saying since we've been involved in this crisis and every issue that we brought to the floor, saying ''no.''

Our great Nation is involved in a fiscal sickness that's equivalent to being in intensive care, and anyone who knows serious illness knows that is not the time to negotiate with your doctors or the hospitals as to how you've got to pay the bill. The essential thing is that we regain our health and come out of this as America always has, as a stronger, more competitive country.

Our President is going abroad trying to get the rest of the world to get some type of fiscal order. But we aren't down here to have Republican budgets and Democrat budgets and to take shots at each other, because our constituents that are losing their jobs, losing their health care, that are out there suffering as a result of this crisis, they are not Republicans or Democrats. They are Americans.

No. I don't think it's time to say ''no.'' I think it's time to say, how can we work together to restore the health of this great Nation? How can we educate the Nation? Give it health care, help to clean the atmosphere, move forward as the world leaders that God blessed us to have the resources.

It's time to stop the fighting and come together and support our President, our economy and our country.

Mr. RYAN of Wisconsin. Madam Chair, this has been a long day, a long couple of days. We're talking about the fiscal future of America.

Here is the budget we propose. There is something that's important, that's worth saying. Obviously we don't like the majority's budget, the President's budget, and I believe it's incumbent upon us to offer an alternative. So that's what we're doing here today.

I want to walk you through our alternative.

A couple of things off the bat.

It has lower deficits, lower spending, lower taxes, lower debt, and a lot more jobs. Specifically on spending, our budget spends $4.8 trillion less than the majority's budget.

Deficits. Our budget has lower deficits than the Obama-Spratt budget throughout the entire period, and half of it at the end of the period.

Jobs. We asked some economists to take a look at, well, which approach creates the most jobs, and they told us just in the fifth year alone you'd have more than two million more jobs under the Republican alternative than you would under the Democratic proposal, the Obama proposal. Why? Because they raise taxes on small businesses. They raise taxes on pensions, on the assets that make up our savings. They raise taxes on energy. They raise debt borrowing, which will lead to higher interest rates.

But let me tell you something else. This is a long-run chart. My friends on the other side have sort of ridiculed bringing these long-run charts to the floor.

Let me read from a document published by the Brookings Institution and the Heritage Foundation. Signed by experts, economists, from the Concord Coalition, the Brookings Institution, the Heritage Foundation, the New America Foundation, the Progressive Policy Institute and the Urban Institutes. Not exactly your bastion of right-wing think tanks.

They say on page 6, among their top recommendations, ''Congress and the President should enact explicit long-term budgets for Social Security, Medicare and Medicaid that are sustainable, that set limits on automatic spending growth that require review every 5 years.'' More importantly, they say the long-run cost of these programs should be visible in the budget at all times and considered when decisions are made.

What are they saying? Let's think about the future when we're voting on these budgets. Let's think about what we're doing to the next generation.

The President himself said this is the most transformative budget we've seen in a generation. We haven't seen the kinds of change that this budget proposes, the likes of which we haven't seen since the New Deal.

So let's consider the ramifications of that. Let's think about what we're doing and the fiscal consequences of it.

And so here's what the picture tells you.

Spending. This budget puts us on a path of ever-higher spending to the point where my three children, who are 4, 5 and 7 years old, will see a government that is double the size of the one we have today, double the size of one we've ever had in this country.

The Republican budget gets us back on track to keep the size of our government where it has always been so we can maximize freedom.

What about debt?

This is the tidal wave of red ink that all of the experts are telling us about. The General Accountability Office, the Congressional Budget Office, left and right economists from all around. The point is we shouldn't be looking down the road 5 years, 10 years.

You know what? I have a mom. She is 75 years old. I have got my kids. I just told you how old they were. I'm in the X generation. What we do here affects all of those people. And so when we pass these bills, they have consequences for everybody in America. And when you see that this budget—which, by the way, is being generous to the Obama-Spratt mark—this budget underestimates the fiscal damage their budget will do. It is an island of red ink. It is a future of a banana republic of borrowing. And we say let's not do that.

And you know what? If you start now, these reforms are compassionate. The reforms we're seeing over the next 10 years are, instead of growing mandatory spending at 5.3 percent, let's grow it at 3.9 percent. It's more than double the rate of inflation right now. We're saying for discretionary spending we gave all of these government agencies giant increases in just the last couple of years. They are fat. Let's put them on a diet for a little while. Let's freeze spending, prioritize spending and then have modest increases after that so we can save our country, save our fiscal future.

That's what we're saying. Let's not get in this vicious spiral, as the Obama budget does, of chasing ever-higher spending with ever-higher taxes that never quite catch that spending and gives us ever-higher debt.

It's wrong. It's unconscionable. It's going to hurt our economy. It's going to bankrupt our country. It's going to give our children a lower standard of living.

At the end of the day, it comes down to this. I asked the Congressional Budget Office, well, what about the standard of living of future Americans? What will the standard of living look like on the current pathway we are on in America? Not the Obama budget but just the current pathway before you would pass this big government budget. And they said this: Inferior standards of living. That's the red line.

We are basically consigning the next generation quantifiably, irrefutably to a lower standard of living. That severs the tie between our generations. That breaks the bond in this country, the legacy, that says each generation takes on its responsibilities, fixes its problems so that the next generation is better off.

You know, my dad told me a number of things when I was a young guy, and he passed away when I was a kid. But I remember a couple of things he always told me. Number one, don't just be part of the problem, be part of the solution. So we're offering a solution. Number two, the great thing about this country is each generation makes it better off for the next, and you better do that when you're my age.

Our budget, according to the Congressional Budget Office, says that the standard of living of Americans in the future currently and consistently goes upwards. We are putting, in this budget, people on the path for prosperity so that we can leave the next generation better off.

□ 1745

And we are offering an economic plan for right now to get jobs back in this economy. We're offering an economic plan that shows we're going to create more jobs.

The answers all don't flow out of Washington. The answers come from individual Americans. That's the power of this country. That's the idea of this country. The nucleus of our country, of our society, of our economy, the genius of it are the American people themselves, not Washington bureaucrats,

not the idea that we have to take more money and more power away from the people and spend it on their behalf and exercise it on their behalf.

Unfortunately, that is the arrogant, paternalistic notion that is being brought to the floor here by the budget that the American people are being asked to swallow. I think it's wrong. I think it's dead wrong, and we're following the advice of all the fiscal experts from the left and from the right who are saying think about the consequences, think about the future, think about what your actions are doing.

That's what we are doing, and that is why I argue for our budget, a sensible budget, a commonsense budget, a budget that says to senior citizens, we can protect your benefits right now if we act to save them for the future. Here's the problem. These programs themselves grow themselves right into extinction. If we don't reform these programs, we can't protect those who are in and near retirement from those cuts. If you act now, we can protect people who are in and near retirement. If we don't act now, we can't.

That's what's wrong about the politics of demagoguery of taking on these challenges, and that is why we need to be grownups and adults and tackle these fiscal challenges before they tackle us.

I reserve the balance of my time.

Mr. SPRATT. I yield 2 minutes to the gentlelady from Connecticut (Ms. DELAURO).

Ms. DELAURO. This substitute budget is a shortsighted attempt to short-circuit essential investments in our economic recovery and long-term growth. It takes back resources for long overdue investments in education and health care and in energy.

A $29 billion cut to income security programs over 10 years, $25 billion of which comes from critical nutrition program increases. The kind of investments that conservative economists tell us have the most powerful stimulative impact, $1.73 in economic growth created for every dollar spent, if only it were allowed to reach families in need.

But it does not end there. This Republican substitute budget creates even more dramatic reductions in nutrition programs by requiring the Agriculture Committee to cut $38 billion over 10 years. This is cutting food programs for hungry kids. We know what the devastating effects of unemployment, the cutoff of benefits for health care, that people today are going to food pantries who never thought in their lives they would have to do that.

A gentleman who says I have to take care of my kids, I never thought I would go to a food pantry, I was humiliated, and I felt like a lowlife, but my kids need to eat. That's what this budget would cut, nutrition programs.

To be sure, the committee could reach a target here by reducing farm price supports, but the gentleman from Wisconsin has said that he will not open the farm bill. That means that the nutrition programs are the only place to do their cutting, leaving millions of families, seniors, women, and children to pay the price.

Our opponents have just trotted out the failed programs of the past, and they are dealing with $3.3 trillion in tax cuts over 10 years.

The CHAIR. The time of the gentlewoman has expired.

Mr. SPRATT. I yield the gentlelady 30 additional seconds.

Ms. DELAURO. They simply ignore urgent challenges that we face as a Nation. They pour $3.3 trillion into tax cuts over 10 years, most of it going to the wealthiest Americans.

This budget is the last thing our economy needs now or down the road: the kind of drastic cuts to essential services that will raise costs, which will destroy our ability to compete and to grow. It's a relic of 8 long years of a failed economic policy of the Bush administration. The American public rejected it. I urge my colleagues to think realistically about our national challenge and to oppose this substitute budget.

Mr. SPRATT. I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Madam Chairman, if you ever wonder what a third Bush term would look like, this is it. This is a budget plan that maintains the tax breaks for the wealthiest people in America, pays for it by giving people 55 and under a voucher to go fend for themselves in the insurance market instead of Medicare, which I think would pay maybe 80 percent of what it costs.

Mr. RYAN of Wisconsin. Would the gentleman care to yield on that point?

Mr. ANDREWS. I only have 1 minute. If you give me some of your time.

Mr. RYAN of Wisconsin. Would you yield for a correction?

Mr. ANDREWS. Well, I tell you what, when you get your time, I'll answer your question.

It would privatize Social Security. It would squeeze money out of the Social Security system.

Mr. RYAN of Wisconsin. There's no privatization of Social Security in this bill. Can you show me where that is in this bill, please?

The CHAIR. The gentleman will suspend.

Mr. ANDREWS. May I continue?

The CHAIR. The gentleman from New Jersey has the time.

Mr. ANDREWS. It continues the enormously successful policy of deregulation that has brought us to the brink of financial disaster. It doesn't work. It doesn't work. For every one job this approach has created, our approach has created 108.

We shouldn't go back to a sequel for a movie that was so bad to begin with.

Mr. RYAN of Wisconsin. I yield myself 10 seconds to say, show me where Social Security is privatized. Show me where there is deregulation. There's not even the word ''deregulation'' in this bill, and all we're saying on Medicare for younger people, so we can save the program, why don't we let them have a program like the one we have in Congress. We have a good health care program. I think it's worthy of theirs.

With that, Madam Chair, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE), the chairman of the House Republican Conference.

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

Mr. PENCE. The budget brought by the majority to the floor today spends too much, taxes too much, and borrows too much, and the American people know it.

The Democrat budget will double the national debt in 5 years, triple it in 10. 2010 spending: $3 trillion. More than $1 trillion in tax increases in a recession, and deficits of nearly $1 trillion a year for the next 10 years.

Truth is the Democrat majority has brought to this floor the most fiscally irresponsible budget in American history.

While every American family and every small business is answering these challenging times of sacrifice and frugality, the majority in this Congress continues to believe that we can borrow and spend and bail our way back to a growing economy. But not Republicans.

Thanks to the bold and innovative leadership of the ranking member of the Budget Committee, Congressman PAUL RYAN, Republicans have a better solution. In stark contrast to the Democratic budget, the Republican budget alternative puts America on a path to prosperity, spends nearly $5 trillion less than the Democrats' budget over 10 years, brings debt under control, borrowing nearly $4 trillion less than the Democrat budget over 10, and it does not raise taxes.

Creating 2.1 million more jobs than the Democrat budget, this Republican alternative puts its faith in individuals and businesses and private sector. Suspending capital gains taxes, reforming the tax code, reducing the corporate tax rate so we can keep American jobs here.

And even while we do so, we fund our national priorities, increasing defense, increasing veterans, providing for healthy retirement security, and touching not one cent of the Social Security program and trust fund.

I urge my Democrats to do the unexpected, as Daniel Webster says on the wall just before us, Let us do something in this generation. Let us perform something worthy to be remembered.

Embrace bipartisanship today. Embrace fiscal discipline, tax relief, and reform. I say to my Democratic colleagues with the deepest respect, say ''yes'' to the American people. Vote ''yes'' on the Republican budget alternative.

Mr. SPRATT. I yield myself 3 minutes.

The gentleman from Wisconsin and I are good friends. We work together collegially and cordially, and I don't lightly disagree with him, but I have to take profound exception here, because the budget he proposes before us would lay out draconian cuts in spending, $2.4 trillion. We're talking about real money over 10 years. These are made in the name of deficit reduction, and they cover the spectrum.

Eleven committees are reconciled with instructions to make enormous spending reduction: Energy and Commerce, $666 billion; Ways and Means, $695 billion; Financial Services, that's housing, $28 billion. All together $1.380 trillion in spending cuts is reconciled to 11 committees, and on top of that, it appears that Medicaid and CHIP would be block granted.

This is serious stuff. And I've only begun, because this just applies to mandatory spending. More is in store when you go to discretionary spending. There's $1 trillion of cost reductions there, achieved by imposing a freeze for five straight years on all discretionary programs except defense and veterans. That's education, that's infrastructure, that's science, NIH, NSF, public health, food safety. The list goes on, frozen for five straight years.

For all the havoc and hurt that's wreaked by this draconian plan, what do we gain? Very little on the bottom line. That's because the $2.4 trillion in spending cuts is more than offset by $3.6 trillion in tax cuts.

Under the guise of deficit reduction, more tax cuts are provided for the upper brackets. According to the Citizens for Tax Justice, 25 percent of all Americans would face a tax increase under this budget proposal. The wealthiest 1 percent would get $100,000 or more. Those are not my numbers but theirs.

This is not the way to go. This is not the way to go to a deficit reduction plan. This is not the way to go if we have any respect for the values that are embodied in this budget. This is something we should all vote down.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Madam Chair, may I inquire about the time.

The CHAIR. The gentleman from Wisconsin has 8 minutes remaining. The gentleman from South Carolina has 13 minutes remaining.

Mr. RYAN of Wisconsin. I will wait to let them get caught up.

Mr. SPRATT. I yield 2 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Madam Chairman, Mr. RYAN said earlier that this vote is ''all about freedom,'' and I agree.

Almost 70 years ago, President Franklin Roosevelt stood in this chamber to report on the State of the Union. He called for a world founded on four essential freedoms: freedom of expression; freedom of religion; freedom of fear; and freedom from want. He explained that freedom from want means securing a healthy, peacetime life for all of our people.

In that same address, President Roosevelt called for ending the special privileges for the few, a wider and constantly rising standard of living, and widening the opportunities for adequate medical care.

By those measures, tens of millions of Americans are less free now than their parents were, and they worry that their children will be less free still.

This Republican budget drastically reduces, even more than they have been reduced in recent years, the taxes on the richest Americans, including those whose heedless greed created the economic crisis that we now face. That, our colleagues in the minority proclaim, is what freedom means.

Their budget again cheats education, health care, energy. The majority budget invests in education, health care, in energy, investments that are long overdue. The majority budget creates opportunities and provides a liberating hope for middle-class families that they can climb out of desperate debt and enjoy a widening prosperity.

Vote for freedom from want. Vote for the majority budget. Vote against this Republican budget.

Mr. SPRATT. I yield 1½ minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. I thank very much the gentleman from South Carolina.

Let me just be very, very brief. I want to take a moment to point out the fallacies in the Republicans' plan.

First of all, the Republicans' plan is based on the weakest effort to try to deal with an economy that is receding. It is of little value to base your plan on tax cuts at a time when the economy is in recession, at a time when the economy is, in many cases, in a depression.

□ 1800

We are losing, on average, 620,000 jobs every month, Madam Chair. That's 21,000 every day. How in the world are we going to make an economic policy based upon tax cuts, which are based upon income, when the income levels of our country is going down?

There's a reason why this country supports what the Democrats are doing under this Democrat President by over 60 percent. And that is because we understand what this economy needs now is growth—and the best way to get this economy to grow is to invest in the American people. And when you invest in the American people, the best way to do that is in education—to get our people educated and strong, to be able to get them retrained to get the kind of jobs that we will need in a new, restructured economy.

In terms of health care—not only to provide it in terms of lowering the cost, but to create jobs in the health care area. Nowhere is that need any greater in terms of jobs than in energy dependence.

That's why the American people are supporting the Democratic initiatives on this, and I urge a positive vote for this budget resolution.

Mr. SPRATT. Madam Chair, how much time remains on this side?

The CHAIR. The gentleman from South Carolina has 10 minutes remaining. The gentleman from Wisconsin has 8 minutes remaining.

Mr. SPRATT. I yield myself 4 minutes.

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

Mr. SPRATT. As we near the end of this long debate, I want to speak to those who are still weighing their vote and to any who are still wavering. To them—in fact, everybody—let me say that with respect to our resolution, if you want to vote for bold initiatives, like health care for the millions who don't have insurance, our resolution lays out the framework for helping that to happen, and for funding it so that the net cost is not added to the deficit.

If you want to say to the next child you meet in a classroom, ''You can go to college. Yes, you can go to college. Yes, you can. You can go because Pell Grants will help pay the way if you do your studies and work hard.'' If you want to look that child in the eye and say just that, our resolution is the resolution you should vote for.

If you want to vote for tax reduction, this resolution supports $1.7 trillion in net tax reduction over 10 years, including all the middle-income tax cuts that we passed in 2001 and 2003. And that's not my contention; that's CBO's conclusion after reviewing this budget.

If you want to vote for deficit reduction, our resolution reduces this year's deficit of $1.8 trillion—an unwelcome inheritance from the last administration—our resolution reduces that deficit by two-thirds, down to $586 billion by the year 2013, when it would be 3.5 percent of GDP—roughly the growth rate that year.

If you want to be sure in voting for the deficit reduction that the deficit will actually be reduced, our party is the party that balanced this budget in 1998; our party is the party that paid off $400 billion in Treasury debt; and our party is the party that left President Bush a surplus of $236 billion the year before he came—$5.6 trillion over the next 10 years of his administration.

We wiped out the deficit. They wiped out the surplus. Not only did they wipe out the surplus, they ran up more than $5 trillion in debt and left us a tab of $1.752 trillion in deficit, which we're struggling with right now in the well of this House, and will be for years to come. So when it comes to deficit reduction, we rest our case on the record.

If you want to show where cost savings have been achieved because of the budget you vote for, this resolution saves significant sums by converting

guaranteed student loans to direct DOE loans; we save billions more by funding agencies like the IRS, HHS, Labor, and SSA, to wipe out waste, fraud, and abuse; and we save $176 billion over 10 years by competing Medicare Advantage plans. If you want reasons why you should vote, we've got them.

Finally, if you're still swayed by the other side's rhetoric, let me offer in evidence exhibit A on this poster right beside me. This chart is a simple side-by-side that shows what Democrats accomplished in the 1980s compared to what Republicans have accomplished since 2001.

Average monthly job growth. This is really dramatic. The Clinton administration, Democrats in the 1990s, 217,000 jobs every month in job creation. Republicans, 2,000, as opposed to 271,000. This is a matter of record.

Net job creation, 22.7 million jobs. That's the net accomplishment of the Clinton administration. The Bush administration's net accomplishment, 1.9 million. Percentage of Americans living in poverty during the Clinton administration, 3.8 percent reduction. During the Bush administration, eight-tenths of a percentage point increase.

The CHAIR. The time of the gentleman has expired.

Mr. SPRATT. I yield myself 30 additional seconds.

Americans without health care or health coverage dropped from 15.3 percent to 13.7 percent in the Clinton years, then went back up to 15.3 in the Bush years.

These facts speak louder than anything I can say. The difference between us is profound. If you want to know whom you can believe, trust, and put your faith in with respect to economic planning, just remember what we did in the 1990s, and what we can do in the period we have now with the President we have and the program we're trying to devise.

Vote for the base resolution—the House Democratic resolution.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Madam Chair, at this time I'd like to yield 2 minutes to the gentleman from Arizona (Mr. SHADEGG).

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

Mr. SHADEGG. What we just heard was something rather amazing—it is that you can get something for nothing. But as Americans know, that simply isn't true. Indeed, what you get for spending is debt or higher taxes. And there are some facts in this debate.

We spent a lot of time discussing today whether or not the cap-and-trade program is a tax. The majority side said, ''Oh, no, no, it's not a tax.'' But in the Obama budget it produces $647 billion for the government. That's an additional weight on every single American—not just taxpayers—but every single American. That's higher energy costs, that's higher costs for everything we buy.

Now let's talk about some of the facts.

Mr. BLUMENAUER. Will the gentleman yield?

Mr. SHADEGG. I will yield like you yielded earlier.

The largest tax increase in our history—$1.4 trillion over 10 years. It contains the largest deficit—$1.8 trillion in 2009. Four times larger than the previous record of $407 billion, the largest deficit as a percentage of the Gross Domestic Product since World War II, and the largest national debt.

I would suggest to you there are facts in this debate. Those facts include that the Republican budget which was put together by the gentleman from Wisconsin (Mr. RYAN) spends $4.8 trillion less than the Democrat budget, and it borrows $3.6 trillion less than the Obama budget.

So what does that mean? What it means is that if we pass the Democrat budget, we are rapidly going on the path of becoming—not the greatest generation, which is what our parents and grandparents created, and gave us the defeat of fascism, the advancement of freedom, and putting America on a course to a level of prosperity we have never before seen.

What we are going to give our children, what we are going to give our grandchildren, is the most reckless generation—a generation that is driving itself deeper and deeper and deeper into debt.

It stuns me that the other side was so concerned when my Republican colleagues were overspending, but not concerned today. Well, this budget that the Democrats have proposed will double the national debt in 5 years, triple it in 10. The facts are there.

We cannot do this to the greatest generation or to the next generation. Let's not become the reckless generation.

Mr. SPRATT. I yield 2 minutes to the distinguished chairman of our Foreign Affairs Committee, the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Madam Chair, I rise in strong opposition to the Republican substitute, and thank the gentleman for yielding.

Among its many shortcomings, this proposal slashes funding for the international affairs budget 20 percent below the President's request, and 10 percent below this year's spending level. This may be a politically appealing thing to do, but it is as short-sighted and irresponsible and harmful as any other aspect of this proposal—harmful to our national security, harmful to our national interests.

For far too long we have failed to invest adequate resources in our civilian foreign affairs agencies. The State Department has been so starved for funds that a full 11 percent of its overseas diplomatic posts remain unfilled. The U.S. Agency for International Development now relies on only five engineers to oversee hundreds of infrastructure projects around the world.

This glaring void in our civilian capacity is increasingly being filled by the military. Our brave men and women in uniform follow orders and do the best they can, but they are trained to be warfighters, not development and reconstruction professionals.

That's why Defense Secretary Gates called, according to the newspapers, Senate Budget Committee Chairman CONRAD last week to plead for more money—not for the Pentagon, but for the international affairs budget.

The draconian cuts proposed in this substitute could have a direct impact on the success of our efforts to stabilize Afghanistan. President Obama has correctly recognized that the fight against al Qaeda and the Taliban cannot be won by military means alone.

In addition to 21,000 additional troops, he's proposed sending hundreds of agriculture and development specialists to help that war-torn country get back on its feet. This budget would make that possible because there's no way they could absorb the additional cuts and still do that mission.

I would suggest that the President's number, and not the Republican proposal and not the Ryan substitute, is the fiscally conservative position in this debate.

I urge my colleagues to defeat this substitute.

Mr. RYAN of Wisconsin. Madam Chair, the gentleman is correct. We don't have the President's request to increase the State Department's budget by 51 percent. We are guilty as charged.

With that I would like to yield 2 minutes to the minority whip, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman from Wisconsin. First of all, Madam Chair, the American people are looking at us today to see if there is actually going to be a real connection between what this place is about and what people are going through every single day in the communities across this country.

Job number one for us is to get the economy back on track. And the way we do that is to promote job creation. There is, without a doubt, an attack on the job creators on the part of the budget being brought forward by the majority.

How in the world do we expect small businesses to create jobs if we're taxing small businesses? In fact, 50 percent of those individuals who receive a tax hike on the majority's budget are small businesses. And if you've got more employees, you've got higher taxes. That doesn't make sense.

Some of the other accusations are, How do you think you can bring the economy back by lowering taxes? Well, you know, how are we going to bring the economy back by just cranking up government spending? At best, what we do in government spending is redistribute wealth.

We need to get back to creating wealth, creating prosperity.

Madam Chair, there are two divergent views in this House today, there is no question about it. One, the majority's budget is about preserving the status quo, it is about investing in Washington. The other, in Mr. RYAN's budget, our alternative, is about promoting opportunity. It is about promoting what is best for small businesses and working families in this country.

America has always been more about opportunity. Yes, we want to promote security—financial security. But the way we do that is to promote opportunity.

I hear so many of the old, tired scare tactics coming from the majority: The Republicans—all they will do is ruin Social Security.

We have provisions in our document which say we hold Social Security harmless. The seniors are protected.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield the gentleman 1 additional minute.

□ 1815

Mr. CANTOR. I hear from the other side that somehow we are cutting real money out of the budget. Well, you are darn right we are cutting real money out of the budget. What do you think the working families of this country are having to do every single day? They are having to tighten their belts. They are having to see about how they are actually going to make it through the month and pay the mortgage and pay the bills.

So, yes, our budget alternative reduces the borrowing that goes on, that borrows the money that we don't have. It reduces it by 21 percent. It lessens the spending by almost $5 trillion.

Ladies and gentlemen of the House, it is high time that we become responsible stewards of taxpayer dollars. As the gentleman from Wisconsin said, we owe it to the people that we represent. We owe it to the working families, to the small business people, to the single working moms out there who are worried about their jobs and the fact that investors are on the sidelines. We owe it to them to try and reinstill the confidence. We have got to set the example. The way we set the example is to be responsible. We have got to lay a path for the future and show that we are good fiscal stewards of the taxpayer dollars.

Mr. SPRATT. I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

My friends on the other side of the aisle—and I attempted to claim the attention of my friend from Arizona when not once but twice today he talked about somehow a $600 billion tax on the American people. I was trying to get his attention to refer to the reserve funds on page 53 for him to look at to find where that number is. Where is that number in the budget proposal before us?

Mr. SHADEGG. On page 30. Will the gentleman yield?

Mr. BLUMENAUER. The reserve fund has no number. It is on page 53.

Mr. SHADEGG. First of all——

Mr. BLUMENAUER. I only have a few seconds.

Mr. SHADEGG. If the gentleman will yield.

Mr. BLUMENAUER. The point is, the people ought to look at the budget, at the reserve fund.

Mr. SHADEGG. If the gentleman will yield.

Mr. BLUMENAUER. And find that it is deficit-neutral, and that the opportunity is here for us to address the climate change. I strongly urge that people refer to it.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. We have no more speakers. So if the chairman would finish his round of speakers, then that would be great with us. I understand the gentleman reserves the right to close, and I would just like to know when his last speaker is up.

Mr. SPRATT. We have the right to close, I believe. We have one more speaker, and we will close with that speaker.

Mr. RYAN of Wisconsin. The next speaker was quoted a couple years ago as saying about our Republican budget when we had a deficit of $248 billion, ''This constitutes nothing less than fiscal child abuse, because they will morally force our children and grandchildren to pay our bills.''

I couldn't have said it better myself, Madam Chair. That is exactly what is happening. But the budget deficit is not $248 billion, it is $1.8 trillion. We don't even get close to $248 billion under these budgets.

Yes, we have a tough fiscal situation. We have inherited it. I guess you could say so. The question is, what are we doing about it? Are we make it better, or are we making it worse?

The President's budget, which is here on the floor, makes it so much worse. It doubles the debt in 5½ years and triples it in 10. Massive tax increases in the middle of a recession, on everyone, and chases ever-higher spending with ever-higher taxes forever.

We have different ideas. We have differences. Nowhere else is it more clear about the differences between our two parties than it is today.

The gentleman has spent the last 20 minutes criticizing us for cutting spending. Guilty as charged. Yes, we need to cut spending. Wow. I said it. Holy cow. In Washington. A novel idea.

You know what? We spend too much money in this government. We have got to prioritize spending.

The American people, guess what, this is their money. We don't just make it up. Well, actually, they are printing a lot of it down at the Federal Reserve now, more than they should. This comes from the American people. It is their money. If you keep taking it away from them, do you know what happens at the end of the day, Madam Chair? They don't have as much freedom. They don't have the ability to put groceries on the table. They don't have the ability to pay their mortgage, which might be underwater.

The engine of the economy of this country is not its government, it is its people, and we believe that we need to get serious about our fiscal situation. Don't raise taxes in a recession. Don't borrow and spend your way to prosperity. It never worked in any other country. Why would it work here?

Let's get our fiscal house in order. Let's get our deficit down. Let's get our borrowing down. Let's get our taxes down. Let's get more jobs and more freedom in this economy. That is exactly what our budget does. It is responsible, it is serious, and it gives me the ability to go home on the airplane tomorrow and look my three kids in the eyes when I hug them and kiss them and tell them, ''I just made right by you because I just went to work to make your future better.'' I am going to go home with a clear conscience. I hope you can say the same.

Mr. SPRATT. Madam Chair, I yield the balance of our time to our distinguished majority leader, Mr. HOYER.

The CHAIR. The gentleman from Maryland is recognized for 2½ minutes.

Mr. HOYER. I thank the Chair, and I thank the chairman for yielding, and I rise with great respect for the quality of character and the quality of intellect that he brings to his job, one of the most important jobs we have in this Congress.

I also rise with great respect for the ranking member, Mr. RYAN. I like Mr. RYAN. I think Mr. RYAN is a very bright, able, conscientious, honest Representative.

By the way, as an aside I will tell the gentleman from Arizona (Mr. SHADEGG) who called our attention to page 30, page 30 is a blank page.

Mr. RYAN of Wisconsin. He was talking about the text of the resolution.

Mr. HOYER. Mr. RYAN gave my quote. I believed that then and I believe it now. I believe we've pursued for too long policies of fiscal irresponsibility, a concept that we need not pay for what we bought. I believe it was called supply side economics, which to me meant that if you do less, you get more. Nothing I have done in my life instructs me that if I do less, I get more.

But because the gentleman used a quote of mine, I thought it might be nice to use a quote of his. May 4, 2003, the Journal Sentinel:

''Is the deficit a concern?'' This is a quote. ''Absolutely. But Congress should not constrain economic growth and keep people out of work to pay down the deficit. Coping with the deficit requires getting the economy growing at a more robust rate and getting people back to work. More people with jobs means more tax revenue being generated. This will help us pay down the deficit more quickly and address the financial challenges facing

Social Security and Medicare as the baby boom generation retires.'' My, my, my.

Mr. RYAN, you don't seem to feel that way now. The fact of the matter is the Obama administration handed us an inheritance.

Mr. RYAN of Wisconsin. Will my friend yield for a moment on that?

Mr. HOYER. Certainly.

Mr. RYAN of Wisconsin. The deficit went down after that comment, down to $162 billion, which was the last year when we had control. $162 billion. So it actually went down because jobs went up.

Mr. HOYER. You mean the deficit was lower.

Mr. RYAN of Wisconsin. No. The deficit was higher in 2003 and it went down in 2006 to $162 billion because of higher economic growth. And that is what we were trying to advocate for, getting the deficit down, keeping taxes low, getting people into work.

And you know what—we should have done a better job on spending, and on that you are right.

Mr. HOYER. Reclaiming my time, I am glad the gentleman went there.

The gentleman knows that under President Clinton we had a $5.6 trillion surplus projected. Not by Clinton, but by George Bush. When he took office in March of 2001, he said, ''I have inherited a $5.6 trillion surplus.'' And, indeed, in the year before the Bush administration came to office, I tell my friend from Wisconsin, we created in that last year 1.9 million new jobs.

Mr. SPRATT spoke of the average 217,000 jobs per month. You need about 100,000 new jobs per month to stay even. Two hundred thirty thousand jobs per month were created, on average. Some months were a lot higher.

Two million new jobs in the last year of the Clinton administration. And what happened in the last year of the Bush administration? After 8 years of the economic policies that you pursued and for 6 years had total hegemony, total control, what happened? You heard the figures of unemployment, but you doubled the deficit from $5 trillion to $10 trillion—the debt, not the deficit. That was the result of your economic policy.

I heard the former chairman of the RSC—I was constrained to come to the floor, but my staff tied me down—who said, ladies and gentlemen, that we have been in office for 50 days and look what has happened to the country. Nobody in America thought that was a credible statement. Nobody.

The policies of the last 8 years have led to the worst economy that we have seen in this country in over a half a century. Some of us stood on this floor and said that is what would happen. We did it because we were fiscally irresponsible and because we were regulatorily negligent. We took the referees off the field. We pretended that the private sector would referee itself, that they would manage risk responsibly. They did not.

And the gentleman from Texas to whom I am referring said we didn't care about his children. That is not right. If he loses his job, we provided as our first bill that his children will have the availability of health care. But we want to provide his children, my children, my grandchildren, and, yes, my great granddaughter, with a fiscally sound Nation. It is not there now, and it will not be next year, and it won't be the year after, because the hole we have dug is so extraordinarily deep that it will take years and years of discipline to get us back to where we were on January 19, 2001. I think everybody in this House wants to do that, but we have different views of how you do that.

I have served in this House, as the gentleman has heard me say before, now 29 years. Eight of those years have been under a Democratic President, Bill Clinton; 20 of those years under Republicans. Every single year of a Republican Presidency since 1981 has run deep deficits, every one, without failure.

Now what is the significance of that, you might say? It is that a President alone can stop spending. The only one that can stop spending. I can vote against spending, my friend Mr. RYAN can vote against spending, but we need 217 other people to do the same. Only the President of the United States by vetoing spending can say ''no.'' President Bush signed bills and presided over an economy that resulted in the doubling of the national debt.

And so, my friends, we come to a responsible budget, but not the budget any of us would like. Why? Because, as they lament on the Republican side of the aisle, the deficits are too high. They are right. I agree with that. I don't like these deficits. I prefer to vote for balanced budgets. I voted for a balanced budget amendment. And, very frankly, had we had a balanced budget amendment, we would be in much better shape today, because you couldn't have enacted your tax cuts because you would have had to have paid for them.

□ 1830

Because you would have had to pay for them, and while you were very prepared to give the wealthiest in America big tax cuts, you were not prepared to pay for them, perhaps because of the logic that you expressed in that article of 2003.

My friends, we have an important decision to make. That decision is whether or not our investments in the future will continue by the adoption of this budget. We adopted, under the Bush administration, the Troubled Assets Relief Program. There was disagreement on that, not between Mr. RYAN and myself. We believed that was necessary. We didn't like it, too much money, too much debt and too much borrowing. But we thought it essential to bring this economy back and to stabilize it and to try to keep jobs. It hasn't yet succeeded. And we have lost far too many jobs. Too much pain in America, too many people without a job, too many families who aren't sure where their next meal is coming from or how they are going to pay their mortgage payment or how they are going to send their kids to school. There are too many Americans in pain.

Now we can, in my view, deeply cut those items which are there to help people in pain and trouble, as I believe your budget does. Or we can do what Mr. SPRATT has recommended, bring the deficit down, not to where we would like it, but bring it down substantially, about 3.5 percent of the gross domestic product by 2015 as opposed to 10.5 now. Is that too high? It is. Would I like it lower? I would.

But I tell my friends that this is a responsible budget, not just for today but for the long term, because although we had a Recovery and Reinvestment Act, that was to staunch the decline, the fiscal crisis and the economic crisis and the job crisis and the health care crisis that we inherited from the Bush administration.

That is why I'm going to vote for this budget. That is why I urge each and every one of my colleagues to vote for this budget, because it invests in the health care of our people. It invests in the energy independence, and therefore the national security of our people. And yes, it provides for the national security. There are two wars that are going on. This budget provides that we will respond to them and keep our people safe. But it also responds to the need to keep people safe right here at home. That is why I will vote for this budget. That is why I urge each and every one of you to support this budget, not because it does what we would like it to do, as so many of my Republican colleagues have urged us, but those same colleagues indicated to me that their budgets would balance the budget and would cut spending.

Because there has been so much talk of spending on your side of the aisle, Mr. RYAN, I remind you that under the Clinton administration, discretionary spending rose at a rate of 3.5 percent. However, with you totally in control, it rose 7 percent. You doubled spending. So it rings hollow to say that it is spending we ought to cut. You cut taxes, and you increased spending.

This is a tough budget. It is tougher than a lot of people would like. It is tougher than Mr. BERMAN would like. Because he knows there are children all over this world that we are helping stay healthy, kept alive by feeding. And allies kept on our side when we confront terrorists. This is a tough budget. The Budget Committee made tough decisions, but they were right decisions, right for our country and right for our people.

Support the Spratt budget. Make America better.

Madam Chair, today, with the passage of this budget resolution, the House has the opportunity to set America's priorities for years to come and build a sustainable, widely shared recovery.

Along with the American Recovery and Reinvestment Act, this budget is a key part of our return to prosperity; it provides the long-term investments that will make prosperity last.

Today we have a chance to begin bringing down the cost of healthcare; breaking our addiction to foreign oil; creating the best-prepared workforce in the world; and returning America to fiscal health.

On healthcare, it is clear that rising costs are straining American families and crippling American businesses.

Family premiums have more than doubled since 2000, and over the past five years, our total healthcare spending has increased at more than twice the rate of inflation, consuming more of our economy and our budget each year.

This budget is the start of efforts to reverse that disastrous trend. It makes a significant down-payment on reform, taking steps to lower healthcare costs, improve quality, and expand access.

Healthcare reform is also key to entitlement reform, because we will never be able to control the growth in Medicare and Medicaid spending as long as healthcare costs continue to increase at more than twice the rate of inflation.

On energy, this budget increases support for energy independence programs by 18 percent. That includes incentives for the development of new technology and clean energy jobs; support for cutting-edge research; funding to start on an energy-efficient, money-saving national smart grid; and programs to help Government from the Federal to the local level save energy and money.

On education, this budget builds upon the investments made in President Obama's recovery plan with additional support for early childhood education, elementary and secondary school students, and efforts to help more Americans obtain a college degree.

It expands access to early childhood programs, makes college more affordable with increased Pell grants, and promotes job-training and significant education reform.

A lasting recovery isn't simply about ending the turmoil in our financial markets—it's about having workers who are prepared to compete in the 21st-century economy with anyone in the world.

Finally, this budget reverses the irresponsible Republican policies that turned record surpluses into record deficits and puts us back on a fiscally sustainable path.

That begins with an honest accounting of where we are—an assessment that takes into account the cost of two wars.

From that honest foundation, the budget cuts the deficit from 10.5 percent of GDP in 2009 to 3.5 percent of GDP in 2013. In other words, we cut the deficit by nearly two-thirds.

We do so by restraining spending, investing in oversight that saves taxpayer money, and, most importantly, reinstating the pay-as-you-go rule in law and requiring that new initiatives be paid for.

Our Government must pay for what it buys.

Republicans, by contrast, would abandon that discipline in favor of a $3.6 trillion tax cut, which the non-partisan tax policy center calls "by far, the largest tax cut in history"—one that goes almost exclusively to the richest Americans.

Paying for tax breaks like those, as Mr. RYAN proposes to do, would require deep cuts to vital services. So taking the massive tax breaks to their logical conclusion, Republicans support cutting Medicare, Medicaid, and a host of other essential programs that are critical to our economic recovery.

As the Washington Post notes today, the Ryan substitute would "freeze most Government spending for five years, halt spending approved in the economic stimulus package, and slash federal health programs for the poor and elderly."

When Republicans claim their budget will create jobs, they conveniently ignore the impact that the deep spending cuts in their plan would have on jobs.

Virtually all economists, including conservatives such as Milton Friedman, agree that Government spending during a recession creates jobs.

In fact, when we use the model of the conservative Heritage Foundation and take into account both tax cuts and spending cuts, we find that the Republican plan destroys jobs.

Of course, Republicans have another option to finance their tax breaks—increasing our deficit and piling up our debt even higher. That would be in keeping with the fiscal ideology that has dominated among Republicans as long as I have served in this House, the dogma summed up by Vice President Cheney: "Reagan proved deficits don't matter."

Our country has come to see the foolishness of that belief—and I think it has also come to see that only one party has a track record of responsibly reducing deficits. Chairman SPRATT put it well: "Republicans turn surpluses into deficits. Democrats turn deficits into surpluses."

The Republican case on substance is truly weak—and their argument on process is weaker.

Republicans have repeatedly decried this budget's use of the reconciliation process to provide for a majority, up-or-down vote on health care and education if Congress has not reached agreement on these issues so critical to our economic recovery.

But the truth is that both parties have used reconciliation to implement the policies assumed in budget resolutions.

Under President Bush, it was the Republican option of first resort to pass irresponsible tax cuts; under this budget, it is simply a fallback if partisanship blocks progress.

I urge my colleagues to vote for this budget—one of the most important votes they will take in this Congress.

This is our chance to build the foundation for recovery and plan wisely for the long term. We cannot miss it.

Mr. RYAN of Wisconsin. Madam Chair, may I just ask unanimous consent for the purpose of thanking some staff?

The CHAIR. Without objection, the gentleman from Wisconsin and the gentleman from South Carolina each will control 1 additional minute.

There was no objection.

Mr. RYAN of Wisconsin. Madam Chair, we, on both sides of the aisle, have very hardworking budget staffers. And I just wanted to take a moment to thank them for all of their late nights and all of their hard work, starting with Austin Smythe staff director, Chauncey Goss, Tim Flynn, John Gray, Jim Herz, Matt Hoffmann, Charlotte Ivancic, Patrick L. Knudsen, Angela Kuck, Ted McCann, Stephen McMillin, Courtney Reinhard, Paul Restuccia, Jonathon Romito, Stephen Sepp, Conor Sweeney, Sarah Ulrich and Dana Wade; as well as our interns, who gave us the greatest free labor we ever get around here. And I want them to know that they should double whatever we are paying them. Jacquie Adams, Krysta Carlson, Michael Koutnik, Nicole Marquart, David Rabe, Kyle Roskam and Abigail Weinshel. Thank you, staff, for your hard work.

Mr. SPRATT. Madam Chair, this has been a compressed period for producing a budget. An enormous amount of work has gone into the effort that is manifest on the floor here for the last couple of days. It never would have come to this fruition without their superior assistance. I want to recognize Tom Kahn, our staff director, my longstanding legislative aid and staff director, Sarah Abernathy, Ellen Balis, Arthur Burris, Linda Bywaters, Adam Carasso, Marsha Douglas, Stephen Elmore, Chuck Fant, Jason Freihage, Christen Green, Jose Guillen, Jennifer Hanson-Kilbride, Sheila McDowell, Dick Magee, Diana Meredith, Gail Millar, Morna Miller, Kimberly Overbeek, Scott Russell, Marcus Stephens, Naomi Stern, Lisa Venus, Greg Waring and Andrea Weathers; as well as Adam Brunelle and Andrew Fieldhouse.

I also want to recognize the indispensable work done for both of us by Bob Weinhagen of the Office of Legislative Counsel and the staff of the Congressional Budget Office.

This is a testament to what staff means to us and the kind of work they pull together in a short period of time. They make us look good. We couldn't do without them. They deserve our praises.

Mr. CALVERT. Madam Chair, this week the Majority Party, through this budget, has declared that they stand for bigger government, more taxes, and higher debt.

How does the Democratic budget spend on such high levels over the next ten years? Two words: tax increases. The budget includes a complicated cap-and-trade energy tax that will cost the average American household up to $3,128 annually, a new tax on charitable giving that will cost American charities as much as $16 billion per year, increased taxes on businesses and families that make over $250,000 per year, and the resurrection of the death tax which will punish family-owned businesses and farms.

The theme seems to be that the government knows best and the people should fall in line.

Fortunately, there are some of us on Capitol Hill who will not fall in line. Republicans have offered an alternative that reflects commonsense economics: when in debt, stop spending.

The Republican alternative places a priority on national defense and veterans' health and temporarily freezes other discretionary spending for five years. It would halve the President's deficit projection for 2019.

It would make the 2001 and 2003 tax cuts permanent, cap the capital gains and dividends tax at 15 percent and give families and individuals options for a simplified tax code. To foster entrepreneurship and small businesses, it would cut the corporate tax rate—the second highest in the world—from 35 percent to 25 percent.

Unlike my friends on the other side of the aisle, I do not think the way forward is through increased government interference, funded by our wallets and our children's piggybanks. I urge members to reject the proposed Democrat budget and vote for the Ryan Budget.

Mr. BACHUS. Madam Chair, it seems that every day brings news of another large government program, intervention, mandate, or tax.

Sometimes the expansion is subtle. Sometimes it's more direct.

Just months into this Congress, this Majority has pushed an additional $350 billion in TARP funds out the door without additional oversight, passed a $410 billion spending bill full of wasteful pet projects, and handed our children and grandchildren the tab for the largest single spending bill our nation has ever seen in the form of a $1.2 trillion so-called stimulus bill.

Today, their budget calls for taxpayers to commit another $3.6 trillion more of their hard-earned money without transparency or adequate oversight. This budget spends too much, taxes too much, and borrows too much. It expands government control on a scale that we have never seen before, not even during the New Deal.

If you had told me a month ago that Congress wanted to increase the tax burden on charitable contributions, I would have said it's an April Fool's joke. But the fact is that if donations to charities go down, the government will say it has to step in. But there will be a big difference. It will be the government choosing what it wants to support and how. It can support groups like ACORN instead of my local church or local charity. Instead of allowing people to support their own causes and make their own choices about their charitable contributions, the government will expand into what will obviously and clearly be a restriction on private charities as their funds are restricted. Unfortunately, it wasn't an April Fool's Day joke and that is what is being proposed this very week, restricting private contributions.

The higher taxes on energy will cost the average American household more than $3000. As a heavy user of coal, Alabama will be especially hard hit by the cap and trade tax. Electricity costs per capita in Alabama could go up by more than $1500, among the highest in any state. Our families and manufacturers can't afford that, especially in this economy.

But I wanted to know what my constituents thought about this budget and in just a few' days I received more than 600 responses. Here are quotes from their letters.

From Barbara in Clanton: "As a small business, we cannot afford to pay any more taxes right now. I don't think our employees can cope with higher fuel prices. I am very concerned about the exploding federal budget deficit."

From Danielle in Pelham: "My goal is to become a small business owner and I'm concerned that any higher taxes on small business will squash my chances of making this goal a reality."

From Randy in Pell City: "I don't want any more energy increases. Our electric, propane, and gas bills have gone up far more than my husband's wages."

We are witnessing a relentless expansion of the federal government, and I, for one, am worried. So are the American people. That's why Republicans offered solutions in our budget aimed at creating jobs and economic growth, not more government and not more unaffordable debt.

The American people understand that this generational theft must end. The Republican budget reflects their priorities, and moves the country in the right direction towards economic recovery.

Mr. FORBES. Madam Chair, today I will vote in favor of the Ryan amendment to H. Con. Res 85. I support this amendment because it recognizes the importance of maintaining a strong national defense and taking care of our veterans. I do not support everything in this budget alternative. However, given the choice between this amendment, which provides more robust funding for our Nation's defense, or the budget priorities of the underlying legislation, I will vote for the Ryan amendment so that the House will have the opportunity for an extended and vigorous debate on the importance of defense spending in our national priorities. At the same time, I have strong reservations about the proposals to reform Medicare as described in the Ryan amendment. Before embarking on any change to Medicare to ensure that this program exists for my children's generation and my grandchildren's generation, I expect the House to engage in a thorough, earnest debate that we have not yet had.

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

The question was taken; and the Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. RYAN of Wisconsin. Madam Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 137, noes 293, not voting 7, as follows:

[Roll No. 191]

AYES—137

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latta
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Wamp
Whitfield
Wilson (SC)
Wittman
Young (AK)

NOES—293

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
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
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
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)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Mack
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rooney
Ros-Lehtinen
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
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—7

Costa
Franks (AZ)
Hinojosa
Miller, Gary
Norton
Sablan
Westmoreland

□ 1859

Ms. McCOLLUM, Messrs. DELAHUNT, HOLT, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHWARTZ, Mr. DAVIS of Tennessee, Mr. CARDOZA and Mr. RUSH changed their vote from ''aye'' to ''no.''

Messrs. HOEKSTRA, FORBES and BACHUS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. NORTON. Madam Chairman, on rollcall No. 191, had I been present, I would have voted "no."

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mrs. TAUSCHER, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 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, pursuant to House Resolution 316, she reported the concurrent resolution back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the concurrent resolution.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 233, nays 196, not voting 3, as follows:

[Roll No. 192]

YEAS—233

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
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
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Massa
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
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Pingree (ME)
Polis (CO)
Pomeroy
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
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Stupak
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Tauscher
Thompson (CA)
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Wilson (OH)
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NAYS—196

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
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Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
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Gingrey (GA)
Gohmert
Goodlatte
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Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
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Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
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Paul
Paulsen
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Perriello
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Poe (TX)
Posey
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Shuster
Simpson
Smith (NE)
Smith (NJ)
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Thompson (PA)
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Turner
Upton
Walden
Wamp
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—3

Hinojosa
Miller, Gary
Westmoreland

The SPEAKER (during the vote). Two minutes remain in this vote.

□ 1916

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

HONORING ROBERT FAY ROCKWELL, JR.

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

Mr. MASSA. Madam Speaker, I rise today to honor the life of Robert Fay Rockwell, Jr., a close friend of myself and of our community in New York.

Bob Rockwell was born on November 8 of 1911 in Bradford, Pennsylvania. He attended Whittier College in a far-off land in California where he became friends with a fellow student, Richard Nixon. He moved to Corning, New York, in 1933, to run the local department store, the Rockwell Company, owned by his grandfather.

Soon after, he, like so many of the Greatest Generation, departed to serve overseas in World War II and joined the 70th Construction Battalion of the great Seabees in World War II. He was stationed in North Africa and later in California.

Upon his return to Corning, he became close friends with Frederick Carder, founder of the world famous Steuben Glass Works. He amassed the world's largest collection of Frederick Carder's Steuben glass, priceless in its volume.

His liking of aesthetics in art was not limited to only glass. Bob became the largest collector of Western art, including Remingtons and Russells, and in the early 1960s, opened a display of

that collection in his department store. He later donated most of these collections to what was then called—and now is world famous—the Rockwell Museum. This museum got its first home in 1976 in an old hotel in downtown Corning.

During that time, he became president of both Corning Chamber of Commerce and Corning Rotary Club and forever left his mark on both organizations. In 1983, the Rockwell Museum of Western Art opened in Corning's refurbished old City Hall building. It's become a popular local and national icon.

The multimillion dollar value of Bob's donated art and glass is a testament to his generosity, but is only one of such testaments. His legacy is further enhanced by his compassion and help to his fellow man.

And let me close by saying, from the heart to Bob and to his family and from all of us in Corning, New York, and in western New York State, Bob, we are always in your debt for your tremendous contributions to our community.

IMAGINE IF A REPUBLICAN WERE PRESIDENT

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

Mr. SMITH of Texas. Madam Speaker, in a recent Investors Business Daily op-ed, radio host Larry Elder wondered how the media's reporting would be different if a Republican were President.

Of a potential Republican President, Elder wrote, ''Imagine if his Secretary of Treasury had not paid taxes, he granted two dozen waivers to his no-lobbyists-in-government rule and he had promised bipartisanship but only got three across-the-aisle votes for his 'stimulus' package. Or if he tripled the projected annual deficit and intended, within a short period, to double the national debt.''

Elder's point is clear. The national media's double standard has meant a free pass for President Obama and the Democrats' budget.

The American people should insist on fair news coverage without regard to political party.

WELCOME TO NEW COMMANDERS AT FORT POLK AND BARKSDALE

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

Mr. FLEMING. Madam Speaker, tomorrow, the 94th Brigade Support Battalion, part of the 10th Mountain Division's 4th Brigade Combat Team, will welcome Lieutenant Colonel Anthony Coston as its new commander at Fort Polk in Louisiana.

Lieutenant Colonel Coston most recently served as a joint logistics staff officer in Washington, D.C. He is a well-decorated and well-respected soldier, and I congratulate him on his new command at Fort Polk.

At the other military installation in my district, Barksdale Air Force Base, Colonel Steven Basham assumed command of the 2nd Bomb Wing earlier this week. And may I add that Barksdale was selected today for Global Strike Command.

Colonel Basham is a command pilot with more than 3,300 flying hours and served as director of operations for the first combat deployment of the B–2 bomber during Operation Iraqi Freedom. His leadership has been commended throughout his career, and I am confident he will be an exemplary leader for the airmen under his command at Barksdale.

I welcome both officers to my district and thank them for their dedication to the defense of this Nation.

□ 1930

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. HALVORSON). 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 Louisiana (Mr. CASSIDY) is recognized for 5 minutes.

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

DEMOCRAT SPENDING SINCE TARP

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

Mr. BURTON of Indiana. Madam Speaker, this has been a historic day. We just passed a huge bill, cost the American taxpayers $3.5 trillion. It increased taxes at a time when we shouldn't be increasing taxes, and I won't restate everything that's been said here today because I think my colleagues on both sides of the aisle expressed their positions very well.

But what I would like to say—and I'm not going to take the whole 5 minutes—is that in October we passed the TARP bill, October of last year, $700 billion. In January, we passed the State Children's Health Insurance Reauthorization, $73 billion. In February, on the 9th, we passed the American Recovery and Reinvestment Act, the stimulus bill, for $820 billion plus the interest it will incur, which is about $348 billion. That's $1.16 trillion. On February 9, we consolidated the appropriations for fiscal year 2009 in the omnibus bill, $410 billion plus $250 billion in interest. That's $625 billion in total. And then you add to that the budget which we passed today for $3.5 trillion.

We are in the process of bankrupting this country. We are printing so much money and incurring so much debt that our kids and grandkids, I don't know how they're going to be able to live with it.

I heard my colleagues on the other side of the aisle applauding when we passed this budget today. Those of us on this side of the aisle who have been around here for a while, we were doing anything but applauding. We were thinking about what we've done to this country.

You know, China has about $700 billion of our debt. Japan has about $600 billion of our debt. And they don't want to buy any more of our debt. The only reason they're doing it I think is because this is the only game in town, but there is a limit to how much these other countries in the world will spend purchasing our debt.

And so what's going to happen? It's already happening. We're increasing the money supply. Up until just recently, we had increased the money supply by almost 300 percent. That means that we've increased the money supply three times in just recent years. And when that money gets into circulation, along with the money we're going to be printing because of all these expenditures I just enumerated, we're going to have a tremendous amount of dollars chasing fewer and fewer goods and services. More dollars, less production, and that means we're going to have inflation.

So I'd just like to say to my colleagues tonight, you may be celebrating this great budget that you passed, but it's going to end up costing our kids and our grandkids more in taxes and inflation, and they're going to look back on this day and on what we're doing and they're going to say, why in the world did you do this to us, why did you do it to us?

And I hope I and my colleagues are alive to look back and remember what happened today and what's been happening in recent days, weeks and months. It's a tragedy, and I'm very depressed over it. I hope that something will change the way things are going. I hope people will see the light and will start cutting taxes instead of increasing taxes and spending, but I doubt that's going to happen.

CONDITIONAL ADJOURNMENT TO MONDAY, APRIL 6, 2009

Mr. STUPAK. Madam Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 10 a.m. on Monday, April 6, 2009, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 93, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

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.)

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.)

WE NEED TO FIX THE TAX CODE

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. Madam Speaker, perhaps the most dreaded day of the year for taxpayers will soon be upon us, April 15. We're all at home with paper and pen, with stacks of receipts and books, strewn upon our kitchen table, and as tax day approaches, I come before the House of Representatives to share Kansans' many frustrations and to call upon Congress to fix the Tax Code.

Our country desperately needs a better tax system. The United States Tax Code is complex, confusing, and terribly burdensome to taxpayers, and it impedes our Nation's economic growth. The IRS has estimated that individual taxpayers and businesses spend 7.6 billion hours each year filling out their taxes. To put that number in perspective, that's 3.8 million employees working full time for the entire year.

It's obvious, certainly to anyone filling out their tax return this year, that an overhaul of the Federal Tax Code is required. The Fair Tax Act, which I support, H.R. 25, is a direction we should go and contains many meritorious ideas which would start the process. The fair tax would repeal income, payroll, and a multitude of other taxes. And those taxes would be replaced by a national sales or consumption tax on retail purchases.

But no matter what system we agree upon, what we model our tax reform around, the fact remains: America deserves an easier, commonsense, and less convoluted tax system than we currently have in place. We need a tax system that promotes personal freedom. Decisions should be made based upon what's good for us individually, what's good for our families, and what's good for our businesses. It shouldn't be all about what's good for the tax man.

But instead of tax simplification and tax relief, Americans this year will be facing the same broken system and a budget proposal that increases their taxes to pay for more spending. Many are angry at the reckless spending of this Congress, so much so that a national grassroots movement of tea parties has opened up this spring. On April 15, over 300 tax day tea parties are planned across the country, many of them in Kansas.

Kansans are tired of footing the bill for Wall Street bailouts and rewarding bad behavior in the housing market. They're frustrated with trillion dollar stimulus efforts that fund projects and programs that simply won't stimulate the economy. They're upset with massive government spending that increases our national debt at a time when most American families are forced to tighten their belts and make tough choices.

Americans are struggling, and we need to get the country moving, but increasing taxes to recklessly throw dollars at the problem is not the solution. I am one of only a few of the 435 Members of this House to vote against every stimulus and bailout plan. I'd like to say that there were more of us. Hopefully, this tax day will serve as a reminder for Congress and the administration to put the taxpayer first—spend a lot less and create a tax system that is fair and efficient and that promotes individual freedom.

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

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

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

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

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

(Mr. MURPHY of Connecticut 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 the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

(Mrs. CHRISTENSEN 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 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 Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

(Mr. LIPINSKI 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. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF 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 Washington (Mr. REICHERT) is recognized for 5 minutes.

(Mr. REICHERT 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 Michigan (Mr. ROGERS) is recognized for 5 minutes.

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

HONORING MR. AND MRS. JAMES AILSHIE AND THE ''J4''

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

Mr. ROE of Tennessee. Madam Speaker, I rise today to congratulate Mr. and Mrs. James Ailshie, who are celebrating their 79th year of marriage. James Ailshie was born in 1912, and his lovely wife, Dussie, in 1914. The two are proud parents of six wonderful children, all of whom are residents of East Tennessee.

When asked how they have maintained such an incredible marriage, the couple always responds with, ''The secret of a long life together is a four letter word, love.'' In my opinion, the Ailshie marriage is a living testimony of what love truly is. Let theirs serve as an example to all of us, that love and dedication can truly last a lifetime.

However, their marriage is more than simply an affirmation of love. Across the years they have witnessed times of joy and times of hardship, yet their commitment has endured. The qualities of character that have enabled them to sustain their union and build their family are the same qualities that are fundamental to the strength of our Nation. May we continue to be blessed with Americans who cherish the values of our traditions.

Married in 1930, the Ailshies have shared many yesterdays together. It has been said that, ''An anniversary is a time to celebrate the joys of today, the memories of yesterday, and the hopes of tomorrow.'' It is my hope that they will go on and see many, many more tomorrows together.

Madam Speaker, I rise also today to congratulate Jessi, Jedediah, Josiah, and Josephine Smith, better known as ''J4,'' who were declared the winner of the CBS Early Show's Singing Family Face Off this week. The competition began months ago when roughly 700 videos of family bands performing were submitted by Early Show viewers.

The ''J4'' siblings performed the Mary Mary's song ''Shackles,'' on the Early Show, which advanced them to the finals. CBS said they were chosen as the winner based on votes through the network's Web site.

''J4'' is made up of four siblings, aged 7 to 15, all with names beginning with the letter ''J'' from the Smith family in Bluff City, Tennessee. The oldest two have played for a couple of years for services at the church across the street from their home where their dad, Mark, is pastor.

The Smith kids are the children of Mark and Lori Smith. They're homeschooled and very involved in music, including piano and violin.

Congratulations again to ''J4.'' They make East Tennessee proud.

THE BUDGET

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

Ms. JACKSON-LEE of Texas. Madam Speaker, earlier today I recounted the calamity that we find ourselves in with the budget and the spending of money here in the United States. Frankly, of course, the budgets over the past 8 years and the enormous expenditure of funds created a huge and growing deficit.

I indicated earlier that we spent $667 billion for the Iraq war, high unemployment still ongoing, stories that you hear from constituents about mortgage foreclosures, inability to have their loans re-modified, and so you can see the importance of the debate today.

And I'm very proud that, of the number of budgets that I had the opportunity to participate in and to argue for and to suggest the direction that they should take, they all focused on restoring the humanity and dignity of the American people.

The Congressional Progressive Caucus budget focused on reducing the deficit by 58 percent in fiscal year 2012. In addition, it targeted waste, fraud, and abuse. It repealed the Bush tax cuts for the top 1 percent of taxpayers. Let me emphasize that, the top 1 percent of taxpayers. That means that 99 percent of the American people would not get a tax increase of any kind. In fact, alongside of that principle is the principle of the President's budget, the budget we passed finally that guaranteed middle-class Americans a tax cut.

The budget included in the Progressive budget health care for all, affordable, accessible health care so that there would be no tragedies such as young people, children needing transplants or transfusions, and they can't get it because their insurer denies it.

We add an additional $300 billion as an additional part of the economic stimulus package so that there can be added assistance for unemployment insurance, food stamps, infrastructure spending, housing assistance, job creation.

I come from the gulf region, where we are still suffering both from Hurricane Katrina and Rita and now Hurricane Ike. My neighbor to the south, the city of Galveston, the mayor and city manager and many of her constituents are still facing the calamity of trying to build housing, trying to restore the University of Texas medical branch, and we, as a Texas delegation, worked with the district Member to try to ensure that restoration.

The budgets that were put here today respect the fact that there will be disasters in America, calamities such as fires and floods and, of course, hurricanes, storms, volcanos, that are spilling out such as in the State of Washington, that create havoc if those issues occur. And so this is a time when we opted to opt on the side of the people of America.

The Congressional Black Caucus budget puts in place $18 billion more in health care, $17 billion more on education and job training. What happens to a person who is unemployed? They look for jobs or they look to steer themselves into another career. And what do you need to do that? You need job training, whether it's in the community college system like the Houston Community College, whether or not it is going into nursing school, going to become a truck driver, or going into IT, you need job training.

Eight billion dollars on infrastructure so that the roads and the potholes and the bridges and the tunnels can be fixed, but more importantly, people can be put to work as we make a new America; $5.5 billion on justice programs; and $4.5 billion on veterans benefits and services. And of all of these budgets, Madam Speaker, the Congressional Progressive Caucus and CBC and the President's budget all reinforce our commitment to veterans and our returning soldiers who put themselves and their families on the front lines.

□ 1945

Families and our soldiers are likewise on the front lines. So I'm very proud to stand here today to say that we did the right thing in voting on this budget. We did the right thing in focusing on health care reform—trying to fix the broken system of some 44 million to 47 million Americans who are still uninsured.

In that effort, we managed to save some $316 billion over 10 years; several provisions to improve quality and efficiency in health care. Then, as well, we made a significant down payment on health care reform by putting these savings, along with $317.8 billion from a tax policy change on upper-income taxpayers, into a $634 billion health reform reserve.

We're holding a spot, Madam Speaker, so we can fix this for the American people. I mentioned education and energy. That is going to bring about green jobs.

Madam Speaker, we did the right thing for the American people and I'm proud to be part of this Congress and go home to speak with my constituents on how we have helped to change their lives.

THE DIRECTION OF OUR COUNTRY

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

Mr. BOOZMAN. As part of my commitment to the people of Arkansas' Third District, I hold mobile offices in all 12 counties so that I can hear their concerns and help them when I can. As part of that, I relay their troubles here.

For many of the people I saw in Fayetteville on Friday, their attendance at the mobile office was a first. Like so many other people that I hear from through phone calls, e-mails, they are scared with the direction of our country.

They've seen Democrats pass a massive stimulus bill that was full of pet projects but short on job creation, job protection, and protections for pension plans. They've seen President Obama tout an omnibus bill that increases government spending, but what they're looking for is how Washington is tightening its belt, just like so many of them are.

Last week, President Obama said, ''It's with a budget that leads to broad economic growth by moving from an era of borrow and spend to one where we save and invest.'' Unfortunately, President Obama isn't living up to those words with his budget proposal that spends too much, taxes too much, and borrows too much.

My constituents are upset—and they have every reason to be. ''No more Federal deficit spending, please. I beg you to stop the financial bleeding.'' This is from Leslie in Harrison. She e-mailed me last week, ''We cannot afford to continue spending for programs we don't need. What we need are legislators with the veracity and tenacity to stand up and cut the spending programs and pay off the national debt.''

Leslie, I hear you. I too have serious doubts. One reason is the proposed Federal budget would enact the largest tax increase in the history of the United States.

I also hear Rebecca from Wesley, who wrote, ''I'm 63 years old and have worked very hard. I pay my bills and do not want to pay the bills of others. I'm so furious with what is going on in Washington. No to all tax increases, no to any laws that will increase utility rates, no to government-run health care. I have no confidence that the government can run anything.''

We need to work to regain the confidence of the hardworking Americans like Leslie and Rebecca that they had in the past in our government, but no longer. This requires us to vote against budget proposals that include cap-and-trade and that hurt small businesses and discourage charitable giving.

We need a road to recovery that includes curbing wasteful spending, focusing on job creation and debt control. We need to do what is best for our country, and I'm committed to looking for alternative solutions and fighting for a capitalistic democracy.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

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

Mr. MCCLINTOCK. Madam Speaker, today this House passed H.R. 1256, which takes tobacco regulation to a whole new level and, at the same time, imposes onerous new fees that are going to be transferred to consumers as higher prices. The entire debate over the bill was over what method should be used to do so. Before we close today's proceedings, I'd like to offer a somewhat different perspective.

Many years ago, author and commentator Bruce Herschensohn made this point. He said, ''For every pleasure in life, there is a corresponding risk. I think that's a universal truth—for every pleasure in life, there is a corresponding risk.

And he pointed out that it's true that with enough taxes and laws and restrictions and regulations and penalties and lectures, government can produce a virtually risk-free society. But it will also be one of the most colorless, pleasureless, tedious, and miserable societies ever conceived by the mind of man. I believe that's the case.

The health risks of smoking are real and they are well-documented. Our schools rightly make a concerted effort to inform every child of the health risks of tobacco—and they do a good job of it. Our government warns every adult of the health risks of tobacco—and they do a good job of it, too.

As a result, I don't believe there's a single individual in the United States who doesn't well and fully comprehend the health risks of tobacco. But once those warnings are issued, how much farther should government go to make individual decisions for rational adults if they weigh the risks of smoking for themselves?

Ten years ago, after California had imposed yet another tax on tobacco products, I got a letter from a woman who said, ''I'm 81 years old. I have been smoking my entire life. If I have to quit now, I'm going to die.'' She then went on to meticulously calculate how much the new tax cost would cost her on her limited, fixed income, and asked if I could help.

Madam Speaker, in every society, in every part of the world, in every period of history there is always a large group of people who simply want to be left alone to live their lives according to their own best judgment. And there's always a smaller but more domineering group who believe they're so good at running their own lives that they're just naturally entitled to run everybody else's as well.

Rarely has that conflict between these two groups come into sharper focus than in the ongoing efforts to restrict and regulate and tax and harass and intimidate individuals who, after weighing all the risks, decide to smoke anyway.

Personally, I think they're making a very bad decision. But they probably think others are making a very bad decision when they decide to go skiing or bungee jumping or skydiving or thousands of other pleasures that incur corresponding and calculated risks.

I wonder tonight whatever happened to the notion of personal responsibility and whatever happened to the notion, as Jefferson put it, of ''a wise and frugal government which shall restrain men from injuring one another but shall leave them otherwise free to regulate their own pursuits of industry and improvement.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 265

Mr. BISHOP of Utah. Madam Speaker, the gentlelady from Texas, who is still here on the floor, had inadvertently put me as one of the cosponsors on H.R. 265. I would ask unanimous consent to have my name removed from that particular bill.

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

There was no objection.

MAKING A PARADIGM SHIFT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Utah (Mr. BISHOP) is recognized for 60 minutes as the designee of the minority leader.

Mr. BISHOP of Utah. A few weeks ago, I was in my office and a respiratory therapist had come into the office. He was talking about one of the patients that he had who came up and asked him if she could have a stronger medicine because what she was using simply did not work for her.

So he said, Well, why don't you show me how you're using it. She showed him how she used it, and he said, Is that the way you always use it? The patient said, Yes. Then he said, Well, let's try it one more time—except this time why don't you take the cap off first.

Now, sometimes I think in the policies that we develop here in the United States we have the same process—we go through the motions but we simply don't flat out take the cap off first. One of the things we need to do to solve our problem is simply take the cap off.

We have had an energy policy in this country for the last 40 years. It's basically been, we develop nothing in the United States and we insist on living on cheap foreign oil. The problem is, doing nothing in the United States for 40 years has put us into a situation that is very tenable. The other problem is there is no longer cheap foreign oil.

We have just recently voted on this floor on a budget—a budget outline. A budget outline that, quite frankly, taxes too much and spends too much and borrows too much. We've all heard that before because, to be honest, whether you talk now about the budget itself or the phrases of taxing, spending, and borrowing, they're basically a redundancy. They are indeed the same thing.

What we have also done in this House is make a major paradigm shift. For the last 20 years, we have been functioning under the basic philosophy that the individual is significant and important. The individual has a worth that is divine. That once you empower that individual and give that individual options, you're ennobling that person.

Well, the budget we just passed changes that basic philosophy. It changed that basic philosophy to say instead of empowering individuals, it is now the role and function of the Federal Government to solve people's problems. The Federal Government must now be given the power because the Federal Government now becomes the sole solution to the issues and needs of individuals.

Those of us in the West, members of the Western Caucus, have a different point of view because we basically trust people. We recognize that one of the most important things that should be given to any individual is options and choices.

People of the United States must be given options and choices so they can make a decision on how they want their life to develop. States should be given options and choices, regions should be given options. Whenever we try to establish a one-size-fits-all system from Washington, what we do is limit the ability to empower individuals to make decisions for themselves and to change their own lives.

When I was growing up, the only kind of music you could buy were on vinyl records. If you wanted a particular song, you had to basically buy the entire record.

With new gadgets today, even though they have become much smaller than this one that I still have absolutely no idea how to use, with gadgets like these today you can actually download the one record you want. You have a choice. You have options.

And it seems one of the ironies of our life today is that in every facet of human life, options prevail. People have choices—except when it comes to

dealing with the government. When that takes place, there is only one choice given: it is the Federal Government's choice.

We are moving dangerously into an area where that becomes the predominant philosophy and the predominant result. Actually, the last bill upon which we voted today, that was exactly the philosophy behind that bill.

It resolves itself also in the way we look at our energy policy and our energy future. We could solve many of our problems if we just had a wiser energy policy. I recognize that there are many people that said the budget we just did is not specifics; it's just broad parameters and directions for the future and whatever. But the basic problem remains that when we talk about people and we insist that our policy as a government should be to give options to people, then we will come with an entirely different approach and a strong and intelligent and rational energy policy for the United States that can open up the opportunities for—I don't care whether we're talking about cap-and-trade or oil leases or oil shale or the energy war on the poor or the myth of green jobs—what we need in each of those areas is to have the government open up options for individuals.

One of the good things about my party is that in every one of these issues we are presenting alternative Republican options.

□ 2000

We are trying to take the cap off to try and solve problems by looking at the issue in a new way and, in a new degree, based on options.

One of those that has been introduced is the no-cost stimulus bill. A conservative estimate of the no-cost stimulus bill will say that this particular measure, whose goal is, once again, to increase the options that America has with its energy policy, would create at least 2 million new jobs and would introduce at least $10 trillion of economic growth into our economy. It would reduce the cost of living for individuals, and it would do it with absolutely no tax increase.

Now, I know we have had a lot of people talking in the last few weeks about the idea that the majority of Americans, if our future path goes true, would not face a tax increase. In fact, for many it would be the indications of a middle-class tax cut. I want you to know that I have an element of skepticism with that, because I clearly remember the last time a President and Congress promised me a middle-class tax cut, or at least no increases of middle-class taxes.

At that particular time I was a school teacher making less than $30,000 a year. And I guess I should have been grateful that the Federal Government in their wisdom would have classified me as one of the rich in America; because in that particular year, when I was offered the opportunity and the guarantee that there would be no increases but instead there would be a decrease in middle-class taxes, that is the year I faced the largest tax increase I have ever faced in my life. My wife had just taken a second job, and everything that she brought in that year was used simply to pay for the tax decrease that I had been promised.

I guess it goes back to the original concept of how income tax was developed. You know, when income taxes were first established, the idea was that somebody else would be taxed to pay for everything. The idea was that only .5 percent—so you know something has changed over the years; .5 percent of your income would be taxed, but the first $3,000 were excluded, which was meaning basically everybody in America who was a middle-class worker was excluded from taxes. This was going to be a tax on only those rich people.

Ironically enough, 80 percent of the people who would be impacted by the first time we instituted an income tax in this country actually lived in only four States. And, ironically enough, those representatives from those four States were the ones who voted against instituting an income tax. And, ironically enough, in the debate on the Senate on that installment or beginning of an income tax, the actual debate that took place was a Senator stood up and he said, once we have an income tax, the government will be more responsible for the way it handles other people's money.

I think you have seen some changes in that; which is, once again, why I am so insistent that the no-cost stimulus bill is one we should be considering, because there is zero tax increase to the taxpayer, as opposed to the other budgets we are looking about that simply tax too much, spend too much, and borrow too much.

The No-Cost Stimulus Act treats States fairly. It deals with increasing our net wealth in this country by the use of royalties. If that bill were put into effect, just in the Alaska coast alone there would be $95 billion of new corporate tax, not imposed on the company, but developed by the expansion of that company. There would be $114 billion in new royalties that would be coming in and used in this particular country. It would create, just in that one area of Alaska alone, 730,000 new jobs; versus the bill we just passed, which has a specific $80 billion tax on the oil industry alone, which creates no new jobs, which provides no new income. But that tax on that company is going to be passed on to middle-class taxpayers in this country.

Because, you see, we were talking to an oil executive the other day, and he simply said: It is obvious. If we tax a business, like this $80 billion tax on only the oil industry, they are going to pass it on to consumers. That is the way it will always be.

Sometimes we play games here in the District of Columbia where the idea is, we are not going to tax people, we will just tax the business; which business then passes that on to the people in the first place. And how is that going to come? I promise you, it is not going to be shown simply at the pump.

Of every barrel of gas and oil that is produced, not all of that goes for energy consumption. A barrel of oil produces exactly 44.68 gallons of product. Of those 44.68 gallons, 19 of them will eventually become gasoline running your cars; nine will be diesel, a fuel; three will be jet fuel. The rest goes to other kinds of products that people use all the time.

We think about oil and gas increases as something that only deals with transportation issues. But when I get on the next airplane, if I get a new Boeing 787 or any of the newer planes, you have to realize that one of reasons these planes are becoming more fuel efficient is because they are lighter weight, which means they are now using composite material. Over 50 percent of the entire airplane of the Boeing 787 will be composed of composites, and all of that composite is made from natural gas.

When you sit on an airplane, you are sitting on natural gas. If you go out to your farmer, or even in your back garden and you need to put some fertilizer on that, realize that fertilizer is a byproduct of natural gas. When we fail to develop natural gas in this country, we put farmers at a disadvantage to the point that even today we are importing fertilizer from Russia because we are not doing enough to help ourselves.

Five percent of the global natural gas consumption goes to ammonia, which is the basic product used in fertilizer.

Whenever you pick up one of those electronics that you play with, when your kids start playing with it, they are made of lightweight plastics. That is oil and a natural gas. All of those are developed that way. If you get tired of watching your kids play with those electronics, or you get tired of listening to me speak tonight and you decide to go take an aspirin, I hate to say that, but that is oil and natural gas. What you don't know is that aspirin is derived from hydrocarbons that are found in every barrel of oil.

If you want to have Kevlar to protect our soldiers or our police, you are going to make that stuff out of oil and natural gas. If you are walking around right now, you might look at your shoes and figure out that the stuff that holds them together comes from oil and a natural gas. If you are the tying them, the strings are a petrochemical compound. In fact, the soles are probably going to be imitation rubber, all of which comes out of a barrel of crude oil. Even the shoe polish you use comes from oil and natural gas. If you have a PVC pipe in your basement, that comes from petrocarbons. If you use a ballpoint pen to write a letter—in fact, I have in my hand a list of 84 examples of products that utilize oil and natural

gas as the basis of those products, everything from golf balls to pantyhose to perfume to dentures.

And how are the companies that are now being hit by an $80 billion oil tax going to recoup that? They are passing it on to anyone who uses golf balls or pantyhose or dentures or perfumes, or who writes with a pen or sits on plastic or who wears shoes or who flies in an airplane. That is a tax on all of us when we increase the cost of living.

And how do we solve that problem? Well, we need to look around and simply decide that, as a policy, we are going to take the cap off the medicine, we are going to think of new options, and use what we have to solve our problems, to make our life better, and to solve our budgetary problems, because we have the capacity to do it. We just are refusing to do it right now.

Mr. Speaker, at this time, if I may, I would like to yield some time to the gentleman from Louisiana, who has come up here and done such a great job in his first year as a Member of the House of Representatives. He also comes from an extremely significant energy region, which is going to be impacted not only by the budget we just passed but also by the energy policy decisions we make in the near future.

If I could yield to the gentleman from Louisiana, Mr. FLEMING, I would appreciate it.

Mr. FLEMING. Well, first of all, I thank the gentleman from Utah, Mr. BISHOP, for his leadership in this area, both on the budget as well as the discussion on petroleum. He was a leader and the one who took the initiative on this no-cost stimulus plan, which I also cosigned as well, along with Mr. VITTER on the other side of the House and I think one or two other Senators. So I thank Mr. BISHOP for his leadership and also allowing me to participate in the discussion tonight about the budget.

What has happened here this afternoon in passing this budget in the House of course yields three very bad things; that is, a budget that spends too much, taxes too much, and borrows too much.

It was only a few days ago that I spoke on the floor here about the fact that it is not just a matter of how much we spend, but it is a matter of where do we get this money from? And there is only two ways to get money that you don't have, and that is if you discount the Social Security Trust Fund, which we of course steal from daily. That is, either to borrow money, and you have to find people who have got the kind of dough that can lend that; or, you have got to print it out of thin air.

Well, who have we been borrowing money from? Well, we have been borrowing it from China. And the amount of spending that we are doing is now getting to an extent that even the Chinese, who seem to be flush with cash, can't seem to keep up and don't know how long that they are going to be able to lend us money before those interest rates begin going up.

Well, of course the other option is to print money. And we have been through that before. In fact, there is a number of precedence that we have seen over history, and the one that I point out that is the most poignant is pre-World War II Germany. And what happened there?

After World War I, the winning powers of the allies imposed a war reparation requirement on Germany. Germany couldn't afford this, and so in order to pay the money back, money they didn't have, they just simply printed it. And of course they had humongous inflationary rates to the point where, to buy a loaf of bread, you had to actually carry your currency in a wheelbarrow. Zimbabwe today is having a very similar situation.

We have also seen this precedence in our own economy. The spending spree that we went on in the sixties began to hit us in the seventies, along with, of course, the oil and gas problems that we had. And by the late seventies we had severe problems with inflation that was as high as 10, 12, 13 percent. And it was one of those things where, if you didn't get a raise every year, you were actually getting your pay cut. That ultimately led to terrifically high interest rates in the range of 20 percent, and of course we went into a severe recession in the early eighties.

It seems like that we in this body don't seem to learn the lessons. And the lessons are that any way you frame it, if you spend it, you are going to someday have to pay for it. And, you know, it is interesting in our own personal budgets, in our homes, in our cities, and in our States, we have to balance our budget. But for some crazy reason, we in the Federal Government are not required to balance our budgets.

Sometimes it makes sense to borrow money, just as a in your home you might want to borrow money to take out a mortgage to buy a home, perhaps that makes sense. But when it comes to running up tremendous credit card debt, spending today and paying tomorrow, then certainly it is a very difficult and dangerous way to live, and that is what we are doing today in America.

With this budget that has just been passed, we are seeing that deficits are now immediately exploding from a high of $500 billion a year to over $1 trillion a year. We are going to see a debt that already was growing pretty fast accelerate such that it doubles in 5 years and it triples in 10 years. But let me talk a little bit about the subject that my friend Mr. BISHOP was discussing, and that is energy.

This FY 2010 budget has a negative impact on energy, just as he suggested. For one thing, it removes over $30 billion in tax incentives for oil and gas businesses. Now, I am sure the Shells and the Chevrons can handle that just fine, but the vast majority of exploratory drillers out there are small family businesses. And, of course, drilling is a risky operation to begin with, and that is the whole reason for having tax incentives is to encourage businessmen to go out and take a risk. But now that the tax incentives have been removed, what is going to happen? There is going to be less risk taken, there will be less drilling. Of course, that is going to further our oil dependence. And in my State of Louisiana, which is a heavy petroleum dependent State, it is going to tremendously affect jobs, and that is good jobs.

□ 2015

We could, over time, lose as many as 70,000 jobs. And again, we are talking about independent oil drillers. We are not talking about the big ones. The loss of the depletion allowance and the loss of the write-off of intangible drilling costs will effectively shut down these businesses in many cases. It will broaden our dependence on foreign oil, as I mentioned, and result in increased threats to our national security as we have to search around the world to have energy sources to run our Nation.

I support exploring alternative energy resources such as, of course, solar and wind. But when do we expect that we will be pulling up next to a windmill and filling our car up with windmill fuel? It just isn't going to happen. Solar, we are not there yet. None of these technologies are coming on line. Yes, we see them in Europe, but they are subsidized by the governments. They have to stand on their own. We just went through a recent experience with this with ethanol where we were running the cost of feed through corn in order to create ethanol, and that was, of course, done with subsidies. And then in the meantime, it drove up the cost of chicken. And that severely impacted my district, where we have Pilgrims Pride, the chicken-producing farms, and almost created bankruptcy for over 200 chicken-producing families, not to mention the jobs that would have been lost. Hopefully we have saved that. But that came directly as a result of efforts to subsidize and encourage ethanol from corn, which is really a very inefficient use of corn.

Nonetheless, I do support research in these areas. And at some point when we can actually create electricity into our grid in a cost-effective way, I'm all in favor of it. I'm also in favor of the use of nuclear energy. It doesn't produce any carbon dioxide into the atmosphere. And certainly anyone who ''thinks green'' has got to think that nuclear energy is the way to go for electricity. And other countries have taken the lead on that, such as France, with about 80 percent of its electricity produced that way.

Well, let me discuss a little bit, and I hope the camera can pick this up, this, of course, is the ArkLaTex, this is Arkansas, northwest Louisiana and Texas. And in the crosshatch here is an

area called the Haynesville Shale. Now, shale is a rock formation in which certain petroleum products are found, sometimes oil, sometimes natural gas. In this case, it is natural gas. And we have known about these deposits for many years. However, we didn't know how to get to them. The technology was not there. And something was invented called ''horizontal drilling,'' where we can literally go down deep in the ground, turn horizontally, we can crack open the shale and we can take out the natural gas.

Now, what lesson does that teach us? Well, it teaches us that the more we advance technology, the more access to fossil fuels we have and the safer we make it. As far as safety, I will give you an example, and that is offshore drilling, OCS, where, for instance, with Hurricane Katrina, there were a number of rigs that were destroyed; however, there was not an appreciable leakage of any oil from these rigs. In fact, there is more oil in the ocean leaking today from the bottom naturally than ever from any rigs. So we know that technology, when put together with fossil fuels and with nuclear energy, is really the future until hopefully some day we can harness the power of the wind and the sun.

This Haynesville Shale is projected to contain over 200 trillion cubic feet of natural gas production, one of the, if not the, largest natural gas deposits in the world. Now, natural gas emits probably half the carbon in other products as other forms of energy such as oil, certainly much less than coal. So it is cleaner. And here in Washington, D.C., we see buses driving around, and on the side is printed ''this runs on natural gas.'' You don't detect any odor. You don't see any smoke coming out there. There is no question that that is a better way to go. But we don't have the infrastructure yet where you can pull your car, if it did run on natural gas, to the pump and get it filled. But we can do that. It is just a simple matter of taking the initiative, and that will come with time. So we can become, as a nation, far more independent by using natural gas than we can trying to develop oil. But we still can't ignore the opportunities for oil such as in ANWR and offshore and even on Federal lands.

I will also point out that beyond the 200 trillion cubic feet of natural gas production potential, we are already seeing 10 to 20 million cubic feet of natural gas production per day in the ArkLaTex. Lots of jobs are being produced. Money is flowing in the economy, and it is really helping out northwest Louisiana in these difficult times. In fact, our unemployment level is half what it is in some States. We don't have the real estate issues that others have. And certainly it is not just because of the Haynesville Shale, but it certainly is helping. It is injecting tremendous amounts of capital into our local economy and creating thousands of jobs.

Mr. Speaker, in closing, I just what to say that the issue with the budget is still problematic. We are, again, pushing this country way over into the leftist socialist realm. Even the leftist socialists from socialistic countries in Western Europe think we have lost our marbles. They think what we are doing is crazy. Even the ones that used to criticize us for being too conservative are now criticizing us for being too liberal. Just the other day, both France and Germany said ''no more stimulus packages.'' They think we are crazy if we want to move forward with another one. So enough is enough, Mr. Speaker. And this budget that passed the House today is way over the top. And I'm afraid that we are going to see even more coming down the pike.

So, in closing, I want to thank Mr. BISHOP, my friend from Utah, for giving me this opportunity to talk about this. And I await some more discussion about the petroleum industry and its impact through the budget.

Mr. BISHOP of Utah. I appreciate very much the gentleman from Louisiana taking some time here and going through and reminding us of options that we do have as a country, and how we should be developing those options. Gas is one of them. Oil is another one of those. We have a whole bunch. And I appreciate his leadership, as well, on a no-cost stimulus bill which has about half a hundred sponsors here in the House already.

One of the problems we do have, though, is we need to be realistic on how we are going to get from here to there. One of the options we always talk about is renewable energy. It is an important option to have. It needs to be developed. But we also have to be realistic on how we can actually get there. According to the Department of the Interior, the EIA, they have tried to estimate where we will need to be in the year 2030. And they estimate we will need about an 11 percent increase in the total amount of energy that we will be consuming by the year 2030. And if you look at where we were back in 1980 and where we need to go 50 years from that into the future of 2030, even if we were able to double the increase of biomass and renewables and double the percentage of nuclear that we are using, and making the assumption that we can actually squeeze a little bit more out of hydrogen power, this clearly shows you where we will be. The bottom three strata all are fossil-based fuel. We will not be able to turn ourselves over into that kind of alternative energy supply by ourselves. There needs to be some kind of impetus to do it. And as the gentleman from Louisiana easily said, if it is going to be a tax policy, that retards the ability because businesses will not be entering into the exploration and development. What we need to do is have a royalty policy, which simply means we are still going to be needing oil, gas and coal in the future, but if we use the royalties that are developed from the expansion of these areas and put them into a trust fund so the United States can use it to develop the alternative sources, we can dramatically change these strata coming in here, and we can do it in a logical and realistic way, which is, once again, what the no-cost stimulus bill tries to do.

What we need to do is simply say, look, there are easy ways for us to move into a better direction if we actually use the resources that we have at hand to help build our fossil-fuel resources to help pay for the renewable resources that we need to have. It is a simple process. We should be doing it. But we are not doing it right now, which is why the American people are probably saying, take the cap off, and use the medicine the way it was intended to be used.

We have one of those other problems that goes along, I will illustrate by being very parochial right now. My State of Utah has a whole lot of public land that has a whole lot of natural gas and oil developed. Recently, the Bureau of Land Management went through a 7-year review for land management policies in the State of Utah. I want to emphasize that again. Seven years of review to come up with a land management policy. What they came up with is actually less area developed that is usable for resources than they had 50 years ago when we first came up with this process of having land management policy plans.

They actually, in this recent one, took 3 million acres out of potential production. Yet there was a cry that took place that said maybe we are trying to drill for oil and gas too close to national parks. Now, I want you, if you have a chance, to see very carefully here, this is Arches National Park outlined in green. The areas in purple around that are what actually the BLM in their land management plan, that took 7 years to develop, took off the table so they could not have any kind of natural oil or gas exploration done in those areas. Now so, far so good. But when they decided to actually produce the other leases and put them out for bid so that private industry—especially as was mentioned before, we think of big oil companies like Exxon or Mobil. Ninety percent of all the oil and natural gas that is drilled in the United States comes from small companies, names that you don't know, people that have less than 500 employees. These are the people who are dealing with these particular lease issues. When those were presented, the Secretary of the Interior decided to remove 77 leases from the table from development with two arguments. Argument number one was we didn't spend enough time to study it. He claimed that there had been a rush to judgment. Now I find that difficult because it took 7 years for the local BLM to do their work and come up with a system that was not only signed off by the BLM but also signed off by the National Park Service and also was

signed off by the State of Utah. And I especially find it interesting when we passed a $1 trillion stimulus bill in this House even after we guaranteed that we would have 48 hours to look at it and we actually ended up having between 4 and 8 hours to look at it, that was okay. But 7 years was a rush to judgment.

The second thing he said is, well, these leases are too close to existing national parks. Now I pointed out where Arches is. And I pointed to the purple that were taken off. The stuff that is brown is existing leases right now. The stuff that is pink were leases that had been let, and the Secretary of the Interior decided to let them go through. The ones that are in red are the ones he said were too close to the national park. This one up here is in red. This all was allowed. The pink and the brown is in existence. And this is too close to the national park, even though the other leases are not. This one over here, once again, in red, was denied, taken off the table, even though this one was allowed and these are existing leases that take place.

If I were to say ''this is irrational,'' I don't think I would be too far off the point. If I were to say that the reason these red spots were taken off is because they were subject to a lawsuit instituted by a special interest group, I would be closer to the point. The bottom line is this was not a rush to judgment. This was a 7-year, carefully hatched plan that had been reviewed by everybody in hundreds of town meetings with thousands of comments. And they are not too close to the natural beauties of the national parks. They are, in fact, miles away from them with areas that are currently being leased and developed much closer to these who are.

What is the net result of this? The net result is the State of Utah lost $3 million last year to be put into their education system simply because those were off. And unfortunately, because of the State Trust Land system that we have in the West, many of these areas that are red have State Trust Lands abutting them that are also sterile now and not able to be used to develop funds that we need desperately in the State of Utah for our own kids.

Sometimes I'm amazed when we talk about how the impact of what we do with our oil and gas leasing and our land plans, and we don't take those ancillary effects into account. For example, this is a simple chart that compares the salaries of teachers in Montana and Wyoming.

□ 2030

Montana is the one at the bottom. Wyoming is the one at the top. And if you ask yourself, why is Wyoming starting their teachers at 20 grand a year more than Montana, it's because Wyoming is developing their resources.

There are other spin-off effects. If I want to have decent colleges, or a K–12 system in the State of Utah, I need to develop these resources and not have them capriciously taken off the table because it was a rush to judgment or they are too close to a national park.

Now, those are some of the problems that we simply face. Like, when I was first elected to the legislature in the State of Utah, that was clear back in 1978, we had a policy at that time called a recapture, which means if you put property tax on property in the State of Utah, whatever it raises, there is a minimum the State will guarantee. If your local district cannot raise the minimum school level by local property taxes, the State will subsidize it.

In the seventies, late seventies, when I started, and early eighties, when I started, one of the unique concerns was we had a recapture, which meant there were three school districts in Utah that not only could raise enough property tax revenue to meet the minimum school level, there was enough to be taken away and given to the other districts to help the State out, which meant that every taxpayer in the State of Utah benefited. And the reason we had recapture was because there was energy development. Since the early eighties there has never been a recapture. There is nothing even close to a recapture today. And if I wanted to do a recapture, I need to develop these resources, which the BLM, Bureau of Land Management, after a 7-year study, justified. And unfortunately, because of actions of this administration, they are now taken off the table, and we are still struggling.

And what is really sad is the next time, at a different location, there was a lease sale. It was the worst attended, the lowest productivity lease sale we have had in the history of those sales because, simply, business saw what happened in the State of Utah and realized they're not going to take the chance of developing and putting their resources in an area where the Federal Government simply might change their mind.

All we need to do to solve our problems is say, look, take the cap off the medicine. It'll solve the problem. Some people say, well, we're developing too much land.

I like this comparison. If you see how much land was developed in the Clinton administration, and how much was developed in the Bush administration, I would love to go back to the years of the Clinton administration when we were actually developing more land and developing more leases for energy resources to help us meet the needs of the country. We're actually decreasing in all those areas, not increasing at the same time.

And as you noticed, as I said, the reason these were taken off the table is they were subject to a lawsuit. One of the things we have also found is a significant problem is, simply, we have become litigious-happy in this country.

We are actually up, according to the Department of the Interior, 100 percent in the amount of permits to drill that have been applied. The wells that are completed are up 100 percent. But the environmental lawsuits are up 700 percent in the same area. That's why Utah lost those $3 million, a 700 percent increase from the year 2000 in the amount of lawsuits that are given.

In 2008, off the coast of Alaska there were 487 leases that were let, and there were 487 lawsuits that were filed immediately afterwards. 50 percent of all the leases for energy development in the inner mountain west are right now involved in some kind of lawsuit. We can never develop our energy independence and our domestic energy policy, which will help solve our problems, if we have to continue going through this process of having continuous lawsuit after continuous lawsuit.

And who are the people that are being hurt by it? Every American that will be paying more for their airplane tickets and their ball point pens and their shoes and their fertilizer, because we're adding more taxes on the oil industry, and every kid that goes to school in the West, because we cannot afford to fund the program because the money has been taken out because we simply have decided not to take the cap off and use the resources we have to help solve our problems. We can create jobs and we can stimulate this economy if we just do things in a logical and rational way.

Now, Mr. Speaker, I have been joined here by the gentleman from Pennsylvania, another great new Member of the House of Representatives who is adding a great deal to the style of this body and the substance of our debate by his understanding of the issues. And even though Pennsylvania is considered an eastern State, we consider him a westerner because he faces the same issues in his part of Pennsylvania that we face in the State of Utah, maybe just with not quite as much public land, but the same issues.

I wish to yield time to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Well, I thank my good friend and colleague from Utah. You know, America does have an energy addiction. There's no doubt about it. But it's an energy addiction to foreign energy. And it's an addiction that's just absolutely unnecessary. We are facing a crisis in the fact that over 70 percent of our energy resources we obtain from foreign countries. Many of those countries are those that, frankly, don't like us very much, and they take our money willingly, but what they use it for could potentially easily do us harm in the future. And that's wrong. That's a threat to our economy.

And we know that we have been spending a lot of time in this body talking about the economy in the past 3 months since I came to Congress. And it's a threat to our national security.

So what are the—such a looming crisis that we're experiencing every day, and what's the solutions that my colleagues on the other side of the aisle,

our Democrat Party solution? Well, we saw that just a couple of hours ago with the budget that was proposed. That was cap-and-trade. That's how we address energy. We put a tax on everything. We put $1.8 trillion in taxes.

Now, The White House's budget showed somewhere around $630 billion of new taxes that we placed on. But I know that there was a briefing on the Senate side with somebody from, a White House staffer that was able to talk that actually the impact on the economy will be triple that. We're talking $1.8 trillion.

I've got to tell you, Mr. BISHOP, before I came to Congress I didn't know how many zeros were in a trillion. That's a new skill for me. Unfortunately, it's a sad skill to have to have and have to profess here.

We're looking at broken promises. The President promised that 95 percent of all Americans would have a decrease, see their taxes decrease. Well, that promise has been broken with cap-and-trade, because cap-and-trade puts a tax on just absolutely everything.

In Pennsylvania alone, it's estimated that our energy costs, the cost of turning on your electrical switch, is going to increase by 40 percent. And that's going to increase, and then you have the tax on everything, anything that's produced or consumed, if it's made with carbon or it's got a carbon footprint which is, you know, we took pride in that, that that advances our economy and our society, but today it's a bad word. But that, anything that uses that puts a tax today.

Well, that's going to impact everybody, businesses industries, families. But I've got to tell you, the people I feel—I'm scared most for are the people that are living, just barely getting by, paycheck to paycheck, those folks who are poor, those who are not making it today. And just the electricity costs alone are going up by 40 percent in Pennsylvania. Cap-and-trade, cap-and-tax, that's a war on the poor. And what that's going to do to people that are just living, just barely getting by today is, it's absolutely unacceptable. It's just not bad policy, frankly, it's harmful.

Now before I came to Congress, I worked 28 years in health care. I actually thought that I was going to retire in nonprofit community health care. And for me that meant that hopefully they'd have a nursing home bed for me when I got to the end of my career in nonprofit community health care.

But one of the things I learned first in my health care career was, do no harm. And I use that in my decision-making here on the House floor. The first thing in terms of any type of public policy is, do no harm. And that's something that would serve all of myself and my colleagues to remember in the public policy we're doing, especially on this energy debate, because cap-and-trade is harmful.

Now, we have great potential, I think, for moving towards and accomplishing energy independence. Let me talk a little bit about that, starting with domestic oil.

150 years ago this year, and actually, the third week in August, in Titusville, Pennsylvania, Colonel Drake drilled the first well ever in the history of the world and produced energy, produced oil. And that's something we take great pride in. And we have tremendous domestic oil resources today that we have not been utilizing, that we could be utilizing to not just be dependent on foreign sources, but what a great economic stimulus that would be to take that $700 billion that we send overseas every year and invest that in American energy-producing companies that hire American workers. That's the best stimulus that we could have done, and that's the stimulus that we need to do, and it will be the first stimulus that we do out of this Congress that will be effective in this congressional cycle.

Let me talk about natural gas. Credible, clean energy. And we have lots of it. The Outer Continental Shelf. We certainly have it throughout my district. We have the third largest natural gas play in the world that goes through Pennsylvania, 15 of my 17 counties, wonderful, clean, natural gas that's available. And we have at least two bus lines in my Congressional district that runs on compressed natural gas. It's clean, it's cheaper, and it's a good resource, and we need to be using more of that.

Nuclear. We haven't built a new nuclear plant in how long? Countries such as France are way ahead of us. Nuclear energy has come a long way since the days when we were concerned about accidents. It's clean, it's safe and the technology advancements are wonderful.

Coal. We have, my district, I'm proud of the fact that we have a tremendous amount of coal. We have a history of providing coal for the country. And, in fact, we've got great educational institutions in my facility, we have lots of them, but one in particular is doing some wonderful research on coal sequestration techniques. And that technology is being developed with the researchers that we have right in rural Pennsylvania where we have these vast coal resources to be able to use.

And then alternative energy. And I do believe in all of the above and support an all-of-the-above approach to addressing our energy independence. But if you take the alternative energies today, where we're at today with solar, with wind, we're looking at producing less than 1 percent, meeting less than 1 percent of our energy needs. So let's say we work real hard and we double that. All right. That's 2 percent. We're a long ways off from fulfilling and meeting the energy needs that our country has today.

We need to be able to use our domestic resources, oil, natural gas, coal, and continue the research and development of alternative energies.

I'm very proud of the higher education institutions that I do have in the district that are working also on developing these alternative energy sciences. But as I talk with those researchers on alternative energies, they tell me that the best hope for the future, to be able, at one point, to be able to replace the use of fossil fuels perhaps is solar at this point. But even with that, they tell me it is generations and generations away from being developed to the point where we can actually fill that gap.

So for us to be energy independent, to meet our economy needs, to provide good jobs for Americans, producing domestic energy and for our national security, we really need an all-of-the-above type solution to our energy.

So why are we dependent on foreign energy?

Well, the best way to do that is, let me illustrate with a bit of a riddle. My alma matter, I've talked about Penn State. We have a great winning football coach, Joe Paterno. How'd you like to be in your mid eighties and just get a 3-year extension on your contract? He's a great guy and he's got a great record.

So here's the riddle. What's the difference between Coach Paterno's winning record and America's energy policy? Well, actually Coach Paterno's winning record really is there, it really exists. We do not have, America has never had an energy policy. And, in fact, the biggest barrier we have to American energy independence, and American economic independence using our energy resources, has been the Federal Government. And it's time for that to stop.

And let me share with you a living example of how government gets in the way of using domestic resources, domestic energy resources. In my district, in the northern part, we have this wonderful four counties, it includes the Allegheny National Forest. It's 513,000 acres. It's a wonderful area. It was formed back in 1923. 85 years it has existed, and it was formed for the purpose of providing a sustainable timber supply for industry, and also to supply sustainable energy, specifically, oil to begin with, and now natural gas that is drilled in the forest.

And, in fact, the Federal Government, in its wisdom in 1923, when it secured all these lands to form this national forest, chose not to secure the private property subsurface rights, the mineral rights there. And the reason for that was because it felt that private property owners would be better able to access and to produce the energy that is contained in those minerals, the oil and the natural gas that is there today.

□ 2045

Well, that has worked well for us for approximately 85 years. Just about a little over 70 days ago, the Forest Service, who manages that, decides to no longer proceed with what's called ''notices to proceed.'' That's basically the

green light to be able to go after the oil and the natural gas that our country needs to fuel our needs. It's domestic energy.

Now, the impact of that in just 70 days has been, as you can imagine, on the businesses. First of all, it's an attack on those who own the private property rights, which is wrong. We respect private property rights in this country, but then there are the businesses, the drillers who go after the oil. We haven't had a new start on a well in over 70 days. You have the schools and the counties and the municipalities that rely on that, that being the big part of our economy in those four counties. Then you have the families, the families who depend on those jobs, and we have seen job loss, and we have seen people's hours being cut back across the board in many different industries. It's just not the drillers. They're the individuals who are involved with the small excavating companies, who come in to clear the access road. They're the folks who work in timbering, who remove the timber to be able to open up those areas for drilling.

You have to remember that this is something we have worked well together on with the Forest Service for 86 years. It has been a great partnership of making sure that we provide the resources that America needs. Then, all of a sudden, the Forest Service, because of lawsuits by environmentalists, has shut this process down. It has shut down the economy in the four counties, in the Allegheny National Forest and in those counties that depend on that economy around it. Well, that's wrong. That's absolutely wrong.

You know, America has the ingenuity. In terms of being energy independent and in using our resources, we've got the ingenuity. We've got the resources. We've got the American spirit. We've got people who work hard in those industries, I mean long days, days that a lot of Americans wouldn't want to put in, but they do that because that's what they enjoy; that's their passion, and they help to provide the energy resources that our country needs.

As I said before, the biggest barrier to accessing these domestic resources, to accessing America's energy resources for America's being energy independent, has been our own government. It's time for smart government energy policy.

Again, I propose that the best stimulus that we could ever do for our economy would be to access all of our domestic energy resources. That would be oil, natural gas, the building of nuclear plants, the use of coal, the development of the alternative energies at the same time, concurrently. As we do that, we put American energy-producing companies to work that are hiring American workers.

I thank my friend and colleague from Utah for the opportunity to join him this evening.

Mr. BISHOP of Utah. I appreciate Mr. THOMPSON from Pennsylvania for going through many of the significant issues that have to be addressed and that can help us solve our budgetary problems if we just provide people options and take the cap off and let them use the medicine.

He did mention one of those, which is cap-and-trade. Now, we did a great deal of talking this week about how we're not going to raise taxes on middle-income individuals, but we've already talked about how the $80 billion tax increase for the oil industry alone is going to be passed on. Cap-and-trade, which the gentleman also mentioned, has the same individual effort. It has been estimated that cap-and-trade will cost about $1.9 trillion, and that comes out to an average per household of just under $2,000 a year for the next 8 years.

For those people who are now going to have to come up with that under the cap-and-trade approach, they either have to make $2,000 a year more every year or find some way of cutting back. To help them out, the Bureau of Labor has come up with some statistics that show what the average family does spend.

For example, on all of their meat, their poultry, their fish, eggs, dairy products, and fruits and vegetables, the average family will spend about $1,700 a year. Well, that's not quite enough that they'd have to cut. For all furniture, appliances, carpets, and other furnishings, the average family spends about $1,700-plus a year. If you just do clothing, the average family spends $1,800 a year. For electricity and energy needs, the average family spends a little over $1,700. In property tax, the average family hits again $1,700.

Those are some ways that people could actually afford the cap-and-trade or cap-and-tax program because—I'm sorry—whether we say it's a tax increase or not, it's going to cost average Americans.

Mr. GARRETT of New Jersey. If the gentleman would yield.

Mr. BISHOP of Utah. I'll yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Just a point on this:

For those who were watching the debate—and it went on all day yesterday on this issue and for hours long during today as well—there were assertions on the other side completely made over and over again. Any time we raised this issue as far as the tax on the American family and individuals as well and as to whether it's going to be $1,600 or $1,700—you said it's under $2,000—there was an assertion on the other side of the aisle that's it's not in there. That's not true.

Ranking Member RYAN, I think, had the definitive statement on it. It's not us making those statements. It's not even outside organizations making those statements. Although, outside organizations have, in fact, confirmed that that would be in place. In fact, it was our very own, nonpartisan CBO, Congressional Budget Office, that came up with that figure. So it is in there. It is relevant, and it has been documented.

I just wanted to reinforce that point.

Mr. BISHOP of Utah. I appreciate the gentleman from New Jersey for pointing that out because, once again, we provide options for people. We take the cap off the medicine, and we can still solve all of our own problems. Let me talk very quickly about two final points:

One is the concept that we can change to green energy jobs. I call it the ''myth of green energy.'' This administration has praised Spain, and has said that they should be an example we should follow as a country who has achieved long-term growth, going down a massive subsidization of green energy jobs.

The only thing I worry about, according to their most recent studies of what has taken place in Spain, is that their green energy efforts simply have hindered their way out of their current economic crisis because, for every green energy job that was produced, it required a subsidy between $30,000 and $100,000. The total cost to Spain was $36 billion. The energy increase to Spain was a 31 percent increase for average people in Spain for their energy increases. I hate to say this, but for every energy job that allegedly was created, there were 2.2 jobs that were killed as a result of them. This is actually a job loss.

One of the problems we have in doing that is, simply, there is no definition of what is a ''green job.'' In reality, as we found once again in Spain, clerical work, bureaucratic work and administrative jobs are now considered green jobs. The net effect, though, still in Spain is, for every job they created, they lost 2.2 jobs.

Now I would like to just say in some conclusion to this—and we could go on and talk about a lot of other things—that there is the issue of offshore drilling in which the previous administration had a 60-day comment period. This administration has decided to put in an unprecedented 6-month comment period as if we don't know what we're doing already.

There is the issue of oil shale in my State, and once again, this administration has decided to stop the development of leases and the development of resources for oil shale. In conservative estimates, there is three times the amount of oil potential just in the States of Utah, Colorado and Wyoming than there is in Saudi Arabia.

But I want to remind people of why we're talking about this issue of energy as it relates to the budget at all. One of the things we as a government ought to do is try to avoid pain. I realize that there are some people who have said it's a shame to waste any crisis, but one of the things, maybe, that we should be trying to do is to prevent future crises.

I think some of us can remember back to last fall when gasoline was

over $4 a gallon and how terrible the situations and lifestyles were back then, which have now been placed on the back burner because it's not so frantic and not so necessarily needed, because we faced one of the unique phenomena that has happened only once in the world, which is that the entire world dropped their consumption of oil. We are now consuming 1.4 million barrels in the world less than we did last fall when it was $4 a gallon. Our experts tell us that that will probably continue through the year 2009, but come 2010, it's going to go right back up. Since the United States has yet to solve its energy production problems—not for the short term, not for the long term because we refuse to take the cap off the medicine and make options for people—we still import 40 percent of our energy from foreign countries. We are still bound and determined to do whatever Hugo Chavez wants in some particular way.

For whom are we fighting? Remember last fall for whom we were fighting—for the people in my State, for the kids who need their education, for the 1,100 airline employees who were laid off when 100 planes were taken out of one company's system, for the Ethiopian cab driver here in Washington, D.C. who told me that he had to drive 2 hours every day longer to make up because of the high cost of energy and that, for the first time in his life, he was not able to be home when his kid came home from school, for the father in Virginia who refrained from going to fathers' and sons' activities because he couldn't afford the cost of gas, or for the Wisconsin high school that tried to have a fashion show to show kids how they could dress warmly in fleeces and in zipped sweaters and try and compensate in that particular way, or for North Dakota where they cut their schools back to 4 days a week, or for a district in Iowa that decided the only kinds of trips they could go on were going to be athletic events—no more choir, no more field trips, no more junior high trips whatsoever, even for the American Defense Department, which saw its energy budget go from $3 billion to $13 billion a year just because of the increase of gas, or for the church in Vermont that found itself with a $10,000 increase in its electrical bill out of the blue, or for the nurse in Chicago who dropped cable television in an effort to try and solve her problems, or for the elderly people who no longer went on trips, or for the guy in St. Paul, Minnesota, who only went out if he were in his electric wheelchair because he could recharge it for free in his apartment.

In this country, when we talk about energy policies, we talk about them as if they were some ethereal concept that was out there, an abstract concept. It's not. When we talk about our energy policy, we are talking about how people cook their food and how they heat their homes, and we create jobs because of it. For every dollar that is spent on energy for those people who are in the most vulnerable situations, for those who are in the lowest half of our economic stratum, for every dollar they have to spend on high-energy costs, it was a dollar they couldn't spend on a luxury like Hamburger Helper.

It is energy that is the great social equalizer. It is energy that creates economic opportunities, and this country has more energy imprisoned than most countries have. All we need to do is to try to tap into that potential, for when prices increase—and they will again—jobs will be lost; income vanishes; social programs suffer; America suffers at the same time, and it hurts those who are on fixed incomes and those who are on the poverty level the most. That's 45 million people who are on fixed incomes. You see, if the social and economic elite of this country can easily solve this problem, if you're rich, the high cost of energy is nothing more than an inconvenience.

We had Presidential candidates who would fly around the country in three different jets one day, and it was okay. All they had to do was buy a carbon offset for it. We have a former political leader whose home consumes 20 times more energy in one day than an average family will consume in a year, and it's okay; he can just buy an offset. It's like going back to the medieval time period. An ancient duke or earl, if he did something wrong, could go out and buy an indulgence, and his life style would go on the same without any kind of impact.

If you're rich, that's what the energy crisis means to you, but if you're poor, that's when you hurt. That's when you have to decide whether you're going to pay for gas or for heating or simply for food. That's who gets hurt the most. Eleven percent of a rich person's income goes for energy consumption. For anyone at the poverty level, 50 percent goes for energy consumption.

This country has the ability of solving that problem. Think of all the great inventions this country has done. In 1784, we came up with bifocals; in 1805, refrigerators; in 1849, the safety pin; 1867 was a great year because this country came up with the typewriter, barbed wire and toilet paper all in one particular year. And we can't come up with a solution to this problem?

We can if we, once again, unlock the potential within every American and offer them options and then give them rewards for those options.

England had no idea in the 1700s of how to chart the ocean, so they asked for a competition, for somebody to come up with the answer. In 1714, a clock maker came up with the system of longitude and latitude that we are still using today. Napoleon didn't know how to feed his troops. He came up with a competition, and in 1810, the concept of vacuum packing that we use today was developed. Even Lindbergh, when he flew across the Atlantic, was responding to a competition established by a newspaper.

All we need to do is unlock the potential of Americans. We have the potential. We need to have options. We need simply to have the government take the cap off the medicine so America can grow. If we do that, we can solve our energy problems. We can have energy solutions into the future, and we can solve our budget problems all at the same time. They are interrelated, and this is where America simply needs to ask their government to take the cap off.

Let us grow. Let us succeed.

Mr. Speaker, I appreciate your patience, and I appreciate the time. I yield back.

THE GREAT ECONOMIC HOLE

The SPEAKER pro tempore (Mr. NYE). Under the Speaker's announced policy of January 6, 2009, the gentleman from Massachusetts (Mr. FRANK) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANK of Massachusetts. Thank you, Mr. Speaker.

I want to address what is one of the major issues that is now confronting the country. We have the problem of digging out from under the great economic hole in which we find ourselves, not just here but worldwide, but as we do that, it is important that we take steps to make it much less likely that we'll be in such a difficult spot again. It's a hard thing to do simultaneously—to recover from a serious problem and also to prevent its occurrence.

□ 2100

I want to talk today about what we have to do to prevent its recurrence. Now, obviously, to prevent its recurrence, you need to have some sense of what caused the problems. There are two competing theories. The one that I believe, that the President believes, that he is in Europe today discussing—and which a wide variety of European thinkers somewhat inaccurately said today on the floor from the other side, It was the socialists in Europe who were pushing the President. Well, those socialists were primarily the conservative Christian democratic Chancellor of Germany and the conservative Gaullist President of France. They are the ones who were saying we have to come together and improve financial regulation.

In England, when I became the chairman-in-waiting in 2006 after that election, I was told that we in America should emulate Great Britain. I was told this by conservatives, by people in the financial industry. Great Britain, we were told, had the financial services authority that used the light touch when they regulated.

The head of the financial services authority recently announced the era of light touch, of soft touch regulation is over. That bastion of regulatory flexibility now says we erred with too little regulation. Unregulated credit default

swaps. Cauterized debt obligations. Financial entities largely unregulated taking on far more debt than they could pay is a major cause of the problem.

Now, how do we get there? There is to some extent agreement on one particular aspect of this. And that is that it was the proliferation of subprime mortgages to people who could not repay them that was at the root of the problem. The mortgage loans were made to people who couldn't repay them by people who did not expect to be repaid because they were selling that right. They were securitizing them.

And other sophisticated financial institutions then took these badly made loans and rocketed them around the world through sophisticated financial investments. And there is a great agreement that that is the root cause of the problem.

But what caused the cause is disputed.

Now, there is a conservative view that says, You know what happened? It was the liberals, the Democrats. There they went again trying to help poor people, and they forced these poor institutions, these vulnerable lenders, into making bad loans.

Now, we have seen a proliferation, a coordinated proliferation of that argument. It was trying to help poor people that did it. Some of the poor people were black and Hispanic, others—a majority of them, this being the United States with our ethnic composition—were white. But that's what's getting blamed, and it's in a coordinated way.

The talk show hosts, Vice President Cheney said that in his last interview, Mr. Rove has been arguing that. It is fairly coordinated.

Now, I do not argue that we are facing a vast right-wing conspiracy. What we are dealing with is something, however, equally troubling. It is crass right-wing mendacity. It is systematic dishonesty, lying, distortions, misrepresentations, bad history being promulgated.

Now, I speak as one of the Democrats who's learned our lesson. For too long we acted as if inherent implausibility was self-refuting. A man I admire greatly, John Kerry, a war hero, was victimized in 2004 because for too long he delayed fighting back the inherently implausible charge that he had not distinguished himself in battle. The Swift-boating of John Kerry was a terrible moment in American history, and his decency, his belief in fairness, held him back for a bit. He fought back, but it was later than it should have been.

We've had earlier examples of that. We're seeing it now. We are seeing a concerted right-wing effort to misrepresent the facts to avoid a result they don't want. The result is regulation. The result is that this country will do what it has done at least twice before.

We have a situation in which significant financial innovation in this country, beginning about 20 years ago or so, transformed mortgage lending. Mortgage lending used to be a matter of you going into your community bank—and by the way, among the victims of this whole operation have been the community banks. The community banks who have been no part of the problem but get the criticisms on an undifferentiated way and some of the burden. And we on the Financial Services Committee are determined to do everything we can to shelter them from that kind of unfair denunciation and excessive regulatory burden.

But what we had was a proliferation of lending now outside of the banks. Non-banks were able to lend because of liquidity in the world. You didn't have to go to depositors. If you get money from depositors, you're regulators. If you get money from pools of liquidity from Asia, from oil people in the Middle East, from elsewhere, you do not have to face that regulation.

The other thing, of course, that happened was securitization. Thirty years ago people who got a mortgage were getting it from someone who expected it to be repaid by the borrower, and they were careful about the borrower. Increasingly, loans were made by people who did not expect to be repaid by that borrower but who were going to package the loans and sell them to other people. And the discipline of a direct lender-borrower relationship eroded.

Then the sophisticated collateralized debt obligation derivatives and credit default swaps came in and took loans that should never have been made in the first place and sent them around.

The problem is that there were no regulations, insufficient regulation. In the lending process, virtually no regulation in the process by which the bad loans were packaged and sent around the world.

So our job today is to do what Theodore Roosevelt and Woodrow Wilson did: address innovations in the private sector. And we are a private sector country fortunately, and it is the private sector that creates wealth. But in periods of great innovation by definition there are no rules, no regulations. So you get a great deal of productive activity and you get some abuses. And the job of a sensible public policy is try to restrain the abuses while getting the benefit of the innovation.

Theodore Roosevelt and Woodrow Wilson did that. They did antitrust laws, they did the Federal Trade Commission. And the contemporary version of today's right-wing ideology said, Oh, my God. You're going to ruin everything. They were bitterly opposed to Theodore Roosevelt and his trust busting.

And when the stock market became important as a consequence of the large industrial enterprises becoming the basis of the economy to a great extent, Franklin Roosevelt did the same thing with the stock market. And if you want to read complaints similar to today's laments that regulation will ruin the economy and throttle competitiveness, go to the CONGRESSIONAL RECORD of the 1930s and read what they had to say about the Securities and Exchange Commission. That's our job today. That's what we want to do. We want to put rules in place that allow us to get the benefit of innovations, the benefit of securitization, but without the abuses.

The economic fundamentalists feel threatened by this. The consequences of their deregulatory policy—which had been successful in America for far too long—are devastating, and they understand that the American people are unhappy with that and plan to impose regulation. And they are as opposed today as they were against Theodore Roosevelt and Woodrow Wilson and against Franklin Roosevelt who said, ''The economic royalists hate me, and I welcome their hate because they know I am a threat to them.''

We are a threat to the abusers, and by the way, Mr. Speaker, good rules are pro-market. Franklin Roosevelt made it possible for people to invest with confidence when he created the SEC. He created a situation in which you could have mutual funds with the Investment Company Act. We suffer today from people who will not invest because of their fears of abuse, and creating a set of rules that give comfort to investors will get this economy functioning again, get the credit markets functioning again.

All right, what do the conservatives say? First of all, you made us lend money to poor people. It was the Community Reinvestment Act. I will insert in the RECORD the article from October 12 from the McCarthy newspapers, Messrs. Goldstein and Hall about that myth. And we will do a Special Order later on it.

[From McClatchy Newspapers, Oct. 12, 2008]

PRIVATE SECTOR LOANS, NOT FANNIE OR FREDDIE, TRIGGERED CRISIS

(By David Goldstein and Kevin G. Hall)

Washington.—As the economy worsens and Election Day approaches, a conservative campaign that blames the global financial crisis on a government push to make housing more affordable to lower-class Americans has taken off on talk radio and e-mail.

Commentators say that's what triggered the stock market meltdown and the freeze on credit. They've specifically targeted the mortgage finance giants Fannie Mae and Freddie Mac, which the federal government seized on Sept. 6, contending that lending to poor and minority Americans caused Fannie's and Freddie's financial problems.

Federal housing data reveal that the charges aren't true, and that the private sector, not the government or government-backed companies, was behind the soaring subprime lending at the core of the crisis.

Subprime lending offered high-cost loans to the weakest borrowers during the housing boom that lasted from 2001 to 2007. Subprime lending was at its height from 2004 to 2006.

Federal Reserve Board data show that: More than 84 percent of the subprime mortgages in 2006 were issued by private lending institutions; private firms made nearly 83 percent of the subprime loans to low- and moderate-income borrowers that year; Only

one of the top 25 subprime lenders in 2006 was directly subject to the housing law that's being lambasted by conservative critics.

The ''turmoil in financial markets clearly was triggered by a dramatic weakening of underwriting standards for U.S. subprime mortgages, beginning in late 2004 and extending into 2007,'' the President's Working Group on Financial Markets reported Friday.

Conservative critics claim that the Clinton administration pushed Fannie Mae and Freddie Mac to make home ownership more available to riskier borrowers with little concern for their ability to pay the mortgages.

''I don't remember a clarion call that said Fannie and Freddie are a disaster. Loaning to minorities and risky folks is a disaster,'' said Neil Cavuto of Fox News.

Fannie, the Federal National Mortgage Association, and Freddie, the Federal Home Loan Mortgage Corp., don't lend money, to minorities or anyone else, however. They purchase loans from the private lenders who actually underwrite the loans.

It's a process called securitization, and by passing on the loans, banks have more capital on hand so they can lend even more.

This much is true. In an effort to promote affordable home ownership for minorities and rural whites, the Department of Housing and Urban Development set targets for Fannie and Freddie in 1992 to purchase low-income loans for sale into the secondary market that eventually reached this number: 52 percent of loans given to low-to moderate-income families.

To be sure, encouraging lower-income Americans to become homeowners gave unsophisticated borrowers and unscrupulous lenders and mortgage brokers more chances to turn dreams of homeownership into nightmares.

But these loans, and those to low- and moderate-income families represent a small portion of overall lending. And at the height of the housing boom in 2005 and 2006, Republicans and their party's standard bearer, President Bush, didn't criticize any sort of lending, frequently boasting that they were presiding over the highest-ever rates of U.S. homeownership.

Between 2004 and 2006, when subprime lending was exploding, Fannie and Freddie went from holding a high of 48 percent of the subprime loans that were sold into the secondary market to holding about 24 percent, according to data from Inside Mortgage Finance, a specialty publication. One reason is that Fannie and Freddie were subject to tougher standards than many of the unregulated players in the private sector who weakened lending standards, most of whom have gone bankrupt or are now in deep trouble.

During those same explosive three years, private investment banks—not Fannie and Freddie—dominated the mortgage loans that were packaged and sold into the secondary mortgage market. In 2005 and 2006, the private sector securitized almost two thirds of all U.S. mortgages, supplanting Fannie and Freddie, according to a number of specialty publications that track this data.

In 1999, the year many critics charge that the Clinton administration pressured Fannie and Freddie, the private sector sold into the secondary market just 18 percent of all mortgages.

Fueled by low interest rates and cheap credit, home prices between 2001 and 2007 galloped beyond anything ever seen, and that fueled demand for mortgage-backed securities, the technical term for mortgages that are sold to a company, usually an investment bank, which then pools and sells them into the secondary mortgage market.

About 70 percent of all U.S. mortgages are in this secondary mortgage market, according to the Federal Reserve.

Conservative critics also blame the subprime lending mess on the Community Reinvestment Act, a 31-year-old law aimed at freeing credit for underserved neighborhoods.

Congress created the CRA in 1977 to reverse years of redlining and other restrictive banking practices that locked the poor, and especially minorities, out of homeownership and the tax breaks and wealth creation it affords. The CRA requires federally regulated and insured financial institutions to show that they're lending and investing in their communities.

Conservative columnist Charles Krauthammer wrote recently that while the goal of the CRA was admirable, ''it led to tremendous pressure on Fannie Mae and Freddie Mac—who in turn pressured banks and other lenders—to extend mortgages to people who were borrowing over their heads. That's called subprime lending. It lies at the root of our current calamity.''

Fannie and Freddie, however, didn't pressure lenders to sell them more loans; they struggled to keep pace with their private sector competitors. In fact, their regulator, the Office of Federal Housing Enterprise Oversight, imposed new restrictions in 2006 that led to Fannie and Freddie losing even more market share in the booming subprime market.

What's more, only commercial banks and thrifts must follow CRA rules. The investment banks don't, nor did the now-bankrupt non-bank lenders such as New Century Financial Corp. and Ameriquest that underwrote most of the subprime loans.

These private non-bank lenders enjoyed a regulatory gap, allowing them to be regulated by 5o different state banking supervisors instead of the federal government. And mortgage brokers, who also weren't subject to federal regulation or the CRA, originated most of the subprime loans.

In a speech last March, Janet Yellen, the president of the Federal Reserve Bank of San Francisco, debunked the notion that the push for affordable housing created today's problems.

''Most of the loans made by depository institutions examined under the CRA have not been higher-priced loans,'' she said. ''The CRA has increased the volume of responsible lending to low- and moderate-income households.''

In a book on the sub-prime lending collapse published in June 2007, the late Federal Reserve Governor Ed Gramlich wrote that only one-third of all CRA loans had interest rates high enough to be considered sub-prime and that to the pleasant surprise of commercial banks there were low default rates. Banks that participated in CRA lending had found, he wrote, ''that this new lending is good business.''

[From the Financial Times, Sept. 9, 2008]

OXLEY HITS BACK AT IDEOLOGUES

(By Greg Farrell in New York)

In the aftermath of the US Treasury's decision to seize control of Fannie Mae and Freddie Mac, critics have hit at lax oversight of the mortgage companies.

The dominant theme has been that Congress let the two government-sponsored enterprises morph into a creature that eventually threatened the US financial system. Mike Oxley will have none of it.

Instead, the Ohio Republican who headed the House financial services committee until his retirement after mid-term elections last year, blames the mess on ideologues within the White House as well as Alan Greenspan, former chairman of the Federal Reserve.

The critics have forgotten that the House passed a GSE reform bill in 2005 that could well have prevented the current crisis, says Mr Oxley, now vice-chairman of Nasdaq.

He fumes about the criticism of his House colleagues. ''All the handwringing and bedwetting is going on without remembering how the House stepped up on this,'' he says. ''What did we get from the White House? We got a one-finger salute.''

The House bill, the 2005 Federal Housing Finance Reform Act, would have created a stronger regulator with new powers to increase capital at Fannie and Freddie, to limit their portfolios and to deal with the possibility of receivership.

Mr Oxley reached out to Barney Frank, then the ranking Democrat on the committee and now its chairman, to secure support on the other side of the aisle. But after winning bipartisan support in the House, where the bill passed by 331 to 90 votes, the legislation lacked a champion in the Senate and faced hostility from the Bush administration.

Adamant that the only solution to the problems posed by Fannie and Freddie was their privatisation, the White House attacked the bill. Mr Greenspan also weighed in, saying that the House legislation was worse than no bill at all.

''We missed a golden opportunity that would have avoided a lot of the problems we're facing now, if we hadn't had such a firm ideological position at the White House and the Treasury and the Fed,'' Mr Oxley says.

When Hank Paulson joined the administration as Treasury secretary in 2006 he sent emissaries to Capitol Hill to explore the possibility of reaching a compromise, but to no avail.

Very simple. The Community Reinvestment Act covers banks, not mortgage finance companies, not all of these other entities, not Fannie Mae, not Freddie Mac, not Goldman Sacs, not Merrill Lynch, not the hedge funds. If mortgage loans had only been made by institutions covered by the Community Reinvestment Act, there would be no crisis. These are the community banks that do not deserve to be falsely blamed. They're not all crazy about the Community Reinvestment Act. But it is not, by any means, the source of this problem.

Most of the bad loans that were made were made by institutions not covered by the Community Reinvestment Act. The article I just quoted says only 1 of the top 25 subprime lenders in 2006 was directly subject to the CRA.

Well, then, they say okay—by the way, to their credit, every regulator in the Bush administration at the Federal Reserve, at the FDIC, at the controller of the currency, repudiates the notion that the Community Reinvestment Act caused this. Literally, no competent bank regulator believes that for a minute because they know, as regulators, they would not have allowed this.

Well, then, the next argument is it was Fannie Mae and Freddie Mac. And I will say I am personally involved here because my conservative colleagues have done me the compliment of impugning to me powers I never thought I had.

Now, here is the legislative record of the Republican Congress during the 12 years that this—the Republicans controlled Congress for 12 years. Here are

the legislative records of 12 years of Republican control. Legislation upon bad subprime lending: zero. This is a very energy-efficient chart. You can use the chart for both issues.

Legislation to regulate Fannie Mae and Freddie Mac passed while the Republicans were in power from 1995–2006: zero. Now, one of the arguments—okay, they can't deny the facts.

Mr. KING of Iowa. Will the gentleman yield?

Mr. FRANK of Massachusetts. Will someone tell the gentleman from Iowa I will begin yielding after a certain amount of time. I want to get the complete argument out. I will yield some time and I will say more than that.

I look forward to when we return to debate—these things get too one-sided. Let's each take out an hour and we will share the hours and go back and forth in debates.

But that's irrefutable. Zero. Republicans in control of Congress, no legislation adopted to ban subprime lending or to regulate Fannie Mae and Freddie Mac. Now why is that the case? Well, one argument is that I wouldn't let them do that. Newt Gingrich and Tom DeLay apparently had a secret passion to regulate Fannie Mae and Freddie Mac, but my secret hold kept them from doing it.

Mr. Speaker, I wish I knew that. If I knew I could have stopped them from doing things, I wouldn't have let them impeach Bill Clinton.

Mr. KING of Iowa. Will the gentleman yield?

Mr. FRANK of Massachusetts. I told the gentleman that I would not yield.

Mr. Speaker, will you please instruct the gentleman from Iowa, who I thought would have known better, that he has to be yielded to.

Mr. KING of Iowa. It's misstated facts.

Mr. FRANK of Massachusetts. Mr. Speaker, regular order.

The SPEAKER pro tempore. The gentleman from Massachusetts controls the time.

Mr. FRANK of Massachusetts. Please instruct the gentleman from Iowa if he asks me to yield and I say ''no,'' he's not allowed further to speak. Those are the basic rules of the House.

I said to the gentleman after a certain amount of time, I will yield. I am sorry he is upset by the fact that the Republican Party, of which he is a member, had a zero record of accomplishment during those 12 years in which they controlled it. I will allow debate and yielding later. People have spoken for hours on this without any interruption. I am going to speak for at least 40 minutes without interruption and I will then yield.

So I will instruct the gentleman the rules of the House do not allow him to interrupt without permission. I do not interrupt people without permission, neither may he.

Mr. KING of Iowa. I hope the people will stick around, and I will yield to the gentleman when I have the time.

Mr. FRANK of Massachusetts. Mr. Speaker, will you please instruct the gentleman of the rules of the House.

The SPEAKER pro tempore. The gentleman from Massachusetts controls the time and does not wish to yield at this time.

Mr. FRANK of Massachusetts. As I said before the gentleman from Iowa tried to divert attention from it, zero legislation adopted by the Republican.

The argument again is Newt Gingrich and Tom DeLay wanted to do it. They overcame my objection to have a war in Iraq—that I thought was a terrible mistake—to cut taxes to very wealthy people, to intervene in the Terry Shiavo case, to do other things that I thought were unwise.

But I kept them from regulating Fannie Mae and Freddie Mac. Well, I wish I did have that power. I was the minority member of the Committee on Financial Services who had jurisdiction. It was then called the Committee on Banking. In 2003, I did become the senior member, the minority leader.

In the Republican House, the minority leader did not have a great deal of power. The Republicans had the power.

And so here's what happened. It is true that in 2003, the chairman of the committee, Mr. Oxley, decided to try to regulate Fannie Mae and Freddie Mac. He scheduled a vote on the bill, the Republican chairman on the committee, Mr. Oxley. Let me read from a CBS report October 7, 2003.

□ 2115

Strong opposition by the Bush administration forced a top Republican Congressman to delay a vote on the bill that would create a new regulation for Fannie Mae and Freddie Mac.

Let me quote from the Washington Post on October 8. The Bush administration is at odds with the Republican-controlled House Financial Services Committee over legislation to impose tougher oversight over Fannie Mae and Freddie Mac. The dispute dims prospects for quick passage of the bill.

So, Mr. Speaker, apparently I not only had the power to stop the Republican Party; I had a secret power over the minds of men, as the old radio serial used to say, and I managed to get Bush and the Republicans in the Congress to fight with each other. Boy, I wish I'd have known that at the time. There was a lot of damage I could have avoided. So the bill did not pass that year because the Bush administration stopped it because Assistant Secretary of the Treasury Abernathy denounced the Republican bill.

Now, it is true in 2003 I did say at a hearing that I did not think Fannie Mae and Freddie Mac faced a crisis. I did not think they did at the time. I didn't think Wachovia did at the time. I didn't think Merrill Lynch faced one at the time, or AIG or a number of other financial institutions that have failed even more spectacularly than Fannie Mae and Freddie Mac. That didn't mean I wasn't for some regulation. I didn't think they faced a crisis.

But I changed my mind a year later because, in 2004, as is made clear in an excellent book by Mark Zandi—Mr. Zandi is one of our best economists. He's level-headed. He's advised President Obama. He's advised JOHN MCCAIN. He wrote a book called ''Financial Shock: A Look at the Sub-Prime Mortgage Implosion.''

And here's what he said happened. He said, Clinton started on homeownership for low-income people. President Bush readily took up the baton at the start of his administration. Owning a home became one pillar of his ownership society. To reinforce this effort, the Bush administration—once again, it's my secret power at work—put substantial pressure on Fannie Mae and Freddie Mac to increase their funding of mortgage loans to lower income groups.

So, yes, I didn't think they were in crisis in 2003. In 2004, the Bush administration, according to Mr. Zandi's book, put pressure on them to increase this.

OFHEO, the Bush-controlled regulator, set aggressive goals for the two giant institutions. By the time of the subprime financial shock, both had become sizeable buyers of these securities.

Now, I didn't think that was a good idea. Let me quote from the Bloomberg News Service, Mr. James Tyson. He used to cover financial news. This is from 2004, June 17. As Mr. Zandi noted, it was the Bush administration that pushed Fannie and Freddie, a year after I said they weren't in crisis.

Fannie Mae and Freddie Mac would suffer financially under a Bush administration requirement that they channel more mortgage financing to people with low incomes, said the senior Democrat on the congressional panel that sets regulations. That was me. I was by then the senior Democrat, still in the minority. The rule compelled the companies to put 57 percent of their financing towards homes for people with incomes no greater than the median income. The White House could do some harm if you don't refine the goals, said Representative BARNEY FRANK. FRANK'S comments echo concerns that the new goals will undermine profits and put new homeowners into dwellings they can't afford.

Yes, I thought this was a bad idea. I didn't think giving people loans that they couldn't pay back was a good idea. It wasn't we, Democrats and liberals, who were pushing loans to low-income people. It was, as Mr. Zandi said, as Bloomberg said, the Bush administration because they wanted homeownership. By the way, that was part of an overall policy in which they cut funding for affordable rental housing.

And throughout, my difference with them has been I wanted affordable rental housing. Yes, in that 2003 quote I said I was worried that Fannie Mae and Freddie Mac would cut back on affordable housing, and in our language that we use in the housing area, affordable housing is rental housing. I tried

to get Fannie Mae and Freddie Mac not to buy bad subprime mortgages but, if they had profits, to put some of them into affordable rental housing.

So, yes, in 2004, I got worried that they were, as Mr. Zandi said, as the Bloomberg News said, putting people into low-income housing. Around that time, I had a discussion with Alphonso Jackson, the Bush Secretary of HUD. He said he wanted to cut people off the rental housing assistance program after 5 years, the section 8 program whereby you help people rent housing. He said, What do you think? I said, Well, if you can stop them from being poor after 5 years that would be perfectly sensible. He said, No, no, be serious. Why aren't you for it? I said, Mr. Secretary, what will happen to some of these people who can't afford to rent if you cut off their rent supplement after 5 years? He said, I will help them become homeowners.

This was the Bush social policy. This was their compassionate conservatism. They were the ones pushing this, not CRA because it wasn't the banks doing it. Fannie Mae and Freddie Mac were doing it at the orders of the Bush administration.

So, in 2005, I did agree now, given this, that it was time to regulate Fannie Mae and Freddie Mac, and I joined Mr. Oxley, the chairman of the committee who tried to do it in 2003 and was stopped by the Bush administration, and in 2005, Mr. Oxley began again a bill to regulate Fannie Mae and Freddie Mac.

It passed the Committee on Financial Services, of which I was the senior Democrat still, by 65–5. That was the bill Mr. Oxley put out. Five Republicans voted against it. They were on the Bush side; it didn't go far enough. But 28 Republicans voted for it, with all the Democrats. So 65–5. The bill passed the House in 2005 to regulate Fannie Mae and Freddie Mac. It's been argued that, oh, yeah, but the bill was too weak because at the markup session, the committee vote, Democrats blocked good amendments.

Let me be very clear. Let me check the record. I have the record here. I'm going to put it into the CONGRESSIONAL RECORD. No amendment at that session on the committee vote which received a majority of Republican votes was defeated. Some Republicans were defeated, but they had a minority of Republican votes. A majority of Republicans carried the day on every vote.

There were two efforts to try and tighten it. They were both defeated against the chairman's wishes, with a majority of Republicans against them on both sides.

I'll yield later on. I will put that in there. I will yield to the gentleman to clarify that.

Mr. GARRETT of New Jersey. I would like to ask you about that. I'm listening to what you are saying, if I could.

Mr. FRANK of Massachusetts. The gentleman may—I will yield briefly.

Mr. GARRETT of New Jersey. I'm thinking back. If you're referencing the time when—actually, I think I had one of those amendments, if I'm not mistaken. I know one of the amendments I made and I withdrew, and then I made some other amendments, and I think ED ROYCE and I'm trying to think. There was a whole series of amendments.

Mr. FRANK of Massachusetts. I have the amendments. I'll read them. I'm sorry, I'm not going to waste time. I'm sorry, we don't have time, but I'm not going to give up my scarce time while the gentleman wanders through memory lane. I am sorry, I take back my time. I'll read the amendment. I'll look for the amendment offered by Mr. GARRETT.

An amendment to the amendment in the nature of a substitute offered by Mr. GARRETT, number 1R, was withdrawn. We go down. An amendment was offered by Mr. PAUL. It was defeated 14–56. There were 37 Republicans on the committee. An amendment was offered by Mr. ROYCE. It was defeated, 17–53, 20 beat 17. Then we have the only one I see by Mr. GARRETT, who's asked me to yield, it was withdrawn. So Mr. GARRETT offered one amendment at that markup, and it was withdrawn.

I will put the record in there. I don't have further time to yield. If the gentleman wants to see if the record was incorrect, and at one point I quoted something about the gentleman that was incorrect and I apologize, but this one I have double-checked. So Mr. GARRETT offered one amendment, and it was withdrawn.

Amendments to strengthen the bill, to put some spine in Mr. Oxley, who the Republican administration thought too weak, the author of Sarbanes-Oxley, the coauthor, two Republican amendments taken a roll call, both defeated. A majority of Republicans defeated them, and then we went to the floor of the House on this—and I voted for the bill.

We went to floor of the House. We came to the Rules Committee, and Republicans then in the Rules Committee did something outrageously procedurally. We had in there a provision that said some of the money from Fannie Mae and Freddie Mac profits would go, if they had the profits, to rental housing, not subprime mortgages, to rental housing, and it would go through organizations. Conservative Republicans said, oh, no, some of these organizations are nefarious, you can't be giving money to some of these organizations; you better give only to housing groups; if you give it to a multipurpose organization, bad things will happen.

So they put an amendment in that had not been offered in committee and did not allow a vote on it on the floor. It was a self-executing rule as they call it. A self-executing rule is what you call it when you jam it in and don't let people vote on it. This was the Republicans in the Rules Committee. Mr. Oxley was not in favor of it, but he had to be a good soldier.

It said no organization could get any money to build this rental housing if housing wasn't their prime goal, and we heard from some of those radical organizations who were upset. I remember particularly the Catholic Church, which does a very good job of building affordable housing. I work very closely with the Catholic Church and they do excellent work in the Archdiocese of Boston, the Diocese of Fall River, Arlene McMame and Lisa Alberghini, two wonderful women working under our cardinal and our bishop in this regard.

And the Catholic Church said, you know, it says we can't get any money unless housing is our main purpose. Now, we care a lot about housing, but God has to be our main purpose. So the Catholic Church apologized for the fact that they could not claim for the purpose of getting money that their main purpose was to build housing. They would have been excluded. I was angry about that, and so when the bill passed the House I voted against it. I still wanted the bill to be passed without that.

But the point is this. 2003, Republicans in power, no bill is offered. So it's apparently my fault that the Republicans, since they were fighting each other, wouldn't offer the bill.

In 2005, it is offered, and unlike the gentleman from New Jersey, I joined the chairman of the committee and a great majority of the Republicans, 32 of the 37 Republicans, to bring the bill to the floor. I didn't vote for it on the floor because I didn't like the housing piece, but it got 300 votes on the floor of the House, and it was about to go to the Senate.

At that point, according to Mr. Oxley, once again the Bush administration intervened to kill it. And Mr. Oxley said—I hope it's late enough in some parts of the country for me to quote Mr. Oxley—in his interview in the Financial Times, he said the ideologues at the White House blocked this regulatory bill that would have improved regulation that was voted on by 300 Members of the House, by a 10:1 ratio in the committee, by an overwhelming majority of Republicans in both bodies. He said the administration ideologues gave him the one-finger salute, which I will not illustrate on the floor of the House given propriety.

So, once again, it was blocked by them. I was supportive of Oxley in committee. I wanted a bill that created the housing thing. It got 300 votes on the floor. Did I stop it?

What happened was, it went to the Senate, and then the Republican free-for-all multiplied. It went to the Senate, and the Republican Senate voted the bill out by one vote, but it never went to the floor, and you had a three-way dispute: the Senate Republican chairman, Mr. SHELBY; the House Republican chairman, Mr. Oxley; the President of the United States. The Secretary of the Treasury actually sided with Mr. Oxley, he said.

That's why we got no Fannie Mae bill. That's the history. By now the clock runs out on them. We passed the bill in 2005 in the House. I voted ''no,'' but I was prepared to vote for it with an amendment that did not affect the regulatory structure. Goes to the Senate and dies. The Republicans killed it.

I certainly don't think I had the power to stop anything from happening in a Republican House, but the notion that I have a secret power over the Republican Senate is bizarre even by the standards of the myth-makers who have gotten into this effort.

2007 comes, and I'm told, oh, I'm responsible. In fact, the gentleman from Missouri (Mr. AKIN)—and I checked the record by the way, and Mr. AKIN, there is zero record of Mr. AKIN showing any interest in Fannie Mae or Freddie Mac, filing a bill, making a statement, until the Democrats took power. So my Republican friends, it's kind of like in the bar, the guy who's all ready for the fight as long as the other guy isn't there. When the other guy was there, they were very meek and mild.

Mr. AKIN said, Well, I was chairman of the committee when the collapse came; do I take any responsibility? No, not for that, because I tried to work with Mr. Oxley in 2005 to pass a bill over what he called the Bush ideologues who blocked him. And in 2007, I became chairman of the committee on January 31.

On March 28, the committee passed a bill that improved the regulation of Fannie Mae and Freddie Mac in a way that was tougher than the Oxley bill of 2005. In fact, the Bush administration that thought that the Oxley bill was too weak approved our bill. They said it was the right way to do it. It was the right form of regulation.

In fact, Richard Baker, who unlike many of the Republicans who now are full of fight, was a leader in an effort to restrain Fannie Mae and Freddie Mac, was quoted at the time as saying Mr. Baker had been the leader in this and here's what he had to say, talking about the bill. Here's a quote from Politico: BARNEY FRANK had witnessed Baker's battles as ranking member of the House Financial Services Committee. When he became chairman this year, he moved swiftly and pushed the bill through the Chamber in May with a 314–104 vote. The Frank legislation is significantly tougher than the one Fannie and Freddie fought so bitterly in 2000, an irony that pleases Baker. And the gentleman, our former colleague says, With every iteration—it, the bill I sponsored—it got stronger. It's to the point where I didn't know what else there was to put in it.

And then there's a group called FM Focus. They were formed to be a critical block that sought regulation of Fannie Mae and Freddie Mac. Here's what they said in Congressional Quarterly. The chief lobbyist was asked, were any other Democrats helpful? Here it is.

□ 2130

Here's what the chief lobbyist for the Fannie Mae and Freddie Mac group said: ''The Senate Banking Committee passed a very good bill in 2004.'' It never got to the Senate floor. That was under the Republicans. There I go again stopping the Senate Republicans from bringing their own bill to the floor.

The Senate Republicans had a bill. Never came to the floor of the Senate when I was in the Democratic minority in the House. Then the House introduced a bill, which it passed, but we couldn't get it to the floor of the Senate.

''Then, after the 2006 election, when everyone thought FM policy focus issues would be tough sledding with Democrats in the majority, Barney Frank as the new chairman of the House Financial Services Committee stepped up and said, 'I'm convinced we need to do something. He sat down with Treasury Secretary Hank Paulson and, frankly, upset people in the Senate and Republicans in the House.'' Because they wanted an issue to complain about. They didn't want to see a solution.

''They came up with a bill that was excellent—and it was the bill that largely becomes law, and they were able to be phased out.''

So let me just summarize on Fannie Mae and Freddie Mac. The Republicans do nothing to pass a bill in their 12 years in power. 2003, Mike Oxley tries to pass one. The Bush administration called it off by pressuring him.

2005, he gets one passed in the House. The Bush administration denounces, he denounces them, and the Senate doesn't pass it. 2007, when I became chairman, we passed it. So I don't think I apologize for this.

Unfortunately, Senate deadlock again occurred this time with the Democrats in a 2-vote majority, but it has a happier ending because the Democrats in the Senate ultimately did pass the bill.

In January of 2008, worried that the Bush policy of pushing them into too many subprime loans, which I document starting in 2004, I appealed to Secretary Paulson, who will acknowledge this, when we did the economic stimulus bill, and said, please, would you put the Fannie Mae and Freddie Mac regulatory bill which you like into the stimulus. It also had an affordable housing trust fund.

So the right wing didn't like it. They didn't like the idea of helping build affordable rental housing. But building affordable rental housing avoided the problem of bad subprime mortgages. That was the solution I always worked for. And Mr. Paulson basically said, I'd like to do it, but I've got conservatives here who won't let me.

So we could have had that in the stimulus in 2008. It didn't finally pass until July of 2008. By that time, it was too late to avoid the disaster with Fannie Mae and Freddie Mac. But if I had been successful, we would have passed it in 2005, myself, working as a junior member of a coalition with Mike Oxley. We would have passed it in 2007 if the Senate had been able to do it. So that's the story of Fannie Mae and Freddie Mac.

So it is the Republicans' fault because they ran the House and the Senate and the Presidency that we didn't get passage of a Fannie Mae-Freddie Mac bill until the Democrats came back to power. It's indisputable. Republican President, Republican House, Republican Senate. No bill.

Democrats take over. We get a bill through the House in 1 year. Unfortunately, a year later we have to wait before we get it through the Senate.

But when my Republican friends think about it, I don't want them to feel too bad—on this issue—because while they were clearly the ones who were responsible for no regulation of Fannie Mae and Freddie Mac, I don't think it had as much negative impact as they think. I think the Fannie Mae and Freddie Mac collapse was as much an effect as a cause of the subprime crisis. Fannie Mae and Freddie Mac did not originate mortgages. That's not their goal. They bought mortgages made by other people. If people hadn't made those bad mortgages in the first place, there wouldn't have been any. So were a lot of others in the private sector.

And that's where the real blame lies. Blame lies with Republican policies that resisted our efforts to restrict inappropriate subprime loans. This is the crux of it. Bad subprime loans were the root of this—and there could not be a clear partisan divide on the issue. Again, I would urge people to read Mark Zandi's book.

In 1994, the last time the Democrats had a majority before 2007, my predecessor, an excellent consumer fighter from the State of New York, helped pass a bill called HOEPA, Home Ownership Equity Protection Act. It said to the Federal Reserve: Regulate subprime loans. Remember, the problem I mentioned before is that we got a new form of lending that went outside the banks and went to the mortgage finance companies and they weren't regulated.

So the Democratic Congress said: Mr. Greenspan, regulate them. Mr. Greenspan said explicitly: No. In fact, Mr. Zandi, a man who's been an advisor to John McCain, headlines on page 152 of his book on the Financial Shock, a subchapter headlined: Greenspan's Regulatory Failure.

Mr. Greenspan acknowledges much before the Government Reform Committee this year. By the way, another one of those who has said that we were secretly behind this, who was a member of the Republican Party and did nothing in the House to stop this was the gentleman from California, Mr. ISSA. He was a member of the Government Reform Committee for many of these years. They did nothing about

Fannie Mae and Freddie Mac until Mr. WAXMAN took over and got into it during the first Congress among Democrats.

But Mr. Greenspan refused to do that in 1994. Many pressed him to do it. He refused. In 2004, when the Bush administration began pushing harder for subprime loans, many of us became concerned.

Here's what Mr. Zandi says again. ''A group in North Carolina was particularly concerned about that,'' the Committee for Responsible Lending, ''working with two of their very effective and thoughtful members''—members of our Financial Services Committee, Mr. WATT and Mr. MILLER—''they sought to get legislation enacted that would prevent this sort of abuse.''

We began conversations. I was then the senior Democrat still on the committee. The Republican chair of the committee that had jurisdiction on Housing was the gentleman from Alabama, Mr. BACHUS, now the ranking member, the minority member.

And I will do him a favor—I will not impute to him the secret powers imputed to me. I don't blame Mr. BACHUS for what we do or don't do. We're the majority and we will take the responsibility. It's the Republicans who won't take the responsibility for their zero batting average for 12 years when we were in the minority.

But we sought, as Mr. Zandi documents, to pass legislation to restrict subprime lending. Alan Greenspan would use his authority, so we tried to do it. And the problem is that the Republican philosophy that ruled of no regulation knocked it out of the box.

I think Mr. BACHUS was serious. Mr. DeLay was even more serious. He didn't want it. We were in negotiations. Now the gentleman from Alabama was chair of the subcommittee. He could have, any time, called a markup, brought a bill out. We thought his bill would have been strong enough. He could have outvoted us. Republicans often did that when they were in the majority, as we often do today.

But here is what Mr. Zandi said: ''Democrats in Congress were worried about increasing evidence of predatory lending. The Bush administration and most Democrats wanted a Federal equivalent to the North Carolina law to cover all lenders, not just the banks. The Bush administration and most Republicans in Congress,'' who were in the majority, ''were opposed, believing legislation would overly restrict lending and thus slow the march of home ownership.

''The last attempt to pass antipredatory lending legislation occurred in 2005, but it was also stymied by the Republican leadership.''

So here's where the Republicans failure is. They pushed for greater home ownership among low-income people—not CRA, the Republicans, because this was their philosophy. This was their social program as opposed to rental housing, much more appropriate for low-income people. And then they blocked our efforts to regulate it.

Once again, we had to wait until 2007. In 2007, when the Democrats became the majority, we did pass legislation to block inappropriate subprime lending, predator lending. We got the bill through the House. This time, we weren't able to get it through the Senate but we did have some success because the Federal Reserve under Mr. Bernanke has been a much more responsive institution to these kind of problems than Mr. Greenspan. I thought Mr. Greenspan did a good job in macroeconomic policy. But he was lousy because of his ideological opposition to any kind of regulation.

Mr. Bernanke used the authority in 2007—after we even moved on our legislation—he used the authority Mr. Greenspan wouldn't use and promulgated rules to ban subprime lending. I don't think they go quite far enough, and they should be statutory.

So we will get a test, Mr. Speaker, because when we return from the break, the Committee on Financial Services will bring out a tough bill to put rules on all subprime lending. Essentially, we're going to use our community banks as a model—these well-run institutions. We're going to take the rules they have long used and apply them to all loans to prevent the bad subprime loans.

The last time we did that, two-thirds of the Republicans voted against it. In fact, we were opposed by the Wall Street Journal.

I do think the Wall Street Journal's role here deserves some coverage. The Wall Street Journal has been one of those in this dishonest, anti-historical efforts to blame the Democrats. In particular, they had an editorial recently which said I was pushing for people to get subprime loans. Exactly the opposite is the case. And I wrote a letter, by the way, documenting that, and it could not be printed.

I have to say this. I respect the press, but the people who write the Wall Street Journal editorials in this, Mr. Paul Gigot and Mr. Stephen Moore, are cowards and liars. They print stuff that they know is wrong and will not give me the access to reprint. Fortunately, I have this access, and I'm going to put into the RECORD the letter I sent refuting it.

LETTER TO THE EDITOR OF THE WALL STREET JOURNAL

HOUSE OF REPRESENTATIVES,
FINANCIAL SERVICES COMMITTEE,
Washington, DC, December 5, 2008.

EDITOR: I am used to having my views severely distorted by the Wall Street Journal Editorial Board—in contrast to the accurate representation that its reporters present. But the opening of the editorial on December 3rd doesn't distort—it gets the truth absolutely backwards. In short, the Journal's assertion that I have ''spent [my] career encouraging mortgage loans to people who can't repay them,'' is not only entirely inaccurate; it blames me for policies that the Journal has itself defended.

I have consistently argued that the push for homeownership that existed in the Clinton administration, but was significantly upgraded in the Bush administration, made the mistake of assuming that virtually all people could be homeowners. In contrast, I argued that the majority of low-income people should be aided by policies that promoted affordable rental housing.

For example, on February 18, 2002, at a hearing on the budget I said ''I am in favor of trying to help lower-income people get the advantages of homeownership . . . but almost by definition, the large majority of poor people are going to need rental housing.'' On March 6, 2004, the National Journal reported that ''When the FHA's plan to insure subprime loans was included in a Senate-passed appropriations bill, Frank . . . a staunch supporter of low-income housing, wrote a highly critical letter urging that the measure not be included . . . Not only had the House committee not examined . . . the proposal he said then, but the measure also offered no protection against lenders inappropriately steering people towards these high-cost loans. Nor did it offer safeguards to ensure that participants 'were fully suitable for homeownership.'

That same year, when the Bush administration insisted that Fannie Mae and Freddie Mac raise the percentage of below-median income homeowner mortgages they bought, I was correctly quoted in a Bloomberg article on June 17th as saying that this would ''do some harm,'' and the writer noted that ''Frank's comments echo concerns . . . that the new goals will undermine profits and put new homeowners into dwellings they can't afford.''

It was a consistent series of statements like that on my part, and efforts to act on them—although these were often unsuccessful when I was in the minority—that led frequent Republican economic appointee and Wall Street Journal contributor Larry Lindsey to write in April of this year that ''Barney Frank is the only politician I know who has argued that we needed tighter rules that intentionally produce fewer homeowners and more renters. Politicians usually believe that homeownership rates should—must—go ever higher.''

In fact, I was one of the supporters in 1994 of the legislation that directed the Federal Reserve to restrict inappropriate mortgages at the subprime level, and I also lamented Alan Greenspan's refusal to implement this—a refusal which he in a forthright manner acknowledged recently was a grave error. When he refused to do this, I and others in Congress, mostly but not only Democrats, pushed for legislation to restrict subprime mortgages.

As Mark Zandi notes in his recent excellent study of the financial crisis, when ''the Bush administration put substantial pressure on Fannie Mae and Freddie Mac to increase their funding of mortgage loans to lower-income groups,'' I and other Democrats stepped up our efforts to pass legislation that banned the inappropriate loans that have led to the current crisis. In Zandi's words, ''Democrats in Congress worried about increasing evidence of predatory lending . . . and the Democrats wanted a federal (law) that would cover all lenders nationwide. The Bush administration and most Republicans in Congress were opposed, believing legislation would overly restrict lending and thus slow the march of homeownership . . . the last attempt to pass any predatory lending legislation occurred in 2005 but it was also stymied.''

In other words, I was consistently arguing against efforts to extend homeownership to people who could not afford it, and instead sought to increase rental housing. Indeed, as the Journal knows, one of their criticisms of my attitude towards Fannie and Freddie has

been my ultimately successful effort to create an affordable housing trust fund that takes money from Fannie and Freddie and puts it into rental housing.

In fact, Zandi's comment that the last effort to pass any predatory lending legislation was 2005 is correct as it applies to those years from 1995 until 2006 when the Republicans controlled Congress. However, when the Democrats achieved a majority in 2007, and I became Chairman of the Financial Services Committee, the first major piece of legislation the committee approved was a bill adopting the regulatory upgrade for Fannie and Freddie that had been strongly advocated by the Bush administration, but which it had been unable to get the Republican Congress to pass. Next, we moved on to anti-predatory lending legislation and succeeded later in 2007 in passing a bill that, had it been law earlier—when we were in the minority and unable to enact it—would have prevented most of the bad loans.

But, while the predatory lending bill passed by a large majority in the House, there were staunchly conservative advocates of unlimited homeownership who were critical. One prominent conservative voice lamented in November 2007 that I planned ''to hold a committee vote on the Mortgage Reform and Anti-predatory Lending Act that would impose new rules and financial penalties on subprime lenders while providing new lawsuit opportunities for distressed borrowers.'' In objecting to this legislation, this commentator defended the record of subprime lending, although conceding that there had been some ''lending excesses.'' Decrying the attacks on subprime lending, this statement said that ''For all the demonizing, about eighty percent of even subprime loans are being repaid on time and another ten percent are only thirty days behind. Most of these new homeowners are low-income families, often minorities, who would otherwise not have qualified for a mortgage. In the name of consumer protection, Mr. Frank's legislation will ensure that far fewer of these loans are issued in the future.''

Exactly. That was my intention then, and it was my intention years earlier when Republicans blocked it and carried out the spirit of these comments to allow fairly unregulated subprime lending. And of course the statement I have been quoting here is the Wall Street Journal Editorial of November 6, 2007.

BARNEY FRANK,
Chairman.

By the way, one response to their argument—this is my letter—that I was pushing for subprime loans—they said that I was the one who was always trying to push subprime loans. Here's a quote from Larry Lindsey. Mr. Lindsey was an advisor to Ronald Reagan and to both Presidents Bush. He was fired by the most recent President Bush because he predicted that the war in Iraq would cost $100 billion, and he was told that was wrong. He was wrong. It was way too low. That's not why they fired him.

Here's what Larry Lindsey wrote in the Wall Street Journal, all places, on April 2, 2008, talking about regulation. ''In fact, Representative Barney Frank is the only politician I know who has argued that we need tighter rules that intentionally produce fewer homeowners and more renters. Politicians usually believe that homeownership rates should—must—go even higher. The rarity of Mr. Frank's thinking is a reminder that when markets are committing excesses, we should not except Washington actors to check on them.''

The Wall Street Journal, as I said, lies about this. In fact, in 2007, when we passed a bill over the objection of most Republicans, although we had the support of the then ranking member of the Financial Services Committee, although I understand he got in a lot of trouble with his right wing over this and promised maybe never to do it again. We'll see when this comes up.

But here's what the Wall Street Journal editorial said when we passed a bill to stop abusive subprime lending. ''For all the demonizing of subprime lending''—2007, they said we were demonizing subprime lending, the Wall Street Journal editorial—''about 80 percent of even subprime loans are being repaid on time, and another 10 percent are only 30 days behind.''

Isn't that wonderful? Only 10 percent are more than a month behind. Ten percent default and 30 days another 10 percent? Only the Wall Street Journal in this ideological fantasy world would think an 80 percent repayment rate of mortgages to low-income people is a good thing.

But here's what they said. ''Most of these new homeowners and low-income families are often minorities''—so apparently it the Wall Street Journal who's pushing to get minority loans which are going to get a default at a rate up to 20 percent—''who would not otherwise qualify for a mortgage. In the name of consumer protection, Mr. FRANK's legislation will ensure that far fewer of these loans are issued in the future. I hope so, exactly.

It was our goal, our intention, our mission to have far fewer of those loans. And if we had gotten the bill passed in 2007, we still would have had a crisis. It wouldn't have been as bad today. It was stopped by Republican opposition in the Senate.

So that's where we are. Republicans are in power. They do nothing to regulate Fannie Mae and Freddie Mac. They do not only nothing to regulate, they push more subprime loans through the Bush administration and they block our efforts to legislate about them.

We now have an agenda to go forward, and I am going to outline that briefly. But I will at this point—I have about 17 minutes left—I will yield 4 of my 17 minutes to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentleman for reaching his conclusion and allowing a yield. I sat and listened to this. One thing I think the chairman would agree to as just a minor correction to one of the posters that references Mr. Paulson as Frank Paulson rather than Henry Paulson. Small little correction. It wasn't the reason I asked to yield.

Mr. FRANK of Massachusetts. What poster mentions Frank Paulson?

Mr. KING of Iowa. That's what the poster said. Frank Paulson.

Mr. FRANK of Massachusetts. I thank the gentleman for that profound correction. I will see that the typist is severely chastised.

Mr. KING of Iowa. I know that the gentleman is very interested in making sure the RECORD is correct. Having been corrected myself by the chairman, I would also offer that correction.

But my point was this, if the gentleman would yield to a question, and that is I'm listening to this this evening and I'm thinking of an evening that my recollection tells me was a debate on this floor on October 26, 2005, and it had to do with regulation of Fannie Mae and Freddie Mac. It was an amendment offered by the former chairman of the Financial Services Committee, Mr. Leach of Iowa, that, in essence—and I can't quote it to the gentleman from memory—but, in essence, it would have regulated Fannie Mae and Freddie Mac in the same categories—very similar to the same categories of that of other lending institutions.

Mr. FRANK of Massachusetts. The gentleman is correct. Does the gentleman remember how many votes that got on the floor of the House in a Republican House?

□ 2145

Mr. KING of Iowa. I think there were around 35 to 38 votes.

Mr. FRANK of Massachusetts. Thirty-six. The gentleman has a very good memory, 36; 30 were Republicans, 6 were Democrats.

So it is true, the former chairman of the committee offered an amendment to tighten this up, and then the House, with about 230 Republicans, 30 voted with him and 200 Republicans voted against him. Was that my fault?

Mr. KING of Iowa. If the gentleman would further yield, a recollection from the CONGRESSIONAL RECORD would have been that the gentleman, who is now chairman of the Financial Services Committee, had made the statement in that debate that he wasn't concerned about Fannie Mae and Freddie Mac's viability, and that it wasn't necessary to increase the regulation or the capitalization of Fannie Mae and Freddie Mac. And, that if anyone was investing in Fannie's and Freddie's shares, they shouldn't be confident that the gentleman from Massachusetts would support a bailout of Fannie and Freddie.

Mr. FRANK of Massachusetts. No.

Mr. KING of Iowa. And today, we have the nationalization of Fannie and Freddie.

Mr. FRANK of Massachusetts. I will take back my time and say it is exactly the opposite. Throughout the debate, I said to people that they should not consider that there was a guarantee, that they should not consider there was an implicit guarantee. I consistently said that. They benefited from people's perception when in fact, the share holders—I'm sorry, I haven't yielded again. I have consistently said that.

When there was an intervention that Mr. Hank Paulson asked for, it did refer to the bondholders, as we often do. The shareholders were wiped out, including the preferred shareholders.

So, in fact, when I was chairman of the committee and we responded to Mr. Paulson, we wiped out the Fannie Mae and Freddie Mac shareholders, as I had always warned that they could be. I did think at the time we passed the bill, at Mr. Paulson's urging, or that we were about to, that it would be helpful. It turned out things were worse than I thought. But he did mention Mr. Leach, so let me give the voting record. And I was neglectful of this.

The bill came to the floor of the House, the bill the Bush administration thought was too weak. Now, the Republican Rules Committee allowed nine amendments. By the way, when the bill came to the floor when I was the chairman, we had 24 amendments, because I do believe, I think, in a more open process. We had the manager's amendment was one of them, a couple by voice vote. Mr. Leach sought to put in minimum capital levels. He lost 378–36. This is in the Republican House.

Again, the argument is, who did it? This is part of your zero. I should have had a footnote. The one time you did try, Mr. Leach, who thought Mr. Oxley was being too weak, he got 30 Republicans with him and 200 against him. Now, Mr. ROYCE also had an amendment; Mr. ROYCE, another critic. He did better than Mr. Leach. He got 73 votes versus 346. So in both cases, the two amendments that were allowed—oh, I take it back. Mr. PAUL had an amendment, too. And I guess this is a sign of the state of the Republican Party.

Mr. KING of Iowa. Would the gentleman yield?

Mr. FRANK of Massachusetts. I am sorry, the gentleman has raised a point and I am going to respond to it.

The point is this: Mr. PAUL also—there were three amendments offered to toughen the bill in 2005. Mr. PAUL got 47 votes. Well, that is the Republican Party; Mr. PAUL gets more votes than Mr. Leach.

But here are three amendments offered to toughen it, all three defeated by an overwhelming majority of Republicans.

The point is, I supported Mr. Oxley. I thought we had a good bill.

I would also note that by 2007—and, by the way, in 2005, I was hoping that we would regulate Fannie Mae and Freddie Mac but also restrict subprime loans. As it became clear to me that Republican opposition would prevent us from blocking subprime loans, I did become convinced of a need for tougher regulation. That is why Mr. Baker, your former colleague, said the bill we brought out in 2007 was as tough as it could be.

Now I will yield again.

Mr. KING of Iowa. And I appreciate the chairman yielding. But is it also true that you opposed those amendments that would have regulated Fannie Mae and Freddie Mac?

Mr. FRANK of Massachusetts. Yes. I will——

Mr. KING of Iowa. The policy underlying—regardless of how the Republican votes came out, did the gentleman oppose those regulatory amendments that came to the floor?

Mr. FRANK of Massachusetts. Yes. I am taking back my time to say yes.

My point is that it was not my fault that 200 Republicans voted against it. I did vote with the overwhelming majority of Republicans. The question is, who is responsible?

But I would also say this. You know, when you are in the minority you can't always shape things. Sometimes you have to make unpleasant choices. When I became the chairman of the committee on January 31, 2007, I was able then to combine tough regulation, knowing that we were going to be able to restrict subprime, and with help for rental housing.

So the fact is that when I was in power, not forced to choose among Republican alternatives but in the majority, I helped pass a bill that was tough enough, tougher than the bill in 2005, that was acceptable to the Bush administration, acceptable to the leading critical group, acceptable to Mr. Baker.

So, yes, I voted with the great majority of Republicans. So I guess that is what I am responsible for: I voted with the overwhelming majority of House Republicans to report out a bill that the Republicans thought would work.

I will yield to the gentleman from New Jersey.

Mr. KING of Iowa. I want to just thank the gentleman for yielding.

Mr. FRANK of Massachusetts. Well, I yielded to the gentleman from New Jersey.

Mr. KING of Iowa. I am happy to thank the gentleman, and compliment him on his diminishment of his own persuasive powers, and be happy to yield back.

Mr. FRANK of Massachusetts. Well, I agree—the gentleman says my persuasive powers. That is the joke of it all. That is, frankly, the gap between the propaganda and the reality.

The Republicans are in control; they pass the bill. In fact, they cut out the affordable housing part I wanted. I did at the time hope that we could combine moderate regulation of the sort Mr. Oxley wanted and the overwhelming majority of Republicans wanted with an affordable housing program and with restrictions on subprime. When we were not able to get the subprime bill through and things had deteriorated, I then said, okay, and I was for tougher regulation.

So, by the way, at that point the gentleman from Iowa I believe voted against it. I know the gentleman from New Jersey did. Do you know why? I will tell people, Mr. Speaker. Because I, in the chairmanship that I had, was able to get a bill that toughened the regulation of Fannie Mae and Freddie Mac.

But what about the Catholic Church getting money to build rental housing, and allowing nonhousing groups like the Catholic Church, and others, to build rental housing? They opposed it.

So, yes, a majority of Republicans voted for the bill in 2005 that the Bush administration was too weak, and a majority of the Republicans opposed the bill in 2007 that the Bush administration was strong enough, because their opposition to rental housing for low-income people overcame that. But that is the story.

Now I yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Just two quick points. And I appreciate the gentleman yielding. One, as an individual who was one of the few in those numbers who voted ''no'' on those amendments——

Mr. FRANK of Massachusetts. And ''no'' in committee.

Mr. GARRETT of New Jersey. Right. And ''no'' in committee. Obviously, I saw some of the problems and had concerns early on.

Secondly, I will make a suggestion to you as to why you get the accusations, if you will, or the statements about you, as you will. I didn't see the program. I heard you were on Lou Dobbs and other things like that the other night where those statements are often made. I will make the suggestion as to why that may be, if you will.

Mr. FRANK of Massachusetts. I yielded to the gentleman. He may do what he wishes.

Mr. GARRETT of New Jersey. When I came here in 2002, in that election and that year and joined the committee, I immediately became somewhat involved in this issue, although I had never been involved in it before.

I saw in our committee, between both parties, that one person stood out, in my mind, and a lot of other people's mind, as the person who was always trying to fight to rein in the GSEs. And that person, who is no longer with us, is Richard Baker. He was articulate, he was eloquent. He was always on the facts and what have you. He was always pounding, pounding, pounding at every opportunity. So I and other people saw him as being on that side.

And, quite candidly, when we had those debates, when some of those amendments as you referred to before—and I think there were other ones in the later months that I and others made from the conservative point of view; a number of us saw the champion on the other side of that issue out of both parties, out of both Republicans and Democrats; and I agree that there were some Republicans who were vociferous as far as letting Fannie and Freddie do——

Mr. FRANK of Massachusetts. I will take back my time to say a majority of the Republicans at every turn. Don't say—not some Republicans. A majority of Republicans in the committee, a majority of Republicans on the floor. Not some Republicans. But every time the

issue arose, a majority of Republicans were on the side of Mr. Oxley and myself.

Mr. GARRETT of New Jersey. What I am saying is not how the votes were going. I was saying as to which Members actually stood up and were most vociferous on this issues. Not all the Republicans were vociferous on it; there were one or two or three that were vociferous, as Richard Baker was on this side.

And on those other issues, maybe because you were ranking member in the minority years, but otherwise you were very vociferous on opposing those bills.

Mr. FRANK of Massachusetts. I take back my time. Now I guess I am guilty. Yes, I was the senior Democrat, and I spoke out. I wish that I had that effect elsewhere. You would not have been able to kill the affordable housing trust fund.

While I was the ranking minority member, when I was the senior Democrat of the Housing Subcommittee and then on the full committee, the Republican majority killed virtually every affordable rental housing production program we had. They beat up public housing unmercifully, to the great distress of lower-income people.

I wish I was as persuasive as the gentleman now, I must say, less than convincingly tries to argue. And in fact, no, I do not think I charmed the majority of Republicans. And, by the way, it was Mr. Baker whom the gentleman correctly identified as the leading opponent of Fannie Mae and Freddie Mac, who said in 2007, when I became chairman and was able to put together the right ingredients in the bill, quote, ''With every iteration, it got stronger. It is to the point where I didn't know what else there was to put in there.'' So I appreciate Mr. Baker's endorsement of the bill which I helped pass.

Now, I do want to address one issue as he closes, and I may expand on this. There was one other point—and we have had a legitimate debate.

But in an article in a publication called Investors Business Daily, to my great dismay circulated by the Republican staff of the Financial Services Committee, I was accused of betraying my oath and my obligation because of a relationship I had with a man who worked at Fannie Mae. And I want to address that scurrilous piece of defamation right now and express my disappointment that people I have worked with on the Financial Services Committee, that their staff, presumably with the approval of somebody, would have circulated such a scurrilous lie.

As we know, there are members in this body who have spouses and partners who are variously employed, and it has never been the rule that you couldn't do anything because your partner is employed. We have a Member of the Republican Party who very conscientiously has been voting ''present'' recently on some measures because of his wife's position. And the article falsely said that I was having a relationship with a senior executive at Fannie Mae, and that is why I did it.

Now, obviously the fact that it is a gay relationship adds to a certain piquancy with the right wing when they circulate this sort of vicious defamation.

The fact is that the man with whom I had a relationship graduated from business school in 1990. He was a new MBA. He then went to work in an entry-level position at Fannie Mae and Freddie Mac. He was never a senior executive. He had a working position at Fannie Mae and Freddie Mac.

After eight years, we ended the relationship. He left town. I was by that time a lower ranking member of the committee. The events we are talking about happened many years later after we had separated, when he had, to my knowledge, no financial interest, and he was 3,000 miles away.

No, I have to say to the gentleman from New Jersey, I reject the suggestion that I was so persuasive that the only one issue on which I could prevent a right-wing rampage on the part of his party on the Financial Services Committee, in which I was unable to get decent regulation, in which I was unable to get good subprime lending, or I was unable to protect affordable housing—the only thing I was able to do was to stop them from regulating Fannie Mae and Freddie Mac. And that is why a majority of them never took that position and we never got a good bill until I became chairman. No, I think it is something else.

I think it is the fear of the right wing that regulation is coming; that unregulated credit default swaps are going to be no longer the case; that we will have rules that will prevent irresponsible subprime lending. As Mr. Zandi, a great thinker on this, notes in his closing passage: Regulators didn't create the subprime financial shock, but they did nothing to prevent it.

In other words, no, it wasn't the CRA that did it; it was the lack of regulation that did it. This was the result of first policymakers' distrust of regulation in general, their enduring belief that markets and financial institutions could effectively police themselves; and, second, of the Nation's antiquated regulatory framework. The institutions guiding the Nation's financial system were fashioned during the Great Depression; and, as finance evolved rapidly, they remained largely unchanged, and overhaul was indisputably overdue.

I happen to be chairman of the committee that is going to have a major play in this overhaul, and there are right-wing forces that don't want that to happen. So I accept the fact that I am the target. I don't think it is me, personally. I am not that paranoid. It is that if they can go after me and blame me, and, unfairly, Senator DODD—who wasn't even the senior Democrat when this was happening. It is particularly far-fetched to blame Senator DODD. He wasn't even the senior Democrat. The notion that he was as the second ranking Democrat he was running the Senate I would have thought was too implausible. But, again, we have learned from Swift Boating and elsewhere that vicious right-wing propaganda cannot be allowed to go unrebutted.

The fact is that, yes, there is this concerted effort, there is this fear that we won't have unregulated subprime mortgages. And we will see this when we bring the bill up, that we won't have any more unlimited credit default swaps and collateralized debt obligations.

It is the fear of regulation that Franklin Roosevelt confronted, that Theodore Roosevelt confronted. It is the fear that the disastrous results of the policy of deregulation have led the American people to understand that the time has come, once again, in our history to adopt a good set of regulations.

I believe that is why there are these lies, distortions, and smears about my record, why I am being held accountable for the 0–12 record of the Republican Party. And the time has come to have that debate, because we have learned, I think, that if we wait too long, the lies will stick. And not only will that be bad for reputations; even worse, it will be bad for the public policy we need to prevent a retention.

I yield back the balance of my time.

□ 2200

LENDING REGULATION

The SPEAKER pro tempore (Mr. FOSTER). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate being recognized to address you here on the floor of the United States House of Representatives. And I want to say, at the departure of the chairman of the Financial Services Committee, I appreciate his yielding to each of us who have differing opinions on his presentation this evening. And that is something that I'm prepared to do should the gentleman raise an issue with statements I make. I know that Mr. FRANK is competitive and very willing to engage in debate. And I know that he had a lot of things he wanted to get off his chest tonight. I was here to listen to it all. And I heard every word.

Mr. FRANK of Massachusetts. Would the gentleman yield? Yes, I think it would be a very good idea if instead of—and I thought it was catch-up time for me. But when we come back, I would like to have, and we can do 2 hours, we can have one D and one R, and have 5 minutes each. We can have a fair debate thing. I look forward to debating these. So I thank the gentleman for that. And when we return, I'm going to ask my staff to start getting some hours and we can work with Members on the other side. Let's have some genuine debates on these issues.

And I thank the gentleman for the spirit in which he said that.

Mr. KING of Iowa. I thank the gentleman, and I will say into the RECORD tonight, that is a request that I would be happy to meet with, and I will be looking forward to the time when we come back on the other side of Easter. I appreciate it.

Again, Mr. Speaker, I listened to the statements made on the part of the chairman of the Financial Services Committee tonight. And it occurs to me that a man who has the full attention of the entire committee on any day he decides to choose to hold a hearing or a markup, a man who has full attention of the floor when he decides to speak here, it seems to me that since we have been through 2 days of budget debate, Mr. Speaker, that there must have been a lot of things that the chairman of the Financial Services needed to get off of his chest. And I heard a lot of them tonight. It occurs to me, though, that there is a high degree of sensitivity. And where I come from, when you throw a rock into the pigpen, the one that squeals is the one that you hit.

So I think what I heard is a rejection of the concept that the gentleman from Massachusetts and many of the Democrats that followed him in his leadership on these financial services issues, a rejection that he resisted the idea of regulating Fannie Mae and Freddie Mac, resisted the idea that the Community Reinvestment Act was a component of the financial meltdown that we had. And I heard the gentleman say to us that there were three Republican amendments on the legislation that would have and could have regulated Fannie Mae and Freddie Mac. I raised the issue of one. And I do remember the day. It was October 26, 2005. It was an amendment that was offered by Mr. Leach of Iowa that would have regulated Fannie Mae and Freddie Mac down the same lines as the regular lending institutions who are providing mortgage loans and real estate. I think that would have been a good thing to do. And I recall that debate. And it was a compelling argument made on the part of Mr. Leach that Fannie and Freddie were underregulated and undercapitalized, and they needed to be capitalized more and regulated more. Now I have just heard the gentleman from Massachusetts say that Republicans are afraid of regulation. In fact, it is the ''fear of regulation,'' he has said, that drives Republicans to reject changes in the control of the financial institutions in this country.

I would submit that we are for regulation. We are for the kind of smart, responsible regulation that ensures that we have viable lending institutions. In fact, we came to this floor and supported amendments that would have capitalized and regulated Fannie Mae and Freddie Mac. I have introduced legislation that would repeal the Community Reinvestment Act. And I have introduced legislation that would capitalize Fannie and Freddie Mac like the other lending institutions and move them towards privatization. I recall the debate that evening on October 26, 2005, when the gentleman who is now the chairman of the Financial Services Committee, and I don't disagree with his characterization here, it is a matter of emphasis, it is not a matter of accuracy, at least the disagreement on the accuracy, but I recall that. And it was that he would not support a bailout of Fannie Mae and Freddie Mac because he didn't believe that they were undercapitalized, underregulated or in trouble.

Well, it turns out that was October of 2005, and easily, by the late fall of 2008, we can all see that Fannie Mae and Freddie Mac were in trouble. In fact, they have been nationalized. And the risk and the liability that comes to the American taxpayers was calculated at the time to be about $5.5 trillion. Now the taxpayers own Fannie Mae and Freddie Mac. And regardless of whether there was a majority of Republicans that supported or opposed the amendment that would have regulated and capitalized Fannie and Freddie, it is true that the chairman of the Financial Services Committee opposed those amendments. And I think he underestimates has own persuasive powers. In fact, he must have gotten here for some reason. I think persuasive powers are part of it. I compliment him on that. I think he is an engaging fellow who has a very nimble ability to engage in this debate. And I look forward to those kind of debates, and I know I will be tested. But it remains a fact that some of us wanted to regulate Fannie Mae and Freddie Mac. Some of us wanted to move them towards privatization. Some of us wanted to capitalize them more. Some of us wanted to regulate them more. I am among those people. The voting record and the CONGRESSIONAL RECORD indicates something else on the part of the current chair of the Financial Services Committee. I don't think the Republicans have been opposed at all to regulations of our financial institutions. We have been in favor of smart regulations of our financial institutions, to essentially fix this problem ourselves.

So there is not a fear of the right wing that regulation is coming. There is a fear that we had an underregulation, and that is why we brought those amendments and brought that legislation. That is why the gentleman from New Jersey brings up the issue of Mr. Baker from Louisiana.

I would be happy to yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. To the gentleman from Iowa, I appreciate your organizing this hour on the floor. And I came here ostensibly to talk about the issue affecting the American public today, and that you touch on it at the end there as far as the regulation of our financial system. But inasmuch as the chairman of the Financial Services just did spend the last hour addressing the sub issue of that is whether the charges against him, whether they were legitimate, was the basis of his discussion for the last 55 minutes whether it is legitimate as some on this floor and outside in the media as well and other groups and what have you and have accused him of being primarily or ostensibly responsible for some of the problems that we now find ourselves in.

I will just spend a minute, even though he spent 55 minutes, on that. As I said before, in Congress there have been various champions on either side of this issue. Richard Baker, when I came to Congress and you came at the same time, was a champion of trying to rein in the excesses that were in the GSEs, Fannie Mae and Freddie Mac. There were other people on the outside, as well, actually in the Bush administration. He chastised the Bush administration for not pushing this legislation and putting other impediments of going forward with it. The truth of the matter is that the Bush administration in the form of the Secretary of the Treasury, I believe it was both Snow and Paulson, who came to the Financial Services committee while I was there, and said, there are problems in the GSEs. There are problems in the Fannie Mae. There are problems in Freddie Mac. And they were ones that the Bush administration was, in fact, pushing for some sort of control, some sort of limitation, some sort of reining in of the GSE. So the Bush administration was doing that.

Richard Baker, who was always sitting up in the top row way above me since I was a freshman and a sophomore at the time, was championing that cause as well to say how do we rein them in? And I became involved with it, and I put in some amendments myself, and one was to direct the new regulator to establish limits on the GSE's portfolios in case there were any issues of safety and soundness or possible systemic risk, a word that we discuss now.

Representative PAUL offered amendments to cut off Fannie and Freddie's $2 billion line of treasury which would have been one of the key aspects of sending a message to the private markets as to whether they can believe or not, whether the Federal Government were to stand behind them. I know the chairman just said, and he said repeatedly, ''to those investors who believe that when they are investing in the GSEs that the full faith and credit of the United States Government would stand behind them, I'm telling them right now it is not the case. Well, that, of course, was the case. It was an implicit guaranty. It became explicit, however, when things began to fall apart in the last year, and now you and I know what has been the cost to the American taxpayer, literally hundreds of billions of dollars.

But the chairman did say, as far back I think it was, as in the year 2000 which before I was even there, when the Bush

administration was pushing these issues saying there are some problems here, he said he did not see, the chairman said, actually he would have been the ranking member at that time, he did not see the need for the further regulations because he said ''there are no problems here.'' And he did it again I guess in 2003, saying, again, he did not see a problem with those, either one of those companies. I know later on he did say that, probably in 2003, any one of us would have said the same thing with regard to other banks, the Bank of Scotland or some other banks what have you, there wasn't any problems there, and now, of course, we know—I shouldn't have mentioned this particular bank that he had said—but other banks back in 2003, a lot of us would not have said there were problems in those banks. But we are talking about a different level of problems with that situation.

Today we are having problems with those banks, with their investments. With the GSEs, the argument that a number of us on our side of the aisle was making, that President Bush's administration was making as well, was a systemic risk, that by allowing basically unfettered lending by these institutions and by the implicit guaranty that the Federal Government placed behind them by the $2 billion line of credit, you place a systemic risk. And by putting no limitations on either one of those organizations, you allow them to borrow and borrow and borrow with no limitations on their portfolio, which is something I and others were pushing strongly to try and rein them in, you create a systemic risk. So, yes, there was obviously a systemic risk both in 2003 and 2000 as well, until it finally exploded to what we have today.

So I think that is where the outside groups, maybe some Members in this Congress, try to say, that some Members were pushing for tighter regulations, others were leading the fight saying there wasn't any problem, that you didn't need it, so that in 2005 the facts were some of us were actually going to committee, and I don't have them all here, but I was going to committee and saying, here are some other bills, yes, he is right, a lot of Republicans voted against those bills as well, but he was obviously the ranking member and saying that there was no need for those.

And I will yield back.

Mr. KING of Iowa. I thank the gentleman. Reclaiming my time, as I listen to that, and you lived in the middle of the Financial Services Committee for these years into the seventh year, and that is background and experience that hardly anybody in America has shared with you, Mr. GARRETT, and so I just ask you if you could, in the middle of this, throughout those, beginning into the seventh year at least, characterize the general philosophy that you gathered with regard to the thrust now of the committee and the majority within the committee as to whether before this financial meltdown, this economic crisis that we have, did you sense that there was any initiative on the part of the Democrats in the Financial Services Committee to regulate Fannie and Freddie, to capitalize Fannie and Freddie and move them towards any kind of privatization, or would it have been more or less business as usual with Fannie and Freddie? Which way was that line going from the Democrat side on the Financial Services Committee? And I yield.

Mr. GARRETT of New Jersey. I guess it would be a fair generalization that from the other side of the aisle that the push was, the emphasis was for the GSEs to focus on their public housing program, in other words, that they should be created, although that was actually a change in their original mission, as you know, but that new changed mission was to say, how can they be used to advance the cause of affordable housing? And so that was always the posture from the other side of the aisle. And that is why there was constant pushback when Ed Royce or other Members on our side said, well, maybe we should put some limitations on one of my amendments, on the portfolio, rather the conforming loan limits, to say that it shouldn't be too high. Well, no, they want to have no limitations, or the portfolio limits, no, there should be no limitation. So it is always clear they were in one direction and we were slightly in a different. I yield.

Mr. KING of Iowa. Reclaiming, from the gentleman, if he would further examine this question, I understand their response that the Bush administration was very much focused on increasing the percentage of homeownership. And I recall a State of the Union address made by President Bush here in this Chamber one of those Januarys that made the statement that we had the highest homeownership of a free country in the world, or at least the United States, that 68 percent of the people in America lived in a home that was owned by themselves or one of the people that lived in the home with them. It does sound like it is a laudable goal. And it is certainly a goal that would be reached for, that was reached for by the Bush administration. It would be something that would be reached for I think by all of us, Democrats and Republicans alike.

But from the restraint side of this, from those who were lending a voice of caution, that were saying Fannie Mae and Freddie Mac, the secondary market for mortgages, are getting out of control, they are undercapitalized. They are underregulated, and we need to rein them in before we have a problem that is far bigger than the one that is apparent today. If you had to give credit or blame to Republicans or Democrats in the Financial Services Committee, Mr. GARRETT, where was the predominant voice for caution? Where was the predominant voice for capitalization? Where was the predominant voice for regulation? Where was the predominant voice for privatization of Fannie and Freddie during those years before the crisis was evident to all of us?

Mr. GARRETT of New Jersey. Well, my dad always said give credit where credit is due. And the chairman was correct to say that those of us who were really strongly pushing these issues didn't get as much support as we would have liked to from our colleagues on this side of the aisle. But as I look at some of the other amendments I put in, I got almost virtually no support from the other side of the aisle for some of our amendments which would have put in limitations. For example, I put in an amendment that would require the GSEs to hold only mortgages and mortgage-backed securities that exclusively support affordable housing.

Now there is an idea if you think about it, if the idea behind the GSEs, one of the functions is to support affordable housing, then if you put that amendment in, it should fall in line with what the other side of the aisle was advocating. And they should support it. But there is another side benefit to allowing them to expand and grow outside of the area of affordable housing and that basically helps their balance sheet and also helps the remuneration to the people at the top of the organizations, to their CEOs, because if their balance sheet is good and their profits are based just like AIG, these bonuses and what have you, it benefits them as well.

□ 2215

But we got no votes, well, from the chairman, I'm certain of, but basically from everyone from the other side of the aisle.

My good friend, I'll explain one other amendment. The portfolio limitation, Representative PRICE offered that amendment as well. Same thing, to reduce the amount of the GSEs portfolios again. I do recall that the chairman was opposed to that, and I believe that just generally speaking, no support from the other side of the aisle.

So I think that's the underlying message that's probably out in the media and outside of this House as well, as to where the two parties stood on it. Maybe we didn't have as much support as you and I would have liked from our side, but clearly it was a one-sided push for a long time of seeing that there was a systemic problem and trying to do something about it.

Mr. KING of Iowa. And reclaiming my time from the gentleman from New Jersey, and I thank him for his historical rendition of what's taken place within the committee. And I would take this a little further and ask this question, and that would be, did the subject of reform of the Community Reinvestment Act or the repeal of the Community Reinvestment Act come up in the Financial Services Committee in the years prior to the financial crisis that emerged here in this Congress, I

am going to pick a date, September 19 of last year? Was there discussion dialogue in the committee, and did it take place in a way that would have illuminated the circumstances we have today, and does the gentleman from New Jersey accept the premise that was delivered by the Chair of the Financial Services Committee that only 1 out of 25 lenders were affected by restraints in Community Reinvestment Act? Does that seem to be a balanced delivery, or would there be a particularly different viewpoint that the gentleman would like to discuss?

Mr. GARRETT of New Jersey. Well, I'm certainly not going to question the statistics of the chairman because I believe he was holding a paper or had some other statistics before him. Since I don't have them, I'd certainly take the chairman at his word.

I think though that you have to see the larger issues that came out of that. And the message that the government was sending, whether through that or through other mechanisms, did have a profound impact upon the rest of the marketplace, not only in the low-income area but otherwise, not only through that program, but through the Federal Reserve regulations, the Boston Fed issuing certain guidelines, if you will, as far as lending practices, and that had profound impact, not only on those institutions as the chairman made reference that may come under their auspices or their control or their authority, but through the rest of the marketplace as well.

In other words, once you sort of get the ball rolling as far as what the new underwriting standards, and this is really what was being created during this time, in one segment of the market, that ball was just continued right across the rest of the marketplace as well. Some of us, as I said before, seeing that as just the beginning piecemeal of this was rolling out we said there may be a problem as that ball goes along and grows, gains weight and what have you and has impact elsewhere, and eventually we saw that it was picked up by the rest of Wall Street.

Mr. KING of Iowa. I thank the gentleman. Reclaiming, I think this might be a good time for me to lay out how I think the sequence of events took place with the economic crisis that we are in. And I'd ask the gentleman's indulgence and analysis of whether he would agree with this particular analysis.

But I would take us back, Mr. Speaker, to 1978, to the inception of the Community Reinvestment Act. The Community Reinvestment Act, I think, was passed for the right motivations, and the idea was that we had lenders that were redlining districts. They were drawing a red line around districts in particular cities and refusing to loan for real estate in those districts because the value of that real estate was not being sustained, and it was declining. That was maybe the right kind of motive to do that. But as we moved on from 1978 until the nineties, when the Community Reinvestment Act was refreshed under the Clinton administration, and it got a little tighter, it essentially said this, that if you're going to be a lending institution that will—that is inclined to want to expand, you're going to have to make loans into these neighborhoods that were heretofore redlined. And we're going to need you to have a certain percentage of the loan portfolios go into these communities that were red-lined around them and provide those loans to lower-income people. So the bottom line was, the Community Reinvestment Act was a regulation that put an incentive in place to give loans to people that didn't have a record of being able to pay it back and provided a merit for the lenders to do that if they were going to expand. So it was a perverse incentive. It essentially was an incentive that said to lending institutions, if you want to grow, you're going to have to make bad loans. That was the Community Reinvestment Act. Fresh, new 1978, refreshed in the early nineties, about 1993 or 1994 under Bill Clinton. And that became a foundational piece of legislation that didn't seem to be a very big problem except for a couple of things. One of them was, during the last years of the Clinton administration, Mr. Speaker, the technology that we've developed, the ability to store and transfer information more efficiently than ever before created the dot-com bubble. That existed because investors understood this ability to store and transfer information more effectively and more efficiently than ever before. And they invested in that ability. And they didn't make the corrections for the necessity that that ability to store and transfer information needed to translate into more efficiency in our economy, the ability to produce goods and services or deliver them more effectively. That was, Mr. Speaker, the dot-com bubble. So the dot-com bubble came about because of technological success, and let me call it an irrational exuberant optimism about the benefits that would come from that ability to store and transfer information more effectively than ever before. So we had a dot com bubble through the second half the Clinton administration. Part of the reason there was a balanced budget in this Congress was because, 1, the Republican majority here was determined to slow down and shut down spending and the growth in Federal Government, and they did that effectively. The new revolutionaries that arrived here, elected in 1994 and sworn in in January of 1995, were determined to produce a balanced budget, and they did. Part of it was out of fiscal conservatism, and part of it was out of resistance to the Clinton administration. But whatever those proportions were, we had a budget surplus for a number of those years. And we had a dot com bubble in the market that was not adjusted to rationality. And when the lawsuit was brought against Microsoft, that was the needle that penetrated the dot-com bubble until it burst. And when it did, we had a declining economy. A declining economy because of the aftermath of the collapse of the dot-com bubble, translated into the beginning of the George W. Bush administration, the first administration of his, when he was elected in 2000. And Mr. Speaker, when that took place, we needed to do some adjustments to recover this economy and we had Alan Greenspan look at this and concluded, I believe, and by reports that I've read, not characterizing his inner thoughts necessarily, that we needed to stimulate the economy. That brought about decisions made that resulted in unnaturally low interest rates, especially on mortgage lending, which created an unnaturally exuberant housing economy. This unnaturally exuberant housing economy that came about from unusually low interest rates was something that helped bring us out of the decline in our economy that resulted in the burst of the dot-com bubble, Mr. Speaker. And as that was finding its place in this economy, we were attacked on September 11, 2001. Our financial centers literally collapsed. We lost 3,000 American lives all in the matter of a few hours. And we needed to do something to stimulate the economy.

And so the President of the United States, George Bush, this Congress came together and decided to quickly enact some tax cuts and a stimulus policy. That was 2001. That bridged a small gap, and they weren't all that particularly effective.

But on May 28 of 2003, the real Bush tax cuts were enacted, and they were the reduction in capital gains, the reduction in interest and dividend income, and that resulted in a real economic growth. But as this economic growth came from the Bush tax cuts, we also had economic growth that came from the unnaturally low interest rates and this housing market that was created by those low interest rates, and we found our way through to this point now where the foundation of our economic difficulty, rooted in the Community Reinvestment Act, flowing through from, as I didn't mention, Fannie Mae and Freddie Mac, a refusal of this Congress to regulate Fannie Mae and Freddie Mac, even though we had legislation that was brought before the Financial Services Committee, as Mr. GARRETT has described, even though there were amendments brought to this floor, which I actively worked for and supported, that would have capitalized Fannie and Freddie, and regulated Fannie and Freddie, those things were resisted by the current leadership, the people that say it wasn't their fault, it was somebody's else fault, seems to be always Republicans fault. But this is a historical document. It can all be read. It all flows through.

In the end, we got to this point where not only was there a dot-com bubble

that burst that I think stimulated the unnaturally low interest rates that put us in the place where we had the housing bubble that burst, but the housing bubble was created not just because of unnaturally low interest rates, but because lending institutions were given an incentive under the Community Reinvestment Act to give bad loans in bad neighborhoods, and Fannie Mae and Freddie Mac were undercapitalized and under-regulated, and there was a perverse incentive for them to pick up these secondary market loans and tranche those and roll them on up the chain.

And while that was going on, we had mark to market accounting, which is a good process when you have a market that's going up, and if you have a market that's going down, it accelerates the decline. It was a brutal and horrible self-inflicted wound, the mark to market accounting component of this.

While this was going on, additionally, we had a Congress that again refused to regulate Fannie Mae and Freddie Mac, and you had AIG that was insuring these mortgage-backed securities and these bundles of securities, and they had such a large market share there was nobody in the country that could look over their shoulder and pass judgment upon their evaluation of the risk.

And so we had a market that was under-regulated, a market that wasn't indexed back to the real estate value that underlined the bundles of toxic debt that we call it today, the mortgage-backed securities. That's how we got here.

There were many people that made mistakes along the way. And there was a failure to be clairvoyant on the part of all of us. But the voices that I have heard, there's been many voices that said, from my side of the aisle, capitalize Fannie and Freddie, regulate Fannie and Freddie. The Community Reinvestment Act is a perverse incentive, and mark to market accounting was a self-inflicted wound, a hideous self-inflicted wound on this country.

All of those things, put together, none of us are without fault in this. But there is no one that laid out the clarity of this in the beginning that can look back to the record and say, I got it all right; you just wouldn't listen to me. Some did. Some got parts of it right and we've talked to some them of them tonight.

Mr. Speaker, I would be very happy to yield to the gentleman from Texas, my friend, Mr. GOHMERT, East Texas I might say, and an ''Aggie.''

Mr. GOHMERT. I appreciate my friend from Iowa yielding, and I appreciate his discussions here on the floor tonight.

And if I may seek indulgence in the last 5 minutes, I'm hoping to pay tribute to one of my constituents that won a—not won, but earned a Silver Star, if I might be allowed to do that at the end of the hour.

But what had concerned me, you know, we all have these meetings and hearings and it goes on all day long and often, around 11, 12, midnight, I sit down and I can catch up on some news. I can catch up on replays, sometimes on C–SPAN. But anyway, C–SPAN does help because, you know, we can see things from our office that we weren't able to get to the floor because of other things going on.

But I had seen on C–SPAN debate with the chairman with whom my friend from Iowa was engaging earlier, and I had seen him engaging with my friend from Texas, Mr. CULBERSON.

□ 2230

And I became very disturbed. As we know, there are rules of decorum here on the floor that we're not to insult another Member of Congress, that we're not to insult a Senator or the President, and so I became intrigued and very concerned as I heard Chairman FRANK making statements. I've gotten the RECORD since then. The comment was made about my friend Mr. CULBERSON by Chairman BARNEY FRANK.

''I've never seen people, Mr. Chairman, so attached to something they hate. This is presumably a psychological disorder which I'm not equipped to diagnose.''

Well, that caught my attention. He's accusing Mr. CULBERSON of having a psychological disorder, and so it seemed—well, in Shakespearean words, ''Me thinks he doth protest too much.'' So I began to listen more. He went on and continued speaking, and this is a quote from Chairman BARNEY FRANK.

''Speaking about being undone, my Republican colleagues are being undone by the loss of their whipping boy.''

So I'm wondering this is a gentleman who is getting very sensitive and who is lashing out with what seemed to be inappropriate, perhaps not skirting over the rule, but there were other comments that certainly seemed inappropriate and unnecessary.

Chairman BARNEY FRANK said, ''The bill under consideration is 5½ pages. I believe even the gentleman from Texas could have read it by now, and if the gentleman from Texas had not been able to read this 5½-page bill, I will talk long. Even if you read it slow, you'll get it done.''

He went on and said, ''My colleagues on the other side are kind of like kids who have a toy bear or a blanket, and this security blanket means a lot to them. Their security blanket is being able to complain about something that happened before the break. This bill undoes what happened before the break and makes it a nullity. They at some point, Mr. Chairman, have to outgrow the security blanket.''

So he's calling people on this side of the aisle little children. Of course the debate that was going on was the concern from our side that, first of all, we had been promised by our new President and by the Speaker, and we'd even passed a bill in here that said we had to have 48 hours to review any bill that they rushed in here to the floor. We had to have that chance. Yet they came in and immediately filed a bill. I think it went up on the Internet at around 11:00 or 12:00, and at 9:00 or 10:00 the next morning, we were having a debate on it and a vote on it that day. There was no 24 hours, but we were told we had to do that. It was critical. It was a crisis. People were losing their jobs every minute that we didn't vote on it and pass it.

So they ran roughshod. They would not allow any Member of this body the time to read the bill. They ran roughshod over everybody. Nobody had a chance to read it. Then to come in and accuse people on this side of the aisle, who were concerned about that, of being kids wanting a security blanket, I'll tell you: It is a security blanket to me that we could be able to read bills before we cram them down the throats of Americans. So I'm hearing this on C–SPAN.

Here is another comment by Chairman FRANK: ''The gentleman from Texas has now had a chance to read the bill, and has a question for me about this bill.''

He goes on and says, ''He can have all the Special Orders he wants in order to beat that dead horse, because it is a dead horse. This bill that he does not want to debate the merits of, that he is probably prepared to vote against—that he didn't want to debate the merits of? That was uncalled for and was inappropriate. We were entirely prepared to try to debate the merits, but here again, it had to do with seeing a bill rushed through here without a chance for anybody to read it and then rushing in last week and saying, ''Here. Let's quickly vote on a 90 percent tax after the fact, ex post facto, a bill of attainder in all likelihood, due process issues, taking issues, equal protection issues, all kinds of questions about it.

Rush that in as a fix. Then here they come, rushing right back in, saying, ''Well, we've got another fix. This will even be better,'' and we wonder why people would want to question it. Well, you know, is this 5½-page bill any better than the one you rushed through last week? There were concerns.

Chairman FRANK also went on and said, ''Apparently, there are two alternative strategies that the minority has in discussing this bill: One, discuss a bill that was passed 6 weeks ago; two, ignore the rules of the House and just talk whenever they feel like it. Neither one seems, to me, to advance debate.''

So I'm hearing these things coming from Chairman FRANK. There was something amiss here.

He went on to also say, ''This is a revolt against King George, in effect, and it is—King George Bush.'' That is really unnecessary, slamming the former President. Talk about a whipping boy. They made former President Bush quite the whipping boy at every chance. They still are.

I mean, the Constitution makes very clear that Congress is the one that has

to appropriate money and pass spending bills. After the Democrats took the majority in 2007 and 2008 and passed these enormous spending bills, which only Congress can do, they still want to blame the President who had no power to legislate.

Chairman FRANK also went on and said, ''I wish I didn't have to listen to some of these speeches, particularly the repetitive ones about the bill 6 weeks ago.''

He also said, ''But when Members complain about something that might happen that won't happen, it is because they are against what is happening but don't have the confidence that, if they said it, people would believe it.'' This was also a slam at the motives of the people who had proper concerns about the rush repeatedly to pass something so it looked to people across America that something was being done.

As a former judge, when I hear people being that sensitive and lashing out at others, there is something here, so I had gone back and had pulled some quotes to see if, perhaps, this was the source of the sensitivity.

On September 25, 2003, at the hearing on H.R. 2575, The Secondary Mortgage Market Enterprises, Mr. FRANK said, ''There are people in the country who are prepared to lend money to Fannie Mae and Freddie Mac at less interest rates than they might get elsewhere. I thank those people for doing that. I must tell them that I hope they are not doing that on the assumption that, if things go bad, I or my colleagues will bail them out. We will not.''

Also on page 4, ''I think it is clear that Fannie Mae and Freddie Mac are sufficiently secure, so they are in no great danger.''

Also on page 4, this again is Mr. FRANK. ''I don't think we face a crisis; I don't think that we have an impending disaster. We have a chance to improve regulation of two entities that I think are, on the whole, working well.'' Well, we know now they were not at all.

In debate on the floor here on H.R. 1461, to reform regulation of Fannie and Freddie, October 26 of 2005—this is in the CONGRESSIONAL RECORD—Mr. FRANK said, ''There are banks who complain that because Fannie and Freddie are perceived to have some backup from Congress—and let me say right now, if you are listening, if you are buying Fannie's or Freddie's paper because you think I am going to vote to bail you out, sell it and cash it in. I am not going to do that. I do not think there is a Federal guarantee.'' We know, apparently, he didn't mean what he said or he has changed his mind since then.

On July 19 of 2008—and this is Air America's 7 Days quoting Chairman FRANK—''It's really been a test of regulation . . . a conscious decision brought by Alan Greenspan, who is the arch de-regulator. Because in 1994, not coincidentally, the last time the Democrats had a congressional majority before this year, a bill was passed that was called the Homeowner Equity Protection Act, that said to the Federal Reserve, 'Look, we now have loans being made by non-regulated entities, so please pass some rules. We give you the statutory authority to pass the rules to contain their activity and make it more responsible.' Alan Greenspan said, 'Oh, no. That's interfering with the market. I can't do that.' He didn't do it; that's where the crisis came.'' Interesting place to blame.

In any event, on September 10 of 2003, there is one other quote from Mr. FRANK. ''The more people, in my judgment, who exaggerate a threat of safety and soundness, the more people conjure up the possibility of serious financial losses to the Treasury''—and these are Mr. FRANK's words—''which I do not see. I think we see entities that are fundamentally sound financially and withstand some of the disaster scenarios.'' That was from The Wall Street Journal on October 2, 2008, bringing back that quote from 2003.

So, as I look back—and I was looking for the justification of why such an intellectual man as Mr. FRANK would be lashing out, calling names, accusing people here on the floor of having psychological disorders—I began to get a picture, and it may have to do with what the gentleman from Iowa pointed out earlier about who ends up squealing. There was something there that did trigger, perhaps, more sensitivity than we might have thought necessary, but when you get to the bottom of it, there are quotes here that are a problem, that did help protect Fannie when they should have had some things done to shore them up and should have had a protection that prevented that from happening.

So I appreciate the gentleman yielding.

Again, I go back. There was no need to lash out at Mr. CULBERSON and at others, but the more you look back at the quotes over the last 5 years, even into the nineties, you begin to see, maybe, why there is such sensitivity on these issues.

I appreciate my friend yielding. I yield back to him.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman from Texas for that measured response to, I think, the very long response that was delivered by the chairman of the Financial Services Committee.

Mr. Speaker, I sat here for an hour and took notes on that because I thought it was important that I listen carefully to that presentation, as unusual as it is to have the Chair of the Financial Services Committee come and ask for a late hour after the adjournment, after the break for Easter recess, when most of the Members have gone and have caught flights for home. To have the chairman of the Financial Services Committee come to the floor and ask for an hour to be able to make his case to the American people after a budget is passed, after we've had this intensive 2 days of debate on the finances of this country, I think, is relatively unusual.

In my pages of notes that I took during that 55- or 60-minute period of time, as I scanned those notes after the fact. There seems, to me, to be a lot of things in these notes that are somewhat repetitive, and there are not a lot of significant points that can be raised out to be rebutted. The subject boils down to this, Mr. Speaker, and that is:

Who was in favor of the regulation of our financial industry and who was not? Who is on record as opposing the capitalization and regulation of Fannie Mae and Freddie Mac? Who is on record of supporting the Community Reinvestment Act? Who is on record as advocating the irresponsible financial activities here in this country? Who seems to be, I think, unusually defensive about his position and consistently making the charge that Republicans have a fear of regulation?

Here is another one: ''the fear of the right wing that regulation is coming.'' Another statement would be: ''It was a lack of regulation that did it.''

There is an emphasis on fear of regulation when we have Members who have consistently supported wise and smart fundamental regulation. In fact, we want to see businesses that are able to operate, function, profit, and thrive within the tax and regulatory environment that we give them.

By the same token, Mr. Speaker, we're opposed to the idea that we should leave holes there that will be perverse incentives that would allow Fannie and Freddie to collapse and to put that entire liability on the backs of the American taxpayers—yes, maybe $100 billion for each of those entities, Fannie and Freddie, but $5.5 trillion of potential liability wrapped up in those two. Now it's a wholly-owned subsidiary of the Federal Government. Fannie and Freddie are nationalized, and that's a fact, Mr. Speaker, and they're nationalized because we didn't have the right kind of regulations which I supported and voted for on this floor and that others, who seemed to be very defensive, opposed directly. It's a matter of the CONGRESSIONAL RECORD. It's a matter of the quotes that have been delivered by Mr. GOHMERT of Texas and those that I've pulled out of my memory in the dialogue with the chairman. That's just Fannie Mae and Freddie Mac.

If you go down through the rest of the list of these flaws that we have in our financial structure, where were these clairvoyant gurus in 2007 when mark-to-market accounting slid through without objection? It's something that didn't show up on very many radar screens. It's something that remains a foundation to the hideously self-inflicted wound that we have in our economy.

□ 2245

That's the regulation of mark-to-market accounting. Additionally, the

AIG, which I spoke of, AIG sitting there as a large insurance company, essentially a bonding company that laid out the premiums to guarantee bundles of mortgage-backed securities in their performance not based upon the value of the real estate that was the collateral that underlined those bundles of mortgages but based upon what their judgment was of the performance, the anticipated performance of these bundles of mortgage-backed securities. Based upon speculation but not oversight over the shoulder of AIG.

Another perverse incentive which was that AIG executives, the people who were actually the executives and the front-line people who were marketing these insurance policies that ensured the bundles of mortgage-backed securities were getting their commission out up front, Mr. Speaker. And so once they cashed their check, they didn't have any responsibility any longer or they didn't have any accountability to what would be the result of whether those loans were performed on or whether they were not.

I would be happy to yield to the gentleman from Texas.

Mr. GOHMERT. I appreciate my friend from Iowa yielding.

I have run across some quotes.

I was at the home of some friends of mine in Dallas, and they had a number of fantastic quotes from our history, and I think what we've seen today as this budget, this terrible, terrible budget was passed, just one of the quotes from Thomas Jefferson, this brilliant man, was, ''the natural progress of things is for liberty to yield and government to gain ground.'' And that's exactly what we saw today with this budget. Liberty was yielding, the government taking more and more control of everything. Thomas Jefferson knew it.

I mean, it's like Solomon said, There is nothing new under the sun. These things that people think are new and innovative, it is not new. It failed in the New Testament church, it failed the Pilgrims when half of them nearly starved the first winter. They came up with this grand idea, let's give everybody their own private property and make them responsible for producing on their own property—and they have access. It's theirs. They can borrow it, sell it, whatever. It's theirs. It was a great idea. And that carried over 150 years into the Constitution, this idea of private property and the government not trying to run everything.

But what I would humbly submit, the way it appears to me and why we're seeing so much government intervention, the more it does, the more it feels like it has to do.

But what we've seen like Madoff, things like Countrywide, some of the people there who shoved people into mortgages they couldn't afford, packaged them together and then sold them off without recourse, made their millions. You know, things like that, those are the things this Nation, this government of this Nation, are supposed to be looking for. We're supposed to make sure there is a level playing field. We're supposed to protect this Nation against all enemies, foreign and domestic. We had some domestic enemies that were hurting people in this country.

But what happens is when we get so caught up in trying to run everything, telling Detroit exactly what kinds of cars you have got to make, telling the business people this is what you have got to do, we're so busy telling people how to run their lives, how to run their businesses, that we lost what we are supposed to be doing. We're supposed to provide these people with a defense from the crooks from the domestic and foreign enemies. But oh, no. We're too busy telling them what they are supposed to do.

I love what Abe Lincoln said. He said, ''We have been the recipients of the choicest bounties of heaven. We have grown in numbers, wealth and power as no other Nation.'' He concluded, ''though but we have forgotten God. Because if you know that there is an ultimate Universal source of right and wrong, then you care more about doing right and trying to help others do right.'' And that's what this government is supposed to be doing. We're supposed to be catching cheaters, dishonest people hurting America, and we lose that grip when we try to run everything.

And I would also point out as you try to get your hands around this huge budget that increases the deficit—I mean, people—we got beat up in 2005 and 2006. My first years here, we were in the majority. We were beat up because we were spending too much money, and we were. But then turn around to 2007 and 2008, the Democrats have control of everything. They are not reigning in spending. It goes through the roof. And now it's gone even further.

So if you want to know the bottom-line secret of what this budget is about, I would submit to you it can be found in one action: that was in this administration sending Secretary of State Clinton to China to beg them to loan us more money. That's what this budget does. It makes us beg China for more money.

Mr. KING of Iowa. I very much thank the gentleman from Texas.

I am starting my seventh year here, and I have watched some sea changes politically. I have watched some things shift. I have watched the majority change. I have watched the Presidency change, and I have watched the majority change in the United States Senate. I don't think that I have worked within every possible configuration out of those three entities but a number of different ones.

And one of the things that I have observed is that the voice that I heard from the Democrats consistently over those first 4 years that I was here, and then to some degree over the next two, was especially, especially from the Blue Dogs, Mr. Speaker, that came to this floor and said, We've got to have PAYGO, pay-as-you-go accounting. We've got to have a balanced budget every year. We have to have a fiscally responsible government. And I would make the argument that they would want to tighten down the spending, that we were spending too much money. They always wanted to spend a little more money than we wanted to spend, but they thought we were spending too much in relation to the tax revenue that was coming in.

So their idea was hold down the Democrat spending idea and increase the taxes a little bit and get this thing to a pay-as-you-go equation. That's the mantra of the Blue Dogs. And we've gone through a long debate on this budget, Mr. Speaker, and it has been two intense days that this comes down to, but this debate has gone on several weeks now.

What I have noticed is the absence of the Blue Dogs. Where are they? Where is that voice of ''we must balance the budget''? Where is PAYGO? What has happened to the people that were the strongest advocates for fiscal responsibility among the Democrats? I heard the debate. I was impugned by your debate over these last 6 years. But where are you now?

Puts me in mind of Punxsutawney Phil. When he comes out of the hole up there in Pennsylvania, Punxsutawney, Pennsylvania, and the groundhog sees his shadow, he gets scared and goes back in the hole again for 6 more weeks of winter. I don't know that that's necessarily the case, but I think the Blue Dogs have become the groundhogs of politics. They have gone down in the hole, and they are going to stay in there until there is a little bit more favorable climate that comes out, maybe not quite so much bright light shining, not quite so much shadows that are cast by President Obama, NANCY PELOSI, HARRY REID, this troika that drives this irresponsible spending bill. But they feel compelled to support the President. But he's our President, too.

But I don't support an irresponsible budget, Mr. Speaker, and I would have been really regretful to come to this floor to see a President of the United States of my party that had offered the kind of spending that would double our debt in 5 years and triple it in 10 years. The kind of spending that grows this irresponsible socialization of America—we rejected for a long time the European socialization—the socialized economy of the Europeans, and now we have—the President's over in Europe and is being lobbied by the Germans and the French. They are saying, Get a grip, Mr. President. Don't be spending money so irresponsibly. The Germans are saying, Get a handle on this thing. We don't agree with you in this Keynesian, almost intoxicated Keynesian approach to spending. This is Keynesian.

And the President said to us on a day in early February that—well, he said to

America that spending is stimulus. And then he said that FDR's New Deal actually would have worked except FDR essentially lost his nerve and was concerned about spending too much money. And so what you had was, according to the President, was a recession within a depression. And if you look at the records, there was a little dip in the economy in the late 1930s, but he argued that along came the biggest stimulus plan ever, which was World War II, which brought us out of the Great Depression.

Mr. Speaker, I will argue that the New Deal wasn't a good deal. No amount of more government spending, more profligate spending was going to get us out of the Great Depression. If you look at the data, there is no Keynesian approach in free market history that you can demonstrate that prevailed or produced a positive result.

In fact, if you look at the New Deal in the 1930s, that Keynesian spending, which I think intoxicated FDR for the first half of that decade, doesn't show that the economy grew. It shows that it was flat and then it declined.

And if you look at the wild Keynesian spending that took place in Japan when they had their economic recession in the 1990s, the more money they spent, the deeper they went into debt and the less they had to show for it. That's odd. That's what Henry Morgenthau said back in the 1930s as well, Mr. Speaker.

So when you look at that data—and if the people on this side of the aisle and the people that are running this show out of the White House can't point to an economic time in history that their model, which is the New Deal, they can't point to a time in history when it works, the data is not there. It does not exist, Mr. Speaker. And yet the President was only critical of FDR to the extent that he lost his nerve and he should have spent more money in the 1930s.

Well, I can tell you this President has not lost his nerve. He is spending money hand-over-fist in a fashion that is unparalleled in American history and maybe unconceived by any world leader in American history. And the price that we are paying for this—we've said over and over again—goes into the next generations. And the best you can hope for with a New Deal, a new New Deal—because we had an old New Deal that was a failed New Deal—the best you can hope for with an uber new New Deal of President Obama's is it may diminish the depths to which we might otherwise decline.

But the price for it's a very, very long delayed recovery, Mr. Speaker. That's what we're faced with today.

This budget that's crossed the path of the floor of this House is an irresponsible budget. It's a budget that spends way beyond our means. It's a budget that doubles our deficit in 5 years and triples it in 10. It's a budget that's irresponsible. It's one that doesn't even meet the needs of the United States of America, and it's one that I don't want to see my children saddled with.

And I can tell you, it's one that my children—or now men—call me and send me e-mails on an almost daily basis and are saying, What are you letting happen to me? What is happening to me? And they are going to be paying the price. My grandchildren will be paying the price. And I fear, Mr. Speaker, that my great grandchildren, should I be blessed with any, will be paying the price.

The gentleman from Texas has a point to make before we adjourn. I will be happy to yield.

Mr. GOHMERT. You know, many in this body think this Nation will go on forever. We know no nation will last forever. We are endowed by our Creator with certain inalienable rights. But those rights are like any inheritance. You only get to have them if people are willing to fight and protect them, fighting government and then fight our enemies abroad.

Well, in the summer of 2008, media from around the country released reports on an attack on an American military outpost base in the Kunar province of Afghanistan near the Pakistani border. Accounts say that 45 U.S. paratroopers and 25 Afghan soldiers were assaulted by up to 500 Taliban and al Qaeda fighters, bombarding our soldiers with rocket-propelled grenades and mortars. Nine U.S. soldiers were killed, 15 injured, and it was called the deadliest attack on American forces in Afghanistan since 2005.

I am here today to honor these servicemembers for their incredible sacrifice and to especially recognize one in particular who I am so very proud and humbled to represent as his U.S. Congressman.

□ 2300

Army Specialist Aaron David Davis, from Kilgore, Texas, was serving as an anti-armor gunner of the 173rd Airborne Brigade Combat Team and was sent in as reinforcement when insurgents assailed our soldiers on July 13, 2008.

In the rural town of Wanat, Afghanistan, Specialist Davis and his men were bombarded by enemy fire from all sides as insurgents took over homes and mosques in their attempts to seize the newly established American base there. Specialist Davis and his fellow soldiers were vastly outnumbered, but they continued to courageously fight. Specialist Davis saw many of his fellow soldiers killed in the midst of that chaotic combat and was wounded himself; yet he was not deterred from fiercely protecting the base and his friends.

An American military helicopter finally came to the rescue, but even after he was told to get on the helicopter that would surely be his ticket to safety, a wounded and hurting Davis was more concerned with the protection of others. With his own life in peril, he stayed and continued to fight.

Among his heroic actions, Specialist Davis crawled to the frontline to check on a fellow soldier, and then he helped save three fellow soldiers, putting them on gurneys and helping get them airlifted out of the ongoing battle. While fighting to protect these men, Davis was again wounded, receiving shrapnel in his left hand, left arm, and behind his right eye. He became so wounded he finally had to be lifted away from the fight himself.

There is so much more to the story, and I wish there were more time to elaborate on this young man's incredible selflessness. Aaron Davis spend many weeks recovering from his wounds at Walter Reed Army Medical Center, and he is now back on active duty at Fort Sam Houston, continuing to boldly serve his country while still further rehabilitating.

He was recently awarded the Purple Heart for the wounds he suffered, as well as the Silver Star, the third highest military decoration that can be awarded to a member of any branch of the United States Armed Forces, for his incredible courage and unwavering commitment to his country and his fellow soldiers. Specialist Aaron Davis deserves our thanks for his bold bravery and selfless sacrifice.

It is the courage and commitment of Aaron Davis and his fellow soldiers and those like them that allows us to continue to enjoy our freedom as U.S. citizens. We are manifestly proud and permanently grateful. To Specialist Aaron Davis, may God bless Aaron Davis and he and all he has done for this Nation.

Mr. KING of Iowa. I will let that be the concluding word this evening.

HOUSE BILLS AND A JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the following titles:

February 4, 2009:

H.R. 2. An Act to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

February 17, 2009:

H.R. 1. An Act making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009, and for other purposes.

March 6, 2009:

H.J. Res. 38. A joint resolution making further continuing appropriations for fiscal year 2009, and for other purposes.

March 11, 2009:

H.R. 1105. An Act making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

March 20, 2009:

H.R. 1127. An Act to extend certain immigration programs.

H.R. 1541. An Act 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.

March 30, 2009:

H.R. 146. An Act 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, and for other purposes.

H.R. 1512. An Act 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, and for other purposes.

SENATE BILLS AND A JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the following titles:

January 16, 2009:

S.J. Res. 3. A joint resolution ensuring that the compensation and other emoluments attached to the office of the Secretary of the Interior are those which were in effect on January 1, 2005.

January 29, 2009:

S. 181. An Act to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes.

February 11, 2009:

S. 352. An Act to postpone the DTV transition date.

March 9, 2009:

S. 234. An Act to designate the facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the ''Colonel John H. Wilson, Jr. Post Office Building''.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HINOJOSA (at the request of Mr. HOYER) for today on account of major knee surgery and replacement.

Mr. WESTMORELAND (at the request of Mr. BOEHNER) for today on account of a personal illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MASSA) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. MURPHY of Connecticut, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. REICHERT, for 5 minutes, today.

Mr. ROGERS of Michigan, for 5 minutes, today.

Mr. ROE of Tennessee, for 5 minutes, today.

Mr. BOOZMAN, for 5 minutes, today.

Mr. MCCLINTOCK, for 5 minutes, today.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1388. The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until Monday, April 6, 2009, at 10 a.m., unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 93, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the first quarter of 2009 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ITALY AND AFGHANISTAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 14 AND FEB. 22, 2009

Name of Member or Employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Nancy Pelosi, Speaker	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. John Larson	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. George Miller	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. Rosa DeLauro	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. William Pascrell, Jr.	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. Anna Eshoo	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. Edward Markey	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. Michael Capuano	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. Wilson Livingood	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. Brian Monaghan	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Michael Sheehy	2/14	2/22	Italy		3,517.00	(3)					3,517.00
Hon. Nancy Pelosi, Speaker	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. John Larson	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. George Miller	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. Rosa DeLauro	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. William Pascrell, Jr.	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. Anna Eshoo	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. Edward Markey	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. Michael Capuano	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. Wilson Livingood	2/20	2/21	Afghanistan		75.00	(3)					75.00
Hon. Brian Monaghan	2/20	2/21	Afghanistan		75.00	(3)					75.00
Michael Sheehy	2/20	2/21	Afghanistan		75.00	(3)					75.00
Nadeam Elshami	2/14	2/22	Italy		3,802.00	(3)					3,802.00
Stacy Kerr	2/14	2/22	Italy		3,802.00	(3)					3,802.00
Kate Knudson	2/14	2/22	Italy		3,802.00	(3)					3,802.00
Bridget Fallon	2/14	2/22	Italy		3,802.00	(3)					3,802.00
Steven Rusnak	2/14	2/22	Italy		3,802.00	(3)					3,802.00
Committee total											58,522.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. NANCY PELOSI, Speaker of the House, Mar. 24 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NATO PARLIAMENTARY ASSEMBLY WINTER MEETING IN BRUSSELS, BELGIUM, OECD MEETING IN PARIS, FRANCE, AND BILATERAL MEETINGS IN VIENNA, AUSTRIA, AND OBERAMMERGAU/GARMISCH, GERMANY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 14 AND FEB. 22, 2009

Name of Member or Employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John Tanner	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Hon. John Boozman	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Hon. Jo Ann Emerson	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Hon. Baron Hill	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Hon. Carolyn McCarthy	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Hon. Charlie Melancon	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Hon. Jeff Miller	2/14	2/17	Belgium		618.00		4,253.93				4,871.93
Hon. Dennis Moore	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Hon. Mike Ross	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Hon. David Scott	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Melissa Adamson	2/14	2/17	Belgium		618.00		(3)				2,880.55
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Kathy Becker	2/14	2/17	Belgium		618.00		3,391.10				6,271.65
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Paul Belkin	2/14	2/17	Belgium		618.00		3,391.10				6,271.65
	2/17	2/18	France		627.78						
	2/18	2/20	Austria		862.13						
	2/20	2/22	Germany		772.64						
Delegation Expenses:											
Representational Funds									17,815.15		17,815.15
Miscellaneous									684.97		684.97
Committee total					35,184.60		11,036.13		18,500.12		64,720.85

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. JOHN S. TANNER, Chairman, Mar. 24, 2009.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1178. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Weatherization Assistance Program for Low-Income Persons [Docket No.: EEWAP1201] (RIN: 1904-AB84) received March 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1179. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementations Plans; Kentucky; Approval Section 110(a)(1) Maintenance Plans for the 1997 8-hour ozone standard for the Huntington-Ashland Area, Lexington Area and Edmonson County [EPA-R04-OAR-2007-1186-200821(a); FRL-8781-5] received March 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1180. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plan; Maryland; Reasonably Available Control Technology Requirements for Volatile Organic Compounds [EPA-R03-OAR-2009-0058; FRL-8780-2] received March 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1181. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Volatile Organic Compound Reasonably Available Control Technology for Reynolds Consumer Products Company [EPA-R03-OAR-2009-0093; FRL-8779-8] received March 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1182. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Amendments to the Control of Air Pollution from Combustion of Refuse [EPA-R03-OAR-2009-0110; FRL-8782-2] received March 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1183. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Revisions to the Alabama State Implementation Plan; Birmingham and Jackson Counties [EPA-R04-OAR-2007-0359-200823(a); FRL-8781-7] received March 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1184. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Control of Emissions From Existing Other Solid Waste Incinerator Units; Arizona; Pima County Department of Environmental Quality [EPA-R09-OAR-2008-0942; FRL-8781-2] received March 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1185. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of California; Amador County Air Pollution Control

District, San Diego County Air Pollution Control District [EPA-R09-OAR-2008-0759; FRL-8783-7] received March 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1186. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — New Mexico: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2008-0756-; FRL-8784-9] received March 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1187. A letter from the Senior Legal Advisor, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Improving Public Saftey Communications in the 800 MHz Band; New 800 MHz Band Plan for U.S. — Canada Border Regions [WT Docket 02-55] received March 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1188. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses, as required by Section 1705(e)(6) of the Cuban Democracy Act of 1992, 22 U.S.C. 6004(e)(6), as amended by Section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

1189. A letter from the Chief Operating Officer/Executive Secretary, Agency for International Development, Bureau for Africa, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1190. A letter from the Chief Operating Officer/Executive Secretary, Agency for International Development, Bureau for Africa, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1191. A letter from the Chief Operating Officer/Executive Secretary, Agency for International Development, Bureau for Asia, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1192. A letter from the Chief Operating Officer/Executive Secretary, Agency for International Development, Bureau for Asia, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1193. A letter from the Chief Operating Officer/Executive Secretary, Agency for International Development, Bureau for Democracy, Conflict & Humanitarian Assist., transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1194. A letter from the Chief Operating Officer/Executive Secretary, Agency for International Development, Bureau for Democracy, Conflict & Humanitarian Assist., transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1195. A letter from the Chief Operating Officer/Executive Secretary, Agency for International Development, Bureau for Global Health, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1196. A letter from the Chief Operating Officer/Executive Secretary, Agency for International Development, Bureau for Middle East, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1197. A letter from the Deputy Chief Human Capital Officer, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1198. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Energy Information Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1199. A letter from the Deputy Chief Human Capital Officer, Department of Energy, National Nuclear Security Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1200. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Assistant Secretary for Fossil Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1201. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Assistant Secretary for Fossil Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1202. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Assistant Secretary for Nuclear Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1203. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Assistant Secretary for Electricity Delivery & Energy Reliability, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1204. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Assistant Secretary for Environmental Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1205. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Asst. Secretary for Congressional & Intergovernmental Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1206. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Civilian Radioactive Waste Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1207. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Minority Economic Impact, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1208. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Office of Science, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1209. A letter from the Deputy Chief Human Capital Officer, Department of Energy, Under Secretary of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1210. A letter from the Assistant Administrator for Human Capital Mgt, National Aeronautics and Space Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1211. A letter from the Chief Operating Officer/Executive Secretary, U.S. Agency for International Development, Bureau for Europe and Eurasia, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1212. A letter from the Chief Operating Officer/Executive Secretary, U.S. Agency for International Development, Bureau for Europe and Eurasia, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1213. A letter from the Chief Operating Officer/Executive Secretary, U.S. Agency for International Development, Bureau for Global Health, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1214. A letter from the Chief Operating Officer/Executive Secretary, U.S. Agency for International Development, Bureau for Legislative and Public Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1215. A letter from the Chief Operating Officer/Executive Secretary, U.S. Agency for International Development, Bureau for Legislative and Public Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1216. A letter from the Chief Operating Officer/Executive Secretary, U.S. Agency for International Development, Bureau for Middle East, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1217. A letter from the White House Liaison, U.S. Department of Education, Office of the Under Secretary, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1218. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No.: 071212833-8179-02] (RIN: 0648-XM22) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1219. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's Report of the Attorney General on the Administration of the Foreign Agents Registration Act for the six months ending June 30, 2008; to the Committee on the Judiciary.

1220. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80C2 and CF6-80E1 Series Turbofan Engines [Docket No.: FAA-2007-28413; Directorate Identifier 2007-NE-25-AD; Amendment

39-15826; AD 2009-05-02] (RIN: 2120-AA64) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1221. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes [Docket No.: FAA-2008-0735; Directorate Identifier 2008-NM-085-AD; Amendment 39-15803; AD 2009-03-02] (RIN: 2120-AA64) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1222. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tower, MN [Docket No.: FAA-2008-1186; Airspace Docket No.: 08-AGL-12] received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1223. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Columbus, OH [Docket No.: FAA-2008-1185; Airspace Docket No.: 08-AGL-11] received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1224. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Medford, WI [Docket No.: FAA-2008-1211; Airspace Docket No.: 08-AGL-13] received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1225. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30654 Amdt. No.: 3310] received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1226. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30655 Amdt. No.: 3311] received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1227. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No.: FAA-2009-0130; Directorate Identifier 2008-NM-225-AD; Amendment 39-15817; AD 2009-04-11] (RIN: 2120-AA64) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1228. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Gain Recognition Agreements with Respect to Certain Transfers of Stock or Securities by United States Persons to Foreign Corporations [TD 9446] (RIN: 1545-BG09) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1229. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Fringe Benefits Aircraft Valuation Formula (Rev. Rul. 2009-6) received March 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1230. A letter from the Under Secretary for Benefits and Acting Under Secretary of Defense Personnel and Readiness, Department of Veterans Affairs and Department of transmitting a report for fiscal year 2008 regarding the activities and accomplishments of both Departments, pursuant to 38 U.S.C. 320; jointly to the Committees on Veterans' Affairs and Armed Services.

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:

Ms. ZOE LOFGREN of California: Committee on Standards of Official Conduct. Report of the Committee on Standards of Official Conduct (Rept. 111–74). 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. REHBERG:

H.R. 1865. A bill to eliminate the requirement that States collect Social Security numbers from applicants for recreational licenses; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Ms. BALDWIN, Mr. CLAY, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. HINCHEY, Mr. MCCLINTOCK, Mr. GEORGE MILLER of California, Mr. ROHRABACHER, Mr. STARK, and Ms. WOOLSEY):

H.R. 1866. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KIRKPATRICK of Arizona (for herself and Mr. THOMPSON of Mississippi):

H.R. 1867. A bill to authorize additional resources for the Department of Homeland Security to enhance security activities along the international border with Mexico, and for other purposes; to the Committee on Homeland Security.

By Mr. DEAL of Georgia (for himself, Mr. BILBRAY, Mr. DANIEL E. LUNGREN of California, Mr. WESTMORELAND, Mr. JONES, Mr. HENSARLING, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. MARCHANT, Mr. CAMPBELL, Mr. KINGSTON, Mr. HELLER, Mr. NEUGEBAUER, Mr. JORDAN of Ohio, Mr. CONAWAY, Mr. WHITFIELD, Mr. LINDER, Mr. CULBERSON, Mr. MCCOTTER, Mr. HERGER, Mr. AKIN, Mr. GOHMERT, Mr. BOOZMAN, Mr. LAMBORN, Mr. CALVERT, Mr. SAM JOHNSON of Texas, Mr. ROYCE, Mr. SMITH of Nebraska, Mr. TAYLOR, Mr. GARY G. MILLER of California, Mr. COFFMAN of Colorado, Mrs. MYRICK, Mr. BARTLETT, Mr. ROHRABACHER, Ms. FOXX, Mr. KING of New York, Mr. DUNCAN, Mr. POE of Texas, and Mr. PRICE of Georgia):

H.R. 1868. A bill to amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself and Mrs. EMERSON):

H.R. 1869. A bill to require the President to call a White House Conference on Food and Nutrition; to the Committee on Agriculture.

By Mr. MCGOVERN (for himself, Mr. MARKEY of Massachusetts, Mr. BILBRAY, Mr. GRIJALVA, Mr. SIRES, Mr. NADLER of New York, Mr. MCMAHON, Mr. ABERCROMBIE, Mr. GENE GREEN of Texas, Mr. WU, Ms. BORDALLO, Mr. DANIEL E. LUNGREN of California, Mr. GARRETT of New Jersey, Mr. GONZALEZ, and Mr. LEWIS of Georgia):

H.R. 1870. A bill to amend the Immigration and Nationality Act to provide for relief to surviving spouses and children; to the Committee on the Judiciary.

By Mrs. KIRKPATRICK of Arizona:

H.R. 1871. A bill to designate certain counties in the State of Arizona as high-intensity drug trafficking areas; to the Committee on the Judiciary.

By Mr. SPACE (for himself, Mr. FILNER, Mr. WALZ, and Mr. NYE):

H.R. 1872. A bill to require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to develop and implement a secure electronic method of forwarding the Certificate of Release or Discharge from Active Duty (DD Form 214) to the appropriate office of the Department of Veterans Affairs for the State or other locality in which a member of the Armed Forces will first reside after the discharge or release of the member from active duty; to the Committee on Armed Services.

By Mr. MURPHY of Connecticut (for himself, Ms. LORETTA SANCHEZ of California, Ms. DELAURO, and Mr. HIMES):

H.R. 1873. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 with respect to juveniles who have committed offenses, and for other purposes; to the Committee on Education and Labor.

By Ms. SCHAKOWSKY (for herself, Mr. HARE, Mr. HALL of New York, Mr. MICHAUD, Ms. SUTTON, Mr. MASSA, and Ms. WOOLSEY):

H.R. 1874. A bill to provide Federal contracting preferences for, and a reduction in the rate of income tax imposed on, Patriot corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, 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. DEFAZIO (for himself, Ms. SLAUGHTER, Ms. KAPTUR, and Mr. MASSA):

H.R. 1875. A bill to establish an Emergency Commission To End the Trade Deficit; to the Committee on Ways and Means.

By Ms. BORDALLO (for herself and Mr. BARTLETT):

H.R. 1876. A bill to amend title 10, United States Code, to require the incorporation of Leadership in Energy and Environmental Design (LEED) principles in military construction projects carried out in the United States or overseas, to require a specific goal regarding the use of renewable energy sources on all military installations, and for other purposes; to the Committee on Armed Services.

By Ms. MOORE of Wisconsin (for herself, Mrs. BIGGERT, Ms. WATERS, Mr.

DAVIS of Kentucky, Mr. FRANK of Massachusetts, Mrs. CAPITO, and Mr. CARSON of Indiana):

H.R. 1877. A bill to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of New Jersey (for himself and Mr. DOYLE):

H.R. 1878. A bill to establish a health and education grant program related to autism spectrum disorders, and for other purposes; to the Committee on Foreign Affairs.

By Mr. COFFMAN of Colorado (for himself and Ms. BORDALLO):

H.R. 1879. A bill to amend title 38, United States Code, to provide for employment and reemployment rights for certain individuals ordered to full-time National Guard duty; to the Committee on Veterans' Affairs.

By Ms. BEAN (for herself and Mr. ROYCE):

H.R. 1880. A bill to establish a system of regulation and supervision for insurers, insurance agencies, and insurance producers chartered or licensed under Federal law that ensures the stability and financial integrity of those insurers, agencies, and producers and that protects policyholders and other consumers served by such insurers, agencies, or producers; to the Committee on Financial Services, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY (for herself, Mr. THOMPSON of Mississippi, Ms. JACKSON-LEE of Texas, Mr. CARNEY, Mr. PASCRELL, Ms. ZOE LOFGREN of California, Mr. MARKEY of Massachusetts, Mrs. KIRKPATRICK of Arizona, Ms. KILPATRICK of Michigan, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. KIND, Mr. MCMAHON, Ms. MOORE of Wisconsin, Mr. GRIJALVA, Ms. NORTON, and Mr. FILNER):

H.R. 1881. A bill to enhance the transportation security functions of the Department of Homeland Security by providing for an enhanced personnel system for employees of the Transportation Security Administration, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, 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. DAVIS of California (for herself and Mr. JONES):

H.R. 1882. A bill to amend the Truth in Lending Act to provide safeguards for credit card holders whose accounts were, or are about to be, terminated for inactivity, and for other purposes; to the Committee on Financial Services.

By Mr. SCOTT of Virginia (for himself, Ms. JACKSON-LEE of Texas, and Ms. LEE of California):

H.R. 1883. A bill to require the Secretary of Health and Human Services to carry out a demonstration grants program to provide for certain patient coordination, outreach, and assistance services to reduce barriers to receiving health care and improve health care outcomes; to the Committee on Energy and Commerce.

By Mr. GORDON of Tennessee (for himself, Mr. PITTS, Mr. BOUCHER, and Mr. OLVER):

H.R. 1884. A bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WATERS (for herself, Mr. SENSENBRENNER, Mrs. BACHMANN, Mr. CLAY, Mr. COBLE, Mr. COHEN, Mr. CUELLAR, Mr. CUMMINGS, Mrs. EMERSON, Mr. FRANKS of Arizona, Mr. GOODLATTE, Mr. GORDON of Tennessee, Mr. HELLER, Mr. HERGER, Mr. HOLT, Mr. ISSA, Mrs. KIRKPATRICK of Arizona, Mr. LOBIONDO, Mr. ROGERS of Kentucky, Mr. ROHRABACHER, Mr. ROYCE, Mr. SESSIONS, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SMITH of Texas, and Mr. WAMP):

H.R. 1885. A bill to protect private property rights; to the Committee on the Judiciary.

By Mr. BERMAN (for himself, Mr. KIRK, Mr. ACKERMAN, Mr. ROYCE, Ms. JACKSON-LEE of Texas, Mr. SHERMAN, and Mr. WEXLER):

H.R. 1886. A bill to authorize democratic, economic, and social development assistance for Pakistan, to authorize security assistance for Pakistan, and for other purposes; to the Committee on Foreign Affairs, 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 Ms. SPEIER (for herself, Mrs. CAPPS, Ms. CLARKE, Mrs. DAHLKEMPER, Ms. DEGETTE, Ms. ROYBAL-ALLARD, Ms. SHEA-PORTER, Ms. TSONGAS, Ms. EDWARDS of Maryland, Mrs. HALVORSON, Ms. KAPTUR, Ms. KILROY, Ms. LEE of California, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Ms. MARKEY of Colorado, Ms. WATERS, Mrs. NAPOLITANO, Ms. PINGREE of Maine, Ms. RICHARDSON, Ms. LORETTA SANCHEZ of California, Ms. WASSERMAN SCHULTZ, Ms. SCHWARTZ, Ms. TITUS, Ms. VELÁZQUEZ, Ms. WOOLSEY, and Ms. ESHOO):

H.R. 1887. A bill to establish a Presidential Commission on Women, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Georgia (for himself, Mr. CUMMINGS, Mr. LEWIS of Georgia, Mr. KAGEN, and Mr. PERLMUTTER):

H.R. 1888. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to vehicle fleet operators for purchasing tires made from recycled rubber; to the Committee on Ways and Means.

By Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, and Mr. SABLAN):

H.R. 1889. A bill to amend the Federal Water Pollution Control Act to reserve funding for American Samoa, the Northern Marianas Islands, Guam, and the Virgin Islands; to the Committee on Transportation and Infrastructure.

By Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, and Mr. SABLAN):

H.R. 1890. A bill to amend the Safe Drinking Water Act to increase the percentage of State revolving loan funds reserved for American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands; to the Committee on Energy and Commerce.

By Mr. ALEXANDER:

H.R. 1891. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for half of an individual's long-term care insurance premiums; to the Committee on Ways and Means.

By Mr. AUSTRIA:

H.R. 1892. A bill to designate the facility of the United States Postal Service located at 102 North Main Street in Cedarville, Ohio, as the ''William 'Brent'' Turner Post Office'; to the Committee on Oversight and Government Reform.

By Mr. BACHUS (for himself and Mr. LATOURETTE):

H.R. 1893. A bill to prohibit any person which sells to or otherwise disposes of any asset through a public-private investment program, including the Public-Private Investment Program for Legacy Assets, from purchasing or otherwise acquiring any other asset from or through such programs, and for other purposes; to the Committee on Financial Services.

By Ms. BERKLEY (for herself, Mr. BURGESS, Mr. PAYNE, Mr. GRIJALVA, Mr. MCGOVERN, Mrs. CAPPS, Ms. SCHAKOWSKY, Mr. LEWIS of Georgia, Mr. OLVER, Ms. BALDWIN, Mr. SESTAK, Mr. HINOJOSA, Mr. CULBERSON, Mr. BOSWELL, Mr. GENE GREEN of Texas, Ms. KILPATRICK of Michigan, Mr. PAUL, Mrs. LOWEY, Mr. COURTNEY, Ms. SUTTON, Ms. WASSERMAN SCHULTZ, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Ms. SCHWARTZ, Mr. SESSIONS, Mr. THOMPSON of California, Ms. KILROY, Ms. HIRONO, Mr. MCDERMOTT, Ms. CASTOR of Florida, Mr. FALEOMAVAEGA, Mrs. DAVIS of California, Mr. ENGEL, Mr. WEXLER, Mr. TANNER, Mr. FARR, Mr. SHERMAN, Ms. WATSON, Ms. TITUS, Ms. MOORE of Wisconsin, Ms. LINDA T. SÁNCHEZ of California, Ms. KOSMAS, Mr. KENNEDY, Mr. GEORGE MILLER of California, Ms. SPEIER, Ms. TSONGAS, Ms. DEGETTE, Mrs. NAPOLITANO, Mr. CARNAHAN, Ms. ROYBAL-ALLARD, Mr. KAGEN, Ms. HARMAN, Mr. SERRANO, Ms. MARKEY of Colorado, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Mrs. MALONEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS of New York, Ms. WOOLSEY, Ms. LEE of California, Ms. CLARKE, Ms. CORRINE BROWN of Florida, Ms. EDWARDS of Maryland, and Mr. PIERLUISI):

H.R. 1894. A bill to amend title XVIII of the Social Security Act to improve access to, and increase utilization of, bone mass measurement benefits under the Medicare part B program; 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. BISHOP of New York (for himself and Mr. CASTLE):

H.R. 1895. A bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements; to the Committee on Transportation and Infrastructure.

By Mr. BISHOP of New York (for himself and Mr. LEE of New York):

H.R. 1896. A bill to amend the Internal Revenue Code of 1986 to clarify that installment sales treatment shall not fail to apply to property acquired for conservation purposes by a State or local government or certain tax-exempt organizations merely because purchase funds are held in a sinking or similar fund pursuant to State law; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself and Mrs. BONO MACK):

H.R. 1897. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to employers for the costs of implementing wellness programs, and for other purposes; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Mr. BOUSTANY, Mr. DAVIS of Kentucky, Mr. KIND, Mr. TIBERI, and Mr. YARMUTH):

H.R. 1898. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program for consultations regarding orders for life sustaining treatment and to provide grants for the development and expansion of programs for such orders; 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. BOYD (for himself and Mr. MILLER of Florida):

H.R. 1899. A bill to extend Federal recognition to the Muscogee Nation of Florida; to the Committee on Natural Resources.

By Ms. JACKSON-LEE of Texas (for herself and Mr. POE of Texas):

H.R. 1900. A bill to provide for emergency deployments of United States Border Patrol agents and to increase the number of DEA and ATF agents along the international border of the United States to increase resources to identify and eliminate illicit sources of firearms into Mexico for use by violent drug trafficking organizations and for other lawful activities and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOYD (for himself, Mr. KLEIN of Florida, Mr. CRENSHAW, Mr. LINCOLN DIAZ-BALART of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. MILLER of Florida, Ms. CASTOR of Florida, Ms. WASSERMAN SCHULTZ, and Mr. MARIO DIAZ-BALART of Florida):

H.R. 1901. A bill to provide for a comprehensive study by the National Research Council of the National Academy of Sciences to assess the water management, needs, and conservation of the Apalachicola-Chattahoochee-Flint River System; to the Committee on Transportation and Infrastructure.

By Ms. GINNY BROWN-WAITE of Florida:

H.R. 1902. A bill to provide veterans with individualized notice about available benefits, to streamline application processes for the benefits, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CANTOR (for himself, Mr. LEE of New York, Mr. DREIER, Mrs. BIGGERT, Mr. BRADY of Texas, Mr. MCCARTHY of California, Mr. CASSIDY, Mr. CAMPBELL, Mrs. BONO MACK, Mr. PAULSEN, and Mr. BOUSTANY):

H.R. 1903. A bill to provide incentives for the residential housing market; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPITO (for herself, Mr. BILBRAY, Mr. MARCHANT, Mr. JONES, and Mr. POE of Texas):

H.R. 1904. A bill to amend the Internal Revenue Code of 1986 to allow individual taxpayers to designate a portion of income taxes to fund the improvement of barriers at the United States border, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Ms. BORDALLO, Mr. FARR, and Ms. MATSUI):

H.R. 1905. A bill to amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal climate change adaptation planning and response program, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAPPS (for herself, Mr. THOMPSON of California, Mr. GEORGE MILLER of California, Mr. FARR, Mr. WAXMAN, Mr. BERMAN, Mr. STARK, Mr. SCHIFF, Ms. LEE of California, Ms. HARMAN, Ms. WOOLSEY, Mr. HONDA, Ms. ESHOO, Ms. MATSUI, Mrs. DAVIS of California, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Ms. WATSON, Ms. WATERS, Mr. BECERRA, Ms. RICHARDSON, Mr. FILNER, Ms. SPEIER, Mrs. TAUSCHER, Mr. SHERMAN, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. ZOE LOFGREN of California, and Mr. MCNERNEY):

H.R. 1906. A bill to permanently prohibit oil and gas leasing off the coast of the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. CASTLE (for himself and Ms. HARMAN):

H.R. 1907. A bill to amend the Federal Food, Drug, and Cosmetic Act to use consumer information maintained by retailers to improve recalls of food, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COFFMAN of Colorado (for himself, Mr. KIND, Mr. BISHOP of Utah, Mr. LAMBORN, and Ms. MARKEY of Colorado):

H.R. 1908. A bill to amend the Internal Revenue Code of 1986 to provide a credit for property certified by the Environmental Protection Agency under the WaterSense program; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 1909. A bill to direct the Securities and Exchange Commission to suspend the application of mark-to-market accounting; to the Committee on Financial Services.

By Mr. CONNOLLY of Virginia:

H.R. 1910. A bill to create the Office of the Chief Technology Officer within the Executive Office of the President; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia:

H.R. 1911. A bill to amend the American Recovery and Reinvestment Act of 2009 to require funding to help award recipients defray the costs of data collection requirements initiated pursuant to such Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia (for himself, Mrs. LUMMIS, and Mr. BLUMENAUER):

H.R. 1912. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for qualified conservation contributions which include National Scenic Trails; to the Committee on Ways and Means, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. FRANK of Massachusetts, Mr. ABERCROMBIE, Mr. ACKERMAN, Ms. BALDWIN, Ms. BERKLEY, Mr. BERMAN, Mrs. BIGGERT, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mrs. BONO MACK, Mr. BRALEY of Iowa, Ms. CORRINE BROWN of Florida, Mr. CAO, Mrs. CAPPS, Mr. CASTLE, Ms. CASTOR of Florida, Mr. CLAY, Mr. CUMMINGS, Mr. DELAHUNT, Mr. DRIEHAUS, Mr. GENE GREEN of Texas, Mr. ISRAEL, Ms. KILROY, Mr. KIRK, Mr. KUCINICH, Mr. LANCE, Mrs. MALONEY, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. NADLER of New York, Mr. OLVER, Mr. PETERS, Mr. POLIS of Colorado, Ms. ROS-LEHTINEN, Mr. SERRANO, Ms. SLAUGHTER, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATSON, and Ms. WOOLSEY):

H.R. 1913. A bill to provide Federal assistance to States, local jurisdictions, and Indian tribes to prosecute hate crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. DEAL of Georgia (for himself, Mr. BROUN of Georgia, Mr. LINDER, and Mr. WESTMORELAND):

H.R. 1914. A bill to amend the Endangered Species Act of 1973 to provide for the suspension of each provision of the Act during periods of drought with respect to Federal and State agencies that manage Federal river basins that are located in each region affected by the drought; to the Committee on Natural Resources.

By Ms. DELAURO (for herself and Mr. PLATTS):

H.R. 1915. A bill to amend title XVIII of the Social Security Act to provide for expanded coverage of paramedic intercept services under the Medicare Program; 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. DINGELL (for himself and Mr. WITTMAN):

H.R. 1916. A bill to amend the Migratory Bird Hunting and Conservation Stamp Act to provide for a revised schedule of price increases for the Migratory Bird Hunting and Conservation Stamp, popularly known as the ''Duck Stamp'', and for other purposes; to the Committee on Natural Resources.

By Mr. FATTAH:

H.R. 1917. A bill to establish the Centennial Historic District in Philadelphia, Pennsylvania, and for other purposes; to the Committee on Natural Resources.

By Mr. FLAKE (for himself and Mr. MORAN of Kansas):

H.R. 1918. A bill to permit United States companies to participate in the exploration for and the extraction of hydrocarbon resources from any portion of a foreign maritime exclusive economic zone that is contiguous to the exclusive economic zone of the United States, and for other purposes; to the Committee on Foreign Affairs.

By Ms. FOXX (for herself, Mr. PAUL, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. DUNCAN, Mr. GARRETT of New Jersey, Mr. BARTLETT, Mrs. MYRICK, Mrs. BLACKBURN, Mr. PENCE, Mr. KINGSTON, and Mr. WILSON of South Carolina):

H.R. 1919. A bill to amend the Internal Revenue Code of 1986 to repeal the withholding of income and social security taxes; to the Committee on Ways and Means.

By Mr. GARRETT of New Jersey (for himself, Mr. LAMBORN, and Mr. MARIO DIAZ-BALART of Florida):

H.R. 1920. A bill to prohibit United States funding for the 2009 United Nations Durban Review Conference (''Durban II Conference'') or any other activity relating to the planning, preparation, or implementation of a

follow-up meeting to the 2001 United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance ('Durban I Conference') in Durban, South Africa; to the Committee on Foreign Affairs.

By Mr. GERLACH:

H.R. 1921. A bill to establish an Office of Public Advocate within the Department of Justice to provide services and guidance to citizens in dealing with concerns involving the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH:

H.R. 1922. A bill to require the Federal Energy Regulatory Commission to hold at least 1 public hearing before issuance of a permit affecting public or private land use in a locality; to the Committee on Energy and Commerce.

By Mr. GINGREY of Georgia (for himself, Mr. BARTLETT, Mr. SAM JOHNSON of Texas, Mr. PENCE, Mr. LAMBORN, Mr. GOHMERT, Mr. BURTON of Indiana, Mr. SHIMKUS, Mr. ISSA, Mr. AKIN, Mr. BROWN of South Carolina, Mrs. BLACKBURN, Mr. FLEMING, Ms. FALLIN, Mr. SCALISE, Mr. FRANKS of Arizona, Mr. PAUL, Mr. ROGERS of Alabama, Mr. MCCOTTER, Mr. YOUNG of Alaska, Mr. CARTER, Mr. BISHOP of Georgia, and Mr. ROSS):

H.R. 1923. A bill to require the Bureau of Alcohol, Tobacco, Firearms, and Explosives to make video recordings of the examination and testing of firearms and ammunition, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH SANDLIN (for herself, Mr. KILDEE, and Mr. GRIJALVA):

H.R. 1924. A bill to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Natural Resources, Energy and Commerce, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINCHEY (for himself, Mr. ACKERMAN, Mr. BAIRD, Ms. BALDWIN, Mr. BERMAN, Mrs. BIGGERT, Mr. BLUMENAUER, Mr. BOSWELL, Mr. BRALEY of Iowa, Ms. CORRINE BROWN of Florida, Mrs. CAPPS, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. CHANDLER, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. COSTELLO, Mr. COURTNEY, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. DICKS, Mr. DOGGETT, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HARE, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HILL, Ms. HIRONO, Mr. HODES, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. JOHNSON of Illinois, Mr. KENNEDY, Mr. KILDEE, Ms. KILPATRICK of Michigan, Mr. KIRK, Mr. LANCE, Mr. LANGEVIN, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LOBIONDO, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mr. LYNCH, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Mr. MASSA, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEK of Florida, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. NADLER of New York, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PAYNE, Mr. PIERLUISI, Mr. POLIS of Colorado, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SERRANO, Mr. SESTAK, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SIRES, Mr. SMITH of New Jersey, Mr. SPRATT, Mr. STARK, Ms. SUTTON, Mrs. TAUSCHER, Mr. THOMPSON of California, Mr. TIERNEY, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Mr. WU, and Mr. YARMUTH):

H.R. 1925. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in Utah for the benefit of present and future generations of Americans; to the Committee on Natural Resources.

By Mr. HONDA (for himself, Mr. FARR, Mr. BLUMENAUER, Mr. GRIJALVA, Mrs. CAPPS, and Mr. VAN HOLLEN):

H.R. 1926. A bill to authorize the National Science Foundation to establish a Global Warming Education Program; to the Committee on Science and Technology.

By Mr. ISRAEL (for himself and Mr. TIBERI):

H.R. 1927. A bill to amend title XVIII of the Social Security Act to provide comprehensive cancer patient treatment education under the Medicare Program and to provide for research to improve cancer symptom management; 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. KAGEN (for himself, Mr. TERRY, Mr. BOSWELL, Mrs. BONO MACK, Ms. BORDALLO, and Mr. YARMUTH):

H.R. 1928. A bill to increase home healthcare services, particularly for underserved and at-risk populations, by assisting visiting nurse associations and other nonprofit home health agencies to improve training and workforce development for home healthcare nurses, promoting and facilitating academic-practice collaborations, and enhancing recruitment and retention of home healthcare nurses; to the Committee on Energy and Commerce.

By Ms. KAPTUR:

H.R. 1929. A bill to establish the Fannie Mae and Freddie Mac Investigative Commission to investigate the policies and practices engaged in by officers and directors at Fannie Mae and Freddie Mac responsible for making the decisions that led to the enterprises' financial instability and the subsequent Federal conservatorship of such enterprises; to the Committee on Financial Services.

By Mr. KENNEDY (for himself, Mr. SIMPSON, and Mr. CUMMINGS):

H.R. 1930. A bill to amend the Public Health Service Act to provide for a loan repayment program for faculty members at programs of general dentistry or pediatric dentistry to alleviate faculty shortages; to the Committee on Energy and Commerce.

By Mr. KENNEDY (for himself, Mr. STARK, and Ms. DELAURO):

H.R. 1931. A bill to improve the treatment of juveniles with mental health or substance abuse disorders by establishing new grant programs for increased training, technical assistance, and coordination of service providers, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Ms. ROS-LEHTINEN, and Mr. LEWIS of Georgia):

H.R. 1932. A bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLEIN of Florida (for himself, Mr. GOHMERT, Mr. SCOTT of Virginia, Mr. NADLER of New York, Ms. JACKSON-LEE of Texas, Mr. SHERMAN, Mr. WEXLER, Ms. WASSERMAN SCHULTZ, Mr. BOOZMAN, Ms. SUTTON, Ms. ROS-LEHTINEN, Ms. BORDALLO, Mrs. MYRICK, Ms. CORRINE BROWN of Florida, Mr. NEAL of Massachusetts, Mr. LATHAM, and Ms. NORTON):

H.R. 1933. A bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes; to the Committee on the Judiciary.

By Mr. KRATOVIL (for himself, Mr. CONAWAY, Mr. STUPAK, Mr. WITTMAN, Mr. DELAHUNT, and Mr. GARRETT of New Jersey):

H.R. 1934. A bill to apply in fiscal year 2009 the exemption of returning workers from the numerical limitations for seasonal nonimmigrant workers in order to provide short-term immediate relief to small and seasonal businesses; to the Committee on the Judiciary.

By Mr. LEVIN:

H.R. 1935. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of partnership interests held by partners providing services; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. HALL of New York, and Mr. HINCHEY):

H.R. 1936. A bill to provide certain requirements for the licensing of commercial nuclear facilities; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself, Mr. HALL of New York, Mr. HINCHEY, and Mr. ENGEL):

H.R. 1937. A bill to require the Nuclear Regulatory Commission to retain and redistribute certain amounts collected as fines; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H.R. 1938. A bill to amend the Rehabilitation Act of 1973 and the Public Health Service Act to set standards for medical diagnostic equipment and to establish a program for promoting good health, disease prevention, and wellness and for the prevention of secondary conditions for individuals with

disabilities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUETKEMEYER:

H.R. 1939. A bill to direct the Attorney General to establish a system of background checks for employers and employees of the electronic life safety and security system installation and monitoring industry, and for other purposes; to the Committee on the Judiciary.

By Ms. MATSUI (for herself, Mr. BRALEY of Iowa, Mrs. CAPPS, and Mr. SARBANES):

H.R. 1940. A bill to amend the Public Health Service Act to establish a Wellness Trust; to the Committee on Energy and Commerce.

By Mr. MITCHELL (for himself, Mr. FLAKE, Mr. HELLER, and Ms. TITUS):

H.R. 1941. A bill to allow for additional flights beyond the perimeter restriction applicable to Ronald Reagan Washington National Airport; to the Committee on Transportation and Infrastructure.

By Mr. NADLER of New York (for himself and Mr. COHEN):

H.R. 1942. A bill to amend title 11 and for other purposes; to the Committee on the Judiciary.

By Mr. NADLER of New York (for himself, Mrs. LOWEY, and Mr. ISRAEL):

H.R. 1943. A bill to amend the Internal Revenue Code of 1986 to provide for adjustments in the individual income tax rates to reflect regional differences in the cost-of-living; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself, Mr. TIBERI, Mr. LARSON of Connecticut, Mr. HERGER, Mr. CROWLEY, and Mr. BRADY of Pennsylvania):

H.R. 1944. A bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income; to the Committee on Ways and Means.

By Mr. NUNES (for himself and Mr. COSTA):

H.R. 1945. A bill to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes, and for other purposes; to the Committee on Natural Resources.

By Mr. PASCRELL (for himself, Mr. MORAN of Kansas, and Ms. KILPATRICK of Michigan):

H.R. 1946. A bill to amend the Public Health Service Act to address health workforce shortages; to the Committee on Energy and Commerce.

By Mr. PASCRELL (for himself, Mr. PALLONE, Mr. COHEN, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 1947. A bill to regulate certain deferred prosecution agreements and nonprosecution agreements in Federal criminal cases; to the Committee on the Judiciary.

By Mr. PASCRELL (for himself, Mr. DAVIS of Kentucky, Mr. PAUL, Mr. EHLERS, Mr. HELLER, Mr. LAMBORN, Mr. SIMPSON, Ms. KILPATRICK of Michigan, Mr. BURGESS, and Mr. SOUDER):

H.R. 1948. A bill to amend the Internal Revenue Code of 1986 to allow reimbursement from flexible spending accounts for certain dental products; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. MILLER of Florida):

H.R. 1949. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. MILLER of Florida):

H.R. 1950. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for professional school personnel in prekindergarten, kindergarten, and grades 1 through 12; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. MCHENRY):

H.R. 1951. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for tuition and related expenses for public and nonpublic elementary and secondary education; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. HOEKSTRA):

H.R. 1952. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts contributed to charitable organizations which provide elementary or secondary school scholarships and for contributions of, and for, instructional materials and materials for extracurricular activities; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. MILLER of Florida):

H.R. 1953. A bill to amend the Internal Revenue Code of 1986 to allow the Hope Scholarship Credit to be used for elementary and secondary education expenses; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. MILLER of Florida):

H.R. 1954. A bill to amend the Internal Revenue Code of 1986 to make higher education more affordable by providing a full tax deduction for higher education expenses and interest on student loans; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BARTLETT, Mr. DUNCAN, and Mr. MCHUGH):

H.R. 1955. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on the sale of animals which are raised and sold as part of an educational program; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself, Mr. DAVIS of Alabama, and Mr. POE of Texas):

H.R. 1956. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for State judicial debts that are past-due; to the Committee on Ways and Means.

By Mr. PETERS:

H.R. 1957. A bill to amend the Internal Revenue Code of 1986 to provide a higher education tuition credit in place of existing education tax incentives; to the Committee on Ways and Means.

By Mr. PIERLUISI (for himself, Mr. SERRANO, Mr. GUTIERREZ, and Ms. VELÁZQUEZ):

H.R. 1958. A bill to amend the Military Construction Authorization Act, 1974 to repeal the limitation on the authorized uses of the former bombardment area on the island of Culebra and the prohibition on Federal Government responsibility for decontamination of the area; to the Committee on Armed Services.

By Ms. PINGREE of Maine:

H.R. 1959. A bill to direct the Department of Defense to utilize no-cost economic development conveyances as the preferred method of disposal of excess property generated through the base closure process, and for other purposes; to the Committee on Armed Services.

By Mr. PITTS (for himself, Mr. BLUNT, Mr. BROUN of Georgia, Mr. WESTMORELAND, Mr. ALEXANDER, Mrs. BLACKBURN, Mr. JONES, Mr. WILSON of South Carolina, Mr. FRANKS of Arizona, Mr. ROONEY, Ms. ROS-LEHTINEN, and Mr. BURTON of Indiana):

H.R. 1960. A bill to make the repeal of the estate tax permanent; to the Committee on Ways and Means.

By Mr. POMEROY (for himself, Mr. KIND, Mr. MCDERMOTT, Mr. BLUMENAUER, Ms. SCHWARTZ, Mr. SESTAK, Mr. ALTMIRE, and Mr. THOMPSON of California):

H.R. 1961. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the saver's credit, to make the credit refundable, and to make Federal matching contributions into the retirement savings of the taxpayer; to the Committee on Ways and Means.

By Mr. POSEY (for himself and Ms. WASSERMAN SCHULTZ):

H.R. 1962. A bill to authorize the Space Shuttle to be flown from 2010 through 2015, and to authorize appropriations for the National Aeronautics and Space Administration for this purpose; to the Committee on Science and Technology.

By Mr. RANGEL (for himself, Mr. FILNER, and Ms. HERSETH SANDLIN):

H.R. 1963. A bill to amend title 10, United States Code, to ensure that members of the Armed Forces who are being separated from active duty receive comprehensive employment assistance, job training assistance, and other transitional services, to require that such members receive a psychological evaluation in addition to the physical examination they receive as part of their separation from active duty, and for other purposes; to the Committee on Armed Services.

By Mr. RANGEL:

H.R. 1964. A bill to address HIV/AIDS in the African-American community, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RODRIGUEZ:

H.R. 1965. A bill to require the Secretary of Transportation and the Secretary of Commerce to submit to Congress reports on the commercial and passenger vehicle traffic at certain points of entry, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Ms. KAPTUR, Mr. YARMUTH, Ms. ROYBAL-ALLARD, Mrs. CAPPS, Mr. BISHOP of New York, Mr. BRALEY of Iowa, Mr. GRIJALVA, Mr. HARE, Mr. HIGGINS, Mr. CLAY, Mr. SARBANES, Mr. DAVIS of Illinois, Mr. COURTNEY, and Mr. KIRK):

H.R. 1966. A bill to amend title 18, United States Code, with respect to cyberbullying; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself and Mr. SMITH of New Jersey):

H.R. 1967. A bill to prohibit funding organizations that support or participate in coercive abortion or involuntary sterilization; to the Committee on Foreign Affairs.

By Mr. SENSENBRENNER:

H.R. 1968. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on capital losses to $10,500 and to index such limitation to inflation; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Ms. ZOE LOFGREN of California, Mr. CAO, Ms. LORETTA SANCHEZ of California, Mr. ROYCE, Mr. ROHRABACHER, and Mr. PENCE):

H.R. 1969. A bill to promote freedom and democracy in Vietnam; to the Committee on Foreign Affairs, 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. SPACE (for himself, Mrs. EMERSON, and Mr. BERRY):

H.R. 1970. A bill to amend title XVIII of the Social Security Act to exempt unsanctioned State-licensed retail pharmacies from the surety bond requirement under the Medicare Program for suppliers of durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS); 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. SPRATT:

H.R. 1971. A bill to provide for the elimination of duties on certain comforter shells; to the Committee on Ways and Means.

By Mr. STUPAK (for himself and Mr. PAULSEN):

H.R. 1972. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, accountability, and due process laws; to the Committee on the Judiciary.

By Mr. STUPAK:

H.R. 1973. A bill to amend title 39, United States Code, to require post offices to have running water and sanitation facilities, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. THOMPSON of California (for himself, Mr. HELLER, Ms. BERKLEY, Mr. DAVIS of Alabama, Mr. LEWIS of Georgia, Mr. MEEK of Florida, Mr. BACHUS, Mrs. BONO MACK, Mr. BOUCHER, Mr. BRALEY of Iowa, Mr. BURTON of Indiana, Mr. CARSON of Indiana, Mr. COURTNEY, Ms. FOXX, Mr. FRANKS of Arizona, Mrs. HALVORSON, Mr. HASTINGS of Washington, Mr. HILL, Ms. KOSMAS, Mr. LOBIONDO, Mr. MCHENRY, Mr. MCHUGH, Mr. MICA, Mr. MOORE of Kansas, Mrs. MYRICK, Mr. PERRIELLO, Mr. SCOTT of Georgia, Mr. SESSIONS, Mr. WESTMORELAND, and Mr. CROWLEY):

H.R. 1974. A bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi:

H.R. 1975. A bill 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''; to the Committee on Oversight and Government Reform.

By Ms. WATSON (for herself, Ms. RICHARDSON, Ms. SLAUGHTER, Ms. WOOLSEY, Mr. LEWIS of Georgia, Mr. TOWNS, Mr. WOLF, Mr. FORTENBERRY, Mrs. BONO MACK, Mr. SCHIFF, Ms. DELAURO, Mr. COSTA, Mr. DANIEL E. LUNGREN of California, Ms. MCCOLLUM, Mr. SERRANO, Mr. ROYCE, Ms. ROS-LEHTINEN, Mr. SHERMAN, and Ms. ESHOO):

H.R. 1976. A bill to authorize grants for nongovernmental organizations that use independently produced documentary films to promote better understanding of the United States abroad and better understanding of global perspectives and other countries in the United States; to the Committee on Foreign Affairs.

By Mr. WEXLER:

H.R. 1977. A bill to require the Consumer Product Safety Commission to study drywall imported from China in 2004 through 2007, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WOOLSEY (for herself, Mr. GARY G. MILLER of California, Mr. STARK, Ms. JACKSON-LEE of Texas, and Mr. GRIJALVA):

H.R. 1978. A bill to authorize the Attorney General to make grants to improve the ability of State and local governments to prevent the abduction of children by family members, and for other purposes; to the Committee on the Judiciary.

By Mr. MCGOVERN:

H. Con. Res. 93. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to. considered and agreed to.

By Mr. CONYERS (for himself and Mr. DAVIS of Kentucky):

H. Con. Res. 94. Concurrent resolution encouraging the negotiation of an ''Incidents at Sea Agreement'' between the United States of America and the Government of Iran; to the Committee on Foreign Affairs.

By Mr. CHILDERS:

H. Con. Res. 95. Concurrent resolution recognizing the importance of the Department of Agriculture Forest Service Experimental Forests and Ranges; to the Committee on Agriculture.

By Mr. DOYLE (for himself, Mr. SMITH of New Jersey, and Mr. ENGEL):

H. Con. Res. 96. Concurrent resolution recognizing the importance of autism awareness, supporting efforts to increase funding for research into the causes and treatment of autism and to improve training and support for individuals with autism and those who care for individuals with autism; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Ms. LEE of California, Mr. LANGEVIN, Mr. GRIJALVA, and Ms. SCHAKOWSKY):

H. Con. Res. 97. Concurrent resolution calling on the President to support United Nations Security Council referrals of situations involving genocide, war crimes, and crimes against humanity to the International Criminal Court, to cooperate with investigations and prosecutions conducted by the International Criminal Court, and participate as an observer at meetings of the Assembly of States Parties to the Rome Statute; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Ms. ESHOO, Ms. MCCOLLUM, Ms. BALDWIN, Mr. BUTTERFIELD, Mrs. CAPPS, Ms. CLARKE, Ms. EDWARDS of Maryland, Ms. SPEIER, Mr. HASTINGS of Florida, Mr. KUCINICH, Mrs. CHRISTENSEN, Mr. LEWIS of Georgia, and Mr. PAYNE):

H. Con. Res. 98. Concurrent resolution recognizing the disparate impact of climate change on women and the efforts of women globally to address climate change; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York (for herself and Mr. PLATTS):

H. Con. Res. 99. Concurrent resolution supporting the goals and ideals of a National Early Educator Worthy Wage Day; to the Committee on Education and Labor.

By Ms. ROS-LEHTINEN (for herself, Mr. WILSON of South Carolina, Mr. MCHUGH, Mr. GALLEGLY, Mr. TURNER, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. ROYCE, Mr. PENCE, Mr. BILIRAKIS, Mr. MCCOTTER, Mr. MANZULLO, Mr. MCCAUL, Mr. POE of Texas, Mr. SESSIONS, Mr. SHUSTER, Mr. BROUN of Georgia, Mr. SHIMKUS, Mr. KING of New York, and Mr. SMITH of New Jersey):

H. Res. 319. A resolution expressing the sense of the House of Representatives that the President should take all necessary steps to expeditiously deploy a missile defense system in Europe that will help provide such a defense to United States allies in Europe while enhancing United States defenses against missile attacks; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WATT (for himself, Mr. PRICE of North Carolina, Ms. LEE of California, Ms. BALDWIN, Mr. BECERRA, Mr. BLUMENAUER, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COBLE, Mr. COOPER, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. EDWARDS of Texas, Ms. EDWARDS of Maryland, Mr. ELLISON, Mr. ETHERIDGE, Mr. FATTAH, Ms. FOXX, Mr. FRANK of Massachusetts, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. HOYER, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Mr. JONES, Mr. KIRK, Mr. KISSELL, Mr. ACKERMAN, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. MALONEY, Ms. MATSUI, Mr. MCHENRY, Mr. MCINTYRE, Mr. MEEK of Florida, Mr. MILLER of North Carolina, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mrs. MYRICK, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. OLVER, Mr. PAYNE, Mr. PERRIELLO, Mr. POMEROY, Ms. RICHARDSON, Mr. ROSS, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHULER, Mr. SNYDER, Mr. TIERNEY, Mr. TOWNS, Ms. WATSON, Mr. WELCH, Mr. WEXLER, Ms. HERSETH SANDLIN, Mr. BARROW, Ms. NORTON, Ms. WATERS, Mr. BISHOP of Georgia, Mr. CAO, Mrs. CHRISTENSEN, Mr. COHEN, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. GONZALEZ, Mr. ISRAEL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK of Michigan, Mr. MEEKS of New York, Mr. THOMPSON of Mississippi, Mr. GEORGE MILLER of California, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Georgia, Mr. SPRATT, Mr. SULLIVAN, and Ms. VELÁZQUEZ):

H. Res. 320. A resolution honoring the Life and achievements of Dr. John Hope Franklin; to the Committee on Oversight and Government Reform.

By Mr. BACA:

H. Res. 321. A resolution congratulating the boys' basketball team at Eisenhower High School in Rialto, California, for winning the State championship; to the Committee on Education and Labor.

By Ms. GIFFORDS (for herself, Mr. CUELLAR, Mr. MITCHELL, Mrs. KIRKPATRICK of Arizona, and Mr. POE of Texas):

H. Res. 322. A resolution expressing support for the designation of July 25, 2009 as ''National Day of the Cowboy''; to the Committee on Oversight and Government Reform.

By Mr. KING of Iowa (for himself, Mr. BARTLETT, Mrs. BLACKBURN, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Ms. FOXX, Mr. GOHMERT, Mr. GINGREY of Georgia, Mr. HENSARLING, Mrs. MYRICK, Mr. PAUL, Mr. PITTS, Mr. ROHRABACHER, Mr. SENSENBRENNER, Mr. WESTMORELAND, Mr. SAM JOHNSON of Texas, and Mrs. BACHMANN):

H. Res. 323. A resolution amending the Rules of the House of Representatives to require that rescission bills always be considered under open rules every year, and for other purposes; to the Committee on Rules.

By Mr. LARSON of Connecticut:

H. Res. 324. A resolution expressing support for designation of April 2009 as ''Jazz Appreciation Month'' and April 25, 2009, as ''Willis Conover Day'', and honoring the global impact of jazz music; to the Committee on Oversight and Government Reform.

By Mr. MCCLINTOCK:

H. Res. 325. A resolution expressing support for designation of a ''Free Enterprise Education Week'' to encourage elementary and secondary schools, institutions of higher education, and small and large businesses to educate students about free enterprise; to the Committee on Oversight and Government Reform.

By Mr. MCMAHON:

H. Res. 326. A resolution expressing support for designation of the week of April 13, 2009, through April 17, 2009, as ''Protect Your Pharmacy Week'', and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCMAHON:

H. Res. 327. A resolution honoring the humble service of Edward Cardinal Egan as Archbishop of the New York Archdiocese and congratulating Archbishop Timothy Dolan on his appointment by His Holiness Pope Benedict XVI to succeed Cardinal Egan; to the Committee on Oversight and Government Reform.

By Mr. ROE of Tennessee (for himself, Mr. UPTON, Ms. KAPTUR, and Mr. EHLERS):

H. Res. 328. A resolution expressing the sense of Congress that all Americans should recognize National Military Appreciation Month with appropriate programs and activities; to the Committee on Oversight and Government Reform.

By Mr. SNYDER (for himself, Mr. WAMP, Mr. BERRY, Mr. ROSS, Mr. BOOZMAN, and Mr. DAVIS of Illinois):

H. Res. 329. A resolution recognizing the anniversary of the tragic accident of the steamboat ship SS Sultana; to the Committee on Armed Services.

By Mr. TANNER (for himself, Mr. DUNCAN, Mr. DAVIS of Tennessee, Mrs. BLACKBURN, Mr. ROE of Tennessee, Mr. COHEN, Mr. COOPER, Mr. GORDON of Tennessee, and Mr. WAMP):

H. Res. 330. A resolution expressing the sense of the House of Representatives that the Secretary of the Navy should name an appropriate Navy ship in honor of Marine Corps General Clifton B. Cates of Tiptonville, Tennessee; to the Committee on Armed Services.

By Mrs. TAUSCHER (for herself, Mr. WOLF, and Ms. WASSERMAN SCHULTZ):

H. Res. 331. A resolution supporting the goals and ideals of National Drowning Prevention and Water Safety Month; to the Committee on Energy and Commerce.

By Mr. TIAHRT:

H. Res. 332. A resolution providing that the House of Representatives will focus on removing barriers to a prosperous economy and therefore renew the dream; to the Committee on Education and Labor.

By Ms. WOOLSEY (for herself, Ms. LEE of California, Mr. CONYERS, and Mr. FATTAH):

H. Res. 333. A resolution recognizing nonproliferation options for nuclear understanding to keep everyone safe (NO NUKES); to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII,

14. The SPEAKER presented a memorial of the State Senate of Oklahoma, relative to Senate Resolution No. 5 strongly opposing the federal Freedom of Choice Act; and directing distribution; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. TIBERI introduced a bill (H.R. 1979) for the relief of Mary Cole, Decontee Cole, Emmanuel Cole, Anna Cole, Yon Deh Cole, and Emmanuel Cole, Jr; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. ROONEY, Ms. CLARKE, Mr. MEEK of Florida, Ms. BALDWIN, Mr. PETERS, and Mr. JOHNSON of Illinois.

H.R. 24: Mr. BISHOP of Utah, Mr. YOUNG of Alaska, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CAMP, Mr. LYNCH, Mr. MARIO DIAZ-BALART of Florida, Mrs. SCHMIDT, Mr. WAMP, Mr. FILNER, Mr. SMITH of Washington, Mr. NUNES, Mr. ETHERIDGE, Mr. EHLERS, Mr. SMITH of Texas, Mr. COOPER, Mr. NADLER of New York, Mr. ROONEY, Ms. JENKINS, Mr. LATHAM, Mr. UPTON, Mr. ROGERS of Michigan, Mr. WEXLER, Mr. FLEMING, Ms. FALLIN, Mr. KISSELL, Mr. BILBRAY, Mr. MILLER of North Carolina, Mr. ROE of Tennessee, Mr. COFFMAN of Colorado, Mr. SOUDER, Mr. CLAY, Mr. MCCARTHY of California, and Mr. PETRI.

H.R. 43: Mr. BARTLETT, Mr. CLEAVER, Ms. BALDWIN, Mr. RUPPERSBERGER, Mr. MICHAUD, Mr. LEVIN, Mr. TURNER, Ms. LINDA T. SÁNCHEZ of California, Mr. ALTMIRE, Mr. KIND, Mr. GORDON of Tennessee, and Mr. DAVIS of Kentucky.

H.R. 82: Ms. GRANGER, Mrs. MCMORRIS RODGERS, Mr. RODRIGUEZ, Mr. RUSH, and Ms. SCHWARTZ.

H.R. 144: Mr. MEEKS of New York.

H.R. 154: Mr. SIRES.

H.R. 179: Mr. DAVIS of Illinois.

H.R. 197: Mr. WITTMAN, Mrs. LUMMIS, Mr. WESTMORELAND, and Mr. HENSARLING.

H.R. 207: Mr. ROONEY, Mr. MARSHALL, Mr. MILLER of Florida, Mr. REYES, and Mr. JONES.

H.R. 211: Mr. LOBIONDO, Mr. HOLDEN, and Mr. PAYNE.

H.R. 235: Mr. MINNICK, Mr. CONNOLLY of Virginia, Ms. WATERS, Mrs. MYRICK, Ms. FALLIN, and Mr. FOSTER.

H.R. 270: Ms. GINNY BROWN-WAITE of Florida.

H.R. 275: Mr. SIMPSON and Mr. ALTMIRE.

H.R. 301: Mr. THORNBERRY.

H.R. 302: Mr. KLEIN of Florida.

H.R. 303: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. MCHUGH.

H.R. 333: Mr. ORTIZ and Mr. WALZ.

H.R. 347: Ms. MCCOLLUM, Mr. LARSEN of Washington, Mr. BAIRD, Ms. BALDWIN, Mr. BARTLETT, Mr. TIERNEY, Ms. BEAN, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BOOZMAN, Mr. BOREN, Mr. CARNEY, Ms. CASTOR of Florida, Mr. CLEAVER, Mr. DEFAZIO, Ms. DEGETTE, Mr. DOGGETT, Mr. DOYLE, Mr. DREIER, Mr. ELLISON, Mr. ELLSWORTH, Mr. ENGEL, Mr. FORTENBERRY, Mr. FRANK of Massachusetts, Mr. GOHMERT, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HALL of Texas, Mr. HOLDEN, Mr. JACKSON of Illinois, Mr. KAGEN, Mr. KANJORSKI, Mr. KIND, Mr. KINGSTON, Mr. KENNEDY, Mr. KIRK, Mr. KLEIN of Florida, Mr. KUCINICH, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. MOLLOHAN, Mr. NADLER of New York, Mr. NEAL of Massachusetts, Mr. OBEY, Mr. ORTIZ, Mr. PAYNE, Mr. PERLMUTTER, Mr. PERRIELLO, Mr. PETERS, Mr. RADANOVICH, Mr. ROYCE, Ms. SCHAKOWSKY, Mr. SIRES, Mr. TEAGUE, Mr. TIAHRT, Ms. Titus, Mr. VAN HOLLEN, Mr. WALZ, Mr. WATT, Mr. WELCH, Mr. WEXLER, and Mr. WILSON of Ohio.

H.R. 415: Mr. YOUNG of Alaska and Mr. WILSON of South Carolina.

H.R. 422: Ms. CLARKE, Mr. PAULSEN, Mr. HIGGINS, Ms. GRANGER, Ms. GINNY BROWN-WAITE of Florida, Mr. HELLER, and Ms. ESHOO.

H.R. 424: Mr. LANCE.

H.R. 442: Mr. HENSARLING.

H.R. 444: Ms. HERSETH SANDLIN, Mr. BRADY of Pennsylvania, and Mr. BISHOP of Georgia.

H.R. 468: Ms. KILPATRICK of Michigan.

H.R. 498: Mr. PITTS.

H.R. 503: Mr. KENNEDY and Mr. DOYLE.

H.R. 520: Mr. BLUMENAUER, Mr. WEINER, and Mr. HALL of New York.

H.R. 556: Mrs. TAUSCHER and Ms. HIRONO.

H.R. 557: Mr. GERLACH, Mr. DANIEL E. LUNGREN of California, and Mr. LUETKEMEYER.

H.R. 560: Mr. NEUGEBAUER.

H.R. 574: Mr. LOBIONDO.

H.R. 616: Mr. SCHIFF, Ms. JENKINS, and Ms. VELÁZQUEZ.

H.R. 708: Mr. ELLSWORTH and Mr. JONES.

H.R. 745: Mr. BILIRAKIS, Mr. COHEN, Mr. BRADY of Pennsylvania, Mr. NYE, Mr. STARK, Mr. KANJORSKI, Mr. PUTNAM, Mr. DENT, Mr. MICA, and Mr. PALLONE.

H.R. 764: Mr. WITTMAN.

H.R. 775: Mr. SALAZAR, Mr. ELLSWORTH, and Mr. DAVIS of Tennessee.

H.R. 832: Ms. VELÁZQUEZ.

H.R. 836: Ms. GIFFORDS, Mr. CAMPBELL, Ms. MARKEY of Colorado, Mr. STUPAK, Mr. BARTLETT, Mrs. MCMORRIS RODGERS, Mr. PETRI, Mr. BONNER, Mr. KING of Iowa, Mr. ALEXANDER, Mr. SHIMKUS, Mr. ROSS, Mrs. BIGGERT, Mrs. TAUSCHER, Mr. LOEBSACK, Mr. MAFFEI, Mrs. EMERSON, Mr. WALZ, and Mr. COSTA.

H.R. 848: Ms. FUDGE, Mr. GEORGE MILLER of California, and Mr. WAMP.

H.R. 855: Ms. KOSMAS.

H.R. 874: Mr. RUSH and Ms. DEGETTE.

H.R. 890: Mr. MCDERMOTT.

H.R. 896: Mr. GARRETT of New Jersey.

H.R. 900: Mr. GARRETT of New Jersey.

H.R. 904: Mr. BRADY of Pennsylvania.

H.R. 914: Mr. LATTA and Mr. SOUDER.

H.R. 916: Mr. BISHOP of New York.

H.R. 930: Mr. BUTTERFIELD.

H.R. 948: Mr. ALTMIRE.

H.R. 959: Mr. FATTAH.

H.R. 964: Mr. GARRETT of New Jersey.

H.R. 984: Mr. FILNER and Mr. BOUCHER.

H.R. 988: Mr. RUPPERSBERGER and Mr. SOUDER.

H.R. 1024: Mr. GEORGE MILLER of California and Mr. MCDERMOTT.
H.R. 1027: Mr. JONES.
H.R. 1033: Mr. PAYNE.
H.R. 1050: Mr. BOEHNER.
H.R. 1061: Mr. COLE.
H.R. 1064: Mr. CONYERS.
H.R. 1067: Mr. BISHOP of New York.
H.R. 1068: Mr. BRALEY of Iowa and Mr. MICHAUD.
H.R. 1074: Mr. HENSARLING.
H.R. 1077: Mr. BISHOP of Georgia, Mr. ROGERS of Kentucky, and Mr. DEFAZIO.
H.R. 1126: Mr. POLIS of Colorado, Mr. ISRAEL, Mr. JOHNSON of Georgia, Mr. GERLACH, and Mr. PAULSEN.
H.R. 1132: Mr. HIGGINS and Mrs. MILLER of Michigan.
H.R. 1158: Mr. CONAWAY and Mr. SCOTT of Virginia.
H.R. 1161: Mr. WILSON of Ohio.
H.R. 1178: Mr. EHLERS, Mr. BURTON of Indiana, Mrs. MILLER of Michigan, Ms. JACKSON-LEE of Texas, Mr. ROHRABACHER, Mr. BROWN of South Carolina, Mr. PLATTS, Mr. CARNEY, Mr. PASTOR of Arizona, Mr. COBLE, Mr. BLUMENAUER, Ms. HERSETH SANDLIN, Mr. CARSON of Indiana, Mr. PAULSEN, Mr. GORDON of Tennessee, Mr. UPTON, and Mr. CASTLE.
H.R. 1179: Mrs. MALONEY.
H.R. 1180: Mr. LAMBORN.
H.R. 1185: Ms. SCHAKOWSKY, Mr. OLVER, Mr. BOUCHER, Mr. MCNERNEY, and Mr. SARBANES.
H.R. 1189: Mr. TOWNS, Mr. GRIJALVA, Mr. GERLACH, Mr. DENT, and Mr. LEWIS of Georgia.
H.R. 1193: Mrs. EMERSON.
H.R. 1203: Mr. ELLSWORTH, Mr. MANZULLO, Mr. MILLER of Florida, Mr. BARRETT of South Carolina, Mr. DEAL of Georgia, Mr. LUCAS, Mr. MCINTYRE, Mrs. CAPPS, Mr. SOUDER, Mr. MCHUGH, and Mr. BISHOP of New York.
H.R. 1205: Mr. ROONEY, Mr. KING of New York, Mr. CANTOR, Mr. NUNES, Mr. NEUGEBAUER, Mr. ROE of Tennessee, and Mr. CAMPBELL.
H.R. 1206: Mr. GARRETT of New Jersey, Mr. WESTMORELAND, and Mr. LUETKEMEYER.
H.R. 1207: Ms. FALLIN, Mr. SMITH of Texas, and Mr. WESTMORELAND.
H.R. 1208: Mr. BONNER, Mr. DANIEL E. LUNGREN of California, Mr. TIAHRT, Mr. SMITH of Texas, Mr. GOODLATTE, Mr. WESTMORELAND, and Mr. LUETKEMEYER.
H.R. 1209: Mr. BONNER, Mr. ADERHOLT, Mr. BARROW, Mr. ORTIZ, Mr. LARSEN of Washington, Mr. CRENSHAW, Mr. BURGESS, Mr. LOBIONDO, Mr. CULBERSON, Ms. GINNY BROWN-WAITE of Florida, Mr. BRADY of Texas, Mr. CAMP, and Mr. HUNTER.
H.R. 1210: Mr. GRIJALVA.
H.R. 1230: Mr. HONDA.
H.R. 1242: Mr. STEARNS and Ms. MATSUI.
H.R. 1243: Mr. ACKERMAN, Mr. ANDREWS, Mr. BARRETT of South Carolina, Ms. BERKLEY, Mrs. BLACKBURN, Mrs. BONO MACK, Mr. BRADY of Pennsylvania, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Mr. CAMPBELL, Mr. CAO, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Ms. CASTOR of Florida, Mr. CHAFFETZ, Mr. CHILDERS, Mrs. CHRISTENSEN, Mr. CLEAVER, Mr. CONAWAY, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. COOPER, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAHLKEMPER, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEAL of Georgia, Ms. DEGETTE, Ms. DELAURO, Mr. DENT, Mr. DOYLE, Mr. EHLERS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FOSTER, Mr. MACK, Mr. MARCHANT, Mr. MARKEY of Massachusetts, Ms. MATSUI, Mr. MEEK of Florida, Mr. MELANCON, Mr. MORAN of Virginia, Mr. NEAL of Massachusetts, Mr. NEUGEBAUER, Mr. NUNES, Mr. OBEY, Mr. PASCRELL, Mr. PASTOR of Arizona, Mr. PAULSEN, Mr. PETERSON, Mr. PIERLUISI, Mr. POMEROY, Mr. PRICE of Georgia, Mr. PUTNAM, Mr. RADANOVICH, Mr. RANGEL, Mr. RYAN of Wisconsin, Mr. RYAN of Ohio, Mr. SCALISE, Mr. SCOTT of Virginia, Mr. SESSIONS, Mr. SNYDER, Mr. STARK, Mr. TIERNEY, Mr. TONKO, Mr. TOWNS, Ms. WATERS, Mr. WELCH, Mr. WEXLER, Mr. HEINRICH, Mr. HENSARLING, Mr. HERGER, Ms. HERSETH SANDLIN, Ms. FUDGE, Mr. GARRETT of New Jersey, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. HALL of New York, Mr. HARE, Ms. HARMAN, Mr. HIGGINS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KILROY, Mr. KISSELL, Mr. KLEIN of Florida, Mr. LANCE, Mr. LEE of New York, Mr. DANIEL E. LUNGREN of California, Mr. LYNCH, Mrs. MCCARTHY of New York, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Ms. MCCOLLUM, Mr. MCDERMOTT, and Mr. MCINTYRE.
H.R. 1250: Mr. TIBERI, Mr. SESSIONS, Ms. SLAUGHTER, Mr. PLATTS, Mr. BLUNT, and Mr. PAULSEN.
H.R. 1269: Mr. MARSHALL.
H.R. 1283: Mr. DOGGETT.
H.R. 1294: Mr. HELLER, Mr. ROE of Tennessee, Mr. SMITH of Nebraska, and Mr. PAULSEN.
H.R. 1298: Mr. WOLF and Ms. SCHAKOWSKY.
H.R. 1300: Mr. SMITH of Nebraska.
H.R. 1305: Mrs. MYRICK.
H.R. 1308: Mr. HIMES, Mr. YOUNG of Florida, Mr. FILNER, Mr. SCHIFF, Mr. RODRIGUEZ, and Mr. MINNICK.
H.R. 1310: Ms. MATSUI, Mrs. LOWEY, and Mr. LIPINSKI.
H.R. 1313: Mr. REHBERG.
H.R. 1318: Mr. BERMAN.
H.R. 1324: Mr. KIND, Mr. LARSEN of Washington, Mr. SCHAUER, Mr. FRANK of Massachusetts, Mr. SABLAN, and Ms. MATSUI.
H.R. 1335: Ms. SCHAKOWSKY, Mr. PASTOR of Arizona, Mr. GRIJALVA, Mr. BOCCIERI, Ms. ROS-LEHTINEN, Mr. ADLER of New Jersey, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1349: Mr. DICKS.
H.R. 1350: Mr. SOUDER.
H.R. 1351: Mr. PASCRELL.
H.R. 1352: Mr. SPRATT, Mr. GRAVES, Mr. BONNER, Mr. BARTLETT, Mr. BROWN of of Massachusetts.
H.R. 1386: Ms. GIFFORDS.
H.R. 1389: Mr. BISHOP of New York.
H.R. 1392: Mr. SESSIONS.
H.R. 1398: Mr. MCINTYRE.
H.R. 1403: Mr. SOUDER.
H.R. 1414: Ms. GINNY BROWN-WAITE of Florida.
H.R. 1433: Mr. ISRAEL.
H.R. 1443: Mr. STARK, Mr. CARNAHAN, Mr. POLIS of Colorado, Mr. CARSON of Indiana, Mr. MORAN of Virginia, Ms. SCHWARTZ, Mr. BLUMENAUER, Ms. WOOLSEY, and Mr. LIPINSKI.
H.R. 1449: Mr. GORDON of Tennessee.
H.R. 1454: Mr. CASSIDY, Mr. SOUDER, Mr. BARRETT of South Carolina, Mr. MACK, Mr. WILSON of South Carolina, and Mr. COBLE.
H.R. 1458: Mr. GORDON of Tennessee.
H.R. 1470: Mr. SOUDER and Mr. LATTA.
H.R. 1483: Mr. THOMPSON of California.
H.R. 1499: Mr. SOUDER.
H.R. 1509: Mr. LATTA.
H.R. 1521: Mr. MEEKS of New York, Mr. REHBERG, and Mr. LATTA.
H.R. 1548: Mr. PRICE of North Carolina.
H.R. 1550: Mr. CLAY.
H.R. 1551: Mr. PAYNE and Mr. HONDA.
H.R. 1558: Mr. KILDEE and Mr. FRANK of Massachusetts.
H.R. 1584: Mr. BROWN of South Carolina and Mr. TIERNEY.
H.R. 1585: Mr. LIPINSKI and Mr. HONDA.
H.R. 1587: Mr. SCHAUER, Mr. SESSIONS, Mr. LOBIONDO, Mr. MCKEON, Mr. MCCOTTER, and Mr. MASSA.
H.R. 1588: Mr. MCCARTHY of California.
H.R. 1604: Mrs. MALONEY, Mr. MICHAUD, Mr. WU, Mr. ELLISON, Mr. BISHOP of Georgia, Mr. PETERSON, Mr. BERMAN, and Mr. ROTHMAN of New Jersey.
H.R. 1605: Ms. MOORE of Wisconsin and Mr. MCMAHON.
H.R. 1612: Mrs. CHRISTENSEN, Mr. INSLEE, Ms. BORDALLO, and Mr. HOLT.
H.R. 1615: Mr. CHAFFETZ.
H.R. 1616: Ms. ESHOO, Mr. SARBANES, and Ms. WATERS.
H.R. 1621: Mr. MILLER of Florida.
H.R. 1622: Mr. BURGESS and Mr. MASSA.
H.R. 1646: Ms. BORDALLO.
H.R. 1662: Mr. GONZALEZ, Mr. DAVIS of Tennessee, Mr. CARNAHAN, Mr. DONNELLY of Indiana, Mr. CARNEY, Mr. PERLMUTTER, Mr. BUTTERFIELD, Mr. SHULER, Mrs. MCCARTHY of New York, Mr. WEINER, Mr. HINCHEY, Mr. CLEAVER, Mr. MILLER of North Carolina, Mr. ISRAEL, Mr. MOLLOHAN, Mr. HOLT, Mr. HASTINGS of Florida, Mr. BOREN, Ms. WASSERMAN SCHULTZ, Mr. BACA, and Mr. JOHNSON of Georgia.
H.R. 1671: Mr. BAIRD, Mr. MCDERMOTT, Mr. GOODLATTE, and Mr. GENE GREEN of Texas.
H.R. 1673: Mr. WAMP.
H.R. 1677: Ms. SUTTON, Ms. TSONGAS, Mr. TONKO, and Mr. FILNER.
H.R. 1681: Mr. COURTNEY and Mr. FILNER.
H.R. 1683: Mr. DEFAZIO.
H.R. 1685: Mr. PAYNE.
H.R. 1686: Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 1689: Mr. SOUDER.
H.R. 1690: Mr. MCDERMOTT.
H.R. 1701: Mr. PLATTS.
H.R. 1710: Mr. CONNOLLY of Virginia, Mr. GORDON of Tennessee, Mr. CARSON of Indiana, and Mr. BISHOP of Georgia.
H.R. 1723: Ms. KILPATRICK of Michigan, Mr. SERRANO, Mr. SABLAN, Mr. LEWIS of Georgia, Ms. DELAURO, Ms. SCHAKOWSKY, and Ms. LEE of California.
H.R. 1737: Mr. MEEKS of New York.
H.R. 1740: Mr. WITTMAN, Mr. VISCLOSKY, Mr. MCHUGH, Mr. WHITFIELD, Mr. GRIJALVA, Ms. DEGETTE, Mr. BISHOP of Georgia, and Mr. YOUNG of Florida.
H.R. 1744: Mr. BOOZMAN, Mr. REYES, Mrs. BACHMANN, Ms. FOXX, Mr. WAMP, Mr. BLUNT, and Mr. COBLE.
H.R. 1749: Ms. ESHOO.
H.R. 1762: Ms. GIFFORDS and Mr. FRANKS of Arizona.
H.R. 1764: Ms. CLARKE.
H.R. 1778: Mr. CONNOLLY of Virginia and Ms. DEGETTE.
H.R. 1799: Mr. WESTMORELAND and Mr. COHEN.
H.R. 1800: Mr. WEXLER.
H.R. 1802: Mr. HELLER and Mr. BURTON of Indiana.
H.R. 1805: Mr. GINGREY of Georgia, Mr. MARCHANT, Mr. BARTLETT, and Mr. BURTON of Indiana.
H.R. 1814: Mr. GINGREY of Georgia and Mr. MARCHANT.
H.R. 1815: Ms. FOXX, Mr. WILSON of South Carolina, Mr. ROGERS of Kentucky, and Mrs. BONO MACK.
H.R. 1829: Ms. ROYBAL-ALLARD.
H.R. 1831: Mr. NUNES, Mr. MORAN of Virginia, Mr. TANNER, Mr. SIMPSON, and Mr. WELCH.
H.R. 1836: Mr. NYE.
H.R. 1844: Mr. WOLF.
H.R. 1846: Mr. MINNICK.
H.R. 1864: Mr. MCKEON, Mr. BISHOP of Utah, and Mr. COFFMAN of Colorado.
H.J. Res. 41: Mr. HOEKSTRA and Mr. MARCHANT.
H. Con. Res. 29: Mr. GERLACH.
H. Con. Res. 48: Mr. WELCH, Mr. KIND, Mrs. DAVIS of California, and Mrs. DAHLKEMPER.
H. Con. Res. 49: Mr. HELLER, Mr. FATTAH, Mr. STEARNS, Mr. RUPPERSBERGER, Mr. PAULSEN, Mr. SPACE, Ms. FALLIN, Mr. CHANDLER, Mr. ANDREWS, and Mr. LAMBORN.
H. Con. Res. 92: Mr. HASTINGS of Florida.
H. Res. 20: Mr. GARRETT of New Jersey.
H. Res. 42: Mr. YOUNG of Alaska.

H. Res. 65: Mr. COHEN.
H. Res. 111: Mr. FOSTER.
H. Res. 130: Mr. PAYNE, Mr. COSTA, and Mr. PASCRELL.
H. Res. 159: Ms. MOORE of Wisconsin and Ms. DELAURO.
H. Res. 191: Mr. CAMPBELL.
H. Res. 204: Mr. GORDON of Tennessee, Mr. FRANK of Massachusetts, Mr. SOUDER, Mr. YOUNG of Alaska, and Mr. JONES.
H. Res. 208: Mr. MCHENRY.
H. Res. 244: Mr. SOUDER.
H. Res. 245: Mr. MOORE of Kansas and Mr. TERRY.
H. Res. 248: Mrs. CAPITO.
H. Res. 252: Mr. ROSKAM, Mr. PETERSON, Mr. FRELINGHUYSEN, Mr. CLEAVER, and Ms. ROYBAL-ALLARD.
H. Res. 260: Mr. BRADY of Pennsylvania.
H. Res. 274: Mr. KAGEN, Mr. CONYERS, and Mr. FRANK of Massachusetts.
H. Res. 283: Mr. LAMBORN.
H. Res. 293: Mr. SMITH of New Jersey, Mr. PALLONE, Mr. PAYNE, Mr. SIRES, Mr. LANCE, and Mr. ROTHMAN of New Jersey.
H. Res. 299: Mr. FARR, Mr. FILNER, Ms. KILPATRICK of Michigan, Mr. CLAY, and Ms. NORTON.
H. Res. 300: Mr. RANGEL and Mr. WELCH.
H. Res. 301: Mr. VAN HOLLEN, Mr. MEEKS of New York, Mr. GRIJALVA, and Mr. BOREN.
H. Res. 309: Mr. SIRES and Mr. CONNOLLY of Virginia.
H. Res. 311: Mr. ACKERMAN, Mr. ROSS, and Mr. ELLISON.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

23. The SPEAKER presented a petition of the Township of Irvington, New Jersey, relative to Resolution MC 09-0210-8 In Support of and Recommending for Consideration Certain Legislative Initiatives To Be Included Within the Pending Federal Economic Stimulus Plan; to the Committee on Education and Labor.

24. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 87 of 2009 Requesting That The United States House of Representatives and Senate Create, Introduce And Pass Legislation That Would Direct the Nuclear Regulatory Commission (NRC) To Amend 10 CFR Part 54 of The Commission's Regulations (Requirements For Renewal of Operating Licenses For Nuclear Power Plants) To Include The Criteria Used In Licensing A Power Plant; to the Committee on Energy and Commerce.

25. Also, a petition of the City of North Miami Beach, Florida, relative to Resolution No. R2009-14 Expressing Opposition to and Strong Concerns Regarding Senate Bill 630 and Similar Legislation That Would Impose a Moratorium on the Collection of Impact Fees By Local Governments; jointly to the Committees on the Judiciary and Energy and Commerce.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, THURSDAY, APRIL 2, 2009 No. 56

Senate

The Senate met at 10 a.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, whose inward presence means cleansing, forgiveness, peace, and power, dissolve the barriers that keep our souls from You. Remove from our lawmakers the self-sufficiency that ignores their need of You and make their hearts receptive to Your plans. Lord, bestow upon them special gifts of wisdom and understanding that they may uphold what is right and follow what is true. Increase their faith, strengthen their judgment, and quicken their zeal for integrity and honor. Spirit of the living God, fall afresh on them. Radiate Your hope through their labors, as they expect to see Your best for our Nation and world.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR 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, April 2, 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 L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of the budget resolution. Of the statutory time allotted to the budget resolution, 1½ hours remains. Upon the use or yielding back of that time, the Senate will proceed to a series of votes in relation to the pending amendments and any other amendments offered to the budget resolution. We expect those votes will occur around 11:30 a.m., give or take a few minutes.

Under an agreement reached last night, there will be 2 minutes for debate equally divided prior to each vote. Each vote after the first vote will be 10 minutes in duration. Senators should expect rollcall votes throughout the day and maybe even into the evening. Once we start, we have to finish this budget resolution. I encourage Senators to stay here. The first vote will be 15 minutes. After that, there will be 10-minute votes, and we are going to enforce that time. If Members are not here, they will not be counted. The clerks are going to be instructed to turn the votes in very quickly.

JOHN MCCAIN

Mr. REID. Mr. President, let me take a minute to say something because of my friend, JOHN MCCAIN. Every day I come and open the Senate, we give the Pledge of Allegiance to the flag. We do that because of the country and what that flag stands for. But I was struck today having JOHN MCCAIN in the Chamber. Really, he is representative of what that flag is all about—someone who not only comes from a lineage of people who have served our country, but this good man has served our country in so many different ways.

We came to Washington together in 1982. We came to the Senate together in 1986. I can remember while I was still in the House of Representatives I attended a prayer breakfast, and Senator MCCAIN was the presenter. I cannot do justice and I will not even try to describe the presentation he made about a Christmas celebration they had when he was a prisoner of war. He spent so much time in solitary confinement. He could have left the prison much earlier. He would not do that because his comrades were still there.

We take a lot of things for granted. Even though JOHN MCCAIN and I have disagreed on occasion on things political, one thing that will always be in my mind and my heart is people such as JOHN MCCAIN who represent what our country is all about.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

JOHN MCCAIN

Mr. MCCONNELL. Mr. President, the majority leader said it well. No one has done more for his country than JOHN MCCAIN. We are all privileged to be able to serve with him in the Senate.

Mr. MCCAIN. Mr. President, I thank both leaders. I thank my friend from Nevada. He and I came to the House of Representatives together many years ago. I thank him for his leadership. As

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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he mentioned, we have strong disagreements from time to time, but we have always made a strong effort—and I think successfully—to remain respectful of each other's views. I appreciate his kind words today and that of the Republican leader. I thank them.

THE BUDGET

Mr. MCCONNELL. Mr. President, anyone who turned on C–SPAN2 over the past 2 weeks could be excused for wondering what has been going on here in the Capitol. Most people outside Washington do not know much about reconciliation instructions or points of order. But behind the legislative lingo, an extremely important debate has been taking place on the Senate floor. It is a debate about the future of our country. And in the course of that debate, two very different philosophies have emerged. On one side are those who think American lives will improve in direct proportion to the size of the Federal Government; that the answer to all the challenges we face as a nation is to just simply follow Europe, where people look to the government for almost everything from the cradle to the grave. On the other side are those who think Government has an important role to play in keeping people safe and creating the conditions in which Americans can succeed and that Government can also play a role in helping people weather temporary or permanent troubles and even to provide temporary help to private institutions if the failure of those institutions imperils the well-being of the whole.

But in all these areas, the role of Government is limited. Liberty and freedom are primary. The first group defends the administration's budget proposal which we first saw a couple of months ago and which outlines the administration's vision for America over the next several years. The second group has warned about the consequences of the budget, which calls for a dramatic and potentially irreversible shift of our Nation to the left in the areas of health care, education, and private enterprise, and which in order to get there imposes the biggest tax hike in history, massive spending, and a titanic amount of debt our children and grandchildren will have to pay back.

This is a debate that has been worth tuning in to because its outcome affects absolutely everyone. So I would like to highlight just a couple of things we have seen over the course of this debate that everyone should know.

The first thing people should know is the one thing that many already do know: The administration's budget simply taxes too much, spends too much, and borrows too much at a moment, interestingly enough, when we can least afford it. There is good reason to believe the American people agree. Several of the amendments Republicans have proposed adding to the budget as a way of protecting American businesses and families have been approved by wide, bipartisan margins.

The American people cannot afford new taxes, and that is why Senators approved the Johanns amendment yesterday, an amendment which forces an open debate on the budget's proposal for a massive new national energy tax that would hit every American family by up to $3,100 a year. As the senior Senator from Missouri put it on Tuesday, ''Families are struggling to make ends meet, unable to pay their mortgage, bills or debts . . . We should oppose an energy tax.''

The junior Senator from Nevada also knows Americans cannot afford having their taxes raised, especially in a recession. That is why he offered an amendment yesterday that would make it harder to raise taxes on middle-class couples. As he put it, ''Americans are struggling to pay for life's essentials . . . What we should be discussing is extending tax relief,'' not raising taxes. This is common sense. His amendment passed.

The junior Senator from Texas knows that business owners cannot afford a tax hike. That is why he offered an amendment that would make it harder for Democrats to raise taxes on small businesses. This is also common sense. His amendment also was adopted overwhelmingly.

Americans know the trouble they get into when they spend money they do not have, and they do not want Government to spend money it does not have. That is why the junior Senator from Alabama came to the floor Monday and lamented the lack of fiscal responsibility in this budget.

The American people are worried about the size of the national debt, and they are worried about a budget that doubles that debt in 5 years and triples it in 10—a budget that adds more debt in 5 years than the entire debt accumulated under every President from George Washington through George W. Bush. The senior Senator from Tennessee is worried about the size of the debt too, and that is why he offered an amendment to keep the growth of that debt relative to the GDP in check. As he put it on the Senate floor on Tuesday:

> 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're trying to put a fence around him before he gets into the next country.

Democrats rejected that amendment too.

Throughout this debate, Americans have started to focus a lot on the national debt, and they have heard some troubling things.

If they were listening Tuesday, they would have heard a very illuminating discussion on the topic between the senior Senator from Tennessee and the senior Senator from New Hampshire. The senior Senator from New Hampshire said that at the end of this budget, every American household will have an obligation relative to the Federal debt of $133,000—$133,000 per household. The senior Senator from Tennessee asked who holds that debt. The answer, of course, is that China is the primary holder of that debt, along with Russia and oil-producing nations in the Middle East.

Americans are worried about more Government spending, higher taxes, and higher debt that we may never be able to repay, and a lot of groups that represent these Americans are amassing against these things. Groups opposed to this budget include the National Association of Manufacturers, the Tax Relief Coalition, the American Conservative Union, Americans for Prosperity, Citizens Against Government Waste, the Club for Growth, the Council on National Policy, Associated Builders and Contractors, Independent Electric Contractors, International Foodservice Distributors Administration, and the National Association of Wholesaler-Distributors. These groups represent millions of small business owners, independent contractors, and millions of ordinary Americans who do not want to see their dreams fade away because of someone else's vision of what Government should do for them.

Americans want the freedom to do for themselves, and they worry freedom may slip away if this budget passes in its current form. They cannot afford a new national energy tax that could cost every American household up to $3,100 a year. They do not want to have to pay for 250,000 bureaucrats who will be needed just to spend the money this budget wants to spend. And they do not want their children literally buried in debt. What Americans want is for Republicans and Democrats to work together to craft a budget that let's them keep their hard-earned wages, spends their tax dollars wisely, and does not saddle their children and grandchildren with debt. That is what they have not seen this week.

What they also will not see are the backdoor negotiations where the chairman of the Budget Committee, the senior Senator from North Dakota, has said he will strip out many of these good amendments we have adopted this week and where some budget writers intend to fast track a massive new energy tax even though we passed an amendment to keep that from happening. Americans oppose this energy tax. And if the senior Senator from North Dakota has as much influence over the outcome of the budget as I hope he does, then he will make sure that the will of the Senate and the American people is reflected in the final product. I hope he will make sure that a new national energy tax costing American households up to $3,100 a year is not rushed through Congress on a party-line vote.

So the drama that has unfolded in the Senate put two very different philosophies on display. It showed Republicans fighting to keep our Nation from an irreversible drift to the left, and it showed some Democrats agreeing to

some of our proposals. But the proof of their commitment is in the final product—what finally comes out of conference.

This debate isn't over with the passage of this budget today, and Republicans are not finished fighting on behalf of the priorities of the American people—not even close.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume 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 2011.

Pending:

Ensign amendment No. 805, to require certain higher income beneficiaries enrolled in the Medicare prescription drug benefit to pay higher premiums, as is currently required for physicians' services and outpatient services, and as proposed in the budget of the U.S. Government most recently submitted by the President.

McCain amendment No. 882, in the nature of a substitute.

The ACTING PRESIDENT pro tempore. Under the previous order, there is 90 minutes of debate remaining on the resolution, of which 40 minutes is for the debate of amendment No. 882, offered by the Senator from Arizona, Mr. MCCAIN.

The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I am going to respond briefly to the Republican leader and then we will go to the McCain amendment.

First of all, I have just listened to remarks that are an attempt to rewrite history. Trying to put this deficit and this debt at the door of our new President is simply misplaced. He inherited a debt that was doubled over the last 8 years, and most of my friends on the other side were silent sentinels as that debt grew and grew and grew. Most of them said nothing; worse, they supported the policies that created that doubling of the debt. Beyond that, they tripled foreign holdings of U.S. debt and left the country in the worst recession since the Great Depression. This President inherited a crisis in the financial markets, a crisis in housing, a fiscal crisis, and two wars.

The budget that is before us is not as described by the Republican leader. The budget before us reduces the deficit by two-thirds over the 5 years of its term. In fact, as a share of GDP—which most economists say ought to be the measuring point because it excludes inflation—we reduce the deficit by three-quarters, all while maintaining the President's key priorities of reducing our dependence on foreign energy. That is not just a Presidential priority, that is an American priority. If we are going to be strong in the future, we have to dramatically reduce our dependence on foreign energy.

On education, there is a focus on excellence in education. If we are not the best educated, we are not going to be the strongest country in the world very long.

The prospect of major health care reform, which is provided for in this budget, is the 800-pound gorilla. We are now spending $1 of every $6 in this country on health care. If we stay on the current trend, we will spend more than $1 of every $3 in this country on health care. That is utterly unsustainable.

They describe the budget of the President as having all these tax increases. I would remind my colleagues that when the Congressional Budget Office scores the President's budget, they say there is $2.2 trillion in tax cuts. If they look at the budget I have offered, which is a 5-year budget instead of a 10-year budget, it has $825 billion in tax cuts on a net basis. As I say, all while cutting the deficit in half, which was the President's goal. In the President's budget and the budget I have offered, we cut it by two-thirds.

Now, on spending. Well, on spending, the hard fact is, the budget I have offered reduces deficits and debt by $608 billion compared to the President's budget, on a 5-year comparison to a 5-year comparison. We reduce it by $608 billion in the budget that is before us. And on spending, we increase domestic spending, on average, by 2½ percent a year. Believe me, I have heard lots of criticism from the left with respect to the fact that is not enough. But when you lose $2.3 trillion in revenue because of the new CBO forecast, we felt it was necessary to make adjustments in the President's budget while maintaining his priorities.

Now, in terms of middle-class tax relief, which is contained in this budget, let me be clear that all the provisions from 2001 and 2003 are included in this budget. The 10-percent bracket, the child tax credit, the marriage penalty relief, the education incentives—all of it—is in this budget and an extension for the full 5 years.

In addition, the President's Make Work Pay provision was previously provided for in the stimulus package for 2 years, and we provide the ability to extend that, if there are offsets. In addition, we have provided for alternative minimum tax reform, fully funded for 3 years. No other budgets in the last 5 years have done it for that long. It has always been a year-by-year fix.

On estate tax reform, we take the provisions from 2009 and extend them for 2010—a $3.5 million exemption per person, $7 million per family. Instead of going back to $1 million in 2011, we continue that $3.5 million exclusion per person, $7 million per couple, adjusted for inflation.

We also provide for the business tax provisions and the extenders fully paid for. That is a total of almost a trillion dollars of tax relief, offset by certain loophole closers to go after these abusive tax shelters—these offshore tax havens. We have the spectacle now of companies buying European sewer systems, not because they are in the sewer business but in order to depreciate them on their books for U.S. tax purposes. That is outrageous—United States companies buying European sewer systems so they can write them off on their books here, and then they lease them back to the European cities that built them in the first place.

The guys who came up with these scams didn't limit themselves to sewer systems. They are doing the same thing with public buildings and city halls. We have companies that have bought city halls in Europe in order to depreciate them on their books in the United States and then lease the city halls back to the European countries that built them in the first place. Is that acceptable? I don't think so. The President in his budget and we in our budget say: Enough of that. Let's shut down these abusive tax shelters. Let's shut down these offshore tax havens, which our Permanent Subcommittee on Investigations tells us is costing us $100 billion a year.

If anybody wonders about it, read the Stanford saga. Mr. Stanford was running these offshore tax havens; running billions of dollars through these offshore tax havens. Why? Why are they sending their money down to the Cayman Islands? Is it because they think the banks down there are more secure? Oh, no. They are sending their money down there to dodge the tax liability in the United States. That is the basis upon which Mr. Stanford sold his services.

On a net basis, our budget has $825 billion in tax cuts. Again, on spending, domestic spending increased at an average rate of 2½ percent a year. That is pretty tough.

In our proposal, in the budget before the body, there is no energy tax. There is none contained here. This reference to a national sales tax on energy, it is not in this budget proposal. It is not there. We have a reserve fund that permits the committees of jurisdiction to come up with a way of reducing our dependence on foreign energy. We have the ability for the committees of jurisdiction to write climate change legislation. But there is no endorsement of any specific plan in this budget around climate change that has been posited by others.

I wish to make clear that this budget is responsible, it controls spending, it

reduces the deficit by two-thirds, it extends the middle-class tax cuts, and it adopts the President's priorities of reducing our dependence on foreign energy, putting a focus on excellence in education and providing the possibility of major health care reform. Those are the priorities of the American people, and they are contained in our budget.

Our budget has made significant adjustments from the President's. Again, over 5 years, we have reduced the deficit and debt in the President's proposal by $608 billion.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

AMENDMENT NO. 882, AS MODIFIED

Mr. McCAIN. Mr. President, I ask unanimous consent that the McCain substitute amendment be modified with the changes at the desk.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I appreciate the courtesy of the chairman in allowing me to do this modification. I am aware it could have been objected to, and I would like to say that the sense-of-the-Senate provision is removed because I believe that sense-of-the-Senate resolutions are not done this year in the budget resolution. There was a formula glitch that affected some of the funding levels. We have corrected the problem in the modification. We have corrected budget authority and spending levels.

I thank my friend for allowing me to make this modification.

The ACTING PRESIDENT pro tempore. The amendment has been modified.

The amendment, as modified, is 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. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reducing reserve funds for entitlement commissions—Social Security and Medicare & Medicaid.
Sec. 202. Deficit-neutral reserve fund for comprehensive healthcare reform.
Sec. 203. Deficit-neutral reserve fund for America's veterans and wounded servicemembers.
Sec. 204. Deficit-neutral reserve fund for energy security.
Sec. 205. Deficit-neutral reserve fund for tax code modernization.
Sec. 206. Deficit-neutral reserve fund for defense acquisition and contracting reform.
Sec. 207. Deficit-neutral reserve fund for a bipartisan, comprehensive investigation into the current financial crisis.

TITLE III—BUDGET PROCESS

SUBTITLE A—BUDGET ENFORCEMENT

Sec. 301. Discretionary spending limits, program integrity initiatives, and other adjustments.
Sec. 302. Point of order against advance appropriations.
Sec. 303. Emergency legislation.
Sec. 304. Point of order against legislation increasing short-term deficit.

SUBTITLE B—OTHER PROVISIONS

Sec. 311. Oversight of government performance.
Sec. 312. Budgetary treatment of certain discretionary administrative Expenses.
Sec. 313. Application and effect of changes in allocations and aggregates.
Sec. 314. Adjustments to reflect changes in concepts and definitions.
Sec. 315. Exercise of rulemaking powers.
Sec. 316. Cost estimates for conference reports and other measures.
Sec. 317. Limitation on long-term spending proposals
Sec. 318. Revenues collected from closing the tax gap are used only for debt reduction.
Sec. 319. Point of order to save Social Security first.
Sec. 320. Point of order against a budget resolution containing a debt-held-by-the-Public-to-GDP ratio that exceeds 65%.
Sec. 321. Point of order against a budget resolution containing deficit levels exceeding 8% of GDP.

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 2014:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2009: $2,186,000,000,000
Fiscal year 2010: $2,332,000,000,000
Fiscal year 2011: $2,651,000,000,000
Fiscal year 2012: $2,858,000,000,000
Fiscal year 2013: $3,025,000,000,000
Fiscal year 2014: $3,166,000,000,000
Fiscal year 2015: $3,329,000,000,000
Fiscal year 2016: $3,470,000,000,000
Fiscal year 2017: $3,625,000,000,000
Fiscal year 2018: $3,771,000,000,000
Fiscal year 2019: $3,923,000,000,000

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2009: $0
Fiscal year 2010: −$3,000,000,000
Fiscal year 2011: −$132,000,000,000
Fiscal year 2012: −$228,000,000,000
Fiscal year 2013: −$257,000,000,000
Fiscal year 2014: −$269,000,000,000
Fiscal year 2015: −$280,000,000,000
Fiscal year 2016: −$291,000,000,000
Fiscal year 2017: −$302,000,000,000
Fiscal year 2018: −$313,000,000,000
Fiscal year 2019: −$325,000,000,000

(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: *$3,672,991,000,000*
Fiscal year 2010: *$2,843,271,000,000*
Fiscal year 2011: *$2,733,991,000,000*
Fiscal year 2012: *$2,700,845,000,000*
Fiscal year 2013: *$2,828,619,000,000*
Fiscal year 2014: *$2,951,763,000,000*
Fiscal year 2015: *$3,044,960,000,000*
Fiscal year 2016: *$3,167,613,000,000*
Fiscal year 2017: *$3,238,948,000,000*
Fiscal year 2018: *$3,319,833,000,000*
Fiscal year 2019: *$3,472,009,000,000*

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2009: *$3,360,034,000,000*
Fiscal year 2010: *$2,971,983,000,000*
Fiscal year 2011: *$2,875,771,000,000*
Fiscal year 2012: *$2,752,996,000,000*
Fiscal year 2013: *$2,846,991,000,000*
Fiscal year 2014: *$2,943,836,000,000*
Fiscal year 2015: *$3,027,078,000,000*
Fiscal year 2016: *$3,150,051,000,000*
Fiscal year 2017: *$3,214,230,000,000*
Fiscal year 2018: *$3,289,783,000,000*
Fiscal year 2019: *$3,445,611,000,000*

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2009: −$1,693,000,000,000
Fiscal year 2010: −$1,190,000,000,000
Fiscal year 2011: −$798,000,000,000
Fiscal year 2012: −$502,000,000,000
Fiscal year 2013: −$477,000,000,000
Fiscal year 2014: −$484,000,000,000
Fiscal year 2015: −$459,000,000,000
Fiscal year 2016: −$503,000,000,000
Fiscal year 2017: −$481,000,000,000
Fiscal year 2018: −$484,000,000,000
Fiscal year 2019: −$448,000,000,000

(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: $11,836,000,000,000
Fiscal year 2010: $13,255,000,000,000
Fiscal year 2011: $14,321,000,000,000
Fiscal year 2012: $15,194,000,000,000
Fiscal year 2013: $16,074,000,000,000
Fiscal year 2014: $16,943,000,000,000
Fiscal year 2015: $17,774,000,000,000
Fiscal year 2016: $18,630,000,000,000
Fiscal year 2017: $19,470,000,000,000
Fiscal year 2018: $20,318,000,000,000
Fiscal year 2019: $21,093,000,000,000

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2009: $7,496,000,000,000
Fiscal year 2010: $8,686,000,000,000
Fiscal year 2011: $9,484,000,000,000
Fiscal year 2012: $9,986,000,000,000
Fiscal year 2013: $10,464,000,000,000
Fiscal year 2014: $10,948,000,000,000
Fiscal year 2015: $11,407,000,000,000
Fiscal year 2016: $11,910,000,000,000
Fiscal year 2017: $12,391,000,000,000
Fiscal year 2018: $12,875,000,000,000
Fiscal year 2019: $13,323,000,000,000

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: $654,000,000,000
Fiscal year 2010: $682,000,000,000
Fiscal year 2011: $719,000,000,000
Fiscal year 2012: $756,000,000,000
Fiscal year 2013: $803,000,000,000
Fiscal year 2014: $842,000,000,000
Fiscal year 2015: $879,000,000,000
Fiscal year 2016: $925,000,000,000
Fiscal year 2017: $962,000,000,000
Fiscal year 2018: $1,004,000,000,000
Fiscal year 2019: $1,048,000,000,000

(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: $662,000,000,000
Fiscal year 2010: $695,000,000,000
Fiscal year 2011: $721,000,000,000
Fiscal year 2012: $749,000,000,000
Fiscal year 2013: $790,000,000,000
Fiscal year 2014: $839,000,000,000
Fiscal year 2015: $891,000,000,000
Fiscal year 2016: $948,000,000,000
Fiscal year 2017: $1,008,000,000,000
Fiscal year 2018: $1,072,000,000,000
Fiscal year 2019: $1,141,000,000,000

SEC. 103. 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, $689,926,000,000
(B) Outlays, $666,842,000,000
Fiscal year 2010:
(A) New budget authority, $686,128,000,000
(B) Outlays, $689,963,000,000
Fiscal year 2011:
(A) New budget authority, $614,923,000,000
(B) Outlays, $657,207,000,000
Fiscal year 2012:
(A) New budget authority, $623,612,000,000
(B) Outlays, $637,011,000,000
Fiscal year 2013:
(A) New budget authority, $634,421,000,000
(B) Outlays, $636,332,000,000
Fiscal year 2014:
(A) New budget authority, $648,249,000,000
(B) Outlays, $641,632,000,000
Fiscal year 2015:
(A) New budget authority, $663,159,000,000
(B) Outlays, $653,234,000,000
Fiscal year 2016:
(A) New budget authority, $678,149,000,000
(B) Outlays, $671,890,000,000
Fiscal year 2017:
(A) New budget authority, $694,153,000,000
(B) Outlays, $683,256,000,000
Fiscal year 2018:
(A) New budget authority, $709,147,000,000
(B) Outlays, $693,789,000,000
Fiscal year 2019:
(A) New budget authority, $726,167,000,000
(B) Outlays, $714,089,000,000
(2) International Affairs (150):
Fiscal year 2009:
(A) New budget authority, $57,114,000,000
(B) Outlays, $41,514,000,000
Fiscal year 2010:
(A) New budget authority, $42,847,000,000
(B) Outlays, $43,622,000,000
Fiscal year 2011:
(A) New budget authority, $43,167,000,000
(B) Outlays, $43,897,000,000
Fiscal year 2012:
(A) New budget authority, $43,473,000,000
(B) Outlays, $43,985,000,000
Fiscal year 2013:
(A) New budget authority, $43,759,000,000
(B) Outlays, $43,911,000,000
Fiscal year 2014:
(A) New budget authority, $44,214,000,000
(B) Outlays, $43,866,000,000
Fiscal year 2015:
(A) New budget authority, $44,847,000,000
(B) Outlays, $44,257,000,000
Fiscal year 2016:
(A) New budget authority, $45,621,000,000
(B) Outlays, $44,870,000,000
Fiscal year 2017:
(A) New budget authority, $46,430,000,000
(B) Outlays, $45,575,000,000
Fiscal year 2018:
(A) New budget authority, $47,211,000,000
(B) Outlays, $46,301,000,000
Fiscal year 2019:
(A) New budget authority, $48,084,000,000
(B) Outlays, $47,105,000,000
(3) GENERAL SCIENCE, SPACE, AND TECHNOLOGY (250):
Fiscal year 2009:
(A) New budget authority, $35,264,000,000
(B) Outlays, $30,855,000,000
Fiscal year 2010:
(A) New budget authority, $29,780,000,000
(B) Outlays, $31,707,000,000
Fiscal year 2011:
(A) New budget authority, $30,007,000,000
(B) Outlays, $31,161,000,000
Fiscal year 2012:
(A) New budget authority, $30,231,000,000
(B) Outlays, $30,214,000,000
Fiscal year 2013:
(A) New budget authority, $30,432,000,000
(B) Outlays, $30,312,000,000
Fiscal year 2014:
(A) New budget authority, $30,758,000,000
(B) Outlays, $30,584,000,000
Fiscal year 2015:
(A) New budget authority, $30,703,000,000
(B) Outlays, $30,417,000,000
Fiscal year 2016:
(A) New budget authority, $31,748,000,000
(B) Outlays, $31,359,000,000
Fiscal year 2017:
(A) New budget authority, $32,319,000,000
(B) Outlays, $31,984,000,000
Fiscal year 2018:
(A) New budget authority, $32,872,000,000
(B) Outlays, $32,446,000,000
Fiscal year 2019:
(A) New budget authority, $33,484,000,000
(B) Outlays, $33,028,000,000
(4) ENERGY (270):
Fiscal year 2009:
(A) New budget authority, $44,998,000,000
(B) Outlays, $5,350,000,000
Fiscal year 2010:
(A) New budget authority, $5,568,000,000
(B) Outlays, $8,974,000,000
Fiscal year 2011:
(A) New budget authority, $5,582,000,000
(B) Outlays, $11,303,000,000
Fiscal year 2012:
(A) New budget authority, $5,459,000,000
(B) Outlays, $11,999,000,000
Fiscal year 2013:
(A) New budget authority, $5,319,000,000
(B) Outlays, $7,091,000,000
Fiscal year 2014:
(A) New budget authority, $5,175,000,000
(B) Outlays, $2,082,000,000
Fiscal year 2015:
(A) New budget authority, $5,212,000,000
(B) Outlays, $3,214,000,000
Fiscal year 2016:
(A) New budget authority, $5,325,000,000
(B) Outlays, $3,512,000,000
Fiscal year 2017:
(A) New budget authority, $5,478,000,000
(B) Outlays, $3,765,000,000
Fiscal year 2018:
(A) New budget authority, $5,567,000,000
(B) Outlays, $3,905,000,000
Fiscal year 2019:
(A) New budget authority, $5,595,000,000
(B) Outlays, $4,502,000,000
(5) NATURAL RESOURCES AND ENVIRONMENT (300):
Fiscal year 2009:
(A) New budget authority, $54,596,000,000
(B) Outlays, $36,252,000,000
Fiscal year 2010:
(A) New budget authority, $35,085,000,000
(B) Outlays, $38,866,000,000
Fiscal year 2011:
(A) New budget authority, $35,772,000,000
(B) Outlays, $37,713,000,000
Fiscal year 2012:
(A) New budget authority, $35,952,000,000
(B) Outlays, $36,983,000,000
Fiscal year 2013:
(A) New budget authority, $36,160,000,000
(B) Outlays, $36,478,000,000
Fiscal year 2014:
(A) New budget authority, $36,465,000,000
(B) Outlays, $36,631,000,000
Fiscal year 2015:
(A) New budget authority, $36,714,000,000
(B) Outlays, $36,712,000,000
Fiscal year 2016:
(A) New budget authority, $37,002,000,000
(B) Outlays, $36,845,000,000
Fiscal year 2017:
(A) New budget authority, $37,312,000,000
(B) Outlays, $36,917,000,000
Fiscal year 2018:
(A) New budget authority, $37,602,000,000
(B) Outlays, $36,923,000,000
Fiscal year 2019:
(A) New budget authority, $37,952,000,000
(B) Outlays, $37,215,000,000
(6) AGRICULTURE (350):
Fiscal year 2009:
(A) New budget authority, $6,349,000,000
(B) Outlays, $6,111,000,000
Fiscal year 2010:
(A) New budget authority, $6,131,000,000
(B) Outlays, $6,217,000,000
Fiscal year 2011:
(A) New budget authority, $6,150,000,000
(B) Outlays, $6,133,000,000
Fiscal year 2012:
(A) New budget authority, $6,205,000,000
(B) Outlays, $6,159,000,000
Fiscal year 2013:
(A) New budget authority, $6,261,000,000
(B) Outlays, $6,207,000,000
Fiscal year 2014:
(A) New budget authority, $6,319,000,000
(B) Outlays, $6,261,000,000
Fiscal year 2015:
(A) New budget authority, $6,359,000,000
(B) Outlays, $6,275,000,000
Fiscal year 2016:
(A) New budget authority, $6,402,000,000
(B) Outlays, $6,312,000,000
Fiscal year 2017:
(A) New budget authority, $6,455,000,000
(B) Outlays, $6,345,000,000
Fiscal year 2018:
(A) New budget authority, $6,507,000,000
(B) Outlays, $6,401,000,000
Fiscal year 2019:
(A) New budget authority, $6,601,000,000
(B) Outlays, $6,532,000,000
(7) COMMERCE AND HOUSING CREDIT (370):
Fiscal year 2009:
(A) New budget authority, $13,216,000,000
(B) Outlays, $6,253,000,000
Fiscal year 2010:
(A) New budget authority, $6,197,000,000
(B) Outlays, $8,977,000,000
Fiscal year 2011:
(A) New budget authority, $6,055,000,000
(B) Outlays, $6,847,000,000
Fiscal year 2012:
(A) New budget authority, $6,097,000,000
(B) Outlays, $7,436,000,000
Fiscal year 2013:
(A) New budget authority, $5,982,000,000
(B) Outlays, $7,180,000,000
Fiscal year 2014:
(A) New budget authority, $5,909,000,000
(B) Outlays, $6,250,000,000
Fiscal year 2015:
(A) New budget authority, $5,860,000,000
(B) Outlays, $5,915,000,000
Fiscal year 2016:
(A) New budget authority, $5,855,000,000
(B) Outlays, $5,748,000,000
Fiscal year 2017:
(A) New budget authority, $5,839,000,000
(B) Outlays, $5,730,000,000
Fiscal year 2018:
(A) New budget authority, $5,814,000,000
(B) Outlays, $5,701,000,000
Fiscal year 2019:
(A) New budget authority, $5,793,000,000
(B) Outlays, $5,675,000,000
(8) TRANSPORTATION (400):
Fiscal year 2009:

(A) New budget authority, $79,061,000,000
(B) Outlays, $85,668,000,000
Fiscal year 2010:
(A) New budget authority, $30,312,000,000
(B) Outlays, $92,847,000,000
Fiscal year 2011:
(A) New budget authority, $30,717,000,000
(B) Outlays, $93,051,000,000
Fiscal year 2012:
(A) New budget authority, $31,140,000,000
(B) Outlays, $92,082,000,000
Fiscal year 2013:
(A) New budget authority, $31,544,000,000
(B) Outlays, $92,110,000,000
Fiscal year 2014:
(A) New budget authority, $32,105,000,000
(B) Outlays, $92,296,000,000
Fiscal year 2015:
(A) New budget authority, $32,806,000,000
(B) Outlays, $91,863,000,000
Fiscal year 2016:
(A) New budget authority, $33,656,000,000
(B) Outlays, $90,792,000,000
Fiscal year 2017:
(A) New budget authority, $34,545,000,000
(B) Outlays, $90,908,000,000
Fiscal year 2018:
(A) New budget authority, $35,432,000,000
(B) Outlays, $92,372,000,000
Fiscal year 2019:
(A) New budget authority, $36,385,000,000
(B) Outlays, $93,932,000,000
(9) COMMUNITY AND REGIONAL DEVELOPMENT (450):
Fiscal year 2009:
(A) New budget authority, $23,006,000,000
(B) Outlays, $26,252,000,000
Fiscal year 2010:
(A) New budget authority, $14,959,000,000
(B) Outlays, $26,337,000,000
Fiscal year 2011:
(A) New budget authority, $15,070,000,000
(B) Outlays, $24,669,000,000
Fiscal year 2012:
(A) New budget authority, $15,179,000,000
(B) Outlays, $21,493,000,000
Fiscal year 2013:
(A) New budget authority, $15,277,000,000
(B) Outlays, $18,981,000,000
Fiscal year 2014:
(A) New budget authority, $15,435,000,000
(B) Outlays, $17,445,000,000
Fiscal year 2015:
(A) New budget authority, $15,662,000,000
(B) Outlays, $16,156,000,000
Fiscal year 2016:
(A) New budget authority, $15,932,000,000
(B) Outlays, $15,504,000,000
Fiscal year 2017:
(A) New budget authority, $16,215,000,000
(B) Outlays, $15,664,000,000
Fiscal year 2018:
(A) New budget authority, $16,481,000,000
(B) Outlays, $15,911,000,000
Fiscal year 2019:
(A) New budget authority, $16,787,000,000
(B) Outlays, $16,153,000,000
(10) EDUCATION, TRAINING, EMPLOYMENT, AND SOCIAL SERVICES (500):
Fiscal year 2009:
(A) New budget authority, $188,508,000,000
(B) Outlays, $94,814,000,000
Fiscal year 2010:
(A) New budget authority, $89,417,000,000
(B) Outlays, $138,899,000,000
Fiscal year 2011:
(A) New budget authority, $90,007,000,000
(B) Outlays, $127,810,000,000
Fiscal year 2012:
(A) New budget authority, $90,588,000,000
(B) Outlays, $98,331,000,000
Fiscal year 2013:
(A) New budget authority, $91,092,000,000
(B) Outlays, $94,666,000,000
Fiscal year 2014:
(A) New budget authority, $91,948,000,000
(B) Outlays, $94,142,000,000
Fiscal year 2015:
(A) New budget authority, $93,164,000,000
(B) Outlays, $95,075,000,000
Fiscal year 2016:
(A) New budget authority, $94,657,000,000
(B) Outlays, $96,402,000,000
Fiscal year 2017:
(A) New budget authority, $96,235,000,000
(B) Outlays, $97,938,000,000
Fiscal year 2018:
(A) New budget authority, $97,739,000,000
(B) Outlays, $99,507,000,000
Fiscal year 2019:
(A) New budget authority, $99,415,000,000
(B) Outlays, $101,130,000,000
(11) HEALTH (550):
Fiscal year 2009:
(A) New budget authority, $75,483,000,000
(B) Outlays, $57,635,000,000
Fiscal year 2010:
(A) New budget authority, $56,948,000,000
(B) Outlays, $64,243,000,000
Fiscal year 2011:
(A) New budget authority, $57,413,000,000
(B) Outlays, $62,603,000,000
Fiscal year 2012:
(A) New budget authority, $57,881,000,000
(B) Outlays, $59,451,000,000
Fiscal year 2013:
(A) New budget authority, $58,305,000,000
(B) Outlays, $57,913,000,000
Fiscal year 2014:
(A) New budget authority, $58,971,000,000
(B) Outlays, $58,176,000,000
Fiscal year 2015:
(A) New budget authority, $59,879,000,000
(B) Outlays, $58,713,000,000
Fiscal year 2016:
(A) New budget authority, $60,974,000,000
(B) Outlays, $59,583,000,000
Fiscal year 2017:
(A) New budget authority, $62,124,000,000
(B) Outlays, $60,662,000,000
Fiscal year 2018:
(A) New budget authority, $63,242,000,000
(B) Outlays, $61,727,000,000
Fiscal year 2019:
(A) New budget authority, $64,465,000,000
(B) Outlays, $62,697,000,000
(12) MEDICARE (570):
Fiscal year 2009:
(A) New budget authority, $5,390,000,000
(B) Outlays, $5,255,000,000
Fiscal year 2010:
(A) New budget authority, $5,595,000,000
(B) Outlays, $5,566,000,000
Fiscal year 2011:
(A) New budget authority, $5,819,000,000
(B) Outlays, $5,781,000,000
Fiscal year 2012:
(A) New budget authority, $5,852,000,000
(B) Outlays, $5,828,000,000
Fiscal year 2013:
(A) New budget authority, $5,893,000,000
(B) Outlays, $5,855,000,000
Fiscal year 2014:
(A) New budget authority, $5,927,000,000
(B) Outlays, $5,920,000,000
Fiscal year 2015:
(A) New budget authority, $5,967,000,000
(B) Outlays, $5,935,000,000
Fiscal year 2016:
(A) New budget authority, $6,004,000,000
(B) Outlays, $5,955,000,000
Fiscal year 2017:
(A) New budget authority, $6,035,000,000
(B) Outlays, $5,962,000,000
Fiscal year 2018:
(A) New budget authority, $6,065,000,000
(B) Outlays, $5,975,000,000
Fiscal year 2019:
(A) New budget authority, $6,085,000,000
(B) Outlays, $5,992,000,000
(13) INCOME SECURITY (600):
Fiscal year 2009:
(A) New budget authority, $74,067,000,000
(B) Outlays, $64,056,000,000
Fiscal year 2010:
(A) New budget authority, $62,365,000,000
(B) Outlays, $67,580,000,000
Fiscal year 2011:
(A) New budget authority, $62,275,000,000
(B) Outlays, $67,880,000,000
Fiscal year 2012:
(A) New budget authority, $62,540,000,000
(B) Outlays, $66,271,000,000
Fiscal year 2013:
(A) New budget authority, $62,803,000,000
(B) Outlays, $65,341,000,000
Fiscal year 2014:
(A) New budget authority, $63,328,000,000
(B) Outlays, $64,169,000,000
Fiscal year 2015:
(A) New budget authority, $64,221,000,000
(B) Outlays, $64,804,000,000
Fiscal year 2016:
(A) New budget authority, $65,362,000,000
(B) Outlays, $65,660,000,000
Fiscal year 2017:
(A) New budget authority, $66,561,000,000
(B) Outlays, $66,690,000,000
Fiscal year 2018:
(A) New budget authority, $67,716,000,000
(B) Outlays, $67,735,000,000
Fiscal year 2019:
(A) New budget authority, $68,976,000,000
(B) Outlays, $68,840,000,000
(14) SOCIAL SECURITY (650):
Fiscal year 2009:
(A) New budget authority, $6,386,000,000
(B) Outlays, $5,479,000,000
Fiscal year 2010:
(A) New budget authority, $5,460,000,000
(B) Outlays, $5,549,000,000
Fiscal year 2011:
(A) New budget authority, $5,545,000,000
(B) Outlays, $5,655,000,000
Fiscal year 2012:
(A) New budget authority, $5,630,000,000
(B) Outlays, $5,763,000,000
Fiscal year 2013:
(A) New budget authority, $5,716,000,000
(B) Outlays, $5,849,000,000
Fiscal year 2014:
(A) New budget authority, $5,830,000,000
(B) Outlays, $5,809,000,000
Fiscal year 2015:
(A) New budget authority, $5,969,000,000
(B) Outlays, $5,942,000,000
Fiscal year 2016:
(A) New budget authority, $6,135,000,000
(B) Outlays, $6,103,000,000
Fiscal year 2017:
(A) New budget authority, $6,306,000,000
(B) Outlays, $6,271,000,000
Fiscal year 2018:
(A) New budget authority, $6,479,000,000
(B) Outlays, $6,443,000,000
Fiscal year 2019:
(A) New budget authority, $6,665,000,000
(B) Outlays, $6,627,000,000
(15) VETERANS BENEFITS AND SERVICES (700):
Fiscal year 2009:
(A) New budget authority, $49,394,000,000
(B) Outlays, $46,757,000,000
Fiscal year 2010:
(A) New budget authority, $53,263,000,000
(B) Outlays, $52,474,000,000
Fiscal year 2011:
(A) New budget authority, $54,417,000,000
(B) Outlays, $53,972,000,000
Fiscal year 2012:
(A) New budget authority, $55,855,000,000
(B) Outlays, $55,487,000,000
Fiscal year 2013:
(A) New budget authority, $57,384,000,000
(B) Outlays, $56,932,000,000
Fiscal year 2014:
(A) New budget authority, $58,969,000,000
(B) Outlays, $58,519,000,000
Fiscal year 2015:
(A) New budget authority, $60,971,000,000
(B) Outlays, $59,265,000,000
Fiscal year 2016:
(A) New budget authority, $62,494,000,000
(B) Outlays, $61,978,000,000
Fiscal year 2017:

(A) New budget authority, $64,367,000,000
(B) Outlays, $63,067,000,000
Fiscal year 2018:
(A) New budget authority, $65,404,000,000
(B) Outlays, $65,012,000,000
Fiscal year 2019:
(A) New budget authority, $67,415,000,000
(B) Outlays, $65,345,000,000
(16) ADMINISTRATION OF JUSTICE (750):
Fiscal year 2009:
(A) New budget authority, $54,099,000,000
(B) Outlays, $48,018,000,000
Fiscal year 2010:
(A) New budget authority, $48,763,000,000
(B) Outlays, $49,470,000,000
Fiscal year 2011:
(A) New budget authority, $50,595,000,000
(B) Outlays, $51,525,000,000
Fiscal year 2012:
(A) New budget authority, $50,506,000,000
(B) Outlays, $51,416,000,000
Fiscal year 2013:
(A) New budget authority, $50,389,000,000
(B) Outlays, $51,428,000,000
Fiscal year 2014:
(A) New budget authority, $50,263,000,000
(B) Outlays, $50,466,000,000
Fiscal year 2015:
(A) New budget authority, $50,156,000,000
(B) Outlays, $49,725,000,000
Fiscal year 2016:
(A) New budget authority, $50,012,000,000
(B) Outlays, $49,250,000,000
Fiscal year 2017:
(A) New budget authority, $50,023,000,000
(B) Outlays, $49,366,000,000
Fiscal year 2018:
(A) New budget authority, $50,015,000,000
(B) Outlays, $49,501,000,000
Fiscal year 2019:
(A) New budget authority, $50,247,000,000
(B) Outlays, $46,565,000,000
(17) GENERAL GOVERNMENT (800):
Fiscal year 2009:
(A) New budget authority, $24,562,000,000
(B) Outlays, $18,861,000,000
Fiscal year 2010:
(A) New budget authority, $18,976,000,000
(B) Outlays, $19,896,000,000
Fiscal year 2011:
(A) New budget authority, $19,286,000,000
(B) Outlays, $20,181,000,000
Fiscal year 2012:
(A) New budget authority, $19,598,000,000
(B) Outlays, $20,541,000,000
Fiscal year 2013:
(A) New budget authority, $19,915,000,000
(B) Outlays, $20,781,000,000
Fiscal year 2014:
(A) New budget authority, $20,320,000,000
(B) Outlays, $20,662,000,000
Fiscal year 2015:
(A) New budget authority, $20,828,000,000
(B) Outlays, $20,951,000,000
Fiscal year 2016:
(A) New budget authority, $21,426,000,000
(B) Outlays, $21,366,000,000
Fiscal year 2017:
(A) New budget authority, $22,039,000,000
(B) Outlays, $21,854,000,000
Fiscal year 2018:
(A) New budget authority, $22,668,000,000
(B) Outlays, $22,427,000,000
Fiscal year 2019:
(A) New budget authority, $23,330,000,000
(B) Outlays, $22,873,000,000
(18) *NET INTEREST (900):*
Fiscal year 2009:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2010:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2011:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2012:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2013:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2014:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2015:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2016:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2017:
(A) *New budget authority, $0*
(B) *Outlays, $0*
Fiscal year 2018:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2019:
(A) New budget authority, $0
(B) Outlays, $0
(19) ALLOWANCES (920):
Fiscal year 2009:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2010:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2011:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2012:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2013:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2014:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2015:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2016:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2017:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2018:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2019:
(A) New budget authority, $0
(B) Outlays, $0
(20) UNDISTRIBUTED OFFSETTING RECEIPTS (950):
Fiscal year 2009:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2010:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2011:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2012:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2013:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2014:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2015:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2016:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2017:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2018:
(A) New budget authority, $0
(B) Outlays, $0
Fiscal year 2019:
(A) New budget authority, $0
(B) Outlays, $0

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCING RESERVE FUNDS FOR ENTITLEMENT COMMISSIONS—SOCIAL SECURITY AND MEDICARE & MEDICAID.

(a) 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 BRAC-like commission to review the current and long-term solvency of Social Security and a BRAC-like commission to review the current and long-term solvency of Medicare and Medicaid, 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) These commissions will provide recommendations to reduce mandatory spending by at least four percent over the next five years, and seven percent over the next ten years.

(c) For the purposes of this Resolution, for individuals 55 or older, Medicare will not be changed (other than means testing for high-income beneficiaries under the prescription drug benefit under Part D).

SEC. 202. DEFICIT-NEUTRAL RESERVE FUND FOR COMPREHENSIVE HEALTHCARE REFORM.

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 health care costs, coverage, and care in the United States in a manner that reduces the costs of health care, increases access to health insurance, and improves the transparency of the costs and quality for medical care, 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. The legislation may include tax provisions.

SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND WOUNDED SERVICEMEMBERS.

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 expand the number of disabled military retirees who receive both disability compensation and retired pay, accelerate the phase-in of concurrent receipt, and eliminate the offset between Survivor Benefit Plan annuities and Veteran's Dependency and Indemnity Compensation, 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.

SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY SECURITY.

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 promote energy security activities including, but not limited to, increasing funding for waste storage alternatives, advanced technology assessment and deployment for clean coal and carbon capture and storage, and clean energy deployment including increasing the use of nuclear power and refurbishing the transmission grid, and allowing loans under the Department of Energy's Innovative Technology Loan Guarantee Program of up to $50,000,000,000 for the purposes of constructing nuclear power generating units, 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.

SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR TAX CODE MODERNIZATION.

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 revenue-neutral income (including AMT revenue) and payroll tax reform that makes the tax code fair, more pro-growth, easier to administer, improves compliance and aids U.S. international competitiveness, 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.

SEC 206. DEFICIT-NEUTRAL RESERVE FUND FOR DEFENSE ACQUISITION AND CONTRACTING REFORM

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—

(1) enhance the capability of the Federal acquisition or contracting workforce to achieve better value for taxpayers;

(2) reduce the use of no-bid and cost-plus contracts; or

(3) reform Department of Defense processes for acquiring weapons systems in order to reduce costs, improve cost and schedule estimation, enhance developmental testing of weapons, or increase the rigor of reviews of programs that experience critical cost growth;

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.

SEC. 207. DEFICIT-NEUTRAL RESERVE FUND FOR A BIPARTISAN, COMPREHENSIVE INVESTIGATION INTO THE CURRENT FINANCIAL CRISIS.

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 for a select senate committee to carry out a bipartisan, comprehensive investigation into the underlying causes of the current economic crisis, and recommend ways to avoid another crisis, 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.

TITLE III—BUDGETARY PROCESS

SUBTITLE A—BUDGET ENFORCEMENT

SEC. 301. DISCRETIONARY SPENDING LIMITS, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) 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.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) with respect to fiscal year 2009—

(A) for the defense category $689,926,000,000 in new budget authority and $666,842,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $49,394,000,000 in new budget authority and $46,757,000,000 ; in outlays; and

(C) for the nondefense/non-VA category $742,099,000,000 in new budget authority and $532,373,000,000 in outlays.

(2) with respect to fiscal year 2010—

(A) for the defense category $686,128,000,000 in new budget authority and $689,963,000,000 in outlays, as adjusted in conformance with the adjustment procedures in subsection (c);

(B) for the Veterans Affairs (VA) category $53,263,000,000 in new budget authority and $52,274,000,000 ; in outlays; as adjusted in conformance with the adjustment procedures in subsection (c); and

(C) for the nondefense category $458,515,000,000 in new budget authority and $608,750,000,000 in outlays, as adjusted in conformance with the adjustment procedures in subsection (c).

(3) with respect to fiscal year 2011 —

(A) for the defense category $614,293,000,000 in new budget authority and $657,207,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $54,417,000,000 in new budget authority and $53,972,000,000 ; in outlays; and

(C) for the nondefense/non-VA category $463,460,000,000 in new budget authority and $596,209,000,000 in outlays.

(4) with respect to fiscal year 2012—

(A) for the defense category $614,293,000,000 in new budget authority and $657,207,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $54,417,000,000 in new budget authority and $53,972,000,000 ; in outlays; and

(C) for the nondefense/non-VA category $463,460,000,000 in new budget authority and $596,209,000,000 in outlays.

(5) with respect to fiscal year 2013—

(A) for the defense category $634,421,000,000 in new budget authority and $636,332,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $57,384,000,000 in new budget authority and $56,932,000,000 ; in outlays; and

(C) for the nondefense/non-VA category $468,849,000,000 in new budget authority and $544,103,000,000 in outlays.

(6) with respect to fiscal year 2014—

(A) for the defense category $648,249,000,000 in new budget authority and $641,632,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $58,969,000,000 in new budget authority and $58,515,000,000 in outlays; and

(C) for the nondefense/non-VA category $472,964,000,000 in new budget authority and $534,759,000,000 in outlays.

(7) with respect to fiscal year 2015—

(A) for the defense category $663,159,000,000 in new budget authority and $6653,234,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $60,971,000,000 in new budget authority and $59,265,000,000 in outlays; and

(C) for the nondefense/non-VA category $478,347,000,000 in new budget authority and $535,954,000,000 in outlays.

(8) with respect to fiscal year 2016—

(A) for the defense category $678,149,000,000 in new budget authority and $671,890,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $62,494,000,000 in new budget authority and $61,978,000,000 in outlays; and

(C) for the nondefense/non-VA category $486,111,000,000 in new budget authority and $539,261,000,000 in outlays.

(9) with respect to fiscal year 2017—

(A) for the defense category $694,153,000,000 in new budget authority and $683,256,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $64,367,000,000 in new budget authority and $63,067,000,000; in outlays; and

(C) for the nondefense/non-VA category $493,916,000,000 in new budget authority and $545,501,000,000 in outlays.

(10) with respect to fiscal year 2018—

(A) for the defense category $709,147,000,000 in new budget authority and $693,789,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $65,404,000,000 in new budget authority and $65,012,000,000 in outlays; and

(C) for the nondefense/non-VA category $501,500,000,000 in new budget authority and $553,275,000,000 in outlays.

(11) with respect to fiscal year 2019—

(A) for the defense category $726,167,000,000 in new budget authority and $714,089,000,000 in outlays;

(B) for the Veterans Affairs (VA) category $67,415,000,000 in new budget authority and $65,345,000,000 in outlays; and

(C) for the nondefense/non-VA category $509,864,000,000 in new budget authority and $558,866,000,000 in outlays.

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment thereto or the submission of a conference report thereon—

(A) the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS CONTINGENCY OPERATIONS.—The Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, allocations to the Senate Committee on Appropriations, and aggregates for one or more—

(A) bills reported by the Senate Committee on Appropriations or passed by the House of Representatives;

(B) joint resolutions or amendments reported by the Senate Committee on Appropriations;

(C) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Senate Committee on Appropriations; or

(D) conference reports; making appropriations for fiscal year 2010 for overseas contingency operations by the amounts provided in such legislation for those purposes (and so designated pursuant to this paragraph), up to $130,000,000,000 in budget authority for fiscal year 2010 and the new outlays flowing therefrom.

(3) REVISED APPROPRIATIONS FOR FISCAL YEAR 2010.—

(A) IN GENERAL.—If after adoption of this resolution by the Congress, the Congressional Budget Office (CBO) re-estimates the President's request for discretionary spending in fiscal year 2010 at an aggregate level different from the CBO preliminary estimate dated March 20, 2009, the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974 by the amount of budget authority and outlays flowing therefrom, to reflect the difference between such re-estimate and the CBO preliminary estimate dated March 20, 2009.

(B) SUBALLOCATIONS.—Following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this paragraph.

(d) INAPPLICABILITY.—In the Senate, subsections (a), (b), (c), and (d) of section 312 of S. Con. Res. 70 (110th Congress) shall no longer apply.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2010 that first becomes available for any fiscal year after 2010, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2011, that first becomes available for any fiscal year after 2011.

(b) EXCEPTIONS.—Advance appropriations may be provided for fiscal years 2011 and 2012 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $28,852,000,000 in new budget authority in each year.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) 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.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 313 of S. Con. Res. 70 (110th Congress) shall no longer apply.

SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and sections 301 and 304 of this resolution (relating to discretionary spending and short-term deficits). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 204(a) of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008, shall no longer apply.

SEC. 304. POINT OF ORDER AGAINST LEGISLATION INCREASING SHORT-TERM DEFICIT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report (except measures within the jurisdiction of the Committee on Appropriations) that would cause a net increase in the deficit in excess of $10,000,000,000 in any fiscal year provided for in the most recently adopted concurrent resolution on the budget unless it is fully offset over the period of all fiscal years provided for in the most recently adopted concurrent resolution on the budget.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended only by the 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 to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels shall be determined on the basis of estimates provided by the Senate Committee on the Budget.

(d) SUNSET.—This section shall expire on September 30, 2018.

(e) INAPPLICABILITY.—In the Senate, section 315 of S. Con. Res. 70 (110th Congress), the concurrent resolution in the budget for fiscal year 2009, shall no longer apply.

SUBTITLE B—OTHER PROVISIONS

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs within their jurisdiction to root out waste, fraud, and abuse in program spending, giving particular scrutiny to issues raised by Government Accountability Office reports. Based on these oversight efforts and committee performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

SEC. 313. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Senate Committee on the Budget.

SEC. 314. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Senate Committee on the Budget may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 315. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

SEC. 316. COST ESTIMATES FOR CONFERENCE REPORTS AND OTHER MEASURES.

It shall not be in order to consider a conference report, bill, or joint resolution unless an estimate of costs has been printed in the Congressional Record at least one day before its consideration.

SEC. 317. LIMITATION ON LONG-TERM SPENDING PROPOSALS

It shall not be in order to consider any bill or joint resolution reported from a committee if such bill or resolution is not accompanied by a cost estimate prepared by the Congressional Budget Office on whether or not the measure would cause a net increase in direct spending in excess of $5 billion in any of the four next five-year periods.

SEC. 318. REVENUES COLLECTED FROM CLOSING THE TAX GAP ARE USED ONLY FOR DEBT REDUCTION.

(a) SPECIAL SCOREKEEPING RULE IN THE SENATE.—

(1) REPORT TO BUDGET COMMITTEE.—When a bill is cleared for the President, the Congressional Budget Office (CBO), pursuant to section 202 of the Congressional Budget Act of 1974, and the Joint Committee on Taxation shall inform the Chairman of the Committee on the Budget if that measure contains provisions that increase revenues from closing the tax gap. The report shall include the amount of revenue raised each year including the current year, the budget year, and for each of the 10 years following the current year.

(2) EXCLUSION FROM PAY-AS-YOU-GO SCORECARD.—Any revenue raised from provisions to close the tax gap (as detailed in the report described in (a)(1)) shall not count as offsets for purposes of section 201 of S. Con. Res. 21, the FY 2008 Budget Resolution.

(b) CRITERIA AND DEFINITIONS.—

(1) The tax gap is the difference between the revenue that is owed to the federal government in accordance with existing tax law and the revenue that is collected by the federal government.

(2) The tax gap is a combination of inadvertent errors and deliberate evasion.

(3) Revenues raised from changes to withholding or payment reporting requirements are examples of efforts to close the tax gap.

(4) The tax gap is not about clarifying existing law in order to close loopholes, broadening the tax base, raising tax rates, or any other action that would change existing tax law.

SEC. 319. POINT OF ORDER TO SAVE SOCIAL SECURITY FIRST.

(a) POINT OF ORDER IN THE SENATE.—It shall not be in order in the Senate to consider any direct spending legislation that would increase the on-budget deficit above the amounts provided for in this resolution in any fiscal year until the President submits legislation to Congress and Congress enacts legislation which would restore 75-year solvency to the Old-Age, Survivors, and Disability Insurance Trust Funds as certified by the Social Security Administration actuaries.

(b) SUPERMAJORITY WAIVER AND APPEAL.—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. An affirmative vote of three-fifths of the Members of the Senate, 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.

SEC. 320. POINT OF ORDER AGAINST A BUDGET RESOLUTION CONTAINING A DEBT HELD BY THE PUBLIC-TO-GDP RATIO THAT EXCEEDS 65%.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that contains a ratio of debt held by the public-to-Gross Domestic Product which exceeds 65% in any year covered by the budget resolution.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(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 of the Senate, 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.

(c) DETERMINATION OF DEBT LEVELS.—For purposes of this section, the debt level shall be determined by the Chairman of the Senate Committee on the Budget on the basis of estimates provided by the Congressional Budget Office.

SEC. 321. POINT OF ORDER AGAINST A BUDGET RESOLUTION CONTAINING DEFICIT LEVELS EXCEEDING 8% OF GDP.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that contains deficits as a percentage of the Gross Domestic Product in excess of 8% in any year covered by the budget resolution.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(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 of the Senate, 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.

(c) DETERMINATION OF DEFICIT LEVELS.—For purposes of this section, the deficit as a percentage of Gross Domestic Product shall be determined by the Chairman of the Senate Committee on the Budget on the basis of estimates provided by the Congressional Budget Office.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Republican time be allocated as follows, between now and the time of the vote: that Senator HUTCHISON be allowed 5 minutes on the substitute amendment, Senator GRAHAM 5 minutes, Senator COBURN 5 minutes, myself 5 minutes, Senator GREGG 10 minutes, Senator INHOFE 3 minutes, Senator SESSIONS 5 minutes, Senator CHAMBLISS 2 minutes, and Senator WICKER 2 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I yield 5 minutes to the Senator from Texas, Mrs. HUTCHISON.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I, first, wish to thank Senator MCCAIN for leading this effort to present an alternative because we all know, after looking at the Democratic budget and the Obama administration budget which produced the Democratic budget, that the debt is unsustainable. This is a budget that would double our debt in 5 years, and if it goes out to 10, it would triple our debt. As a matter of fact, it spends too much, it taxes too much, and it borrows too much.

We have to start putting some common sense in this budget process or we are going to go into an abyss. We must take the reins of this budget and hold it back. Today, our debt-to-gross domestic product is 57 percent. That is pretty high. The average over the last 50 years has been about 40 percent. This underlying budget today would take our debt-to-gross domestic product ratio to 80 percent. That is simply unsustainable on a long-term basis. During the Great Depression, during World War II, we saw numbers such as that, but you cannot sustain it over a long period of time. It was brought back down after World War II so that it was in the 30-percent range. Forty percent is optimum. We are at 57. We would go to 80 if we don't do something.

That is why Senator MCCAIN and those of us who are cosponsoring his substitute are trying to do the right thing. We are trying to produce an alternative that is responsible and takes care of the needs of our country at the same time.

The key points of this substitute are that we would cap discretionary spending at baseline levels plus inflation, except for defense and veterans. That means every program we have can grow with inflation. You are not cutting anything from today, but you are allowing it to just grow by inflation, which will cap it—except for defense, which does increase, and our veterans, which does increase. We have increased our veterans, we have increased defense, we continue to do so because we know our duty to those who are serving our country and protecting our freedom.

This substitute also extends the 2001 and 2003 tax cuts. That means marriage penalty relief will be extended. It means we will not put a shock into the stock market by increasing the capital gains and dividends rates at a time when we want to shore up our stock market. The worst thing we can do is send a signal that those taxes are going to go up in 2 years when our economy is already flailing. It will lower everyone's tax burden—everyone's. It will keep that 10-percent rate instead of moving it up. It will keep everyone's tax burden lower.

Marriage penalty relief is something I am going to offer an amendment on if this substitute does not pass because we need to make it permanent. The marriage penalty in this country, if we go back to the way it used to be, is over $1,000 a couple. Is this a country that wants to dissuade people from getting married? That is the core of our family support in this country. Our substitute will extend the tax cuts, including marriage penalty, including every bracket, and including capital gains and dividends, to encourage savings and shore up our stock market.

It also takes the bigger picture view. This is a 10-year substitute, so it ensures that revenues collected from closing the tax gap would only be used for debt reduction. This is planning for the future. This is saying we are going to bring down that debt burden that is in the underlying bill before us. It will not be used to increase Federal spending because we are going to cap that at the baseline plus inflation. We are not going to hurt anyone. We are not going to also add to our debt. In fact, we would cut $4 trillion from the budget that is before us.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The time of the Senator has expired.

Mrs. HUTCHISON. I hope my colleagues will look at this responsible alternative.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Madam President, the thing many of my colleagues don't know is, before I was a physician I was an accountant, and the thing about numbers is you can make them show anything you want. That, historically, is what Republicans and Democrats have done with budgets. They play games. The only year that counts is the next year, this next 2010 fiscal year. That is the only thing that counts in terms of what they are going to do.

The important thing before us ought to be the following: At the end of the budget that is offered by both President Obama and the majority, the deficit will be higher than it has ever been any time prior to this year, and it will not go down. It will never go down, in light of that, in terms of a sustainable level.

The second point I want to make on this budget is this budget is a real budget that says to every American except our fighting men and women and our seniors and our veterans: Everybody has to sacrifice for us to get out of the mess we are in. The sacrifice will not necessarily be hard because of the tremendous amount of waste that is in the Federal Government right now. At a conservative minimum, 10 percent of everything we spend is pure waste or fraud. We will not do anything about it. One of the things with the McCain budget, the Republican budget, is that it will force us to do something about it.

We take some of that $380 billion a year that is now defrauded of the Federal Government, or pure waste, and we will recapture that to do something positive. But the underlying point is, as Americans, if we are going to get out of the problems we are in, we cannot spend our way into prosperity, and we can't borrow our way out of debt. That is what this budget does. It attempts to grow Federal Government.

The claim is that it only grows it 2 percent over 5 years. But when you look at the numbers in this budget, it grows at 7 percent in the next year, in terms of discretionary spending. Then all the pain is after that. We all know the reality of the Senate. There will not be any pain. It will be 7 percent the year after that. You watch what comes from the appropriators.

The House budget has a 12-percent increase in it. The President's had an 11-percent increase. We can hear all these statements on the floor, but the No. 1 fact is, everybody in this country is going to have to sacrifice except those who have already sacrificed. If we do anything less than that, then what we are doing is sacrificing the future of our kids and our grandkids.

In this budget we have a proposal that will pick up the 11 million Americans who are eligible for Medicaid who are not even getting health care now and, at the same time, save the States $88 billion a year and save the Federal Government $40 billion a year and improve the health care of everybody on Medicaid today. That is $1.3 trillion of efficiency in health care that we will save. The States will love the plan.

Does it fit into the overall plan of what we have now? Is it the only way we can do it? No. But the fact is, 40 percent of the doctors and caregivers in our country today will not even see a Medicaid patient. We are up to almost 20 percent not seeing a Medicare patient. We have to do something about that. But we don't need more money in health care; what we need is a more efficient market and common sense in the way we spend the money so we get great quality care at a fair price, which is not happening today.

I hope my colleagues will consider the McCain budget because of the significant truth that underlies it, that everybody is going to have to sacrifice some. Everybody has to sacrifice if we are to get out of the mess we are in. You can be critical of it, but the fact is, there is no program, in terms of total dollars, that is going to see a marked decrease in terms of spending without getting exactly the same or better results.

Our President said he wants a line-by-line review of every program, that he wants competitive bidding, he wants metrics. That is what we do. We actually do what the average American would do. We apply common sense to the way the Government spends money, and we look at it and say we cannot continue on the path we are on without bankrupting our kids.

The very real possibility that out of the budget that is being presented today we will have a fiat currency or a currency that is inflated, which will devalue the assets of everybody in this country, is absolutely real and recognized.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COBURN. I thank the Senator from Arizona for the time to speak on his budget, and I yield.

The PRESIDING OFFICER. Who yields time?

Mr. MCCAIN. Madam President, how much time is remaining on both sides?

The PRESIDING OFFICER. The majority has 35 minutes and the Republicans also have 35 minutes.

Mr. MCCAIN. I thank the Chair.

Mr. SESSIONS. Madam President, I ask to be notified after 4 minutes.

The PRESIDING OFFICER. The Chair will so advise the Senator. The Senator from Alabama is recognized.

Mr. SESSIONS. Madam President, I thank the Chair. I appreciate the comments that have been made. I agree first with Senator COBURN's comments about our distinguished chairman's pride in spending less money than the Obama proposal called for for discretionary spending over 5 years. He said he saved $600 billion—and it should save some. However, President Obama's budget was an 11-percent increase.

Senator CONRAD came in with a 7-percent increase, which is huge in light of the money we are spending on top of that with the stimulus package we just passed; and at 7 percent, Government spending would double in 10 years. But the House is at 12 percent. So when the bill goes to conference, it is not going to be at 7, it is going to be at 10, 11, maybe 12 percent.

No. 2, his savings are projected in years 2, 3, 4 and 5, and as Senator COBURN said, when we come back next year, this body, if the same Members are here, is going to have another 7 percent or 10 percent. The only one that counts is this year. So I do not believe we have a real change in this budget. I believe Mr. Orszag is correct—the President's budget manager—that this is 98 percent of what he asked for and he asked for a budget over 10 years that doubles the debt in 5 years and triples it in 10. It triples the debt in 10. It is admitted by the President's own budget. It is in the numbers he sent to us. We are not making this up. That is No. 1.

I have several amendments I will be calling to my colleagues' attention. One is the Comprehensive Outer Continental Shelf Study. We have no idea today how much oil and gas may be off our coasts, our Atlantic coast and Pacific coast. Particularly, the Atlantic States are eager to know what is out there and to consider whether they want to produce out there. I think it has great potential for America.

Every barrel of oil and energy we can produce in the United States off our shores so we do not have to transfer our wealth to Saudi Arabia or Venezuela or places around the world but keep it here creating jobs and revenue is progress for America in a significant way. That is an amendment on which I hope we will have bipartisan support.

Missile defense, I am working with Senator LIEBERMAN on that. I am concerned there might be some belief that we can ease off the completion of missile defense. Our missile defense system now has 26 launchers already built or contracted for; we want to do 44. After years and years of science and technology and investment, we are about to be able to complete a missile defense system that will make us all proud and can protect us from such things as a North Korean launch. If we don't get this system up like we need it, we will not be able to do that.

I believe today our technology would knock down that missile if it reached the United States. We need to complete that program. If we slow it down, it will just drive up the cost even more. That is important.

I am concerned about the history of this Congress when it deals with border security. We have voted repeatedly—the last big vote was 80 to 19—to complete 700 miles of fencing and barriers on our border. The money often does not get appropriated, however. We vote and say we are for it, but when the chips are down the money doesn't get funded. This would call on us to complete the funding for that project. I think all of us would want to complete what we have started.

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. SESSIONS. Madam President, I want to say it is not impossible for us at least to move substantially toward a balanced budget. In the immediate years ahead it is going to be hard to get to a balanced budget. But the President's budget does not attempt to do so. In fact, in years 7 and 10 of his budget, his deficits are not going down. This is his own document he submitted to us—they are surging upward. In his 10th year, the Congressional Budget Office says his deficit will be, in 1 year, $1.2 trillion. That will be almost three times the highest deficit this country has ever had in its history.

I thank Senator MCCAIN and others who are working on it.

The PRESIDING OFFICER. Who yields time?

Ms. LANDRIEU. Madam 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. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Madam President, how much time remains under my control?

The PRESIDING OFFICER. There is 25 minutes remaining.

Mr. CONRAD. Madam President, how much time is under the control of Senator MCCAIN?

The PRESIDING OFFICER. There is 10 minutes remaining on the McCain amendment.

Mr. CONRAD. I ask unanimous consent that the debate on the McCain amendment appear all as one piece in the RECORD. I think that will be better for those reading this at some point in the future, if someone does care to read it in the future. It will be better if we keep the McCain debate all together as one.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. First, I thank and congratulate the Senator from Arizona for producing a budget and a budget alternative. That was not done on their side until he did it, and I commend him for it.

I also commend him for producing a budget that in its overall totals is very close to the budget resolution I have advanced through the Budget Committee.

In fact, if you compare Senator MCCAIN's 5-year totals with my 5-year totals, compare his revenue to my revenue, his spending to my spending, they are 98 percent alike. In addition, the size of the deficit in 2014 is virtually the same. Mine is 2.9 percent of GDP, his is 2.8. And the debt, mine is 98.7, his is 98.3, virtually identical in 2014.

So there is some commonality here, and that is something perhaps we can build on. Of course, there are differences, and differences do matter. Largely they appear in two places. The Senator from Arizona appears to reduce mandatory spending by $350 billion over 5 years.

But where does he do it? Does he show savings in Medicare? No. Does he show savings in Medicaid and the health care accounts? No. Does he show savings in Social Security? No. Does he show savings in agriculture? No. He does not do it in any of those places that are the major pots of money for mandatory spending. Instead, he takes all of the $350 billion in savings in Function 920. That is the general overhead function for all of those categories.

So, in effect, what he has is an across-the-board cut in Medicare, Medicaid, Social Security, agriculture, and that is how this budget would work. I do not know if that is the intention, but that is what would happen.

In fact, excluding debt service, 85 percent of the claimed savings are from function 920, no specific savings at all. Where are the remaining 15 percent of the savings? Largely, they are in the international affairs budget. Relative to the budget resolution before us, and that is before we adopted the Kerry amendment yesterday, he reduces spending on international accounts by $44 billion over the 5 years. The Senator from Arizona assumes an increase of 1.3 percent in 2010 and less than 1 percent over the remaining 5 years. That runs counter to what the Secretary of Defense has asked of us because he has asked that we plus-up the international accounts so that things that really ought to be done in the international accounts, instead of the Defense Department accounts, be shown there.

Disturbingly, next year, when we will still be recovering from the worst recession since the Great Depression, the budget advanced by the Senator from Arizona would cut nondefense discretionary spending, compared to the resolution before us, by $23 billion. Those cuts would affect virtually every discretionary function, although not defense and not veterans. I commend him for holding them harmless, but that means everything else has to be cut more. That means education, the health care accounts—all of those would have to be cut.

In terms of looking at a budget in a fair and balanced way, while I commend the Senator for producing a budget, it is a budget without detail, a budget without specificity, a budget that is almost ''paint your own picture.'' Because he has this $350 billion of savings in function 920, because he doesn't specify, that would have to be done across the board. That means all of these other functions—Medicare, Social Security, agriculture, all of the other mandatory accounts—would have to take significant across-the-board cuts.

I commend the Senator from Arizona for offering an alternative, but I think the difference between his plan and my plan in overall numbers is very small, but the differences that do exist matter a great deal.

One other point I want to make: As with many of my GOP colleagues' amendments, the McCain amendment would create 60-vote points of order against future budget resolutions, threatening the ability to maintain the disciplines that come through the budget process. Caps on discretionary spending, allocations to committees, the supermajority points of order against excessive spending—all of that would be put at risk in the name of preventing the growth of deficits and debt. While I share the basic idea and the basic value of trying to control deficits and debt, as an unintended consequence, the cure here is worse than the disease. When the answer is to make it harder to do a budget resolution, you actually lose the disciplines we could employ in order to reduce the growth of deficits and debt.

It is a curious thing, if one thinks about it. The way to prevent the growth of debt is not to do a budget or make it harder to do a budget. Unfortunately, around here one of the few things we have to discipline spending is a budget. That is where all the points of order lie when we go to the appropriations process. If it were successful, if you were able to prevent doing a budget resolution, you would then immediately go to appropriations bills and you would have no points of order, no 60-vote hurdles against excessive spending. We want to think carefully whether that is the answer.

My own view is, we would be much better off doing some kind of special process where all of the major players are at the table, everything is on the table, and we have a special process to get whatever plan they develop to the floor for an actual vote. My own belief is, after 22 years of this, the only real hope for changing the underlying policies, for disciplining entitlements, for fundamental tax reform, the only way to do that is some sort of special bipartisan process where everybody is at the table, everything is on the table, and the work of that group comes to the floor for a guaranteed vote. That is the best hope we have.

With that, I yield the floor and retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I yield myself a couple of minutes.

First, the fundamental difference between the proposal before us and my proposal is that the budget as proposed has a growth in 2010 for nondefense spending of 8 percent, with about 1 percent growth in each of the following years from 2011 to 2014. That is an old gimmick. The budget proposal before us caps discretionary funding in 2010, which front-loads all the higher costs in the first year. Without caps in the outyears, we will find ourselves right back here next year listening to why the administration can't possibly live with an increase in 2011 of less than 1 percent as recommended in the budget.

Mandatory spending is more than Social Security and Medicare. It is general sciences, space, energy, natural resources. Every estimate we have is that we could cut 10 percent immediately in unnecessary and wasteful spending and fraud across the board, including Medicare, including all of these other programs. We are asking Americans who are tightening their belts, we are asking every State legislature in America to make tough decisions, and we are not making those tough decisions. We are just going on as if it were business as usual. An 8-percent increase in spending for 2010? Tell me one State legislature in America or any family in America that can afford an 8-percent increase in their budget. Only we can because we print money.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Georgia.

Mr. CHAMBLISS. I ask unanimous consent that the Senator from Arizona yield 2 minutes to me to speak on the budget.

The PRESIDING OFFICER. The Senator is allotted 2 minutes.

Mr. CHAMBLISS. Madam President, as everyone knows, the chairman of the Budget Committee happens to be a dear friend of mine, a guy with whom I work on any number of issues on a regular basis. I empathize with him for having to take what I think has been generally recognized as a freewheeling spending budget coming from the White House and try to evolve that into something that is meaningful and much more responsible. Unfortunately, that is a difficult task. I don't think it has been done. I thought for a minute, in listening to the chairman of the committee speak about the McCain alternative, that perhaps he was going to support it. But I understand why he can't.

There is one other major difference the Budget Committee chairman fails to point out between the President's budget and the Democratic budget we will be voting on, and it is a fundamental difference. The President's budget and the Democratic budget focus on where we are going to spend money, versus the McCain budget which seeks to reduce Federal spending for the short term and the long term. The reason that is a fundamental difference is that when you look at the President's budget and you look at the Democratic budget, in the year 2019, for example, the amount of money that will be owed as interest on the debt will exceed the amount of money we are going to spend on discretionary defense. That is outrageous.

I have four grandchildren. Two of them are brand new. They are the ones who will be charged with repaying this debt. By passing the Democratic budget and the President's budget, there is simply no way the grandchildren of all of us are ever going to be able to pay the money back.

I urge support for the McCain alternative.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I yield myself 30 seconds.

I didn't mention at the beginning of my response, but I wish to express my appreciation for the way the chairman, Senator CONRAD, and Senator GREGG have handled this debate. People have had a good opportunity to express their views. The worst part, obviously, is coming up in about 20 minutes. Both the distinguished chairman and ranking member of the committee have handled the debate in a fashion better than I have ever seen in the past. I congratulate both of them for allowing virtually every Member of the Senate to express their views on this important issue.

I retain the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from North Dakota.

Mr. CONRAD. Madam President, I inquire if the Senator from Arizona wishes to go on his amendment. Do we still have Senator GRAHAM?

Mr. MCCAIN. I think he is on his way.

Mr. CONRAD. Could I say, I was told a number of years ago that one of our colleagues called in and said he was on his way, that he was at the airport, and then it turned out he was at the Philadelphia airport.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I thank the chairman.

I wish to remind my colleagues where we are. We have a national debt of $10.7

trillion. The budget that was proposed by the President was $3.6 trillion. What we are looking at is a debt of $10.7 trillion. The Fed just pumped $1.2 trillion into the economy. The TARP, Troubled Asset Relief Program, was $700 billion. We passed an omnibus bill of $410 billion. Prior to that, we passed a $1.1 trillion stimulus package. And to cap it all off, the Chinese own $2 trillion of our paper, of our debt.

This is an unprecedented expenditure of the taxpayers' dollars, and with no way of paying for it. So these are extraordinary times, and we need to do extraordinary things. But let's try not to ignore what we are doing to future generations of Americans. Especially this time of year, I see lots of our citizens around the halls of Congress wearing badges and buttons and carrying signs and advocating for the causes and efforts they believe in. Generally speaking, those causes and efforts, in their view, require more of our tax dollars. I understand that. I appreciate it. And it is wonderful to see people exercising their right to petition Congress, which is guaranteed by the Constitution.

But I do not see anybody who is in the halls of Congress for my kids and my grandkids and your kids and your grandkids. We are laying an astronomical debt on them, which they will have to pay for sooner or later. One of the ways to pay for it is to debase the currency and print money. The result of that is hyperinflation, which is the greatest enemy of the middle class, and we have seen that before in the 1970s.

So, yes, this is a tough budget I am talking about. Yes, these are caps on discretionary spending. Tell me of a family in America—hardly—that is not having to put a cap on their spending. Tell me of a State legislature in America that is not having to put a cap on their spending because of enormous debts. My home State of Arizona is looking at a billion-dollar deficit. That is small compared to what is happening in California.

Madam President, I ask for 2 additional minutes from Senator GREGG's time.

Mr. GREGG. Madam President, I yield the Senator 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. So my point here is—by the way, one of the areas I agree with both Senator GREGG and Senator CONRAD is, we have to have a commission that meets and makes tough decisions on entitlements. We know entitlements cannot be sustained at their present level. And, of course, the first area we ought to look at is the $60 billion the inspector general has said is wasted in Medicare and Medicaid every year. But tough decisions have to be made.

This is a tough budget proposal here. This is tough. It caps discretionary spending, except for defense and veterans. It increases defense spending. We are in two wars. We are in two wars, and I wish to give a little straight talk. In Afghanistan it is going to get worse before it gets better, and it is going to cost more of American blood and treasure.

It reduces the deficit and debt more than the proposals offered by the Senate Budget Committee or the President, and I would point out that 10 years is what we have to plan for rather than 5. It addresses the critical problem of Social Security and Medicare solvency by the establishment—according to the proposal both by the chairman and ranking member—of BRAC-like commissions that would provide recommendations to reduce mandatory spending by at least 4 percent over the next 5 years.

It addresses our critical energy goals, and it also extends the tax cuts. This is the wrong time to increase anyone's taxes. History shows us if we raise people's taxes in tough economic times, it exacerbates the economic problems.

I do not pretend this is easy. I do not pretend this does not affect many Americans and their lives. But if we lay these multitrillion-dollar debts on future generations of Americans, we have contradicted and betrayed the commitment this Nation has kept throughout our history; that is, that the next generation of Americans inherit a better Nation than the one we did.

Madam President, I urge a vote for this amendment and this alternate budget proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, could the Chair inform us of the time remaining on both sides?

The PRESIDING OFFICER. The Senator from North Dakota has 9 minutes. The Senator from New Hampshire has 7½ minutes. The Senator from Oklahoma has 3 minutes. The Senator from South Carolina has 5 minutes. The Senator from Mississippi has 2 minutes.

Mr. CONRAD. Madam President, I think I will take a bit of my time, then, as we await these other Senators. Perhaps the cloakroom could check on the availability of Senators who have time so we can use the time effectively and efficiently.

With respect to Senator MCCAIN's amendment, his substitute, I want to again indicate there is virtually no difference between the debt at the end of the 5 years under his amendment and the amendment that has come through the Senate Budget Committee. The debt as a share of GDP on the budget that is on the floor is 98.7 percent of GDP in 2014. In the substitute amendment offered by the Senator from Arizona, it is 98.3 percent. There is virtually no difference in the debt levels under the McCain amendment and the budget I have offered our colleagues.

With respect to deficits, in 2014, the deficit as a share of GDP in the budget that is before us is 2.9 percent. Under the McCain amendment, it is 2.8 percent.

So I say to my colleagues, if you rack up, if you look at his revenue compared to my revenue: 98 percent the same. His spending versus my spending: 98 percent the same. Where have we heard that figure before?

I think the point that needs to be made, though, is that there are differences, and the differences do matter. The big difference here is the Senator from Arizona saves $350 billion out of the mandatory accounts, but he does not say where. He does not say where. He does not say it is out of Medicare. He does not say it is out of Social Security. He does not say it is out of agriculture. He does not say it is out of the other mandatory accounts. He puts all $350 billion in section 920, which is an across-the-board cut in all of them—$350 billion.

Colleagues, if you want to be voting for cuts that could be $350 billion in Medicare and Social Security, vote for the McCain alternative. If you do not think that is a real good idea, stick with the budget that is before us. Because we have been specific about where the revenues are, about where the spending is, and we have tried to be disciplined about getting down to virtually the same levels on deficits and debt that are in the McCain amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Madam President, if it is all right with the bill managers, I would ask for 7 minutes to speak in support of the McCain amendment.

The PRESIDING OFFICER. The Senator has 5 minutes under the order.

Mr. GRAHAM. Five minutes. OK, thank you, Madam President.

I stand today in support of an alternative budget that is being proposed by Senator MCCAIN and others. This country is trying to write a budget for the American people. That should not be unknown to the American people. They are doing it every day. Every business is writing a budget. Every family is trying to plan a budget. The one thing families and businesses are doing is they are tightening their belts. Well, we are not. We are buying a bigger belt. We are buying a bigger suit.

We are trying to mask the fact that we are grossly overburdened. The budget before us is better than President Obama's budget. But Peter Orszag of OMB says it is 98 percent the same. So we are tying to find a different path. You can evaluate the people running your country as to how they want to spend your money and how much.

What we are proposing in this budget is to basically freeze domestic spending, except for defense and veterans—to

do what you are doing, basically; that is, control your spending, to get by on the same amount of money, with allowing some growth in some needed areas, but to rein in what will be a dramatic increase over time of domestic spending. I think we can do that.

We are spending trillions of dollars. We have trillions of dollars available to us. I know we could get by for another year or two on that same amount of money, allowing growth in certain key areas if we wanted to. But we don't have to. It is a choice we make. You don't have that choice. You can't go and print money. If you write a bad check, you go to jail; we call it good government. So you have choices. You have to make choices. We seem not to be bound by any choices.

If you are going to build a budget from a Federal level, what is the most important thing? At home and in your business, you build a budget around the essentials of what your family needs and what your business needs. I think we should be building a budget around securing the Nation. Under the budget of President Obama, defense spending goes from 4.7 percent of GDP—we are in Iraq and Afghanistan; there are all kinds of threats from Iran, North Korea, you name it; the world is a very dangerous place—and over 10 years, his defense budget takes spending down to 3 percent of GDP. I don't know what he is listening to in terms of intelligence reports, but I don't think this world is safe right now, and now is not the time to cut defense. The budget I am supporting, Senator MCCAIN's alternative, does away with tax increases on the job creators. If you make over $250,000 a year, your taxes are going to go up by about 25 percent. At a time when we are trying to get people to expand their business—and I can tell my colleagues one thing, and John Kennedy understood this—if you raise taxes, people do less business. If you raise the capital gains rates from 15 to 20, people do less capital gains transactions because there is a penalty to engage in business activity. So now is not the time to raise taxes on anyone.

We have to compete with China and India. When you pass on the cost of doing business—and that is what will happen—the American consumer suffers and the American business community is going to suffer because they are competing with people in a global economy who do not have all these tax burdens.

The biggest problem this country faces in terms of long-term debt is Social Security and Medicare. These are entitlement programs. When you get retirement eligible under Social Security, you get a check based on your contributions. Nobody wants to allow that system to go bankrupt, but it is headed toward bankruptcy. Why? Because the amount of money coming in and the amount of money obligated do not match.

When I was born in 1955, there were 15 workers for every retiree. Today there are three and in 20 years there will be two. People will not be able—two workers will not be able to meet the obligations that are owed through the Social Security system unless we act now. This budget puts aside a reserve program to deal with saving Social Security. Medicare and Social Security and Medicaid are a very large part of our budget, and they are on autopilot. I commend the President for wanting to do something in health care, but in his budget, he adds $1.6 trillion as a downpayment on health care reform.

We already spend more money than any country in the world on health care. Rather than adding another $1 trillion into the system, let's see if we can better manage the money we have today. This budget puts a new earmark system in place so Senators and Congressmen cannot, in the middle of the night——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRAHAM. This is an alternative that makes sense. This is an alternative that has to make the same choices you are making in the private sector. I hope the Congress will adopt this proposal.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

AMENDMENT NO. 875

Mr. SANDERS. Madam President, I ask unanimous consent to call up amendment No. 875.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS] proposes an amendment numbered 875.

Mr. SANDERS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require information from the Board of Governors of the Federal Reserve System about the use of emergency economic assistance)

On page 48, line 24, insert ''including the identity of each entity to which the Board has provided such assistance, the value or amount of that financial assistance, and what that entity is doing with such financial assistance,'' after ''2008,''.

Mr. SANDERS. Madam President, the American people are outraged by the greed, the recklessness, and the illegal behavior they have seen from the masters of the universe on Wall Street, who, through their outrageous behavior, these financial tycoons, many of whom have earned hundreds of millions of dollars, if not billions of dollars in their career, have plunged our country and much of the world into a deep recession which has cost our people millions of jobs, which has cost people their homes, which has cost people their savings, and which has led millions of Americans to wonder what kind of future their kids are going to have.

All of this is not the result of an act of nature, it is the result of very definitive actions by a small number of people on Wall Street who have shown outrageous greed in their behavior. It goes without saying that we need a major investigation to understand how we got into this disaster, and what we are going to do to get out of it, and whom we are going to hold accountable.

It goes without saying that we need to begin the process of reregulating Wall Street, bringing back Glass-Steagall, and making sure our taxpayers will never again be put in this position of having to bail out the greed on Wall Street. It goes without saying that we have got to address the issue of too big to fail, in my view—and I have said this many times—if an institution is too big to fail, it is too big to exist, and we begin should begin right now in starting the breakup of these mammoth financial institutions whose failure would cause systemic damage to our entire economy.

It goes without saying that we have got to do more than worry about Wall Street, we have got to start worrying about Main Street and the middle class of this country. We need to pass strong mortgage reform legislation, as well as legislation to protect the American people, who are paying outrageously high interest rates on their credit cards.

In that regard, I have introduced legislation, and hope to get it to the floor of the Senate before too long, which would put a cap of 15 percent on the interest rates any credit card holder in this country would be charged.

But those issues dealing with Wall Street and many more will have to wait for another day. Today, I am offering, along with Senators FEINGOLD and WEBB, a very simple, what I believe is a noncontroversial amendment, which I hope will have the support of every Member of this body.

As you well know, the Congress voted to provide $700 billion in so-called TARP funds to help bail out some of the major financial institutions in our country. I happen to have voted against that bailout. But what is very clear is that every penny of that TARP bailout money is now public.

As part of that bailout legislation, what was mandated is that every financial institution that received 1 penny of the taxpayers' money would be listed on the Treasury Department Web site. And if any American wants to know where that $700 billion went, they can account for every nickel of that. That is the way it should be.

On the other hand, what many people do not know is that the TARP funds, that $700 billion, were only one part of the bailout. What many people do not know is that the Federal Reserve has lent out over $2 trillion to a number of financial institutions. But if you were to ask me or any Member of the Senate, any Member of Congress, any American, who received that money, what they will tell you is: We do not

know. Over $2 trillion of taxpayer money has been placed at risk, but the American people do not know who received those funds, and what the exact contractual arrangements were.

Anybody who believes in the concept of good government, anybody who believes in transparency, understands that is wrong, that is unacceptable, and that has got to change.

Earlier this month, I had an opportunity to ask Ben Bernanke, who is the Chairman of the Federal Reserve, about this issue when he testified before the Budget Committee, of which I am a member.

At that hearing, Chairman Bernanke 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 those banks, how much assistance they were provided, or what, in fact, those banks are doing with the money that taxpayers gave them.

What the Federal Reserve needs to understand is that this money does not belong to them, it belongs to the American people, and the American people have a right to know who the Fed is lending taxpayer money to, how much they are getting, and what the Fed is asking in return for this money. I cannot imagine anything that is more obvious, more common sense. How can you put $2.2 trillion of taxpayer money at risk and not know who is receiving that money? I think back now to the financial forms that Members of Congress have to fill out. People want to know, are we in a conflict of interest. We fill out those forms, they are made public. Our staff members fill out those forms. In many instances, when people are applying for Federal aid, they are forced to make public what they are asking for and how much. Some years ago, small farmers in the State of Vermont received some help from the Federal Government as part of the MILC program, if I recall correctly there. It was right in the newspaper, every nickel the struggling farmers were getting. Some of these farmers make $20,000, $25,000 a year. Some of them are on food stamps. It was, $8,399 goes to this farmer and that farmer. They were not happy about it. That is what the process was.

So it seems to me that if small farmers in Vermont are going to see what they get from the Federal Government and hope to keep small farms alive in this country, I think that multibillion dollar financial institutions should also be asked to have what they received made public as well.

The amendment I am offering today is a pretty simple one. It amends an amendment I offered. It was submitted in the Budget Committee. Specifically this amendment calls for increased transparency, including names, which institutions received assistance from the Fed, how much money they received, and what they are doing with this assistance.

I sincerely believe that is not an issue of left versus right. In fact, some of the strongest supporters of this concept are very conservative people such as RON PAUL, a colleague of mine in the House—a former colleague—who supports this type of approach. A number of Republicans have spoken for increased transparency, as well as progressives.

That is the issue. It is as simple and as clear as it can possibly be, that if taxpayers are going to be placed at risk by providing trillions of dollars in loans to large financial institutions, the American people have a right to know who is receiving that money, and what the terms are.

This amendment, once again, is supported by Senator FEINGOLD and Senator WEBB. I ask my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from North Dakota.

Mr. CONRAD. Madam President, I yield 5 minutes to the Senator from Louisiana to discuss her amendment, not to call it up but to discuss her amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

AMENDMENT NO. 931

Ms. LANDRIEU. I rise to speak about amendment No. 931 which is at the desk, as modified. I will ask the chairman at a later time for it to be voted on and in order.

I wanted to speak about an issue in the budget as we discuss the importance of laying out a framework for how we may allocate future revenues that come into our general fund from offshore oil and gas drilling.

A couple of years ago, in 2006, Senator Domenici and I led a bipartisan effort to establish what I believe is a breakthrough process as we seek to build a system or a method of energy security for our Nation which would, as the debate is going on in the Congress, include more domestic oil and gas drilling and an expansion of our nuclear capability for the production of electricity. I am very hopeful about alternative energy—wind and solar. We also have some interesting experiments underway with geothermal and energy created by our tides. There are also exciting opportunities for new hydro projects. It is going to take all of the above to help our country maximize domestic energy sources.

Representing the State of Louisiana, I am offering this amendment with the Senator from Alaska as well, Mr. BEGICH, who also represents a State that has contributed a great deal to conventional oil and gas production. It is important that the revenue streams associated with this production are shared equitably and fairly, not only with the Federal Treasury but with States that serve as platforms for this industry and with counties and, in the case of Louisiana, parishes that serve as platforms for this great industry.

More than ever, people in businesses and residences, individuals and families are focused on the cost of energy and electricity, both on the electricity side and the transportation side. While we are not there yet, we are pushing forward with the President's new initiatives and agenda to find a way to make America more energy secure.

In large measure, this debate has actually been led by the chairman of the Budget Committee, who is doing an outstanding job on the budget, but has also been flexing his muscle and lending his voice, and we are so grateful and appreciative, to pushing our country to energy security.

I offer this amendment as a basis to establish a deficit-neutral reserve fund that will continue the precedent and practice that was set by the Gulf of Mexico Energy Security Act, which will set aside 50 percent of future funds to be allocated in a budget-neutral fashion for revenue sharing for States and local governments, along with contributions out of that fund made to the Land and Water Conservation Fund and to investments in energy innovation—those three allocations of funding, whether it is for revenue sharing to establish a partnership with State and local governments, as we consider where else in America we can drill.

This amendment does not say where we are going to drill. It does not authorize drilling. It says when those decisions are made that the revenues should be shared with State and local governments appropriately, to enter into strong, reliable partnerships and mutually beneficial partnerships for increased drilling domestically. I think this is a very smart way to proceed, and it has been voted for by over 72 Members of this Senate, both Republicans and Democrats.

In addition, we understand that a part of this money could be dedicated to conservation, land and water. It could also go to energy innovation, research, and development. So, again, it does not tie our hands to the specifics. It does not authorize any drilling that is not already authorized under the law. But it does establish a deficit reserve fund for us to act in the future.

I understand my time has come to an end. I thank the chairman for his consideration. We will call this amendment up, No. 931, at the appropriate time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I thank the distinguished Senator from Louisiana for her leadership on these issues and for the good working relationship we have enjoyed. One thing I have learned about the Senator from Louisiana: She is persistent with a capital ''P.'' And I will tell you, if I wanted somebody to represent me here in this Capitol to get a result, I would pick her because never have I seen someone more indefatigable in defense of their State than the Senator from Louisiana, and I mean that with the highest praise.

The PRESIDING OFFICER. Who yields time?

The Senator from New Hampshire.

Mr. GREGG. How much time is still pending for the various parties?

The PRESIDING OFFICER. The Senator from North Dakota has 5½ minutes, the Senator from New Hampshire has a total of 10 minutes, the Senator from Oklahoma has 3 minutes, and the Senator from Mississippi has 2 minutes.

Mr. GREGG. I see the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, I ask unanimous consent to set aside the pending amendment to call up amendment No. 742.

The PRESIDING OFFICER. Is there objection? Would the Senator restate the number.

Mr. INHOFE. No. 742.

The PRESIDING OFFICER. The clerk will report——

Mr. CONRAD. Madam President, I object. We have a queue here. We have a unanimous consent agreement. It would be out of order to call up an amendment at this point.

Mr. INHOFE. Madam President, let me withdraw that unanimous consent request and let me comment about what this amendment is about. There was a misunderstanding. I thought this was going to be voice voted at some point, or accepted.

It has been accepted on both sides. My cosponsor is Senator AKAKA, who I think is down here now. I will briefly describe what it is and, hopefully, we will be able to get it in before the day is over.

There is a little bit of a problem we have in health care for our veterans, in that quite often—in fact, 19 out of the last 22 years—Congress has been unsuccessful in passing annual funding for veterans health care in time. Over the past 7 years, the VA has received its final budget at an average of 3 months after the beginning of the new year.

There is a solution to this—this discontinuation of health care for our veterans—that doesn't cost anything, and that is what this bill is all about. It would allow us to have advanced appropriations for veterans health care. This is not unprecedented; it happens in other areas too.

In October 2008, during his campaign, then-Senator Obama said:

> The way our Nation provides funding for VA health care must be reformed . . . My administration will recommend passage of advance appropriations legislation for the fiscal year 2010 appropriations cycle.

So this is a recommendation that actually came from the administration. I am joined by several others, including Senator AKAKA, who is, of course, the head of the Veterans' Committee.

At the appropriate time, I wish to go ahead and get this through, and I will leave it up to the managers of the bill as to when that appropriate time will be.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Madam President, I will yield myself a few minutes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Madam President, we had represented to our colleagues that we would begin voting at 11:30. We have an inordinate number of votes already in the queue. I hope people will appreciate the fact that the number of amendments pending right now is going to take us well into the evening tonight, headed toward midnight. I recognize everybody wants to get their amendment up, and that is their right, but I would simply counsel that if we are going to complete this bill—which probably I should not counsel for since I am not for it, but as a practical matter, if we are going to complete this bill, we need to be a little bit judicious as we ask for votes on amendments; otherwise, we will be here well into Friday, if not into Saturday at this rate.

At this point, in order to recognize the fact that we are already behind schedule a little bit, I would suggest to the chairman that we yield back all time, even though I had a brilliant statement in opposition to the bill.

Mr. ENSIGN. Madam President, if the Senator will yield, I wasn't able to speak on my amendment last night. I wonder if I could have the remaining time until 11:45 to speak on the amendment.

Mr. GREGG. I do have 10 minutes left, so I will yield the Senator 5 minutes.

I, first, wish to take a minute, however, to say I appreciate Senator MCCAIN's full substitute. I think it is a very positive substitute. It does what the American people need to have done. It controls spending in the outyears.

The essence of the problem with the budget that has been brought forward by the President and by the Senator from North Dakota is that in the outyears, the debt explodes and it explodes as a result of an explosion in spending. Senator MCCAIN has taken an aggressive effort to try to change that course of action so our kids have an affordable Government. I congratulate him for it.

I yield 5 minutes to the Senator from Nevada.

Mr. CONRAD. Madam President, if the Senator from Nevada will withhold for 1 minute—and this time will not come out of his time—I think it is very important Senators understand that we have done a 5-year budget here. That is what we have done 30 of the 34 times Congress has done a budget under the Budget Act, including the last 5 years and including 2 when the ranking member was the chairman. Now, why have we done 5-year budgets? It is because the projections beyond 5 years are notoriously unreliable. The ranking member himself has said that second 5 years is a guess. My own belief is the fact that President Obama came forward with a 10-year budget is a useful thing. We have that scored. We know what that does. We know what it does in the second 5 years. But Congress has almost always done 5-year budgets. Thirty of the thirty-four times a budget has been written in Congress, it has been done on a 5-year basis because the outyears are so notoriously unreliable.

One other point I wish to make to colleagues. We now have over 100 amendments pending. If everyone insists on their amendment, we can do three an hour, we will be here for 33 hours. It is in the hands of our colleagues. If everybody is going to insist on their amendment and a vote on their amendment, you can do the math. We can do three votes an hour, and we will be here for 33 hours. I hope my colleagues think carefully about that.

Mr. GREGG. Madam President, 33½ hours.

Mr. CONRAD. So 33½ hours. I stand corrected.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 805

Mr. ENSIGN. Madam President, my amendment which I have offered in the past, is a means testing of Medicare Part D, the prescription drug benefit.

This Congress, under the leadership of President George W. Bush, offered seniors a brand new benefit: Prescription drug coverage. The problem with what this Congress did is that in this brand new benefit, we didn't take into account wealthier seniors who were getting a benefit from a system they never paid into. People pay taxes for Medicare Part A: Hospital coverage. That is what Part A is for. We currently means test and require seniors that have more means to pay part of the Part B premium, which covers doctors. Well, Part D is to cover prescription drugs. So what we are doing with this amendment is saying to seniors, that instead of a schoolteacher, firefighter or police officer, the middle-income folks out there having to pay higher taxes in order to pay for your prescription drugs, if you have the means, then you should pay for them.

That is all this amendment does. The savings are contributed to deficit reduction.

We are talking about the massive amount of debt this budget puts onto our children and our grandchildren. The Chinese, who are a big buyer of our debt, are questioning whether they want to continue to buy our debt. If

that ever happens, if the Japanese, the Chinese, other sovereigns around the world, or if our own citizens quit buying our Treasury bills this country is in trouble. We should be looking at ways to lower our debt, to lower the amount of money we are borrowing from our children and grandchildren.

This amendment saves about $3 billion. I realize it is small change, but that used to be a lot of money around here. In these tough economic times we should save money whenever we can. This means-testing of Medicare Part D is absolutely a place where we should start saving.

Mr. GREGG. Madam President, will the Senator yield?

Mr. ENSIGN. I am happy to yield.

Mr. GREGG. I know the Senator mentioned this, but I wish to reinforce it. This was a proposal that came from President Obama's administration and it was in his budget; is that correct?

Mr. ENSIGN. The Senator is correct, that the President of the United States did include means testing as a part of his budget, means testing for Part D. He did put that toward health care. There are many of us who believe we spend plenty of money on health care in this country; we just don't spend it in the right way. We have a sick care system that pays people, doctors, and hospitals once people get sick, but we don't do pay for better behavior in this country, such as not smoking.

Safeway was in here talking to us about the program they implemented, and they actually give financial incentives for healthier living. They have actually been able to lower costs, compared to the rest of the United States, by 40 percent over the last 4 years. The United States does not need to spend more money on health care. We need to better allocate the money we are spending. That is why putting the savings from Medicare Part D toward deficit reduction is the responsible way to go.

Let's take the $3 billion in savings, considered a pittance around here, and put it toward deficit reduction so we do not continue to put a huge burden on our children and our grandchildren.

Lastly, when the President says: Let's means test Part D, I think we should do just that. When our children and our grandchildren are saying: Let's not have any more debt, let's not be burdened with huge taxes in the future, we should listen to them as well. We have a responsibility to do that.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, this amendment sounds good on the surface, but, frankly, it will make health care reform more difficult. It is difficult enough as it is. This amendment will make it much more difficult.

Some suggest that wealthier Americans should be ''means tested;'' that is, they should not get the same benefit under the Part D drug benefit as others. That is a policy that needs to be debated. I personally think that is something we should consider. After all, as the Senator from Nevada said, it is in the President's budget to means test Part D drug benefits.

But that is not the point here. The point here is, do we want to help make health care reform easier or more difficult? The effect of the amendment is to reduce the Finance Committee's allocation in health care reform. That is going to make the Finance Committee's effort to get meaningful health care reform more difficult.

I suggest we take up that issue—whether to means test Medicare or not—in the context of health care reform. Then the savings that would be achieved by means testing—if we enacted it—would go toward health care reform.

The effect of the Senator's amendment is twofold. One is to suggest means testing Medicare Part D, which is in the President's budget, but the President doesn't want to use means testing to reduce spending on health care. He doesn't want that. So it would accomplish both purposes; that is, to be sure we meaningfully address means testing but in a way that doesn't hurt the efforts of health care reform.

It makes much more sense to not adopt this amendment but take up the question of means testing in the context of health care reform, where it is part of many other components of health care reform, where the pieces will fit together in a way that makes more sense.

I respectfully say this is not the place to consider means testing. It should be done in the context of health care reform. If we don't approve this amendment, then we can deal with this issue on health care reform.

There are a lot of arguments for and against this. I take no firm position as chairman of the Finance Committee, but I believe the Senator's concept has merit. After all, it is in the President's budget, but it should not be done here, which has the effect of taking it out of the Finance Committee's allocation, which makes it more difficult for the Finance Committee to do its work on health care reform.

I respectfully urge Senators to not support this amendment so we can make it easier to take up health care reform in a way that we can consider this policy as one of the many we take up on health care reform.

Again, I urge that the amendment not be adopted so we can do our job.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, momentarily, we will go to a vote on the Ensign amendment.

Before we do that, I ask unanimous consent that upon the use of all time remaining for debate on the budget resolution, the Senate then proceed to vote in relation to the following amendments in the order listed; that each amendment be reported by number prior to the time for debate with respect to the amendment; that the previous order remaining debate time and vote time remain in effect; provided further, that if a budget point of order is raised against any amendment, then a motion to waive the applicable point of order be considered made, with the vote occurring on the motion to waive.

The list of amendments is as follows: Ensign, No. 805; McCain, No. 882, as modified; Dodd-Shelby, No. 913; Sanders, No. 875; Johanns, motion to recommit; Bennett, No. 759; Bennet, No. 799; Democratic side-by-side amendment to the Vitter amendment; Vitter No. 787; Coburn, No. 892; Casey, No. 755; Coburn, No. 893; Brown, No. 808; Graham, No. 910; Landrieu, No. 931, as modified, with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CONRAD. I thank the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, I wish to speak in support of the Ensign amendment. It should have been done long ago. There is no reason that people who are working in a restaurant or at Wal-Mart in New Hampshire should have to subsidize Warren Buffett's drugs, which is what happens under present law. There is no requirement that people who are wealthy have to pay anything on Part D premiums.

I certainly hope we will approve the Ensign amendment.

At this point, I suggest that we yield back all time.

Mr. CONRAD. I am prepared to yield back all time.

Mr. GREGG. We yield back all time, and we will go to the vote on the Ensign amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 805, offered by the Senator from Nevada, Mr. ENSIGN.

Mr. GREGG. Madam 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 39, nays 58, as follows:

[Rollcall Vote No. 128 Leg.]

YEAS—39

Alexander	Bond	Burr
Barrasso	Brownback	Chambliss
Bennett	Bunning	Coburn

Cochran	Grassley	McCaskill
Collins	Gregg	McConnell
Corker	Hatch	Risch
Cornyn	Hutchison	Roberts
Crapo	Inhofe	Sessions
DeMint	Isakson	Shelby
Ensign	Johanns	Specter
Enzi	Kyl	Thune
Feinstein	Lugar	Vitter
Graham	McCain	Voinovich

NAYS—58

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Pryor
Bayh	Inouye	Reed
Begich	Johnson	Reid
Bennet	Kaufman	Rockefeller
Bingaman	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown	Kohl	Shaheen
Burris	Landrieu	Snowe
Byrd	Lautenberg	Stabenow
Cantwell	Leahy	Tester
Cardin	Levin	Udall (CO)
Carper	Lieberman	Udall (NM)
Casey	Lincoln	Warner
Conrad	Martinez	Webb
Dodd	Menendez	Whitehouse
Dorgan	Merkley	Wicker
Durbin	Mikulski	Wyden
Feingold	Murray	
Gillibrand	Nelson (FL)	

NOT VOTING—2

Kennedy Murkowski

The amendment (No. 805) was rejected.

Mr. CONRAD. Madam President, Senator FEINSTEIN wishes to be recognized for the purpose of changing her vote.

The PRESIDING OFFICER. The Senator from California is recognized.

CHANGE OF VOTE

Mrs. FEINSTEIN. Madam President, I want to change my vote on rollcall No. 128. It was my intention to vote ''yes'' and I voted ''no.'' Since it will not change the outcome of the vote, I ask unanimous consent that my vote be changed to reflect a ''yea'' vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. REID. Madam President, I announced this morning, though only Senator MCCONNELL and I were on the floor, that today we are going to enforce the rule. This vote was turned in at 20 minutes. The 10-minute votes are going to be enforced. You have a 5-minute leeway. If you are not here exactly on time, the vote will be turned in. The clerks have been instructed of that fact.

Senator MCCONNELL and I believe we have to move this show along today. There is no reason to leave the Chamber. There is something to drink in the cloakroom and a sandwich if someone wants one, but let's cooperate and get this done today.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, now that colleagues are in the Chamber, we will give you a status update. We now have over 100 amendments pending. We can do three an hour. If we hold on that, and everybody insists on a vote on their amendment, we will be here for at least 33 hours.

I implore colleagues on both sides, if you can take a voice vote on your amendment, please be willing to do that. So I ask colleagues, if you can take a voice vote on your amendment or if you can hold off to another day, please do so; otherwise, we will be here clear through tomorrow.

Mr. GREGG. The next amendment is Senator MCCAIN, I believe.

AMENDMENT NO. 882, AS MODIFIED

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. 882, as modified, offered by the Senator from Arizona, Mr. MCCAIN.

The Senator from Arizona.

Mr. MCCAIN. Madam President, this proposal caps discretionary funding at a baseline level plus inflation, a dramatic difference between this proposal and the Senate budget committee proposal. The proposal by Senator CONRAD increases domestic spending by 8 percent for 2010 and then 1 percent in the years following.

We all know that is unrealistic. And we all know we will be back here next year with another 8 percent increase in domestic spending. It is time for some tough love. This is what this budget proposal is.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, the chairman's mark that was referenced increases discretionary spending not by 8 percent but by 5.3 percent. That is all domestic discretionary spending is increased—by 5.3 percent. It averages nondefense discretionary spending at a 2½-percent increase over the 5 years.

The McCain offer and the chairman's mark are almost identical with respect to deficit levels and debt levels. In 2014, the debt is 98.3 percent of GDP under the McCain amendment; 98.7 percent under the Chairman's mark—virtually no difference.

But there are differences. He takes $350 billion in savings out of mandatory programs and doesn't specify whether it comes out of Social Security or Medicare or agriculture—$350 billion. Where does it land?

If you want to risk cutting Social Security and Medicare by $350 billion, vote for the McCain substitute. If not, vote no.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GREGG. 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. 882, as modified.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 60, as follows:

[Rollcall Vote No. 129 Leg.]

YEAS—38

Alexander	Ensign	McCain
Barrasso	Enzi	McConnell
Bennett	Graham	Murkowski
Bond	Grassley	Risch
Brownback	Gregg	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Specter
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Cornyn	Kyl	Voinovich
Crapo	Lugar	Wicker
DeMint	Martinez	

NAYS—60

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murray
Bayh	Gillibrand	Nelson (FL)
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Brown	Kaufman	Rockefeller
Burris	Kerry	Sanders
Byrd	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Corker	Lincoln	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Merkley	Wyden

NOT VOTING—1

Kennedy

The amendment (No. 882), as modified, was rejected.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

AMENDMENT NO. 913

Mr. CONRAD. Madam President, next in order is the Dodd-Shelby amendment, No. 913.

Senator DODD?

Mr. DODD. Madam President, I offer this amendment on behalf of myself and Senator SHELBY. This amendment calls for increased transparency and disclosure at the Federal Reserve Bank in order to understand better the risks the Fed is taking onto its balance sheets. It also calls for a further evaluation of the costs of the existing Federal Reserve Bank system, which has not been done before.

Our colleagues from Vermont and Kentucky will offer an amendment after our amendment is offered. There is a distinction between these two. The amendment offered by the Senators from Vermont and Kentucky goes one step further than ours. Presently—and it has been the case for years and years—you do not reveal the names of the companies that show up at the discount window. There is a reason for that. The reason is obviously to avoid potential runs on those institutions. Our amendment does not require the disclosure of those companies names. We call for transparency, disclosure of the items I mentioned, the collateral that the Fed is taking, but we stop short of insisting upon naming the people who show up at the discount window. That is a fundamental distinction which our colleagues will have to decide on which course to follow.

We think there is some danger in going the route our colleagues from

Vermont and Kentucky are proposing. If we end up naming those names, you could well trigger runs on those institutions, and that could end up costing the taxpayer a lot more. The Dodd-Shelby amendment improves disclosure and transparency at the Federal Reserve but does not risk the problems associated with the other amendment. We urge our colleagues to support our amendment.

I call up the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself and Mr. SHELBY, proposes an amendment numbered 913.

The amendment is as follows:

(Purpose: To provide for enhanced oversight of the Board of Governors of the Federal Reserve System concerning the use of emergency economic assistance)

On page 48, line 21, strike ''banks'' and all that follows through ''purposes,'' on line 25 and insert the following ''banks, to include (1) an evaluation of the appropriate number and the associated costs of Federal reserve banks; (2) publication on its website, with respect to all lending and financial assistance facilities created by the Board to address the financial crisis, of (A) the nature and amounts of the collateral that the central bank is accepting on behalf of American taxpayers in the various lending programs, on no less than a monthly basis; (B) the extent to which changes in valuation of credit extensions to various special purpose vehicles, such as Maiden Lane I, Maiden Lane II, and Maiden Lane III, are a result of losses on collateral which will not be recovered; (C) the number of borrowers that participate in each of the lending programs and details of the credit extended, including the extent to which the credit is concentrated in one or more institutions; and (D) information on the extent to which the central bank is contracting for services of private sector firms for the design, pricing, management, and accounting for the various lending programs and the terms and nature of such contracts and bidding processes,''.

Mr. DODD. I do not see Senator SHELBY in the Chamber.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time in opposition?

Mr. CONRAD. Senator SANDERS will have the time in opposition.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. The Dodd-Shelby amendment is a very good step forward in terms of long-overdue transparency of the Fed. I compliment both Senators for their effort, and I support their amendment.

Unfortunately, this amendment, as Senator DODD has just told us, does not go far enough. The bottom line is that the Fed has lent out some $2.2 trillion, and the American people and the Members of Congress do not know which financial institutions have received that money or what the exact terms of those transactions are. I think it is basically absurd that $2.2 trillion is at risk without us knowing who has received that money.

I support the Dodd-Shelby amendment, and in a moment I will ask for support for the Sanders-Feingold-Webb amendment as well.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 913.

Mr. DODD. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY), is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 2, as follows:

[Rollcall Vote No. 130 Leg.]

YEAS—96

Akaka	Ensign	Menendez
Barrasso	Enzi	Merkley
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murkowski
Begich	Gillibrand	Murray
Bennet	Graham	Nelson (FL)
Bennett	Grassley	Nelson (NE)
Bingaman	Hagan	Pryor
Bond	Harkin	Reed
Boxer	Hatch	Reid
Brown	Hutchison	Risch
Brownback	Inhofe	Roberts
Bunning	Inouye	Rockefeller
Burr	Isakson	Sanders
Burris	Johanns	Schumer
Byrd	Johnson	Sessions
Cantwell	Kaufman	Shaheen
Cardin	Kerry	Shelby
Carper	Klobuchar	Snowe
Casey	Kohl	Specter
Chambliss	Kyl	Stabenow
Coburn	Landrieu	Tester
Cochran	Lautenberg	Thune
Collins	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Corker	Lieberman	Vitter
Cornyn	Lincoln	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	Webb
Dodd	McCain	Whitehouse
Dorgan	McCaskill	Wicker
Durbin	McConnell	Wyden

NAYS—2

Alexander	Gregg

NOT VOTING—1

Kennedy

The amendment (No. 913) was agreed to.

Mr. DODD. Madam President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 875

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on amendment No. 875, offered by the Senator from Vermont, Mr. SANDERS.

Mr. SANDERS. Madam President, I ask unanimous consent that Senator BUNNING be added as a cosponsor. I will yield 30 seconds to him and 10 seconds to Senator WEBB, who is a very quick speaker.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. The taxpayers of this country, through the Fed, have lent $2.2 trillion to a number of financial institutions. We do not know who these institutions are or what they received. This is totally absurd. We need to name the names. That is what this amendment is about.

I yield to Senator BUNNING.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. BUNNING. Madam President, this is a transparency amendment that allows the Fed, forces them, to reveal what banks have received over $2 trillion in assistance. That is what the amendment says. That is what it does.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WEBB. I ask my colleagues to consider 10 words: The American people deserve to know where their money went.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SHELBY. Madam President, I share Senator SANDER's concern regarding the transparency of these programs. We all do. We just voted on the Dodd-Shelby amendment—96 to 2, it passed, I believe.

As Senator DODD has pointed out, however, disclosing the names of the companies may create financial instability by unnecessarily raising concerns about institutions that accessed these facilities, something we should try to avoid. I believe the Senate has already spoken, and we certainly do not need this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 875.

Mr. SANDERS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 39, as follows:

[Rollcall Vote No. 131 Leg.]

YEAS—59

Akaka	Dorgan	McCain
Begich	Durbin	McCaskill
Boxer	Ensign	Merkley
Brown	Feingold	Mikulski
Brownback	Feinstein	Murray
Bunning	Graham	Nelson (FL)
Burr	Grassley	Pryor
Burris	Hagan	Reid
Byrd	Harkin	Risch
Cantwell	Hutchison	Roberts
Cardin	Inhofe	Rockefeller
Casey	Inouye	Sanders
Coburn	Kerry	Sessions
Collins	Klobuchar	Snowe
Conrad	Landrieu	Specter
Cornyn	Leahy	Stabenow
Crapo	Levin	Tester
DeMint	Lincoln	

Thune	Vitter	Whitehouse
Udall (NM)	Webb	Wyden

NAYS—39

Alexander	Enzi	Martinez
Barrasso	Gillibrand	McConnell
Baucus	Gregg	Menendez
Bayh	Hatch	Murkowski
Bennet	Isakson	Nelson (NE)
Bennett	Johanns	Reed
Bingaman	Johnson	Schumer
Bond	Kaufman	Shaheen
Carper	Kohl	Shelby
Chambliss	Kyl	Udall (CO)
Cochran	Lautenberg	Voinovich
Corker	Lieberman	Warner
Dodd	Lugar	Wicker

NOT VOTING—1

Kennedy

The amendment (No. 875) was agreed to.

Mr. SANDERS. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, the reason this vote took a little longer is because people, even though it is a 10-minute vote, waited until the last minute to come and vote or to change their vote. It is making it extremely difficult for the people at the desk to do this. There was a mistake made because people were switching votes, so it took a lot longer.

If everyone would stay as close as they can to get the votes out of the way and not wait until the last minute—the Republican cloakroom, we have sent pages back to try to find Members, and to the Democratic cloakroom as well.

The PRESIDING OFFICER. The Republican leader.

SENATOR GRASSLEY'S 10,000TH VOTE

Mr. MCCONNELL. Mr. President, our good friend from Iowa, Senator GRASSLEY, has cast his 10,000th vote. Senator GRASSLEY has been a distinguished Member of this body for 29 years and, in my view, the Nation is always a lot better off when people are paying very close attention to CHUCK GRASSLEY.

Over the course of the past two centuries, nearly 2,000 men and women have served in the Senate. Fewer than 30 have cast more votes than CHUCK GRASSLEY. Only one other Senator from Iowa has served longer. This year Senator GRASSLEY will mark 50 years of public service to the people of the Hawkeye State. While some Members of Congress have a tendency to lose touch with their constituents, Senator GRASSLEY has always worked hard to make sure he never did. He has made it his business to stay connected to the folks back home by holding at least one townhall meeting a year in all of Iowa's 99 counties and by responding to every letter, postcard, e-mail, and phone call his office receives from Iowans.

He also stays close to the land by working his family farm, even while he keeps up with his duties in Washington. CHUCK GRASSLEY may be a U.S. Senator, but he has always preferred to be known as ''a farmer from Butler County.'' Visitors to the Grassley farm say it is not uncommon to see Senator GRASSLEY pulling a cell phone out from under his baseball cap while riding on his tractor. Remind me never to borrow Senator GRASSLEY's cell phone.

A 1955 graduate of the University of Northern Iowa, Senator GRASSLEY ran for the Iowa House at the age of 23 and lost. But this is a man, the Des Moines Register once wrote, for whom the word ''dogged'' was invented. Three years later, at age 25, he won that seat in the House, and Iowa voters have been reelecting him ever since, including five terms in the Senate.

Over the years, Senator GRASSLEY has distinguished himself for his tenacity and his commitment to the public interest. Whistleblower amendments that he has sponsored have recovered $18 billion to the U.S. Treasury. He has kept a watchful eye on spending at the Pentagon and, as the top Republican on the Senate Finance Committee, he has been an equal opportunity foe of loopholes, closing them to corporations and individuals alike. He has also done the hard work of following up on these and other accountability measures he has authored over the years.

Senator GRASSLEY has a lot to be proud of in his career. He and Barbara are also rightly proud of their 54 years of marriage, their five children, and nine grandchildren. CHUCK couldn't have foreseen such an eventful life when he and Barbara met, and Barbara probably certainly didn't expect that 30 years of marriage would pass before she finally got her diamond engagement ring. We all know it is probably because CHUCK didn't want to spend that money.

Senator GRASSLEY has been a farmer, a father, a government watchdog, a steward of the Nation's finances; in short, he is a real statesman. The Senate would not be the same without him, and the Nation, I firmly believe, would be a lot worse off without the remarkable service of CHUCK GRASSLEY. Senator, congratulations.

(Applause, Members rising.)

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I join the Republican leader in congratulating CHUCK GRASSLEY, our friend, on casting his 10,000th vote. CHUCK was born in the city of New Hartford—but not Connecticut—Iowa, where he and his wife Barbara raised their five children. They reside there today. After graduating Iowa State Teachers College, he earned a doctorate from the University of Iowa.

I have referred to Senator GRASSLEY on a number of occasions as CHUCK, Senator, Hey You, but now Dr. GRASSLEY. Everyone should understand that.

CHUCK, in addition to his education excellence, worked as an assembly line laborer before he was elected to the Iowa House of Representatives and later to the United States Congress. He has been in the Senate since 1980. CHUCK quickly became known as a friend to taxpayers and a foe to government waste.

As former chairman of the Senate Aging Committee, on which I served under him, Senator GRASSLEY worked to expose the neglectful practices of many of America's nursing homes, and certainly Senator GRASSLEY was a catalyst for change. To ensure that government workers feel free to shine a light on corruption and misappropriation of public funds, CHUCK GRASSLEY coauthored the Whistleblower Protection Act of 1989.

As former chairman and now ranking member of the Finance Committee, Senator GRASSLEY has worked with Members of both sides of the aisle to find bipartisan solutions to put taxpayers first.

He is a man of his word, and once he tells you what he has agreed to do, he goes to the wall. I have found that on a number of different issues working with him.

Senator GRASSLEY is a leader on health care issues. Senator GRASSLEY reached across the aisle to coauthor legislation with Senator KENNEDY 12 years ago that provides middle-class families with the opportunity to buy into Medicare for children with special needs.

I particularly appreciate Senator GRASSLEY's longstanding commitment to developing clean, homegrown renewable energy.

In addition to his leadership on a broad spectrum of national issues, Iowans depend on CHUCK GRASSLEY for his responsiveness to constituent services. He has accomplished the remarkable feat of visiting each one of Iowa's 99 counties—that is so hard for me to comprehend. The State of Nevada, as big as it is, only has 17 counties. Iowa has 99 counties, and he has visited those counties every year at least once since he was first elected to the Senate.

CHUCK and Barbara, as Senator MCCONNELL has mentioned, are the parents of five children: Lee, Wendy, Robin, Michele, and Jay.

An accomplishment for sure—10,000 votes cast in the U.S. Senate. It is a remarkable accomplishment. But as I look at his record, I think one of his greatest accomplishments is the fact that the Senator from Iowa will achieve, this year, his 55th wedding anniversary with Barbara.

Congratulations, CHUCK.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I join with the entire Senate family in congratulating my colleague, my good friend, and the senior Senator from Iowa, on casting his 10,000th vote in the Senate. This is a truly remarkable milestone, but even more remarkable is the fact that Senator GRASSLEY has cast nearly 6,000 votes without missing a vote. It has been 16 years since Senator GRASSLEY has missed a vote. The last time he missed a vote, he had to be

in Iowa during that terrible flooding we had in 1993. So he has not missed a vote since. It has been 16 years that Senator GRASSLEY has not missed a vote.

I note for the record that Cal Ripken, the great shortstop and third baseman for the Baltimore Orioles, went 16 years without missing a game, and they called him the Iron Man. So now Senator GRASSLEY has gone 16 years without missing a vote, so I guess now we can call him the Iron Man of the U.S. Senate.

But the measure of a Senator is not just how many votes he or she casts, it also includes what he or she accomplishes off the floor of the Senate. That is also where Senator GRASSLEY has truly distinguished himself in this body over the last 28 years.

Count me as one of those who believes the executive branch of this Government has gotten too powerful, has arrogated too much power to themselves in relation to the legislative branch.

Mr. BYRD. Yes, yes.

Mr. HARKIN. And it is a power they flaunt. I do not care whether it is a Democratic administration or a Republican administration. I daresay no Senator is more dedicated to providing rigourous, relentless oversight of executive branch agencies—whether during Republican administrations or Democratic administrations—than Senator GRASSLEY. Senator GRASSLEY's dedication to the oversight function has been exemplary, a model every Senator ought to strive to emulate.

CHUCK GRASSLEY and I have served together in the Congress since we were both elected the same year in 1974. We took our oaths of office on the same day in the House in 1975. Of course, he preceded me to the Senate. He came to the Senate in 1981. I followed him here in 1985. Well, we belong to different parties, but I like to think we share a down-to-earth, commonsense Iowa way of looking at the world. I value his friendship and his counsel. I have the highest respect for his work here in the Senate and his work in Iowa on behalf of all Iowans.

So, again, I join my colleagues in congratulating my colleague, my friend, and the senior Senator from Iowa on this remarkable milestone.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I have lined up to speak. So many of us want to congratulate the esteemed Senator from Iowa. I congratulate him on his 10,000th vote.

Many of you know CHUCK and I get together once a week. We started this practice at least 8 or 9 years ago, and sometimes he is chairman, sometimes I am chairman; chairman or ranking member, vice versa, back and forth. We meet every Tuesday at 5 o'clock in the afternoon, and we have done this for 8 years. Maybe we have missed five or six or seven times, but constantly, consistently we get together to go over matters, minimize misunderstandings, and so forth. Lately, the last couple, 3 years, the meetings have been in my office. I have a little bit bigger conference room. That is not the real reason, though. The real reason is, as CHUCK always reminds me, in my office the coffee is free, so it is much better to meet in my office.

All of you who know CHUCK know he passes the airport test; that is, if you are ever stranded in an airport for 10 or 12 hours and you are sitting next to somebody, you get to like the person or you do not get to like the person. CHUCK more than passes the airport test. The more you get to know CHUCK GRASSLEY, the more you will like him. It is his decency, his honesty. He is unpretentious. It is his basic Iowa grassroots personality. It means so much to me, in spending so much time with him. The only time our meetings are cut short, I might say, is when CHUCK has to dash out and get on the radio and talk to people back home in Iowa; otherwise, CHUCK stays throughout the meeting. The people in Iowa mean so much to him.

I might also say that we know how much he protects taxpayers' interests. It has been mentioned—whistleblower legislation, which he promotes so aggressively. He is also downright parsimonious himself. He turns the balance of his office budget back to the taxpayers. Every year, he returns a good portion back to the taxpayers. He also, I might say, promotes ethanol for several reasons. One, it is good for Iowa. But he also contributes to the reduction of fossil fuel consumption. When he comes back home from plowing his field, he is on his tractor, and he coasts downhill the last mile to save a few pennies of diesel fuel. He does. I checked that out a short while ago. Yes, he does that just to save a few pennies of diesel fuel.

Anyway, I want to tell you how much I appreciate him. He is one of my very best friends.

I think the measure of a Senator really is whether he or she is popular in two different areas, with two different audiences. First is the people back home—how popular is a Senator back home? The second is, how popular is he or she with his or her colleagues? There are two separate audiences. There are two separate criteria. Clearly, CHUCK is popular in both areas. He is very popular in Iowa. The people of Iowa love him. The people, Members of the Senate love him. He is one heck of a guy, and I just feel so honored to be able to serve with CHUCK on the Finance Committee, but also, more importantly, he is a very good friend here in the Senate.

So I congratulate you, CHUCK.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, do you know what, so many of you stayed around. I do not know how many times I have heard of other Senators having voted 10,000 or 12,000 times and I probably did not stay around, and I probably have not earned what you have said about me because I did not pay that much attention to the rest of you who have gone before. So let me apologize for that, and I will bet next time I will stay around.

So I am not flying under false colors, I would like to say a couple things. One person spoke about my being a farmer, and that is absolutely right. I am. But I can tell you this, that when you get a 25-year-old grandson, grandfathers are not as important in the farming operation as you would like to be. So I consider myself now more of a hired man for Robin Grassley and Pat Grassley than I am a family farmer. But I still am a crop sharer with my son, and I market my own crops, and I am there to help put the crop in when they need me—and wish they needed me more—and help get the crop out, and wish they needed me more. So I do appreciate that.

As much as I would like to be called Dr. GRASSLEY—you can get that impression maybe because I did do 2 years of graduate work beyond my master's degree, but I did not quite finish it because I was elected to the State legislature and I never went back to the University of Iowa to finish it, and I kind of regret that. But I did not get back.

Mr. REID. Will my friend yield?

Mr. GRASSLEY. Yes, I will yield.

Mr. REID. I am sorry. That was something that was prepared for me. You always reminded me of having a Ph.D.

Anyway, here is the story. Somebody like you or me is going to go give a speech—and they give us these speeches, and we walk out and give them—and he is about halfway through his speech, and he comes to a page that is blank, and he says: You are on your own, you SOB. So that is kind of like this. I will check with my staff to make sure they do not make a mistake like that again.

(Laughter.)

Mr. GRASSLEY. Well, it is one of these cases where I passed the French test, and I was ready to write a dissertation, and I never quite got around to it.

One other thing I would like to say is, obviously, thank you for the recognition. I enjoy my job in the Senate very much. I guess if you vote 10,000 times, you are just doing what we are paid to do.

It is a wonderful experience serving here in the Senate. And I think I can say—as Senator BAUCUS has inferred, I hope I am liked by everybody. I like every one of you. I do not know any of you who consider me an enemy. And if you do, I do not want to know who you are.

(Laughter.)

If you wonder why there is some emphasis upon voting, people in this country are very cynical about those of us in elected office. I think: What can you

do to reduce cynicism? And I thought a long time ago, sitting in a restaurant one time—and probably nobody at that time knew who I was. I overheard them saying something like: Well, it must be election time; the politicians are in town.

I heard that 30 years ago, and I made up my mind that at least one way I was going to try to overcome that for politicians generally was to make sure the process of representive government works. So when I was elected to the Senate, it was not something I promised the people of Iowa, it was just something I promised myself: that I am going to go to every county every year to hold at least one town meeting so that person who was griping about only seeing a politician at election time could not say that about CHUCK GRASSLEY, and I hope in the process it has raised the respect people have for those of us who are elected.

The other thing about voting as often as I do here in the Senate, it is an opportunity to let people know when you are in session, you are here working. And when we are not in session, I am back in Iowa with my people. It is an opportunity to kind of quantify what our job is all about and to get over this business of people who, I think, think we are only here in Washington sitting around with our feet up on our desk waiting to take a phone call from somebody—that we are actually doing something. This is one way—maybe a very elementary way, but sometimes that is the way you have to explain government to the American people—that we are on the job, doing our job, and when we are not here, we are at home making the process of representative government work.

So I very much appreciate the kind words that have been said. And I did not record them, but if I did, I would play them back during election time.

Thank you very much for the honor.

I would yield to the Senator—oh, the Senator from Illinois said something nice about me one time, and I did use it in my literature. And some people of his party got on him: Why are you doing that?

Well, I think he said: It was true.

And he came to me one time and he said: Will you say something nice about me? I could put it in my literature.

And I gave him a slip of paper that said: He is not as bad as you think he is.

I yield the floor.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Nebraska.

MOTION TO RECOMMIT

Mr. JOHANNS. Mr. President, I have at the desk a motion, and I would ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nebraska [Mr. JOHANNS] moves to recommit S. Con. Res. 13 to the Committee on the Budget with instructions to report the same back to the Senate in 3 days making the following changes:

Mr. JOHANNS. Mr. President, I ask unanimous consent that reading of the motion be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion is as follows:

(1) Amend levels in the resolution as to report back a resolution with an aggregate level of budget authority (and associated outlays) for nondefense, nonveterans discretionary accounts for fiscal year 2010 at the level enacted for fiscal year 2009 level, increased by the rate of inflation for 2010 as projected by the Congressional Budget Office.

(2) Amend spending levels in the resolution so as to report back a resolution with aggregate spending levels for discretionary nondefense, nonveterans spending for each subsequent fiscal year in the budget window so as not to exceed the immediately previous fiscal year spending level for discretionary nondefense, nonveterans spending, increased by the rate of inflation for the applicable year as projected by the Congressional Budget Office.

The PRESIDING OFFICER. There is 2 minutes equally divided on the motion.

Mr. JOHANNS. Mr. President, the budget before us increases nondefense discretionary spending by $42 billion over last year's levels.

Here is what my motion does. It would limit the overall increase in the budget to CBO's projected rate of inflation for nondefense, nonveterans spending. This motion will save $36 billion in 2010 and $194 billion over the 5-year budget window.

My motion only affects aggregate spending so it allows some programs to be larger than the rate of inflation; thus, any claim that it is unfair to one particular group would be inaccurate. The motion allows the committee to take a scalpel to the budget, which is exactly what the President called for. If not, our country continues to be in a dire situation. This helps deal with the spending piece of this.

This motion will allow us to take a step back from bloated spending and step forward to fiscal responsibility.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JOHANNS. I urge my colleagues to vote yes and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, in more normal times, this is an amendment I might well support, but these are not normal times. We are faced with the steepest economic decline since the Great Depression. The underlying budget mark already cuts nondefense discretionary spending by more than $160 billion. This would cut another $120 billion, much of it front end loaded, at the worst possible time for economic recovery.

One other point I would make. We have more than 200 amendments pending now—more than 200. If the Senator's amendment were to pass—this is a motion to recommit the budget resolution to the committee. If anybody wants to repeat the entire exercise of this week, the week we get back, I recommend you vote for the Senator's amendment. If you prefer to end this today, I recommend you vote no.

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The result was announced—yeas 43, nays 55, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—43

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Bayh	Enzi	Nelson (NE)
Bennett	Graham	Risch
Bond	Grassley	Roberts
Brownback	Gregg	Sessions
Bunning	Hatch	Shelby
Burr	Hutchison	Snowe
Chambliss	Inhofe	Specter
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Collins	Kyl	Voinovich
Corker	Lugar	Wicker
Cornyn	Martinez	
Crapo	McCain	

NAYS—55

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown	Kerry	Sanders
Burris	Klobuchar	Schumer
Byrd	Kohl	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Conrad	Lieberman	Warner
Dodd	Lincoln	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	
Feinstein	Mikulski	

NOT VOTING—1

Kennedy

The motion was rejected.

Mr. CONRAD. Mr. President, I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, I want to inform colleagues that when I said earlier we had 100 amendments pending, I was half right. That was last night. As of now, we have over 230 amendments pending. If you divide 230 by 3, that is almost 80 hours—about 76, 77 hours. That would mean we would be here all day today, tomorrow, and all day Saturday. If everybody sticks to their amendment, that is what is going to happen.

I hope people in the calmness of the moment will think about other options. No. 1, if you will accept a voice vote—Senator GREGG and I are trying to work things out on amendments that could be accepted. If not, if you would withhold until there is another vehicle—and there will be a lot of vehicles this year. Really, we have been doing this for a lot of years. Amendments have sprouted here. I hope people will think: Do we want to do this for 3 days straight?

AMENDMENTS NOS. 759, 799, 949, 755, AND 808

We have an agreement to take several amendments here by unanimous consent. They are: Bennett No. 759; Bennet No. 799; Democratic side-by-side to Vitter; Casey No. 755, and Brown No. 808. I ask unanimous consent that these amendments be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 759

(Purpose: To prohibit changing current tax laws for charitable contribution tax deductions to pay for modernizing the health care system)

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'',

AMENDMENT NO. 799

(Purpose: To establish a deficit-neutral reserve fund to 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)

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.

AMENDMENT NO. 755

(Purpose: To establish a deficit-neutral reserve fund to provide for accelerated carbon capture and storage and advanced clean coal power generation research, development, demonstration, and deployment)

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.

AMENDMENT NO. 808

(Purpose: To provide for legislation that removes Social Security numbers from Medicare cards and to pay for such legislation by reducing waste, fraud, and abuse in other federal programs)

On page 20, line 24, increase the amount by $5,000,000.

On page 20, line 25, 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 $10,000,000.

On page 21, line 7, increase the amount by $10,000,000.

On page 21, line 8, increase the amount by $10,000,000.

On page 27, line 23, decrease the amount by $5,000,000.

On page 27, line 24, 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 $10,000,000.

On page 28, line 6, decrease the amount by $10,000,000.

On page 28, line 7, decrease the amount by $10,000,000.

Mr. CONRAD. Mr. President, I want to make it clear that the side by side to the Vitter amendment we approved by voice vote is No. 949.

With that, the next amendment up is the Vitter—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, on the Bennett amendment No. 759, Senator BENNETT of Utah wishes to be recognized for a brief statement.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I understand from the distinguished Budget Committee chairman that they have accepted this amendment by unanimous consent. Therefore, I congratulate them on their wisdom and thank them.

This is a serious amendment, which I hope will survive conference. I am glad to have it accepted. It deals with the tax treatment of charitable contributions. I am happy to have it accepted by the other side so that the Senate is on record saying they want the President's budget not to change the tax treatment of charitable contributions.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I yield time to the Senator from Montana.

Mr. BAUCUS. Mr. President, the Bennett amendment would express the importance of taxpayers' ability to take deductions for contributions to charity. It is also important to recognize that this amendment is not inconsistent with either current law or the President's budget.

This amendment is also consistent with the votes that we took last week when we affirmed our support for charitable contributions.

I urge the Senate to adopt the amendment.

AMENDMENT NO. 949

Mr. CONRAD. Mr. President, on an amendment that we just adopted by voice vote, the Reed amendment No. 949, there is a misunderstanding. There was not unanimous consent. So I think in fairness we ought to go back to that amendment and have Senator REED offer it.

I ask unanimous consent to vitiate the adoption of the Reed amendment No. 949.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. That would be the pending amendment, No. 949, and Senator REED would be recognized to offer the amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, my amendment would focus on the issue I think we are all concerned about, and it would be a counterpoint to Senator VITTER's amendment, and that would be the administration of the Troubled Asset Relieve Program. My amendment would create a reserve fund, which would focus the remaining resources in the TARP fund on supporting small businesses, saving homeowners from foreclosure, helping the bond market, and making credit more widely available. It would also strengthen the oversight entities, the Special Inspector General, the Congressional Oversight Panel, and the Government Accountability Office.

Senator VITTER's amendment purports to take back the money by striking certain functions, such as function 370. But that function also has the funding for the FHA, the Rural Housing Program, and the Small Business Administration. In effect, we will not be taking away the TARP money, we will be challenging these other programs to find funds.

I urge adoption of my amendment and the rejection of Senator VITTER's amendment.

The PRESIDING OFFICER. Has the Senator offered the amendment?

Mr. REED. Mr. President, I offer it at this time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island (Mr. REED) proposes an amendment numbered 949.

The amendment is as follows:

(Purpose: To provide for the expenditure of the remaining Troubled Asset Relief Program funds for the benefit of consumers)

At the appropriate place, insert the following:

SEC. _____. EXPENDITURE OF REMAINING TARP FUNDS.

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 reaffirm that the remaining Troubled Asset Relief Program funds shall be used to save homes, save small businesses, help the municipal bond market, make credit more widely available, and provide additional resources for the Special Inspector General for the Troubled Asset Relief Program, the Congressional Oversight Panel, and the Government Accountability Office for vigorous audit and evaluation of all expenditures and commitments made under the Troubled Asset Relief Program, 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.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, next after this amendment is my amendment. It would return TARP funds not already out the door, except for the $100 billion set aside for buying toxic assets, which is exactly what TARP was supposed to be about. But it ends everything else and invites the Obama administration to come back to us regarding other programs.

The Reed amendment reaffirms TARP as it has been executed. So if you like everything that has been done under TARP and how it has been done, that model and program changing every other week, vote for the Reed amendment and reaffirm TARP as it is. If you think a change and focus needs to be brought to TARP, vote for the Vitter amendment, which is next.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 949.

Mr. REED. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—56

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (FL)
Bayh	Harkin	Pryor
Begich	Inouye	Reed
Bennet	Johnson	Reid
Bingaman	Kaufman	Rockefeller
Boxer	Kerry	Sanders
Brown	Klobuchar	Schumer
Burris	Kohl	Shaheen
Byrd	Landrieu	Stabenow
Cantwell	Lautenberg	Tester
Cardin	Leahy	Udall (CO)
Carper	Levin	Udall (NM)
Casey	Lieberman	Voinovich
Conrad	Lincoln	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	

NAYS—42

Alexander	DeMint	Martinez
Barrasso	Ensign	McCain
Bennett	Enzi	McConnell
Bond	Feingold	Murkowski
Brownback	Graham	Nelson (NE)
Bunning	Grassley	Risch
Burr	Gregg	Roberts
Chambliss	Hatch	Sessions
Coburn	Hutchison	Shelby
Cochran	Inhofe	Snowe
Collins	Isakson	Specter
Corker	Johanns	Thune
Cornyn	Kyl	Vitter
Crapo	Lugar	Wicker

NOT VOTING—1

Kennedy

The amendment (No. 949) was agreed to.

Mr. CONRAD. Mr. President, I have a unanimous consent request that I wish to propound on the next group of amendments before we go to the Vitter amendment.

I ask unanimous consent that the following group of amendments be the next to be considered; that the provisions of the previous order regarding debate time, vote time, and budget points of order remain in effect for the duration of consideration of amendments to the budget resolution; and that the amendments be considered in the order listed. This is the order proposed: Senator Hutchison amendment No. 866; Menendez amendment No. 921; Coburn amendment No. 895; Brownback amendment No. 841; Graham amendment No. 898; Boxer amendment No. 953; Reid amendment No. 730; Hutchison amendment No. 868; Snowe amendment No. 773; Senators Murray and Bond amendment No. 880; Thune amendment No. 803; Barrasso-Wyden—I do not have a number on that amendment; a Democratic side by side to Bennett of Utah on spending stimulus; Bennett of Utah amendment No. 954; a Democratic side by side to the Enzi trigger; Enzi No. 824; Conrad or his designee side by side on AMT; and Grassley on AMT.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Reserving the right to object, we do not have copies of the side by sides. I suggest we hold those four that are involved until we get a copy of the side by sides. That would be the Democratic side by side to Bennett, the Bennett, the Democratic side by side to Enzi, and the Enzi.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I alter the unanimous consent request so that the last four amendments in that request not be included. I also want to clarify that Brownback is No. 840.

The PRESIDING OFFICER (Mr. BROWN). Is there objection?

Mr. GREGG. Reserving the right to object, the wrong number was announced on Brownback. The number is 840.

Mr. CONRAD. That is what I just did.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana is recognized.

AMENDMENT NO. 787

Mr. VITTER. Mr. President, I now present the Vitter amendment. It is very simple. It says that the Troubled Asset Relief Program, TARP, will actually be about troubled asset relief. It returns the other money not reserved for troubled asset relief to the Treasury for debt reduction, $136 billion of debt reduction.

I reserve the remainder of my time.

The PRESIDING OFFICER. Has the Senator offered the amendment?

Mr. VITTER. I offer the amendment at this point.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 787.

The amendment is as follows:

(Purpose: To end $272 billion in spending on bailouts under TARP and reduce record deficits and levels of debt)

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.

Mr. VITTER. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield time in opposition to Senator REED of Rhode Island.

The PRESIDING OFFICER. The senior Senator from Rhode Island is recognized.

Mr. REED. Mr. President, the Reed amendment, which we just adopted, focuses the remaining TARP funds on functions that are critical to the economic progress of the country—keeping people in homes, providing help for small business, supporting the traditional bond market, making credit more widely available. The restriction of these funds proposed by Senator VITTER will undercut these objectives. In addition, the Reed amendment has strengthened the oversight responsibilities.

Secretary Geithner has just announced a program that will focus on these toxic assets. Keeping these TARP funds, I believe, will give the Treasury the flexibility to make that program work more effectively, and I oppose the Vitter amendment.

The PRESIDING OFFICER. The Senator from Louisiana has 35 seconds.

Mr. VITTER. Mr. President, the program which Secretary Geithner has actually announced about toxic assets is protected even under my amendment. What my amendment says is that we are not any longer going to allow the Treasury to do other things on an ad hoc basis, making it up as they go along every week.

In the process, we would reduce the debt of this country by at least $136 billion under this amendment. I urge support for the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GREGG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 787.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The result was announced—yeas 28, nays 70, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—28

Barrasso	DeMint	Nelson (NE)
Bennett	Ensign	Risch
Bond	Enzi	Sessions
Brownback	Feingold	Shelby
Bunning	Grassley	Specter
Burr	Hutchison	Thune
Coburn	Inhofe	Vitter
Collins	Johanns	Wicker
Cornyn	McCain	
Crapo	Murkowski	

NAYS—70

Akaka	Graham	Merkley
Alexander	Gregg	Mikulski
Baucus	Hagan	Murray
Bayh	Harkin	Nelson (FL)
Begich	Hatch	Pryor
Bennet	Inouye	Reed
Bingaman	Isakson	Reid
Boxer	Johnson	Roberts
Brown	Kaufman	Rockefeller
Burris	Kerry	Sanders
Byrd	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Kyl	Snowe
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Chambliss	Leahy	Udall (CO)
Cochran	Levin	Udall (NM)
Conrad	Lieberman	Voinovich
Corker	Lincoln	Warner
Dodd	Lugar	Webb
Dorgan	Martinez	Whitehouse
Durbin	McCaskill	Wyden
Feinstein	McConnell	
Gillibrand	Menendez	

NOT VOTING—1

Kennedy

The amendment (No. 787) was rejected.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The senior Senator from South Carolina is recognized.

Mr. GRAHAM. I call up amendment No. 910.

Mr. GREGG. Will the Senator allow us to do a unanimous consent?

Mr. GRAHAM. I will.

AMENDMENTS NOS. 892 AND 893

Mr. CONRAD. Mr. President, I ask unanimous consent that the Coburn amendment No. 892 and Coburn amendment No. 893 be accepted.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (No. 892 and No. 893) were agreed to, as follows:

AMENDMENT NO. 892

(Purpose: To end bogus bonuses awarded to contractors and government executives responsible for over budget projects and programs that fail to meet basic performance requirements)

On page 49, between lines 3 and 4, insert the following:

SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR PROHIBITING UNDESERVED CONTRACTING PERFORMANCE BONUSES.

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 prohibit federally funded bonuses awarded to contractors and government executives responsible for over budget projects and programs that fail to meet basic performance requirements, 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 2010 through 2019.

AMENDMENT NO. 893

(Purpose: to support President Obama in his effort to go line by line through the Federal Budget in order to help him eliminate wasteful, inefficient, and duplicative programs)

On page 49, between lines 3 and 4, insert the following:

SEC. ___. DEFICIT-REDUCTION RESERVE FUND TO ENSURE THE PLEDGE OF PRESIDENT OBAMA TO ELIMINATE WASTEFUL, INEFFICIENT, AND DUPLICATIVE PROGRAMS.

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 achieves savings by going through the Federal Budget line by line, as President Obama has called for, to eliminate wasteful, inefficient, and duplicative spending by requiring—

(1) the head of every department and agency to provide a report to Congress within 90 days after the date of enactment of this resolution on programs that are duplicative, inefficient, or failing, with recommendations for elimination and consolidation of these programs,

(2) the Office of Management and Budget to provide a report to Congress within 90 days after the date of enactment of this resolution on programs that are duplicative government-wide, with recommendations for elimination or consolidation of these programs, and

(3) every standing committee of the Senate to conduct at least one oversight hearing each fiscal year in order to identify wasteful, inefficient, outdated, and duplicative programs that could be eliminated and consolidated,

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.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank Senator COBURN for his courtesy and say he has set a very good example for other Members, a very good example.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

AMENDMENT NO. 910

Mr. GRAHAM. Mr. President, since I am not a squish like Senator COBURN, I am going to go ahead.

My amendment is straightforward. This amendment creates a budget point of order on legislation that increases the cost of energy for middle-class families. Why are we doing this? The climate change proposal that was in the President's budget would create a massive tax increase on anybody who uses energy, and that would be every American middle-class family, which already has a tough time getting by. This would be a point of order against any bill that would raise the cost of energy on our middle-class families who are struggling to get by.

I ask the Senate to rally around this concept. We can deal with climate change without passing a $3,000-per-household energy tax on the families of America who are having a hard time paying their bills.

The PRESIDING OFFICER. Is the Senator from South Carolina offering the amendment?

Mr. GRAHAM. Yes. I am sorry. I thought we had done that. Everything I said still goes.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. GRAHAM] proposes an amendment numbered 910.

The amendment is as follows:

(Purpose: To protect middle-income taxpayers from a national energy tax)

On page 68, after line 4, insert the following:

SEC. __. POINT OF ORDER AGAINST LEGISLATION THAT IMPOSES A NATIONAL ENERGY TAX 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 includes a National energy 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) NATIONAL ENERGY TAX INCREASE.—The term ''National energy tax increase'' means any legislation that the Congressional Budget Office would score as leading to an increase in the costs of producing, generating or consuming energy.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, it is my intention to vote for this amendment. I ask the Senator from South Carolina, would the Senator from South Carolina, in a moment of comity and weakness, be willing to accept a voice vote?

Mr. GRAHAM. No.

Mr. CONRAD. I thought that might be the answer. All right. My intention is to vote for the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The result was announced—yeas 65, nays 33, as follows:

[Rollcall Vote No. 135 Leg.]

YEAS—65

Alexander	DeMint	McCain
Barrasso	Dorgan	McCaskill
Baucus	Ensign	McConnell
Bayh	Enzi	Murkowski
Begich	Feingold	Murray
Bennet	Graham	Nelson (FL)
Bennett	Grassley	Nelson (NE)
Bond	Gregg	Pryor
Brownback	Hagan	Risch
Bunning	Hatch	Roberts
Burr	Hutchison	Sessions
Byrd	Inhofe	Shelby
Cantwell	Isakson	Snowe
Casey	Johanns	Specter
Chambliss	Johnson	Tester
Coburn	Klobuchar	Thune
Cochran	Kohl	Vitter
Collins	Kyl	Voinovich
Conrad	Landrieu	Webb
Corker	Lincoln	Wicker
Cornyn	Lugar	Wyden
Crapo	Martinez	

NAYS—33

Akaka	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Kaufman	Rockefeller
Brown	Kerry	Sanders
Burris	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Dodd	Lieberman	Udall (CO)
Durbin	Menendez	Udall (NM)
Feinstein	Merkley	Warner
Gillibrand	Mikulski	Whitehouse

NOT VOTING—1

Kennedy

The amendment (no. 910) was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 931, AS MODIFIED

Mr. CONRAD. Mr. President, the next amendment is the Landrieu amendment with 2 minutes equally divided.

Ms. LANDRIEU. Mr. President, this amendment seeks to establish a deficit-neutral reserve fund based on the current law supporting revenue sharing for coastal States contributions to the Land and Water Conservation Fund and a fund for innovative energy technology.

It would save up to, which is the current law today, which 26 Senators voted on, up to 50 percent which can be set aside from future oil and gas revenues for revenue sharing for coastal States for the Land and Water Conservation Fund and for funds to be created to invest in alternative energy technologies.

This is something that has been debated in the Senate but has been broadly supported by Republicans and Democrats. There has been some opposition. I suspect there may be some today. But there has been broad bipartisan support for revenue sharing for coastal States contributions to the Land and Water Conservation Fund and alternative energy sources.

This does not change the current law, it does not direct drilling anywhere in the country that does not already exist. That is the essence of the amendment I offer with myself and Senator BEGICH from Alaska.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU], for herself and Mr. BEGICH, offers an amendment numbered 931, as modified.

Mr. GREGG. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR OUTER CONTINENTAL SHELF OIL AND NATURAL GAS LEASING REVENUES.

(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 provide that up to 50 perecent of any revenues collected by the United States from oil and natural gas leases in the outer Continental Shelf shall be—

(1) distributed among coastal energy producing States; and/or

(2) allocated for—

(A) the conduct of innovative alternative energy research; and

(B) supporting parks and wildlife.

(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.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, this is not an insignificant amendment. It is not small change. It has very significant consequences to all States. A very small number of States, a handful, will

get a big windfall. All of the rest of the States will have money otherwise raised from OCS—raised from revenues from mineral leasing royalties not go to them at all.

Currently, revenue goes to all 50 States. There is a small carving out for some of the coastal States and Florida. This amendment says: All the revenue raised, all the coastal revenue goes to only those few coastal States, which means revenue would not go to the other States that benefit currently from oil and gas leasing revenue.

The other big consequence is, this is a big tax increase. It is a revenue-neutral provision. That means it is $110 billion, conservatively, over 10 years, which means we have to raise taxes $110 billion to pay for giving money to a small handful of States and take it away from the majority of the States.

I strongly urge members not to support this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. LANDRIEU. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER (Mr. MERKLEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 60, as follows:

[Rollcall Vote No. 136 Leg.]

YEAS—37

Barrasso	DeMint	McConnell
Begich	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Bond	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Hatch	Shelby
Burr	Hutchison	Vitter
Carper	Inhofe	Warner
Chambliss	Isakson	Webb
Coburn	Johanns	Whitehouse
Cochran	Kyl	Wicker
Cornyn	Landrieu	
Crapo	McCain	

NAYS—60

Akaka	Feinstein	Merkley
Alexander	Gillibrand	Mikulski
Baucus	Gregg	Murray
Bayh	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Brown	Kaufman	Rockefeller
Burris	Kerry	Sanders
Byrd	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Lautenberg	Snowe
Casey	Leahy	Specter
Collins	Levin	Stabenow
Conrad	Lieberman	Tester
Corker	Lincoln	Thune
Dodd	Lugar	Udall (CO)
Dorgan	Martinez	Udall (NM)
Durbin	McCaskill	Voinovich
Feingold	Menendez	Wyden

NOT VOTING—2

Kennedy Sessions

The amendment (No. 931), as modified, was rejected.

CHANGE OF VOTE

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, Senator ROBERTS has a unanimous consent request on a change of vote.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. I thank the distinguished Senator and nattily dressed chairman of the Budget Committee.

Mr. President, on rollcall vote 136, I voted ''nay.'' It was my intention to vote ''yea.'' Therefore, I ask unanimous consent that I be permitted to change my vote, since it will not affect the outcome.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I would say to colleagues, I do not know what it is about this year, but the hole just keeps getting deeper. We still have over 200 amendments, and nobody seems to be much interested in kind of being collegial here and allowing us to get to some kind of reasonable list. Now, 200 amendments pending, 3 an hour—that is almost 70 hours. That is 3 days. So please work with us and be willing to take voice votes. When we have amendments that are being adopted overwhelmingly, you know, really, do we really intend to stay here for 3 days? I hope not.

Mr. President, I ask unanimous consent that the following be the next group of amendments to be considered; that the provisions of the previous order regarding debate time, vote time, and budget points of order remain in effect for the duration of consideration of amendments to the budget resolution; that the amendments be considered in the order listed: Hutchison No. 866, Menendez No. 921, Coburn No. 895, Brownback No. 840—we have done this? Well, this is good. We are making progress.

Mr. GREGG. What about voice votes?

Mr. CONRAD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

AMENDMENTS NOS. 921, 895, 880, AND 788

Mr. CONRAD. Mr. President, we have four amendments in this list that we could agree to: Menendez No. 921; Coburn No. 895, Murray-Bond No. 880, and Barrasso-Wyden—do we have a number on that?

Mr. GREGG. No. 788.

Mr. CONRAD. No. 788.

Mr. GREGG. Mr. President, I ask unanimous consent that they be agreed to.

Mr. CONRAD. Mr. President, I ask unanimous consent that those four amendments be agreed to.

The PRESIDING OFFICER. Is there objection?

Mr. BUNNING. What are the four amendments, please?

Mr. CONRAD. Menendez No. 921, Coburn No. 895, Murray-Bond No. 880, Barrasso-Wyden No. 788.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The amendments (Nos. 921, 895, 880, and 788) were agreed to, as follows:

AMENDMENT NO. 921

(Purpose: To establish a deficit-neutral reserve fund for the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA), and other related programs)

On page 49, after line 3, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR THE VIOLENCE AGAINST WOMEN ACT (VAWA) AND THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT (FVPSA), AND OTHER RELATED PROGRAMS.

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 resources for programs administered through the Violence Against Women Act and the Family Violence Prevention and Services Act, and other related programs, 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.

AMENDMENT NO. 895

(Purpose: To provide a deficit-neutral reserve fund to end abusive no-bid contracts by requiring all Federal contracts over $25,000 to be competitively bid)

On page 49, between lines 3 and 4, insert the following:

SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR ENDING ABUSIVE NO-BID CONTRACTS.

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 end abusive no-bid contracts by requiring all Federal contracts over $25,000 to be competitively bid, 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 2010 through 2019.

AMENDMENT NO. 880

(Purpose: To create a deficit-neutral reserve fund for legislation to enable States to establish or expand quality programs of early childhood home visitation)

At the appropriate place in title II, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR HOME VISITATION PROGRAMS.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide funds to States to establish or expand quality programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and that—

(1) serve pregnant women, or parent's or other primary caregivers and their children under the age of entry into kindergarten through quality programs of early childhood home visitation;

(2) are delivered by nurses, social workers, child development specialists, or other well-trained and competent staff, as demonstrated by education or training and the provision of ongoing specific training and supervision in the model of service being delivered;

(3) have outcomes and research standards that—

(A) demonstrate ongoing positive outcomes for children, parents and other primary caregivers that enhance child health and development;

(B) conform to a clear consistent home visitation model that has been in existence for at least 3 years and that—

(i) is research-based, grounded in relevant empirically-based knowledge;

(ii) is linked to program determined outcomes;

(iii) is associated with a national organization or institution of higher education that has comprehensive home visitation program standards that ensure high quality service delivery and continuous program quality improvement; and

(iv) has demonstrated significant positive outcomes when evaluated using well-designed and rigorous randomized controlled or well-designed and rigorous quasi-experimental research designs, and the evaluation results have been published in a peer-reviewed journal; and

(4) show, establish, or propose linkages to high quality early learning opportunities;

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.

AMENDMENT NO. 788

(Purpose: To fund the account Hazardous Fuel Reduction on Federal Lands (within Function 300) at the level authorized in the Healthy Forests Restoration Act of 2003)

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.

AMENDMENT NO. 788

Mr. WYDEN. Mr. President, this is an amendment that Senator BARRASSO and I have offered to fully fund the Healthy Forests Restoration Act, by providing an additional $200 million for this purpose. I am very pleased that my colleague from Oregon, Senator MERKLEY, has also joined us in this amendment as well as Senators CRAPO, KYL, ENZI, BENNETT and HATCH.

Significantly, this amendment would provide for full funding for this legislation for the first time since its passage. I helped author the Healthy Forests Restoration Act in 2003—a bipartisan bill that I worked on with a number of my colleagues to help address serious forest health issues and a significant backlog of hazardous fuels that have been building up on our national forests.

When Congress passed the Healthy Forests Restoration Act, HFRA, Congress authorized $760 million in new money to complete hazardous fuel reduction work on 20 million acres. Yet in each of the past years the Bush administration's budget request has fallen short, in my estimation by well over $600 million less than Congress authorized. Because the Healthy Forests Restoration Act was never fully funded in the prior administration, it has never really had the chance to work. Our amendment would ensure that rural communities will finally get the resources they were promised. These funds will put these communities on a path to preventing wildfires and bringing jobs back to the forest.

In hearings before the Energy and Natural Resources Committee, previous administration leaders assured me that even in the face of such severe budget cuts, they could get the work done, possibly within 8 to 10 years. Yet in hearings before the committee we also heard witnesses from the GAO and USDA inspector general's office testify that the agencies were falling far short of meeting this mandate and that hazardous fuels were building up in our forests as much as three times faster than the agencies could remove them.

When you come from a State like mine, where the Federal Government owns so much of the land, the health of those public forests is a very serious issue—one with life or death consequences for communities that are next to these forests and could become raging infernos in the next fire season.

We can no longer dawdle on completing the thinning work that urgently needs to be performed on our Nation's forests. This work would also provide jobs thinning overstocked forests in rural communities, while reducing the threat of wildfires.

Those wildfires are getting more and more costly to fight and consuming more and more of the budget of our public lands agencies. It simply doesn't make sense to not spend the money on preventing the fires and then turn around during the fire season and watch the millions of dollars flow freely while people's homes and livelihoods go up in smoke.

Full funding of the HFRA would also allow for funding to communities so they can implement ''community wildfire protection plans'' developed in areas that are part of ''wildland urban interface'' and living on the edge of our public forests.

I hope my colleagues will support this commonsense amendment and get the Healthy Forests Act back on track.

AMENDMENT NO. 840, AS MODIFIED

Mr. GREGG. Mr. President, I ask unanimous consent to send a modification to the desk on behalf of Senator BROWNBACK to his amendment No. 840.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

AMENDMENT NO. 866

Mr. CONRAD. Mr. President, that takes us to the Hutchison amendment, No. 866.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, my amendment would create a point of order against any legislation that would impose or increase the marriage penalty tax. We have worked very hard in Congress to eliminate the marriage penalty, which we have not been able to do completely, but we have mitigated it, lowered it significantly.

Before we addressed this issue, the marriage penalty was an average of $1,100 per couple; that is, two single people getting married caused them to have to pay $1,100 more in taxes because of the marriage penalty in the Tax Code. We have mitigated that to a great extent.

This amendment would create a point of order against any legislation that would impose or increase the marriage penalty. We all know we should not in any way discourage marriage in this country. We have been able to do that. I think we need to stick with it, and this is the way to do it.

Thank you, Mr. President.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself, Mr. MARTINEZ, Mr. VITTER, Mr. ENZI, and Mr. BROWNBACK, proposes an amendment numbered 866.

The amendment is as follows:

(Purpose: To provide a point of order against legislation that has the effect of imposing a greater tax liability on taxpayers who are married than if such taxpayers had filed individual tax returns)

At the end of subtitle A of title III, insert the following:

SEC. ___. POINT OF ORDER ON LEGISLATION THAT IMPOSES A MARRIAGE TAX PENALTY.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that includes any provision which imposes or increases a marriage tax penalty.

(b) DEFINITION.—In this section, the term ''marriage penalty'' means any provision under which the Federal income tax liability of taxpayers filing a joint return under section 6013 of the Internal Revenue Code of 1986 is greater than such tax liability of such taxpayers if such taxpayers were unmarried and had filed individual tax returns under section 1(c) of such Code.

(c) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, dully chosen and sworn.

(d) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly

chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I support the Hutchison amendment. I think there is strong support on this side.

Would the Senator be willing to take a voice vote?

Mrs. HUTCHISON. Mr. President, I would.

Mr. CONRAD. I thank the Senator from Texas.

I ask unanimous consent that the Hutchison amendment No. 866 be agreed to.

The PRESIDING OFFICER. The Senator yields back time?

Without objection, the amendment is agreed to.

The amendment (No. 866) was agreed to.

AMENDMENT NO. 840, AS MODIFIED

Mr. CONRAD. Mr. President, that takes us to Brownback amendment No. 840. Senator BROWNBACK would describe that amendment. This is a similar circumstance. There is strong support on this side toward the Senator's amendment, and we could take it on a voice vote if the Senator would be willing to do that.

If the Senator would take a moment to describe his amendment.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I would be happy to take a moment to describe the amendment. And if by going by voice vote it is more likely to stay in conference, I would be happy to do a voice vote.

Mr. CONRAD. It is amazing how that will improve the chances.

Mr. BROWNBACK. Well, I am quite excited about that.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 840, as modified.

The amendment is as follows:

(Purpose: To provide funds for a Commission on Budgetary Accountability and Review of Federal Agencies)

On page 25, line 24, increase the amount by $3,000,000.

On page 25, line 25, increase the amount by $3,000,000.

On page 26, line 3, increase the amount by $6,000,000.

On page 26, line 4, increase the amount by $6,000,000.

On page 26, line 7, increase the amount by $8,000,000.

On page 26, line 8, increase the amount by $8,000,000.

On page 26, line 11, increase the amount by $8,000,000.

On page 26, line 12, increase the amount by $8,000,000.

On page 26, line 15, increase the amount by $4,000,000.

On page 26, line 16, increase the amount by $4,000,000.

On page 10, line 20, decrease the amount by $3,000,000.

On page 10, line 21, decrease the amount by $3,000,000.

On page 10, line 24, decrease the amount by $6,000,000.

On page 10, line 25, decrease the amount by $6,000,000.

On page 11, line 3, decrease the amount by $8,000,000.

On page 11, line 4, decrease the amount by $8,000,000.

On page 11, line 7, decrease the amount by $8,000,000.

On page 11, line 8, decrease the amount by $ 8,000,000.

On page 11, line 11, decrease the amount by $4,000,000.

On page 11, line 12, decrease the amount by $4,000,000.

Mr. BROWNBACK. Mr. President, colleagues, this is an amendment that passed last year. It creates a commission, an independent commission, to review all of Federal spending, make recommendations to the body, and then requires a vote on those recommendations whether to continue the program or discontinue it. It is a way for us to get at failed programs. It is a way for us to get at inefficient programs or programs that have accomplished their purposes.

This is at the core of what so many people want to see us do; that is, to get our spending under control so we can spend on higher priority categories. That is what this amendment would do, and it does it in a fashion and in a way that we have seen before that has worked on eliminating wasteful Government spending.

This has had broad bipartisan support in the past. I would hope we could accept it and it could stay in the overall budget in conference.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we have strong support for the amendment on this side. I ask unanimous consent that the amendment be adopted.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

The amendment (No. 840), as modified, was agreed to.

AMENDMENT NO. 898 WITHDRAWN

Mr. GREGG. Mr. President, I ask unanimous consent, on behalf of Senator GRAHAM, to withdraw amendment No. 898.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Without objection on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 953, AS MODIFIED

Mr. CONRAD. Mr. President, that takes us to the Boxer amendment, No. 953, afterschool reserve fund.

Senator BOXER.

Mrs. BOXER. I say to the Senators, thank you so much, Senator CONRAD and Senator GREGG. I say thank you very much to Senator ENSIGN. He and I have been working on afterschool for many years.

This is a Boxer-Ensign amendment. There is a modification at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] for herself and Mr. ENSIGN, proposes an amendment numbered 953, as modified.

Mrs. BOXER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To add a deficit-neutral reserve fund for the 21st Century Community Learning Centers afterschool program)

At the end of Title II, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR 21ST CENTURY COMMUNITY LEARNING CENTERS

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 increase funding for the 21st Century Community Learning Centers program 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.

Mrs. BOXER. Mr. President, we are not adding a penny. We are just saying, within the amounts that are in the education budget, to fully fund afterschool programs. We all know it helps our kids, and there are millions on the list. Senator ENSIGN explained many times—he wanted to speak here today, but he is not on the floor—that afterschool programs really saved his life when he was a young child.

So I hope this amendment will be accepted.

I thank my colleagues, and I yield back.

The PRESIDING OFFICER. Who yields time in opposition?

Mrs. BOXER. Mr. President, I ask for a voice vote, if we could do that.

Mr. GREGG. Mr. President, if the Senator would be willing to let us pass over this amendment for a minute, we have some questions on our side, and hopefully we can clear them up.

Mrs. BOXER. I am sorry?

Mr. GREGG. We have some questions on our side. Hopefully, we can clear them up. I ask the Senator, can we move on to the next amendment and move back to yours?

Mrs. BOXER. Of course. Senator ENSIGN thought it was all taken care of, so he is off the floor. Maybe we can get him back out here. Thank you.

The PRESIDING OFFICER. Is there objection to setting aside the amendment?

Without objection, the amendment is set aside.

AMENDMENT NO. 730

Mr. CONRAD. Mr. President, that takes us to Reid amendment No. 730, and the leader is here.

Senator REID.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, prior to the Tax Reform Act of 1986, individuals

were entitled to deduct State and local sales taxes. When the deduction was repealed, it put taxpayers in States without an income tax, such as Nevada, Washington, and others, at a disadvantage. It took us 22 years before fairness was restored when the deduction was reinstated in 2004. The problem is that deduction is not a permanent part of the law.

The amendment I have filed with Senators ENSIGN, CANTWELL, MURRAY, NELSON, HUTCHISON, and others fixes that by establishing a reserve fund for legislation making the deduction permanent. Based on all the information we have, this would affect lots of people—almost half a million in Nevada. At a time when families are struggling to make ends meet, every penny counts.

I would accept a voice vote on this amendment, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we have just been informed that the matching amendment to the Reid amendment may be withdrawn. They are working on that right now. So that would mean a vote on the Reid amendment and the Hutchison amendment may not be necessary.

AMENDMENT NO. 953, AS MODIFIED

So, Mr. President, I ask that we now return to the Boxer amendment because we have reached conclusion on that. We know it will require a vote. If the Senator would be so inclined, we could return to that amendment and go to a vote.

Mr. GREGG. Mr. President, the Senator has used her minute.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mrs. BOXER. Colleagues, if I could ask to be heard for one more moment.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Thank you.

I simply want to say that we are a little caught off guard here because we were told this was cleared on the Republican side. This is a Boxer-Ensign amendment. It does not add one penny to the deficit. It does not change anything. It just says, within the funding for education, let's fully fund after-school programs because we have so many kids who are waiting to get into those programs. I am hopeful we will have a strong bipartisan vote for this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 953, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 9, as follows:

[Rollcall Vote No. 137 Leg.]

YEAS—89

Akaka	Ensign	Merkley
Alexander	Enzi	Mikulski
Barrasso	Feingold	Murkowski
Baucus	Feinstein	Murray
Bayh	Gillibrand	Nelson (FL)
Begich	Graham	Nelson (NE)
Bennet	Grassley	Pryor
Bennett	Hagan	Reed
Bingaman	Harkin	Reid
Bond	Hatch	Risch
Boxer	Hutchison	Roberts
Brown	Inouye	Rockefeller
Brownback	Isakson	Sanders
Burr	Johanns	Schumer
Burris	Johnson	Shaheen
Byrd	Kaufman	Shelby
Cantwell	Kerry	Snowe
Cardin	Klobuchar	Specter
Carper	Kohl	Stabenow
Casey	Landrieu	Tester
Chambliss	Lautenberg	Thune
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Vitter
Corker	Lincoln	Warner
Cornyn	Lugar	Webb
Crapo	Martinez	Whitehouse
Dodd	McCaskill	Wicker
Dorgan	McConnell	Wyden
Durbin	Menendez	

NAYS—9

Bunning	Gregg	McCain
Coburn	Inhofe	Sessions
DeMint	Kyl	Voinovich

NOT VOTING—1

Kennedy

The amendment (No. 953), as modified, was agreed to.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, if we are really going to have recorded rollcall votes—what was the final tally—on votes that are 89 to 9, we are going to be here a very long time.

Honestly, I have been doing this for 22 years. I don't know if I have ever seen a year where colleagues just seem to be absolutely insistent on having rollcall votes on things that are going to keep us here a very long time. We cannot make people give up their votes or take voice votes. But at some point there has to be a serious consideration. Is this what we are really going to do to each other? Are we going to be here for 70 hours? That is where we are headed.

With that, we can go to the Snowe amendment—or has the Hutchison-Reed amendment been resolved? We should pass over that and go to Senator SNOWE's amendment. She is right here. If the Senator would explain her amendment.

The PRESIDING OFFICER. The Senator from Maine is recognized.

AMENDMENT NO. 773

Ms. SNOWE. Mr. President, I call up amendment No. 773.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. SNOWE] proposes an amendment numbered 773.

The amendment is as follows:

(Purpose: To provide for a deficit-neutral reserve fund to provide for the extension of the top individual tax rates for small businesses after 2010)

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.

Ms. SNOWE. Mr. President, my amendment would create a deficit-neutral reserve fund for the tax cuts of 2001 to extend those tax rates to small businesses that earn 50 percent of their income from small business.

If we fail to do that, we can expect small businesses to see their taxes rise by 9 percent by allowing those rates to go up from 33 percent to 36 percent, and 36 percent to 39.6 percent. Why would we want to impose a tax on the very entities that we are depending upon to lead us out of this economic morass by increasing their taxes?

Just this week, the Joint Tax Committee indicated there are 6.5 percent of those small businesses that earn over $250,000, which is three times the original estimate by those who were opposed to this amendment. Let me say that the Small Business Administration said 93 percent of all small business owners file an individual tax return. The Treasury Department has indicated that 9 percent earn 70 percent of the income in this country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CONRAD. Mr. President, I ask the Senator if she is willing to take this on a voice vote?

Ms. SNOWE. I am.

Mr. CONRAD. I ask for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 773, offered by the Senator from Maine.

The amendment (No. 773) was agreed to.

AMENDMENTS NOS. 816, 885, 872, 827, 764, 788, 795, 817, 837, 818, 874, 839, 877, 797, 802, AND 826 EN BLOC

Mr. CONRAD. Mr. President, we are now ready to offer a draft managers' package No. 1.

Mr. President, I ask unanimous consent that the following amendments be considered en bloc and adopted en bloc, and that the motions to reconsider be considered made and laid on the table. The amendments are as follows:

Boxer, No. 816, dependent care; Bennett of Utah, No. 885, DOE pensions; Dodd, No. 872, firefighter grants; Collins, No. 827; Carper, No. 764; Barrasso, No. 788; Pryor, No. 795; Bunning, No. 817; Dorgan, No. 837; Bunning, No. 818; Landrieu, No. 874; Roberts, No. 839; Reed of Rhode Island, No. 877; Burr, No. 797; Pryor, No. 802, and Enzi, No. 826.

Mr. INHOFE. Reserving the right to object, has the Senator considered my amendment No. 742, which is accepted on both sides to my knowledge? Senator AKAKA and I put it forward, having to do with the health care of veterans. Nobody has objected to it.

Mr. CONRAD. That is being considered in the next tranche. We are working on that right now.

Mr. INHOFE. I thank the Senator.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 816

(Purpose: To provide access to affordable, quality child care for middle class families by making improvements in the employer-provided child care credit and the dependent care tax credit)

On page 38, line 19, after ''refundable tax relief'' insert ''and enhancement of the employer-provided child care credit and enhancement of the dependent care tax credit''.

AMENDMENT NO. 885

(Purpose: To establish a deficit-neutral reserve fund to cover the full cost of pension obligations for employees of laboratories and environmental cleanup sites under the jurisdiction of the Department of Energy)

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR PENSION COVERAGE FOR EMPLOYEES OF DEPARTMENT OF ENERGY LABORATORIES AND ENVIRONMENTAL CLEANUP SITES.

(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 funding to cover the full cost of pension obligations for current and past employees of laboratories and environmental cleanup sites under the jurisdiction of the Department of Energy (including benefits paid to security personnel) in a manner that does not impact the missions of those laboratories and environmental cleanup sites.

(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.

AMENDMENT NO. 872

(Purpose: To add a deficit-neutral reserve fund for provisions of critical resources to firefighters and fire departments)

At the end of Title II, insert the following:

SEC.____. DEFICIT-NEUTRAL RESERVE FUND FOR PROVISION OF CRITICAL RESOURCES TO FIREFIGHTERS AND FIRE DEPARTMENTS.

The Chairman of the Senate Committee on the Budget may revise the 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 provide firefighters and fire departments with critical resources under the Assistance to Firefighters Grant and the Staffing for Adequate Fire and Emergency Response Firefighters Grant of the Federal Emergency Management Agency, by the amounts provided in such legislation for 1 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.

AMENDMENT NO. 827

(Purpose: To modify the provision relating to the deficit-neutral reserve fund for clean energy legislation to include industrial energy efficiency programs)

On page 33, line 4, insert ''(including through industrial energy efficiency programs)'' after ''and efficiency''.

AMENDMENT NO. 764

(Purpose: To establish a deficit-reduction reserve fund for the elimination and recovery of improper payments)

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.

AMENDMENT NO. 795

(Purpose: To modify a deficit neutral reserve fund to ensure improvement of infrastructure related to flood control)

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.

AMENDMENT NO. 817

(Purpose: To modify a deficit-neutral reserve fund for the repeal of the 1993 increase in the income tax on social security benefits)

At the end of title II, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR THE REPEAL OF THE 1993 INCREASE IN THE INCOME TAX ON SOCIAL SECURITY BENEFITS.

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 repeal the 1993 increase in the income tax on social security benefits, 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.

AMENDMENT NO. 837

(Purpose: To increase funding for organ transplantation and organ donation activities at the Health Resources and Services Administration by $10 million in FY 2010)

On page 19, line 24, increase the amount by $10,000,000.

On page 19, line 25, increase the amount by $3,000,000.

On page 20, line 4, increase the amount by $4,000,000.

On page 20, line 8, increase the amount by $2,000,000.

On page 20, line 12, increase the amount by $1,000,000.

On page 27, line 23, decrease the amount by $10,000,000.

On page 27, line 24, decrease the amount by $3,000,000.

On page 28, line 3, decrease the amount by $4,000,000.

On page 28, line 7, decrease the amount by $2,000,000.

On page 28, line 11, decrease the amount by $1,000,000.

AMENDMENT NO. 818

(Purpose: To provide for a deficit-neutral reserve fund to provide for legislation to increase the amount of capital losses allowed to individuals)

At the end of title II, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLATION TO INCREASE THE AMOUNT OF CAPITAL LOSSES ALLOWED TO INDIVIDUALS.

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 increases the amount by which a capital loss of an individual is allowed, 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.

AMENDMENT NO. 874

(Purpose: To provide for a deficit-neutral reserve fund for foster care financing reform)

At the end of title II, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR FOSTER CARE FINANCING REFORM.

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) change the Federal foster care payment system from a system that supports programs to one that supports children, whatever their best placement may be, and one that promotes permanency for children;

(2) when it is determined to be in the best interests of the child, promote and improve family support, family preservation, including residential family treatment for families suffering from substance abuse and addiction, and time-limited family reunification services;

(3) provide for subsidies and support programs that are available to support the needs of the children prior to removal, during removal, and post placement, whether through reunification, adoption, kinship adoption, or guardianship;

(4) promote innovation and best practice at the State level; and

(5) guarantee that public funds are used to effectively meet the needs of children who have been abused or neglected;

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.

AMENDMENT NO. 839

(Purpose: To fully fund the small business child care grant program under section 8303 of the Small Business and Work Opportunity Act of 2007)

On page 21, line 24, increase the amount by $20,000,000.

On page 21, line 25, increase the amount by $15,200,000.

On page 22, line 3, increase the amount by $20,000,000.

On page 22, line 4, increase the amount by $19,800,000.

On page 22, line 7, increase the amount by $10,000,000.

On page 22, line 8, increase the amount by $12,400,000.

On page 22, line 12, increase the amount by $2,500,000.

On page 22, line 16, increase the amount by $100,000.

On page 27, line 23, decrease the amount by $20,000,000.

On page 27, line 24, decrease the amount by $15,200,000.

On page 28, line 2, decrease the amount by $20,000,000.

On page 28, line 3, decrease the amount by $19,800,000.

On page 28, line 6, decrease the amount by $10,000,000.

On page 28, line 7, decrease the amount by $12,400,000.

On page 28, line 11, decrease the amount by $2,500,000.

On page 28, line 15, decrease the amount by $100,000.

AMENDMENT NO. 877

(Purpose: To ensure that the deficit-neutral reserve fund for higher education may be used for Leveraging Educational Assistance Partnership programs)

On page 34, line 13, insert ''such as by investing in programs such as the programs under subpart 4 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070c et seq.),'' after ''students,''.

AMENDMENT NO. 797

(Purpose: To develop biodefense medical countermeasures by fully funding the Biomedical Advanced Research and Development Authority (BARDA) in a fiscally responsible manner)

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.

AMENDMENT NO. 802

(Purpose: To provide a deficit-neutral reserve fund for the Veterans Health Administration to ensure that the supply of appropriately prepared health care professionals is available to meet the needs of the Veterans Health Administration)

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.

AMENDMENT NO. 826

(Purpose: To establish a deficit-neutral reserve fund to repeal certain deductions from mineral revenue payments made to States)

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND TO REPEAL DEDUCTIONS FROM MINERAL REVENUE PAYMENTS TO STATES.

(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 repeal the requirement to deduct certain amounts from mineral revenues payable to States under the heading ''ADMINISTRATIVE PROVISIONS'' under the heading ''MINERALS MANAGEMENT SERVICE'' under the heading ''DEPARTMENT OF THE INTERIOR'' of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009 (Public Law 111–8).

(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.

AMENDMENT NO. 872

Mr. DODD. Mr. President, I am in strong support of the Dodd-Lieberman-Collins amendment.

A decade ago, many of us in this body worked together to create the FIRE Grant Program—the goal of which was simple, but essential: It gives local fire departments the ability to purchase new equipment and initiate education and training programs.

Soon after we wrote that bill, we were reminded why it was so desperately needed—the Worcester Cold Storage blaze on December 3, 1999, that left 17 children without their fathers.

That story reminds us of the price our fire fighters pay every day to keep our communities safe.

We also wrote the SAFER Act to put an additional 75,000 firefighters on the job.

Today, the FIRE Act provides the single largest stream of Federal funding to communities to train and equip firefighters. Along with the SAFER Act, it has already provided more than $3 billion in grants to help hire, train, and equip firefighters.

In essence, these historic pieces of legislation have made the Federal Government a partner with our Nation's firefighters.

But to make that partnership as strong as it needs to be to keep our communities safe, we need to ensure that the Federal Government provides the necessary resources. We need to fund those programs.

In fiscal year 2009, the FIRE and SAFER Programs were funded at $565 million and $210 million respectively. FIRE is authorized through this fiscal year and will be reauthorized later this year, while SAFER is scheduled for reauthorization next year.

Our amendment will simply ensure there is adequate funding for the FIRE and SAFER Programs for fiscal years 2010 to 2014.

Economic recovery depends on safe and secure communities.

Just recently, East Hartford was forced to eliminate 19 municipal jobs, including firefighters. Farmington is trying to budget for replacing decade old fire engines, while Torrington and Greenwich are deciding whether they will be able to repair and build a new firehouse. This is happening in fire departments across my State.

We already made great strides with the economic recovery package providing $210 million to help America's first responders. But with this amendment, we can ensure that one thing that will not be left behind during this economic downturn is the safety of our communities.

And so I thank my colleagues and urge them to support this amendment.

AMENDMENT NO. 874

Mr. GRASSLEY. Mr. President, this amendment would create a deficit neutral fund in order to provide for reform of the current foster care system.

The foster care system is broken tremendously overburdened and needs to be fixed.

The system is understaffed and under trained. Children linger too long before securing a safe and permanent home. More funding could be available for family reunification services. Administrative funds could be used more efficiently.

Data collection is insufficient. The foster care financing structure is antiquated and inflexible and prevents states from responding to a variety of challenges.

We need to replace the old system with one that improves the foster care payment structure to support children

rather than programs, promotes and improves family preservation and ensures that public funds are used effectively.

Our amendment sets us on a course to make these vital improvements to the foster care system.

I urge my colleagues to support the Landrieu-Grassley amendment.

Mr. CONRAD. Mr. President, that is very helpful. That cleared a lot of amendments on both sides. I now go to Senator HUTCHISON for the purpose of withdrawing her amendment.

AMENDMENT NO. 868 WITHDRAWN

Mrs. HUTCHISON. Mr. President, I withdraw my amendment No. 868. I do support Senator REID's amendment. It is important.

AMENDMENT NO. 868 WITHDRAWN

Mr. CONRAD. I thank the Senator. That is very gracious of her. We could go to the Reid amendment.

I ask unanimous consent that Reid amendment No. 730 be adopted.

Mr. GREGG. Reserving the right to object, and I will not, I want to point out that in New Hampshire we have no sales or income tax. If people want to escape these taxes, they should come to New Hampshire.

Mr. CONRAD. Mr. President, I renew my request.

The PRESIDING OFFICER. All time is yielded back.

Without objection, the amendment is agreed to.

The amendment (No. 730) was agreed to, as follows:

(Purpose: to establish a deficit-neutral reserve fund to permanently extend the deduction for state and local sales taxes)

At the end of Title II, insert the following:

SEC. ____. RESERVE FUND TO PROMOTE TAX EQUITY FOR STATES WITHOUT PERSONAL INCOME TAXES.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for the permanent extension of the deduction for state and local sales taxes, 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.

Mr. CONRAD. Mr. President, that takes us to the Thune amendment No. 803.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

AMENDMENT NO. 803

Mr. THUNE. Mr. President, I send my amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] for himself, Mr. BENNETT, and Mr. ENSIGN, proposes an amendment numbered 803.

The amendment is as follows:

(Purpose: To protect charitable giving by ensuring that organizations that provide important religious, educational, cultural, health care, and environmental services are not negatively impacted by changes to the Federal income tax deduction for charitable donations)

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.

Mr. THUNE. Mr. President, my amendment is very straightforward. It creates a budget point of order against any legislation that would raise revenue from a reduction in the tax deduction for charitable donations.

What the Senator from North Dakota is going to say is that it is not included in his budget. As we know, this is a long process, and we also know the President, in his budget, included a proposal that would reduce the amount people could claim as a tax benefit for a charitable donation.

Again, we don't know what is going to happen from this point forward in the budget process. This could go into conference, and a provision like this could be added. Again, this places a point of order against any legislation that would raise revenue from the tax deduction for charitable giving.

Americans gave $300 billion in 2007 to charitable causes, which is equal to 2 percent of our GDP.

A Washington Post article said this:

Diana Aviv, [president of Independent Sector, a national membership organization of charities] said any decrease in charitable giving caused by Obama's proposal, no matter how small, would be 'seen as a stake in the heart.' ''—''With all other means of income down, the idea that there will be another potential cut to the income of those nonprofit organizations feels catastrophic,'' Aviv said. ''It is utterly unacceptable.''

I hope my colleagues will vote for this amendment.

Mr. CONRAD. Mr. President, would the Senator accept a voice vote? It would help a great deal in terms of moving the agenda and in terms of the disposition of the chairman on results out of the conference committee.

Mr. THUNE. Mr. President, as much as I appreciate the generosity of the Senator in offering me that opportunity, I think this is an important issue. I think the Senate needs to be on record.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

All time is yielded back.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Pennsylvania (Mr. SPECTER).

Further, if present and voting, the Senator from Pennsylvania (Mr. SPECTER) would have voted ''yea.''

The PRESIDING OFFICER (Ms. KLOBUCHAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 3, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—94

Akaka	Durbin	McConnell
Alexander	Ensign	Menendez
Barrasso	Enzi	Merkley
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murkowski
Begich	Gillibrand	Murray
Bennet	Graham	Nelson (FL)
Bennett	Grassley	Nelson (NE)
Bingaman	Gregg	Pryor
Bond	Hagan	Reed
Boxer	Harkin	Reid
Brown	Hatch	Risch
Brownback	Hutchison	Roberts
Bunning	Inhofe	Rockefeller
Burr	Inouye	Schumer
Burris	Isakson	Sessions
Byrd	Johanns	Shaheen
Cantwell	Johnson	Shelby
Cardin	Kaufman	Snowe
Carper	Kerry	Stabenow
Casey	Klobuchar	Tester
Chambliss	Kohl	Thune
Coburn	Kyl	Udall (CO)
Cochran	Landrieu	Udall (NM)
Collins	Lautenberg	Vitter
Conrad	Leahy	Voinovich
Corker	Levin	Warner
Cornyn	Lieberman	Webb
Crapo	Lincoln	Wicker
DeMint	Lugar	Wyden
Dodd	Martinez	
Dorgan	McCain	

NAYS—3

McCaskill	Sanders	Whitehouse

NOT VOTING—2

Kennedy	Specter

The amendment (No. 803) was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

AMENDMENT NO. 824

Mr. CONRAD. Madam President, I propose we go next to Enzi amendment No. 824. It has been cleared on both sides.

Mr. ENZI. Madam President, built into this budget is an assumption that the 33 percent and 35 percent tax brackets would be allowed to expire. As a result, many individuals and small businesses would see their taxes rise substantially in the very near future.

The Administration has been quick to explain that the tax hike wouldn't

take effect until January 2011 after the economy has rebounded. But no one can be sure when our economy will turn the corner and the administration's economic assumptions have been criticized as being more optimistic than most.

While I do not support raising taxes—especially in this economic climate—I realize I am in the minority in this Chamber. So I am here now to offer my friends across the aisle a chance to improve this budget resolution.

My amendment would block any tax increase until the economy has recovered. A sure sign of recovery would be a reduction in the unemployment rate to 5.8 percent, a level many private sector economists associate with a fully productive economy.

Common sense tells us that employment is a key indicator of our economy's strength and potential for growth. The organization formally tasked with identifying U.S. recessions, the National Bureau of Economic Research—NBER—used job numbers to determine the start date of our current recession and it is only right to use job numbers as a signal that it has ended.

I don't support the tax increases in this budget, but if the majority in this Chamber insists on moving forward with higher taxes, they shouldn't do it while the economy is mired in recession.

I urge my colleagues to support this amendment.

Mr. CONRAD. Madam President, I ask unanimous consent that we adopt the Enzi amendment No. 824.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

The amendment (No. 824) was agreed to, as follows:

(Purpose: To protect taxpayers and businesses from the job-killing and growth-stunting impact of tax increases imposed while the domestic economy is in crisis)

At the end of subtitle A of title III, insert the following:

SEC. ___. POINT OF ORDER ON LEGISLATION THAT INCREASES TAXES DURING ANY PERIOD WHEN THE UNEMPLOYMENT RATE IS IN EXCESS OF 5.8 PERCENT.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report during any period in which the unemployment rate in the United States (as measured by the most recent Bureau of Labor Statistics' Current Population Survey and based on the national seasonally adjusted rate for persons age 16 and over) exceeds 5.8 percent if such bill, joint resolution, amendment, motion, or conference report increases taxes.

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. CONRAD. Madam President, I especially thank Senator ENZI, who demonstrates once again why everybody regards him as a gentleman here. I appreciate his being gracious.

Madam President, that takes us next to the Conrad AMT amendment, which I will not pursue, and we will go directly to the Grassley amendment on the alternative minimum tax.

AMENDMENT NO. 950

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] proposes an amendment numbered 950.

The amendment is as follows:

(Purpose: To ensure that millions of middle-income families do not face an alternative minimum tax increase in 2013 and 2014 and that the budget resolution honestly and accurately reflects that result)

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.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, the chairman's resolution patches the AMT for 2010 through 2012. Now, that is good, but it is not good enough. Since we have a 5-year window, we should patch AMT for all 5 years. My amendment is to make sure that AMT is patched 2013 and 2014 so that the entire 5-year period has an AMT patch.

This would provide tax relief to 18 million families at a cost of $114 billion. This patch is essential to honest budgeting because we all know that the AMT will eventually pass without being patched. This amendment also helps families plan their financial affairs properly, rather than leave them guessing as to what their future tax burden will be.

Also, by giving greater stability to this area of the tax law, tax professionals will administer the law better, leading to better compliance and a smaller tax gap.

I ask support for this amendment to patch AMT for 2013 and 2014, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, we already have 3 full years of alternative minimum tax protection in the chairman's mark—3 full years. We have never had that much before in any resolution.

The amendment of the Senator would add $117 billion to the debt. After we lost $2 trillion in the CBO forecast, we had to insist that some additional things be paid for. I urge my colleagues to defeat the Grassley amendment and understand we have 3 full years of alternative minimum tax protection in the chairman's mark.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to amendment No. 950.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 40, nays 58, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—40

Alexander	Ensign	McConnell
Barrasso	Enzi	Murkowski
Bennett	Graham	Nelson (NE)
Bond	Grassley	Risch
Brownback	Gregg	Roberts
Burr	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Snowe
Cochran	Isakson	Specter
Collins	Johanns	Thune
Corker	Kyl	Vitter
Cornyn	Lugar	Wicker
Crapo	Martinez	
DeMint	McCain	

NAYS—58

Akaka	Feinstein	Murray
Baucus	Gillibrand	Nelson (FL)
Bayh	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson	Rockefeller
Boxer	Kaufman	Sanders
Brown	Kerry	Schumer
Bunning	Klobuchar	Shaheen
Burris	Kohl	Stabenow
Byrd	Landrieu	Tester
Cantwell	Lautenberg	Udall (CO)
Cardin	Leahy	Udall (NM)
Carper	Levin	Voinovich
Casey	Lieberman	Warner
Conrad	Lincoln	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Merkley	
Feingold	Mikulski	

NOT VOTING—1

Kennedy

The amendment (No. 950) was rejected.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, I ask unanimous consent that under the rules we have been operating on for each of the tranches, that we next go

to Inhofe No. 742; followed by Sanders, No. 811; followed by Stabenow, No. 879; followed by Bond, No. 926; followed by Coburn, No. 894; followed by Bennett, No. 954.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Madam President, that would take us next to the Inhofe amendment. If the Senator would describe his amendment.

AMENDMENT NO. 742

Mr. INHOFE. Madam President, I ask unanimous consent that the amendment No. 742 be considered.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 742.

The amendment is as follows:

(Purpose: To provide for advance appropriations for medical care for veterans through the Department of Veterans Affairs)

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.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, this is one of the rare amendments we have that is not going to cost anything but makes a rearrangement in the flow of funding. One of the problems we are having now is that in 19 out of the last 22 years, Congress has been unsuccessful in passing annual funding for veterans health care. In fact, over the last 7 years, there has been a delay averaging 3 months in the funding flow for the care of veterans.

This can be corrected. What this amendment does, it offers a solution by providing advance appropriations for veterans health care. It does not mean it increases the cost. It means it actually comes in—and this is used in some other areas of Government. In fact, it is interesting that in October of 2008, then-Senator Obama, a candidate, said:

The way our Nation provides funding for VA health care must be reformed. . . . My administration will recommend passage of advance appropriations legislation . . .

For this purpose.

Senator DANNY AKAKA is a cosponsor on this. I ask it be accepted. I do not need a rollcall.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Will the Senator from Oklahoma be agreeable to a voice vote on this amendment?

Mr. INHOFE. Yes.

Mr. CONRAD. I ask unanimous consent that we accept the Inhofe amendment, No. 742.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 742) was agreed to.

AMENDMENT NO. 811

Mr. CONRAD. Madam President, that takes us then next to the Sanders amendment, No. 811.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS] proposes an amendment numbered 811.

The amendment is as follows:

(Purpose: To provide for a deficit-neutral reserve fund to establish a national usury law, and for other purposes)

At the appropriate place, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND TO ESTABLISH A NATIONAL USURY LAW.

The chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to establish a national usury law, provided that such legislation does 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.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. Madam President, this amendment, No. 811, would simply establish a deficit-neutral reserve fund to establish a national usury law. Establishing a national usury law is not a radical concept. About half the States in our country have usury laws now, capping interest rates on their books. Unfortunately, the State usury laws were made meaningless by a 1978 Supreme Court decision that allowed national banks to charge whatever interest rates they wanted if they move to States without an interest rate cap.

The bottom line is people all over this country are tired of bailing out banks and then paying 25 or 30 percent interest rates on their credit cards. That is wrong. We need a national usury rate, and this amendment would begin the process of establishing one.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, obviously, this is not the appropriate vehicle to legislate a national usury law. Even if a national usury law made sense, which it does not, because this is clearly a States rights issue, I am not sure what we would use here. Would we use the Koran or the Bible for setting this?

Let's be honest, a national usury law is not a good idea. Its time has not come and this amendment should be defeated.

Mr. CONRAD. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 31, nays 67, as follows:

[Rollcall Vote No. 140 Leg.]

YEAS—31

Begich	Harkin	Reed
Boxer	Kaufman	Reid
Brown	Kerry	Rockefeller
Burris	Kohl	Sanders
Cardin	Lautenberg	Schumer
Casey	Leahy	Shaheen
Dodd	Levin	Udall (NM)
Durbin	McCaskill	Whitehouse
Feingold	Menendez	Wyden
Feinstein	Merkley	
Gillibrand	Mikulski	

NAYS—67

Akaka	DeMint	McConnell
Alexander	Dorgan	Murkowski
Barrasso	Ensign	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Graham	Nelson (NE)
Bennet	Grassley	Pryor
Bennett	Gregg	Risch
Bingaman	Hagan	Roberts
Bond	Hatch	Sessions
Brownback	Hutchison	Shelby
Bunning	Inhofe	Snowe
Burr	Inouye	Specter
Byrd	Isakson	Stabenow
Cantwell	Johanns	Tester
Carper	Johnson	Thune
Chambliss	Klobuchar	Udall (CO)
Coburn	Kyl	Vitter
Cochran	Landrieu	Voinovich
Collins	Lieberman	Warner
Conrad	Lincoln	Webb
Corker	Lugar	Wicker
Cornyn	Martinez	
Crapo	McCain	

NOT VOTING—1

Kennedy

The amendment (No. 811) was rejected.

The PRESIDING OFFICER. The Senator from Minnesota.

CHANGE OF VOTE

Ms. KLOBUCHAR. Mr. President, thank you very much. And I thank the manager of the bill.

I would like to change my vote on rollcall vote No. 140. It was my intention to vote ''nay,'' and I voted ''yea.'' I voted ''yea'' when I was presiding. I ask unanimous consent that my vote be changed to reflect a ''nay'' vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. CONRAD. Madam President, just for the information of colleagues, very soon we are going to need to take a break. Floor staff have not eaten; they have not had a break. So we are going to have to take a break.

Before we do that, I would like to dispose of the remaining amendments in this tranche, and I would ask Senator BOND if we would be willing to take a voice vote on his amendment if Senator STABENOW would take a voice vote on hers?

Mr. BOND. Madam President, I will respond by saying that we on this side would like to have a vote on the point of order on the climate legislation.

Mr. CONRAD. So I take that as——

Mr. BOND. No.

Mr. CONRAD. Well, OK. That means two more votes. I do not know how many times we voted on this already. But if people are insistent on having votes, we will get to stay here.

Mr. DORGAN. Would the chairman of the committee yield? Is it not the case that most of the amendments, perhaps 90 percent of the amendments we have voted on today, would have no real policy implications?

Mr. CONRAD. That is probably a pretty fair estimate. The Budget Committee does not have the authority to tell committees of jurisdiction the specifics of legislative outcomes. These are message amendments, and the truth is, we all do it. We do it on both sides. But I have to say to my colleagues, it has run amok this year. For some reason this year we have hundreds of amendments out there, and people are just stuck. Even when they could get a voice vote and it pass, they still want votes. We have had votes that were nine in opposition. But that is a Senator's right.

Mr. DORGAN. If the Senator would yield further for a question, might it not be advisable, given the fact that most amendments have no policy implications at all, if they are made to the Budget Act, just to accept all amendments en bloc by UC and discard all of those without merit once you get to conference?

Mr. CONRAD. The problem is, that would take unanimous consent. It is very clear we cannot get unanimous consent.

Is Senator COBURN in the Chamber? I ask unanimous consent that we set aside for a moment the Stabenow and Bond amendments for the purpose of going to the Coburn amendment because I am told that Senator COBURN would be willing to take a voice vote; is that correct?

Mr. COBURN. I would take it by unanimous consent.

Mr. CONRAD. Even better. I ask unanimous consent that the Coburn amendment, No. 894, be adopted.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 894) was agreed to, as follows:

(Purpose: To provide a deficit-neutral reserve fund to set performance standards to identify failing Government programs)

On page 49, between lines 3 and 4, insert the following:

SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR SETTING PERFORMANCE STANDARDS TO IDENTIFY FAILING GOVERNMENT PROGRAMS.

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 develop performance measures for each program receiving Federal assistance under their jurisdiction, 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 2010 through 2019.

AMENDMENT NO. 879

Mr. CONRAD. I thank our colleague. That takes us back to Stabenow amendment No. 879.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Ms. STABENOW], for herself, Mr. BROWN, Mrs. BOXER, and Mrs. SHAHEEN, proposes an amendment numbered 879.

The amendment is as follows:

(Purpose: To modify the authorization for climate change legislation)

On page 33, line 20, strike ''or help'' and insert ''create new jobs in a clean technology economy, strengthen the manufacturing competitiveness of the United States, diversify the domestic clean energy supply to increase the energy security of the United States, protect consumers (including policies that address regional differences), provide incentives for cost-savings achieved through energy efficiencies, provide voluntary opportunities for agriculture and forestry communities to contribute to reducing the levels of greenhouse gases in the atmosphere, and help''.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Ms. STABENOW. We have had a number of votes that indicated what we should not do as it relates to a climate change policy. This is about what we should do. I believe, just as with any piece of legislation, if it is done right, it can be very positive.

I believe it can be about creating jobs and revitalizing the economy. I would like to thank Senators BROWN, BOXER, and SHAHEEN for supporting this amendment which lays out a framework for a balanced climate change policy to create jobs and a clean technology economy, strengthening manufacturing competitiveness, diversifying domestic clean energy supplies, protecting consumers, including policies that address regional differences, provide incentives for cost savings achieved through energy efficiencies, and allowing voluntary opportunities for agriculture and forestry to participate in this process of lowering greenhouse gases.

I ask for support from my colleagues.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. GREGG. Would the Senator take a voice vote?

Ms. STABENOW. My question, I guess, through the Chair would be, is Senator BOND also willing to take a voice vote on his amendment?

Mr. BOND. Madam President, my amendment shoots with real bullets. It provides a Budget Act point of order for any climate change legislation that brings in more revenue than that set forth in the budget resolution.

So it does—if that will be accepted by voice vote, it is creating a new Budget Act point of order. We would like a vote. But it does have real teeth.

Mr. CONRAD. I would just say to the Senator, we would be willing to take yours on a voice vote, Senator STABENOW's on a voice vote, then go to the Bennett for a vote. And we could take a break because people have not had a break.

We have voted on this over and over and over. I do not think the record could be more clear.

Mr. BENNETT. Madam President, assuming a voice vote means approval, I am willing to take a voice vote.

Mr. CONRAD. That is in a separate category. We will have a vote on yours.

Mr. GREGG. We will vote on both.

Mr. CONRAD. I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 879.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 73, nays 25, as follows:

[Rollcall Vote No. 141 Leg.]

YEAS—73

Akaka	Gillibrand	Nelson (FL)
Baucus	Graham	Nelson (NE)
Bayh	Grassley	Pryor
Begich	Hagan	Reed
Bennet	Harkin	Reid
Bingaman	Hutchison	Risch
Bond	Inouye	Roberts
Boxer	Johanns	Rockefeller
Brown	Johnson	Sanders
Brownback	Kaufman	Schumer
Burr	Kerry	Shaheen
Burris	Klobuchar	Snowe
Byrd	Kohl	Specter
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Thune
Casey	Lieberman	Udall (CO)
Collins	Lincoln	Udall (NM)
Conrad	Lugar	Voinovich
Crapo	Martinez	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feingold	Mikulski	
Feinstein	Murray	

NAYS—25

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bunning	Gregg	Sessions
Chambliss	Hatch	Shelby
Coburn	Inhofe	Vitter
Cochran	Isakson	Wicker
Corker	Kyl	
Cornyn	Landrieu	

NOT VOTING—1

Kennedy

The amendment (No. 879) was agreed to.

Mr. CONRAD. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

RECESS

Mr. REID. Mr. President, I have conferred with the Republican leader. I have conferred with the two managers of the bill.

I ask unanimous consent that the Senate stand in recess until 6 o'clock this evening.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Mr. President, reserving the right to object, if we could have the attention of the Members so we can explain what we are trying to do. I say to Senator BOND, yours will be the first vote when we come back. I say to colleagues, we need to take a break to try to put together a managers' package and determine the final amendments that require a vote. That will take a little bit of time to best organize so we do not waste everyone's time. In addition, some people have not had a break who have not eaten. They have not had any breaks since 11 o'clock this morning, especially the staff. We wish to emphasize we need to take this 45-minute break.

Members who have multiple amendments, at least with respect to our side, are going to have a much better chance getting some amendment accepted if they are a little reasonable on their other amendments; in other words, prioritize, please. Let's try to work down. Some people have six amendments remaining. We need to try to prioritize. During this period, if people who have remaining amendments can come to us and tell us what are their priorities; we can't do them all.

I thank the Chair and yield the floor. We will resume at 6 o'clock.

The PRESIDING OFFICER. Without objection, the Senate stands in recess until 6 o'clock.

Thereupon, the Senate, at 5:19 p.m., recessed until 6:01 p.m. and reassembled when called to order by the Presiding Officer (Mr. REID).

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2010—Continued

Mr. CONRAD. 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. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

AMENDMENT NO. 926

Mr. BOND. Mr. President, I call up amendment No. 926 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 926.

Mr. BOND. 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 protect workers from significant job loss by providing a point of order against climate change or similar legislation that raises Federal revenues to such an extent that it causes significant job loss in manufacturing- or coal-dependent U.S. regions such as the Midwest, Great Plains or South)

On page 68, after line 4, insert the following:

SEC._____. POINT OF ORDER AGAINST LEGISLATION THAT CAUSES SIGNIFICANT JOB LOSS.

(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) would cause significant job loss in manufacturing- or coal-dependent regions of the United States such as the Midwest, Great Plains or South.

(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.

Mr. BOND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, this amendment provides a new point of order to prevent climate change legislation from raising more revenue than in the resolution, killing jobs in the coal and manufacturing-dependent regions of the United States, such as the Midwest, the Great Plains, and the South.

There is no question climate change legislation will raise trillions of dollars in Federal revenue through its Government auction of carbon allowances.

President Obama said ''electricity rates would necessarily skyrocket.''

This new energy tax will kill jobs in energy-intensive sectors such as manufacturing, auto assembly, steel, cement, plastics, glass, and fertilizer.

Experts predicted last year's Lieberman-Warner cap-and-trade bill would have killed 3 million to 4 million jobs. The Northeast and west coast will avoid the full impacts because they rely on lower carbon natural gas to generate electricity. However, climate legislation will hit hard the coal and manufacturing-dependent Midwest, Great Plains, and South.

I ask my colleagues to protect our workers by supporting this amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, on behalf of the Senator from Michigan, Ms. STABENOW, who had the time in opposition, I wish to indicate that what the Senator is talking about is not part of the chairman's mark. The chairman's mark provides an energy initiatives reserve fund. It is entirely up to the committees of jurisdiction what legislation they write to reduce our dependence on foreign energy, to deal with global climate change. This resolution makes absolutely no determination about what those committees will report. The effect of this amendment, to me, is a nullity because it is creating a budget point of order against something that does not exist in the chairman's mark.

I ask my colleagues to oppose this amendment, on behalf of Senator STABENOW.

Mr. BOND. Will the Senator yield?

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to the amendment.

The yeas and nays were previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 142 Leg.]

YEAS—54

Alexander	Dorgan	Martinez
Barrasso	Ensign	McCain
Baucus	Enzi	McConnell
Bayh	Feingold	Murkowski
Bennett	Graham	Nelson (NE)
Bond	Grassley	Pryor
Brownback	Gregg	Risch
Bunning	Hagan	Roberts
Burr	Hatch	Rockefeller
Byrd	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coburn	Isakson	Snowe
Cochran	Johanns	Specter
Collins	Kohl	Tester
Corker	Kyl	Thune
Cornyn	Landrieu	Vitter
Crapo	Lincoln	Voinovich
DeMint	Lugar	Wicker

NAYS—44

Akaka	Gillibrand	Murray
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Sanders
Brown	Kerry	Schumer
Burris	Klobuchar	Shaheen
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Udall (CO)
Carper	Levin	Udall (NM)
Casey	Lieberman	Warner
Conrad	McCaskill	Webb
Dodd	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	

NOT VOTING—1

Kennedy

The amendment (No. 926) was agreed to.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). 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, the next amendment to be dealt with is Bennett amendment No. 954.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 954, AS MODIFIED

Mr. BENNETT. Mr. President, I call up amendment 954, as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [MR. BENNETT] proposes an amendment numbered 954, as modified.

The amendment is as follows:

(Purpose: To save the American taxpayer over $150,000,000,000 by adjusting spending levels beyond fiscal year 2010 to compensate for spending from the stimulus bill in the corresponding fiscal years)

On page 4, line 15, decrease amount by $76,325,000,000.
On page 4, line 16, decrease amount by $38,065,000,000.
On page 4, line 17, decrease amount by $22,872,000,000.
On page 4, line 18, decrease amount by $12,787,000,000.
On page 4, line 24, decrease amount by $76,325,000,000.
On page 4, line 25, decrease amount by $38,065,000,000.
On page 5, line 1, decrease amount by $22,872,000,000.
On page 5, line 2, decrease amount by $12,787,000,000.
On page 5, line 8, decrease amount by $76,325,000,000.
On page 5, line 9, decrease amount by $38,065,000,000.
On page 5, line 10, decrease amount by $22,872,000,000.
On page 5, line 11, decrease amount by $12,787,000,000.
On page 5, line 18, decrease amount by $76,325,000,000.
On page 5, line 19, decrease amount by $114,390,000,000.
On page 5, line 20, decrease amount by $137,262,000,000.
On page 5, line 21, decrease amount by $150,049,000,000.
On page 6, line 1, decrease amount by $76,325,000,000.
On page 6, line 2, decrease amount by $114,390,000,000.
On page 6, line 3, decrease amount by $137,262,000,000.
On page 6, line 4, decrease amount by $150,049,000,000.
On page 9, line 24, decrease amount by $960,000,000.
On page 9, line 25, decrease amount by $960,000,000.
On page 10, line 3, decrease amount by $634,000,000.
On page 10, line 4, decrease amount by $634,000,000.
On page 10, line 7, decrease amount by $277,000,000.
On page 10, line 8, decrease amount by $277,000,000.
On page 10, line 11, decrease amount by $104,000,000.
On page 10, line 12, decrease amount by $104,000,000.
On page 10, line 24, decrease amount by $162,000,000.
On page 10, line 25, decrease amount by $162,000,000.
On page 10, line 3, decrease amount by $114,000,000.
On page 10, line 4, decrease amount by $114,000,000.
On page 10, line 7, decrease amount by $50,000,000.
On page 10, line 8, decrease amount by $50,000,000.
On page 11, line 25, decrease amount by $1,095,000,000.
On page 12, line 1, decrease amount by $1,095,000,000.
On page 12, line 4, decrease amount by $750,000,000.
On page 12, line 5, decrease amount by $750,000,000.
On page 12, line 8, decrease amount by $174,000,000.
On page 12, line 9, decrease amount by $174,000,000.
On page 12, line 12, decrease amount by $63,000,000.
On page 12, line 13, decrease amount by $63,000,000.
On page 13, line 25, decrease amount by $13,760,000,000.
On page 14, line 1, decrease amount by $13,760,000,000.
On page 14, line 4, decrease amount by $11,759,000,000.
On page 14, line 5, decrease amount by $11,759,000,000.
On page 14, line 8, decrease amount by $7,728,000,000.
On page 14, line 9, decrease amount by $7,728,000,000.
On page 14, line 12, decrease amount by $5,419,000,000.
On page 14, line 13, decrease amount by $5,419,000,000.
On page 14, line 25, decrease amount by $5,685,000,000.
On page 14, line 1, decrease amount by $5,685,000,000.
On page 14, line 4, decrease amount by $4,111,000,000.
On page 14, line 4, decrease amount by $4,111,000,000.
On page 15, line 8, decrease amount by $2,286,000,000.
On page 15, line 9, decrease amount by $2,286,000,000.
On page 15, line 12, decrease amount by $468,000,000.
On page 15, line 13, decrease amount by $468,000,000.
On page 15, line 25, decrease amount by $5,584,000,000.
On page 16, line 1, decrease amount by $5,584,000,000.
On page 16, line 4, decrease amount by $4,284,000,000.
On page 16, line 5, decrease amount by $4,284,000,000.
On page 16, line 8, decrease amount by $3,047,000,000.
On page 16, line 9, decrease amount by $3,047,000,000.
On page 16, line 12, decrease amount by $531,000,000.
On page 16, line 13, decrease amount by $531,000,000.
On page 16, line 25, decrease amount by $8,785,000,000.
On page 17, line 1, decrease amount by $8,785,000,000.
On page 17, line 4, decrease amount by $7,035,000,000.
On page 17, line 5, decrease amount by $7,035,000,000.
On page 17, line 8, decrease amount by $6,052,000,000.
On page 17, line 9, decrease amount by $6,052,000,000.
On page 17, line 12, decrease amount by $5,422,000,000.
On page 17, line 13, decrease amount by $5,422,000,000.
On page 19, line 3, decrease amount by $29,963,000,000.
On page 19, line 4, decrease amount by $29,963,000,000.
On page 19, line 7, decrease amount by $4,011,000,000.
On page 19, line 8, decrease amount by $4,011,000,000.
On page 19, line 10, decrease amount by $262,000,000.
On page 19, line 11, decrease amount by $262,000,000.
On page 20, line 3, decrease amount by $6,421,000,000.
On page 20, line 4, decrease amount by $6,421,000,000.
On page 20, line 7, decrease amount by $3,157,000,000.
On page 20, line 8, decrease amount by $3,157,000,000.
On page 20, line 11, decrease amount by $842,000,000.
On page 20, line 12, decrease amount by $842,000,000.
On page 20, line 15, decrease amount by $183,000,000.
On page 20, line 16, decrease amount by $183,000,000.
On page 23, line 3, decrease amount by $133,000,000.
On page 23, line 4, decrease amount by $133,000,000.
On page 23, line 7, decrease amount by $150,000,000.
On page 23, line 8, decrease amount by $150,000,000.
On page 23, line 11, decrease amount by $150,000,000.
On page 23, line 12, decrease amount by $150,000,000.
On page 24, line 3, decrease amount by $297,000,000.
On page 24, line 4, decrease amount by $297,000,000.
On page 24, line 7, decrease amount by $133,000,000.
On page 24, line 8, decrease amount by $133,000,000.
On page 25, line 3, decrease amount by $848,000,000.
On page 25, line 4, decrease amount by $848,000,000.
On page 25, line 7, decrease amount by $649,000,000.
On page 25, line 8, decrease amount by $649,000,000.
On page 25, line 11, decrease amount by $750,000,000.
On page 25, line 12, decrease amount by $750,000,000.
On page 26, line 3, decrease amount by $1,400,000,000.
On page 26, line 4, decrease amount by $1,400,000,000.
On page 26, line 7, decrease amount by $1,196,000,000.
On page 26, line 8, decrease amount by $1,196,000,000.
On page 26, line 11, decrease amount by $1,024,000,000.
On page 26, line 12, decrease amount by $1,024,000,000.
On page 26, line 15, decrease amount by $504,000,000.
On page 26, line 16, decrease amount by $504,000,000.
On page 27, line 3, decrease amount by $857,000,000.
On page 27, line 4, decrease amount by $857,000,000.
On page 27, line 7, decrease amount by $457,000,000.
On page 27, line 8, decrease amount by $457,000,000.
On page 27, line 11, decrease amount by $230,000,000.
On page 27, line 12, decrease amount by $230,000,000.

On page 27, line 15, decrease amount by $93,000,000.

On page 27, line 16, decrease amount by $93,000,000.

Mr. CONRAD. Mr. President, we have not seen the modification.

Mr. BENNETT. I have only one copy which I gave the clerk. We found that some of the numbers had been omitted.

Mr. CONRAD. 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. 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, Senator BENNETT can conclude his remarks.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, according to CBO, the stimulus bill will spend over $150 billion between fiscal years 2011 and 2014. My amendment will remove that amount from this budget resolution because it seems to me we do not need to fund the same things twice.

By reducing the proposed spending amounts in the budget resolution, Congress will be recognizing that we have already passed money to spend in that area. For those who say, yes, but the stimulus is different, we are all hoping that the need for stimulus will be passed by the time we get to 2014 and it will not be stimulative but, rather, inflationary. It is for that reason that I offer the amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the Senator's amendment would eliminate 20 percent of the economic recovery package we passed weeks ago. The Senator's amendment would cut defense by over $2 billion, would cut veterans by over $400 million, would cut areas in education, health, and infrastructure.

If there is one thing that united this body, it was investments in infrastructure, much of what would be cut under this amendment.

I urge my colleagues to vote no.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

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 clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The result was announced—yeas 42, nays 56, as follows:

[Rollcall Vote No. 143 Leg.]

YEAS—42

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Graham	Nelson (NE)
Brownback	Grassley	Risch
Bunning	Gregg	Roberts
Burr	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Snowe
Cochran	Isakson	Specter
Collins	Johanns	Thune
Corker	Kyl	Vitter
Cornyn	Lugar	Voinovich
Crapo	Martinez	Wicker

NAYS—56

Akaka	Feinstein	Mikulski
Baucus	Gillibrand	Murray
Bayh	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown	Kerry	Sanders
Burris	Klobuchar	Schumer
Byrd	Kohl	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Conrad	Lieberman	Warner
Dodd	Lincoln	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	

NOT VOTING—1

Kennedy

The amendment (No. 954 was rejected.

Mr. CONRAD. Mr. President, we are now making significant progress on putting together a managers' package and on putting together those amendments that will require a vote. We still have a certain amount of clearing to be done in order to be ready to go to those final lists and get them locked in, but that work is going on right now between the two sides.

Let me just give a status report, if I could. We are down to about 55 amendments. That is pretty good, given the fact we started at 231. But 55 at 3 an hour would be another 18 hours. So the word needs to go out that we are asking colleagues who can withhold on amendments that they have filed to use them for a later date. Those who would be willing to accept a voice vote, if they could make certain our staffs are notified of that, we will then be able to proceed in the most efficient way possible.

Mr. President, we also should notify Members that at 8 p.m., give or take a few minutes, we intend to vote on the amendment on estate tax. That is the Lincoln-Kyl amendment. We just want to give people a heads-up that the amendment will be voted on at about that time—roughly 8 p.m., give or take.

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, we need to alert colleagues that we really need them, if they have amendments, to be on the floor or in the cloakroom. We have amendments that we are ready to go to, but we can't find the Senators. So let me just tell you, if we can't find the Senators, they are going to lose their chance to offer their amendment. We are going to give a 5-minute grace period, but if Senators have amendments, they have to be in a place where we can reach them.

AMENDMENT NOS. 889, 881, 955, 809, 912, 794, 876, 899, 883, 970, 820, 887, 917, 838, AND 916

Mr. President, we are ready to go to the next managers' package.

I ask unanimous consent that the managers' package be considered en bloc and agreed to en bloc. It includes the following: Klobuchar amendment No. 889, Dorgan amendment No. 881, Dodd amendment No. 955, Brown amendment No. 809, Begich amendment No. 912, Pryor amendment No. 794, Lincoln-Snowe amendment No. 876, Lincoln-Snowe amendment No. 899, Collins amendment No. 883, Hatch amendment No. 970, Enzi amendment No. 820, Klobuchar amendment No. 887, McCaskill amendment No. 917, Dorgan amendment No. 838, and Tester amendment No. 916.

The PRESIDING OFFICER. The Chair would like to clarify that it is Enzi amendment No. 820?

Mr. CONRAD. Enzi. That is correct.

The PRESIDING OFFICER. Is there objection? There is no objection, and it is so ordered.

The amendments were agreed to, en bloc, as follows:

AMENDMENT NO. 889

(Purpose: To establish a deficit-neutral reserve fund to expedite research at the Department of Energy and the Environmental Protection Agency on the viability of the use of higher ethanol blends at the service station pump)

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND TO EXPEDITE RESEARCH ON VIABILITY OF USE OF HIGHER ETHANOL BLENDS AT SERVICE STATION PUMP.

(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 expedite research at the Department of Energy and the Environmental Protection Agency on the viability of the use of higher ethanol blends at the service station pump.

(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.

AMENDMENT NO. 881

(Purpose: To provide for the use of the deficit-neutral reserve fund for tax relief to extend and expand the charitable IRA rollover)

On page 38, line 19, insert ", such as enhanced charitable giving from individual retirement accounts, including life-income gifts," before "or refundable tax relief".

AMENDMENT NO. 955

(Purpose: To increase funding for the Maternal and Child Health Block Grant within the Health Resources and Services Administration by $188 million in FY 2010)

On page 19, line 24, increase the amount by $188,000,000.

On page 19, line 25, increase the amount by $56,000,000.

On page 20, line 4, increase the amount by $81,000,000.

On page 20, line 8, increase the amount by $34,000,000.

On page 20, line 12, increase the amount by $13,000,000.

On page 27 line 23, decrease the amount by $188,000,000.

On page 27, line 24, decrease the amount by $56,000,000.

On page 28, line 3, decrease the amount by $81,000,000.

On page 28, line 7, decrease the amount by $34,000,000.

On page 28, line 11, decrease the amount by $13,000,000.

AMENDMENT NO. 809

(Purpose: To modify the deficit-neutral reserve fund for Clean Energy to create jobs and strengthen American manufacturing competitiveness by establishing clean renewable energy manufacturing supply chains)

On page 33, line 2, after ''development,'', insert ''strengthen and retool manufacturing supply chains,''.

AMENDMENT NO. 912

(Purpose: To include in the deficit-neutral reserve fund for America's veterans and wounded servicemembers funding authority for retirement benefits for members of the Alaska Territorial Guard who served during and after World War II)

On page 41, line 24, insert after ''Indemnity Compensation,'' the following: ''provide for the payment of retired pay for members of the Alaska Territorial Guard who served in the Alaska Territorial Guard during and after World War II,''.

AMENDMENT NO. 794

(Purpose: To establish deficit-neutral reserve funds to enhance and coordinate drug control efforts among Federal, State, and local law enforcement agencies through the expansion of the High Intensity Drug Trafficking Areas program and increased drug interdiction funding at the Department of Homeland Security)

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.

AMENDMENT NO. 876

(Purpose: To ensure that health coverage is affordable to small businesses and individuals who are self-employed)

On page 30, line 10, strike '', households'' and insert ''(in particular to small business and individuals who are self-employed), households''.

AMENDMENT NO. 899

(Purpose: To provide for a deficit-neutral reserve fund to promote individual savings and financial security, and for other purposes)

At the appropriate place, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE INDIVIDUAL SAVINGS AND FINANCIAL SECURITY.

The chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote financial security through financial literacy, retirement planning, and savings incentives, including individual development accounts and child savings accounts, provided that such legislation does not increase the deficit over either the period of the total fiscal years 2009 through 2014 or the period of the total fiscal years 2009 through 2019.

AMENDMENT NO. 883

(Purpose: To ensure that the deficit-neutral reserve fund for higher education may be used for Federal TRIO programs and Gaining Early Awareness and Readiness for Undergraduate Programs)

On page 34, line 13, insert ''such as 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,''.

AMENDMENT NO. 970

(Purpose: To establish a deficit-neutral reserve fund to support the National Health Service Corps)

On page 49, between lines 3 and 4, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR THE NATIONAL HEALTH SERVICE CORPS.

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 the National Health Service Corps with $235,000,000 for fiscal year 2010, by the amount provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total for fiscal years 2009 through 2014 or the period of the total for fiscal years 2009 through 2019.

AMENDMENT NO. 820

(Purpose: To establish a deficit-neutral reserve fund to improve the animal health and disease program)

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ANIMAL HEALTH AND DISEASE PROGRAM.

(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 ensure that the animal health and disease program established under section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is fully funded.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

AMENDMENT NO. 887

(Purpose: To establish a deficit-neutral reserve fund to promote payment policies under the Medicare program that reward quality and efficient care and address geographic variations in spending)

On page 32, line 10, after ''increases;'' insert ''or'' and the following:

(4) promote payment policies under the Medicare program that reward quality and efficient care and address geographic variations in spending;

AMENDMENT NO. 917

(Purpose: To expand the matters covered by the deficit-neutral reserve fund for defense acquisition and contracting reform)

On page 43, after line 24, add the following:

(4) reduce the award of contracts to contractors with seriously delinquent tax debts;

(5) reduce the use of contracts, including the continuation of task orders, awarded under the Logistics Civil Augmentation Program (LOGCAP) III;

(6) reform Department of Defense processes for acquiring services in order to reduce costs, improve costs and schedule estimation, enhance oversight, or increase the rigor of reviews of programs that experience critical cost growth;

(7) reduce the use of contracts for acquisition, oversight, and management support services; or

(8) enhance the capability of auditors and inspectors general to oversee Federal acquisition and procurement;

AMENDMENT NO. 838

(Purpose: To ensure full funding for Adam Walsh Act programs, with an offset)

On page 24, line 24, increase the amount by $23,000,000.

On page 24, line 25, increase the amount by $16,000,000.

On page 25, line 4, increase the amount by $4,000,000.

On page 25, line 8, increase the amount by $2,000,000.

On page 25, line 12, increase the amount by $1,000,000.

On page 27, line 23, decrease the amount by $23,000,000.

On page 27, line 24, decrease the amount by $16,000,000.

On page 28, line 3, decrease the amount by $4,000,000.

On page 28, line 7, decrease the amount by $2,000,000.

On page 28, line 11, decrease the amount by $1,000,000.

AMENDMENT NO 916

(Purpose: To increase funding for veterans beneficiary travel reimbursement mileage rate, with an offset)

On page 23, line 24, increase the amount by $133,000,000.

On page 23, line 25, increase the amount by $133,000,000.

On page 27, line 23, decrease the amount by $133,000,000.

On page 27, line 24, decrease the amount by $133,000,000.

AMENDMENT NO. 881

Mr. GRASSLEY. Mr. President, I rise to express my concerns about the Dorgan-Snow amendment No. 881.

The IRA rollover was first enacted as temporary provision in the Pension Protection Act which I championed in 2006. Rollovers to grant-making charitable organizations with some element of donor control, such as private foundations, donor advised funds, and supporting organizations, were specifically prohibited. These entities were specifically prohibited from receiving rollover funds because I wanted to make sure that the money would actually get to charities doing work on the frontlines rather than sit in a donor-controlled account.

The provision has become one of the annual ''tax extender'' provisions. So under current law, which expires December 31, 2009, an individual may rollover up to $100,000 from their IRA to a public charity but not to one of the prohibited entities. Amendment No. 881 to the budget resolution, S. Con. Res. 13, promotes the extension of current-law regarding IRA rollovers to charity, which I also support.

However, the amendment also promotes an expansion of the provision by allowing split-interest trusts to receive IRA rollover contributions. Split-interest trusts are more worrisome than those that are currently prohibited from receiving IRA rollover contributions. These trusts allow donors to retain an income stream from the contributed assets for a defined period. So, just like with donor-advised funds and supporting organizations, the contribution does not result in an immediate benefit to a charity actually providing services while the donor receives significant tax benefits at the time of the contribution.

The cost of extending current law through 2009 was almost $1 billion—expanding the IRA rollover provision to allow more entities to receive them would increase the cost. Before we do that, I believe we should make sure that grant-making entities, including split-interest trusts, are accountable for paying out minimum amounts to actual charities before we allow them to receive IRA rollovers.

I understand that Senator DORGAN is willing to work with me and my staff if and when Senator BAUCUS and I consider an expansion of the IRA rollover provision in the Finance Committee. In light of this good faith offer, I will not object to the unanimous consent request for this amendment today and look forward to working with Senator DORGAN to resolve our differences.

AMENDMENT NO. 876

Ms. SNOWE. Mr. President, I rise today in support of Senate amendment No. 876, which I have cosponsored with my colleague Senator LINCOLN. Our bipartisan amendment would simply clarify that a deficit-neutral reserve that would transform the health system will specifically address the needs of small businesses and the self-employed. More than half—52 percent—of our nation's uninsured either work for a small business or are dependent on someone who does. Yet remarkably, this budget resolution fails to even mention the crucial priority of small business health insurance reform.

As former chair and now ranking member of the Senate Committee on Small Business and Entrepreneurship, one of the top issues facing small business continues to be access to affordable health insurance. Since 2000, health insurance premiums have increased by 89 percent—far outpacing inflation and wage gains, and only 49 percent of our Nation's smallest employers, with less than 10 employees, are now able to offer health insurance to their employees as a workplace benefit.

Further compounding the crisis, small businesses are trapped in dysfunctional markets that possess little, if any, meaningful competition among insurers. Just last month, the Government Accountability Office released a report that I requested, along with Senators BOND, DURBIN, and LINCOLN, which highlighted an alarming trend of consolidation in the state small group insurance markets. For example, the combined market share of the five largest carriers represented 75 percent or more in 34 of 39 States surveyed, compared to 26 States in 2005. Large insurers dominated over 90 percent of the market in 23 States, including Maine, where five insurers now control 96 percent of the market.

The sad truth remains that small business insurance markets continue to lack competition among insurers. No competition means higher costs, and higher costs translate to no health insurance.

That is why I will soon reintroduce, with Assistant Majority Leader DURBIN and Senator LINCOLN, the Small Business Health Options Program—SHOP—Act, a bipartisan measure that has generated a broad array of support, including NFIB, the National Association of Realtors, SEIU, AARP, and Families USA. Our bipartisan measure would inject competition into reformed state insurance markets, allow small businesses and the self employed to pool together nationally, and provide a targeted tax credit to small business owners. I firmly believe that the policies in the SHOP Act, including fairer insurance ''rating'' rules that are not based on an individual's health status, must be included in the broader health reform debate that is underway in Congress.

I urge all of my colleagues on both sides of aisle to support this non-controversial amendment, which would clarify that when Congress passes broader health reform and universal coverage this year, it will fully consider the issue of small business health insurance reform.

AMENDMENT NO. 899

I rise as a cosponsor to support amendment No. 899 introduced by my colleague Senator BLANCHE LINCOLN that creates a deficit neutral reserve fund to promote financial security through financial literacy, retirement planning, and savings incentives, including individual development accounts and child savings accounts. I am proud that we have worked together on the issue of financial security and financial literacy over the last several years, in particular on the issue of individual development accounts, IDAs, that will allow low-income individuals to pay for education expenses, first-time homebuyer costs, and business capitalization or expansion costs.

I join Senator LINCOLN in support of this crucial amendment because we must boost savings in the United States, as a sound national savings policy is essential to helping Americans build a better future for themselves. Higher rates of saving can also strengthen the national economy. A paradox of the current economic recession is that our national savings rate has risen as Americans prepare for possible bad times ahead. Personal saving, as a percentage of disposable personal income, was 4.2 percent in February. It was 4.4 percent in January. The last time the saving rate exceeded 4.0 percent two straight months was August and September 1998, up 4.3 percent and 4.2 percent, respectively.

It was more than 10 years ago the last time we had a savings rate above 4 percent. I am glad to see it happening, but we need to increase education on financial security so that Americans have a cushion to get through difficult economic times. I thank the new Chairman of the Subcommittee on Social Security, Pensions and Family Policy for adding me as a cosponsor of this amendment.

Mr. CONRAD. Mr. President, I thank all our colleagues for cooperating on these managers' packages. We are working to clear additional amendments right now. I think at this point, until Senator GREGG returns, we need to note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 957

Mr. CONRAD. Mr. President, the next amendment that requires a vote is the Lautenberg amendment as it affects Amtrak. The Senator is not quite ready. We will give him a minute to do that.

While we are waiting, let me indicate to colleagues, we need Senators who have amendments to be here or to be in

the cloakroom. We have dead time here because, for amendments that are going to require a vote, Senators who are insisting on votes are not here. That is not going to work.

We have now worked on another group of amendments. Momentarily we will be prepared to offer another managers' amendment. I remind colleagues that the estate tax amendment of Senator LINCOLN and Senator KYL will be voted on about 8 o'clock. We need to keep that in mind as we plan the time.

I say to the Senator, we are ready to accept that amendment by unanimous consent. If the Senator wishes to speak, he could, for a minute, or we could take the amendment.

Mr. LAUTENBERG. Mr. President, I want to offer a straightforward amendment that recognizes that investments in our transportation infrastructure system must be a priority for our country. The amendment would simply add transportation, including passenger and freight rail, as an eligible project under the ''Investments in America's Infrastructure'' reserve fund. It is already included in the budget.

Our highways and skyways are so congested and crowded that passengers and freight are routinely delayed. The estimates show these problems will only get worse with the growth of freight traffic, expected to double its size by 2025. Railroads are the one mode of transportation that can grow to help alleviate the congestion.

Amtrak needs more and better passenger and freight rail service. I ask support for this amendment.

I call up the amendment and ask for its immediate consideration, amendment No. 957.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG] proposes an amendment numbered 957.

The amendment is as follows:

(Purpose: To include funding for freight and passenger rail in the deficit-neutral reserve fund for investments in America's infrastructure)

On page 35, line 18, insert ''transportation, including freight and passenger rail,'' after ''energy, water,''.

The PRESIDING OFFICER. Is there further debate?

Mr. CONRAD. Mr. President, we are prepared to take that amendment.

The PRESIDING OFFICER. The question is on agreeing on the amendment.

The amendment (No. 957) was agreed to.

AMENDMENT NO. 934

Mr. CONRAD. Mr. President, Senator CORNYN is prepared with an amendment. Would the Senator describe his amendment?

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I call up amendment No. 934 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 934.

The amendment is as follows:

(Purpose: To increase transparency by requiring five days of public review of legislation before passage by the Senate)

At the appropriate place insert the following:

SEC. __. REQUIREMENT THAT LEGISLATION BE AVAILABLE AND SCORED 5 DAYS BEFORE A VOTE ON PASSAGE.

(a) IN GENERAL.—In the Senate, it shall not be in order, to vote on final passage on any bill, joint resolution, or conference report unless the text and a budget score from the Congressional Budget Office of the legislation, are available on a publicly accessible Congressional website five days prior to the vote on passage of the legislation.

(b) 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.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. CORNYN. Mr. President, my amendment would pose a 60-vote point of order against a bill that had not been made available for public review along with the score of the Congressional Budget Office on a congressional Web site for at least 5 days.

As everyone will recall, the President himself said this was his goal, to offer greater transparency, hence greater accountability, and thus instill greater confidence in the people and their Government. Unfortunately, that pledge has been violated more times than it has been honored, and in our rush to pass the stimulus bill that was circulated—the conference report—at 11 o'clock on a Thursday night, we were required to vote on it less than 24 hours later and thus the uproar over the AIG bonuses ensued because, frankly, Members of the Senate did not know what they were voting on and could not know what they were voting on without this kind of transparency.

I commend this to my colleagues. It is consistent with what the President has advocated and I think it is a good way to do business.

Mr. CONRAD. Mr. President, I would ask the Senator from Texas, would he be willing to allow us to take this on a voice vote or by unanimous consent?

Mr. CORNYN. I would say to the distinguished chairman of the Budget Committee, I have three amendments which I have on the dock. This is the only one of those three that I would like to have a record vote on.

Mr. CONRAD. Can I put this another way? This amendment is not germane. So we can have a vote on it, it probably will not succeed, or we could voice vote it and you would succeed.

Mr. CORNYN. Well, we have had this proposition tendered before. I realize that in all likelihood this amendment would be stripped out in conference behind closed doors. I do not think that is particularly an honest way to deal with these important issues—to say yes on the floor and then to strip them out behind closed doors and to act like we are being consistent and not hypocritical.

I understand what the chairman has to do. He will do what he has to do. But I would like a record vote.

Mr. CONRAD. Mr. President, the Senator certainly has that right. Let me raise the germaneness point of order.

Let me ask the Parliamentarian, is the amendment of the Senator germane?

The PRESIDING OFFICER. In the opinion of the Chair, it is not germane.

Mr. CONRAD. I raise the germaneness point of order.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to waive the point of order.

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 clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 52, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—46

Alexander	Ensign	McCaskill
Barrasso	Enzi	McConnell
Bayh	Graham	Murkowski
Bennett	Grassley	Nelson (NE)
Bond	Gregg	Risch
Brownback	Hatch	Roberts
Bunning	Hutchison	Sessions
Burr	Inhofe	Shelby
Chambliss	Isakson	Snowe
Coburn	Johanns	Specter
Cochran	Klobuchar	Thune
Collins	Kyl	Vitter
Corker	Landrieu	Voinovich
Cornyn	Lugar	Wicker
Crapo	Martinez	
DeMint	McCain	

NAYS—52

Akaka	Feinstein	Nelson (FL)
Baucus	Gillibrand	Pryor
Begich	Hagan	Reed
Bennet	Harkin	Reid
Bingaman	Inouye	Rockefeller
Boxer	Johnson	Sanders
Brown	Kaufman	Schumer
Burris	Kerry	Shaheen
Byrd	Kohl	Stabenow
Cantwell	Lautenberg	Tester
Cardin	Leahy	Udall (CO)
Carper	Levin	Udall (NM)
Casey	Lieberman	Warner
Conrad	Lincoln	Webb
Dodd	Menendez	Whitehouse
Dorgan	Merkley	Wyden
Durbin	Mikulski	
Feingold	Murray	

NOT VOTING—1

Kennedy

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 52. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The Senator from North Dakota.

Mr. CONRAD. Next up is Senator WICKER.

The PRESIDING OFFICER. The Senator from Mississippi.

AMENDMENT NO. 798

Mr. WICKER. Mr. President, I call up amendment No. 798 and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER] proposes an amendment numbered 798.

Mr. WICKER. 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 ensure that law abiding Amtrak passengers are allowed to securely transport firearms in their checked baggage)

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.

Mr. WICKER. The amendment is very simple and straightforward. It aims to ensure that gun owners and sportsmen are able to transport securely firearms aboard Amtrak trains in checked baggage, a practice that is done thousands of times a day at airports across the country. I emphasize that this amendment deals with checked, secured baggage only. It would return Amtrak to a pre-9/11 practice. It does not deal with carry-on baggage. Unlike the airline industry, Amtrak does not allow the transport of firearms in checked bags. This means that sportsmen who wish to use Amtrak trains for hunting trips cannot do so because they are not allowed to check safely a firearm. I emphasize, this bill deals with checked, secure luggage, not carry-on luggage. It would apply to Amtrak the same as airlines.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I yield the time in opposition to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I object to this disruptive amendment offered by the Senator from Mississippi. He wants to enable the carrying of weapons, guns, in checked baggage. One doesn't have to be very much concerned about what we are doing when they look at the history of attacks on railroads in Spain and the UK and such places.

This amendment has no place here interrupting the budgetary procedure. The pending amendment is not germane and, therefore, I raise a point of order that the amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. GREGG. Is the germaneness well taken on this?

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act in relation to the Wicker amendment No. 798.

Mr. GREGG. I didn't even make the motion to waive, but I am happy to have the question be on the motion to waive.

The PRESIDING OFFICER. Under the previous order, that motion is automatic.

Mr. GREGG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 35, as follows:

[Rollcall Vote No. 145 Leg.]

YEAS—63

Alexander	Ensign	McCain
Barrasso	Enzi	McConnell
Baucus	Feingold	Murkowski
Bayh	Graham	Nelson (NE)
Begich	Grassley	Reid
Bennet	Gregg	Risch
Bennett	Hagan	Roberts
Bingaman	Hatch	Sanders
Bond	Hutchison	Sessions
Brownback	Inhofe	Shaheen
Bunning	Isakson	Shelby
Burr	Johanns	Snowe
Casey	Johnson	Specter
Chambliss	Klobuchar	Tester
Coburn	Kohl	Thune
Cochran	Kyl	Udall (CO)
Corker	Landrieu	Udall (NM)
Cornyn	Leahy	Vitter
Crapo	Lincoln	Voinovich
DeMint	Lugar	Webb
Dorgan	Martinez	Wicker

NAYS—35

Akaka	Feinstein	Mikulski
Boxer	Gillibrand	Murray
Brown	Harkin	Nelson (FL)
Burris	Inouye	Pryor
Byrd	Kaufman	Reed
Cantwell	Kerry	Rockefeller
Cardin	Lautenberg	Schumer
Carper	Levin	Stabenow
Collins	Lieberman	Warner
Conrad	McCaskill	Whitehouse
Dodd	Menendez	Wyden
Durbin	Merkley	

NOT VOTING—1

Kennedy

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 35. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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. Next up——

Mr. GREGG. Mr. President, if the motion was agreed to, then we have to vote on the amendment.

Mr. CONRAD. Why don't we just take it on a voice vote?

Mr. GREGG. Yes. I ask unanimous consent.

Mr. CONRAD. I think we have to do it by voice.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 798) was agreed to.

Mr. GREGG. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, Senator LIEBERMAN is next.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

AMENDMENT NO. 904

Mr. LIEBERMAN. Mr. President, I thank the Chair, and I call up amendment No. 904.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN] proposes an amendment numbered 904.

Mr. LIEBERMAN. 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 add a deficit-neutral reserve fund to reduce the strain on United States military personnel by providing for an increase in the end strength for active duty personnel of the United States Army)

At the end of title II, insert the following:

SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASE IN THE END STRENGTH FOR ACTIVE DUTY PERSONNEL OF THE ARMY.

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 reduce the strain on the United States Armed Forces by authorizing an increase in the end strength for active duty personnel of the Army to a level not less than 577,400 persons, 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.

Mr. LIEBERMAN. Mr. President, I am honored to be joined in introducing this amendment by my colleagues, Senators CORNYN, THUNE, and the distinguished occupant of the chair, Senator BEGICH. This amendment would ease the strain on the U.S. Army which today is carrying the bulk of the battle in Iraq and Afghanistan for us by establishing a deficit-neutral reserve

fund to increase Army Active-Duty end strength by 30,000 personnel.

Although we have depleted the so-called Grow the Force initiative and the Army is now at an end strength of 547,000, the so-called well time for our soldiers has not improved. They still have little more than 1 day at home for every day they spend in the theater. Our soldiers and their families——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LIEBERMAN. Our soldiers continue to serve under an unacceptable strain. I ask my colleagues to ease that strain by adopting this amendment.

Mr. CONRAD. Mr. President, we are prepared to take that on a voice vote.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 904) was agreed to.

Mr. GREGG. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 746

Mr. CONRAD. Mr. President, the next amendment is from Senator UDALL of Colorado. If he could describe it in 30 seconds.

Mr. UDALL of Colorado. Mr. President, I wish to thank Senator ENSIGN for joining me in this amendment. This is a deficit-neutral reserve fund amendment that would help prevent forest fires. Our State budgets are facing economic wildfires. This would help State and private lands reduce fuel loads so we can prevent catastrophic forest fires. Let's stand with Smokey the Bear. Let's prevent forest fires. Vote for this amendment.

Mr. CONRAD. Mr. President, on behalf of Senator UDALL, I call up his amendment No. 746.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. UDALL] proposes an amendment numbered 746.

Mr. CONRAD. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows.

(Purpose: To establish a deficit-neutral reserve fund for wildland fire management activities)

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.

Mr. CONRAD. Mr. President, we are prepared to take this amendment on a voice vote.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 746) was agreed to.

Mr. CONRAD. Mr. President, next we go to the Lincoln-Kyl amendment.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

AMENDMENT NO. 873

Mrs. LINCOLN. Mr. President, before I begin, I wish to say a word of thanks to Chairman CONRAD, who has done a tremendous job providing great leadership. He and his staff have done a wonderful job reflecting the President's priorities and, more importantly, putting balance to the budget before us.

Because my time is limited, I wish to take a moment to read to you a few excerpts from an editorial that appeared in the Arkansas Democrat-Gazette earlier this year. It was submitted by a member of a family who runs a timber operation in southwest Arkansas and that has been in the family since 1907. He said:

The estate tax kills jobs. It kills companies that provide jobs. In the process it kills towns and communities, particularly those in rural areas dependent upon the land and local industry.

Five times this man's family has been subjected to the estate tax—five times.

He goes on:

Between the 1950s and 1980s, vast amounts of money—tens of millions of dollars—were raised to pay the tax. Lands were clear cut, mills liquidated, communities destroyed. . . .The next hit will be too great.

Think about this type of family business. They have grown their business, reinvested in it over a century's worth of time, put almost all their profits back into it, and now this particular company employs over 1,000 Arkansans and has multiple mills that are worth a good bit of money—millions of dollars.

This amendment provides real relief to our family-owned businesses. In a time when our Government has handed out billions upon billions to failed Wall Street banks, it is time we provide a little relief to our businesses on Main Street that are in need of help right now. These are people who employ more than half the workers in Arkansas. These are the people who, if we reform the estate tax, will invest in their businesses and create more jobs.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. LINCOLN. I ask my colleagues to look at this seriously and realize we are not protecting the ultrawealthy. We are working for small businesses, family businesses in each and every one of our States.

The PRESIDING OFFICER (Mr. BENNET). I remind the Senator that the amendment has not been called up.

Mrs. LINCOLN. Mr. President, I ask unanimous consent to call up amendment No. 873.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mrs. LINCOLN], for herself, Mr. KYL, Mr. NELSON of Nebraska, Mr. GRASSLEY, Mr. PRYOR, Mr. ROBERTS, Mrs. Landrieu, and Mr. ENZI, proposes an amendment numbered 873.

The amendment is as follows:

(Purpose: To create a deficit-neutral reserve fund for estate tax relief)

At the appropriate place in title II, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR ESTATE TAX RELIEF.

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 estate tax reform legislation establishing—

(1) an estate tax exemption level of $5,000,000, indexed for inflation,

(2) a maximum estate tax rate of 35 percent,

(3) a reunification of the estate and gift credits, and

(4) portability of exemption between spouses, and

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.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I wish to remind all colleagues that the chairman's mark takes the estate tax exemption from $1 million per person in 2011 to $3.5 million, $7 million a couple. The proposal by the Senator from Arkansas would take it to $5 million, and $10 million a couple, reduces the rate from 45 percent to 35 percent. It is in a deficit-neutral reserve fund. The cost of this amendment from 2012 to 2021, when it is fully effective, is over $100 billion. Where does the money come from? Either by cutting spending somewhere else or raising other taxes.

I urge my colleagues to reject the amendment.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I wish to proceed for a few moments on my leader time. I am speaking in effect for Senator KYL, who has been our leader on the issue of the death tax for many years.

The Lincoln-Kyl amendment, on which we are about to vote, would decrease the burden on those who get hit with the death tax by increasing the exemption by $1.5 million to $5 million

and by reducing the rate of taxation down by 10 percent to 35 percent.

No one should have to be taxed on their assets twice, and no one should have to visit the tax man and the undertaker on the same day. It is the Government's final outrage. But if we can't repeal this tax, then we should at least lower it at a time when Americans are already burdened by shrinking retirement savings.

This budget, in keeping with the administration's plan, seeks to keep the death tax exemption at $3.5 million and the tax rate at 45 percent. By offering an amendment that would lower the rate and the exemption, Senators KYL and LINCOLN are offering crucial support and protection to small businesses, family ranchers, and farms.

This amendment has wide bipartisan support, including Senators NELSON, PRYOR, and LANDRIEU—all on the Democratic side—and Senators GRASSLEY, ROBERTS, ENZI, and COLLINS on the Republican side. It also has strong support from the small business community, which desperately needs relief at the current moment. It would spur economic growth, which we need, and it makes good overall economic sense since the death tax costs more to comply with than it raises in revenue.

The Lincoln-Kyl amendment is important, it is timely, and I strongly urge its support.

Mr. GRASSLEY. Mr. President, the distinguished majority leader, my friend, Senator REID quoted me by name in his remarks in opposition to the Lincoln-Kyl amendment.

The distinguished leader quoted me as describing death tax relief legislation as ''unseemly.''

Since that quote was used to argue against Senator LINCOLN's amendment, which I support, I thought it important to respond to the distinguished leader and set the record straight.

The distinguished leader is correct. I did say, at that time shortly after the Katrina hurricane hit, that proceeding to death tax relief would be ''unseemly.''

It is important for everyone to understand the context of that statement. It was made shortly after the terrible hurricane hit the gulf states. At that time, the Senate was about to reconvene after the August recess. The pending business was a cloture motion on the motion to proceed to a House bill that provided death tax relief.

The majority leader, Senator Frist, had filed the cloture motion before the Senate departed for the August recess. Of course, that procedural action occurred weeks before the hurricane hit. When asked about the Senate schedule, I responded that proceeding to the death tax bill, and, thereby not dealing with the hurricane victims, would be unseemly.

The distinguished leader's comments caused me to recall how the finance Committee, which I chaired at the time, dealt with Katrina.

Senator Frist did the right thing and set the Senate in motion to deal with the hurricane victims. The Finance Committee acted with lightning speed on a bipartisan basis, and in concert with the House, to deliver relief to hurricane victims. I was quite proud of our efforts to help people in need. That was the first Katrina tax relief bill.

The second Katrina tax relief bill, unfortunately, took a lot longer to do. Some on the other side saw the Katrina bill as a chance to enact a National agenda of greatly enhancing social programs. I did not question their motives at the time and do not now. But, the bottom line was that this attempt to leverage a crisis for a National agenda, significantly delayed our efforts to rebuild the hard-hit gulf zone.

As the distinguished leader will recall, the gulf state Senators, led by Senator Lott, forced the Senate to focus on helping their states rebuild and recover. A similar effort was underway in the House.

Fortunately, the efforts of the bipartisan group of gulf state Senators caused the leadership on the other side to abandon their efforts to leverage the hurricane disaster for a National agenda. No one accused the leadership on the other side of being unseemly.

Senator Frist did the right thing and focused on the hurricane victims. The leadership on the other side did the right thing and focused on bipartisan hurricane relief efforts.

There is a lesson in this history for all of us. Do not try to leverage a crisis for unrelated purposes.

Senator LINCOLN's amendment was not ''unseemly.'' To use my reaction to a question about the Senate schedule is to miss the point I was making The Lincoln/Kyl amendment is a reasonable effort to find a bipartisan compromise on a time-sensitive tax issue. It is an effort to enable a solution to a problem that vexes family farmers and small businesses. The amendment's purpose and substance are the opposite of unseemly. The Lincoln/Kyl amendment is ''decorous.''

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I will use my leader time. This chart says it all. In February, 651,000 Americans lost their jobs. Five million Americans have lost their jobs this past year—5 million. Our unemployment rate currently stands at 8.1 percent. Nevada's unemployment is 10 percent, but Nevada is not the highest. We have some States that are far more than 10 percent unemployed. Three million more children will likely be living in poverty by the end of this year. The net worth of American households dropped by a combined total of $11 trillion last year—$11 trillion.

These statistics tell a story—a very clear story—but what is even clearer is the suffering every American sees and feels every day.

Families whose incomes have fallen are now concerned that they won't be able to make their next mortgage payment. Students at this time of the year should be overjoyed with receiving acceptance to go to college, but because of what is happening at home—their dad or mom has lost a job—they can't go to college. Workers who have given decades of loyal service at the office or factory realize now they can't retire because their pensions are gone and their retirement savings have disappeared. Senior citizens on a fixed income used to have to make a decision as to whether it would be medicine or food. Now many seniors don't have the choice for either.

We know what caused this crisis: 8 years of fiscal policies under the previous administration and its allies in Congress who gave away the store at the expense of the rest of America.

President Obama inherited a crisis that no President should have to inherit or fix. Instead of focusing full time on the future, he and we in Congress must first clean up the devastating mistakes of the past. We can only turn the page from the recession to recovery if we watch every single taxpayer dollar the way families watch every dollar in their budget. Every dollar counts.

That is why it is so stunning, so outrageous, that some would choose this hour of national crisis to push an amendment to slash the estate tax for the superwealthy. This isn't for the wealthy; this is for the superwealthy. Yet that is what we see here today.

The proposal now before us would take $100 billion of American taxpayer money—actually, it is more than that—more than $100 billion of taxpayer money over the next few years and spend it on slashing taxes on the estates of the wealthiest two-tenths of 1 percent of Americans. So 99.8 percent of Americans would derive no benefit—none. In fact, 99.8 percent of Americans would actually see their tax dollars redirected to the estates of those who are at the very top of the economic food chain.

Here is what one newspaper said today:

> The proverbial millionaires next door—the plumbers, contractors, and accountants who amass substantial wealth through hard work and modest living—are not the intended beneficiaries of the proposed cut. The Obama budget already takes care of them. That means 99.8 percent of estates will never, ever pay a penny of estate tax.

Here is what another newspaper said today, entitled ''More Tax Cuts for the Rich'':

> The hypocrisy here is breathtaking. More fundamentally, it is hard to stomach those who argue for more tax cuts—and then bemoan the failure to stanch rising deficits. A vote for this amendment, at this time of so much red ink and so much suffering, would reflect the most skewed of priorities.

This is only a couple of the Americans all over America today trying to understand what is going on in Washington.

In recent years, Congress has already reduced tax rates on the ultrawealthy estates. In fact, the Tax Policy Center calculates that a $20 million estate

right now—now—will pay an effective tax rate of 23 percent. Nurses pay more than that, schoolteachers pay more than that, and secretaries pay a higher tax rate than that, but we say for an estate of $20 million, 23 percent is OK. That is what the Tax Policy Center calculates.

But for the proponents of the amendment now before us, that is not good enough. So they propose that we spend $100 billion on a tax cut for the top two-tenths of 1 percent. Proponents of this legislation say they will find offsets for this $100 billion giveaway that will make it deficit neutral. Think about that. Deficit neutral. That means you have to get offsets.

Where are we going to get offsets? They have to come from somewhere. They are not coming from the sky. Are we going to take them from Medicare? From Senator INOUYE's defense budget? From the Peace Corps? From education?

Even in the best of times, there is no question that we could find a better use for an extra $100 billion. We could put new textbooks in classrooms. We could build better renewable energy transmission lines. We could provide health care to more working families. If it got out of hand, we could do what we did in the last years of the Clinton administration: Reduce the debt.

I can think of no way to describe this amendment other than stunning hypocrisy.

Many of the very same Republicans who held hands with President Bush as he squandered a record budget surplus and turned it into a record deficit suddenly claim to be ''deficit hawks.'' They tell us we cannot invest in the middle class—the very people their disastrous policies have harmed.

These same Republicans tried to stop us from providing health insurance to millions of children of low-income families, so that these kids could go to a doctor when they are sick or hurt. They fought against President Obama's economic recovery plan, because it had the audacity to invest in creating jobs for victims of the recession Bush created.

Now they are fighting against a budget that cuts taxes for the middle class, puts us on a path toward cutting the Republican deficit in half, and invests in middle-class priorities, such as health care, education, and clean, renewable energy. That is what Chairman CONRAD has done.

After 8 years of creating a record deficit so that they could slash taxes on the ultrawealthy, now they oppose our efforts to help the middle class.

These newly hatched deficit hawks say no to any proposal that invests in the people their policies harmed. But when it comes to giving away another $100 billion plus of taxpayer money to the top two-tenths of 1 percent—money that could pay down the deficit they claim to care so much about—these same Senators line up in support.

Again, this is stunning hypocrisy. Not only that; it is outrageous hypocrisy.

When the estate tax issue was debated back in 2005, in the aftermath of Hurricane Katrina, the then-chairman of the Finance Committee, Senator GRASSLEY, said this—remember, at that time there was a defined group of people who were suffering in the gulf, but now it is the whole country. Today, it was announced on the radio that, for the first time since the Great Depression, all 50 States, without exception, have a downturn in their economy. Here is what Senator GRASSLEY said then, after Hurricane Katrina:

> It's a little unseemly to be talking about doing away with or enhancing the estate tax at a time when people are suffering.

If Katrina, which was a disaster for this country, was a reason not to do the estate tax, why now when all 300 million Americans are suffering? People are suffering now in every city, State, and town in America.

I urge my colleagues to oppose this amendment. It amounts to nothing but a giveaway to the wealthiest two-tenths of 1 percent of Americans, at the expense of the other 99.8 percent of Americans.

Especially in this time of economic crisis, this is the wrong priority for our country. I ask everybody to vote ''no'' on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the Lincoln amendment No. 873.

Mr. KYL. 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 assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 146 Leg.]

YEAS—51

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Baucus	Enzi	Murray
Bayh	Graham	Nelson (FL)
Bennett	Grassley	Nelson (NE)
Bond	Gregg	Pryor
Brownback	Hatch	Risch
Bunning	Hutchison	Roberts
Burr	Inhofe	Sessions
Cantwell	Isakson	Shelby
Chambliss	Johanns	Snowe
Coburn	Kyl	Specter
Cochran	Landrieu	Tester
Collins	Lincoln	Thune
Corker	Lugar	Vitter
Cornyn	Martinez	Voinovich
Crapo	McCain	Wicker

NAYS—48

Akaka	Casey	Inouye
Begich	Conrad	Johnson
Bennet	Dodd	Kaufman
Bingaman	Dorgan	Kennedy
Boxer	Durbin	Kerry
Brown	Feingold	Klobuchar
Burris	Feinstein	Kohl
Byrd	Gillibrand	Lautenberg
Cardin	Hagan	Leahy
Carper	Harkin	Levin
Lieberman	Reid	Udall (CO)
McCaskill	Rockefeller	Udall (NM)
Menendez	Sanders	Warner
Merkley	Schumer	Webb
Mikulski	Shaheen	Whitehouse
Reed	Stabenow	Wyden

The amendment (No. 873) was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote.

Mr. GREGG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 913, AS MODIFIED, AND 875, AS MODIFIED

Mr. CONRAD. Mr. President, I ask unanimous consent that notwithstanding the adoption of amendments Nos. 913 and 875, the amendments be modified with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments, as modified, are as follows:

AMENDMENT NO. 913, AS MODIFIED

(Purpose: To provide for enhanced oversight of the Board of Governors of the Federal Reserve System concerning the use of emergency economic assistance)

On page 48, line 21, strike ''banks'' and all that follows through ''2008,'' on line 24 and insert the following ''banks, to include (1) an evaluation of the appropriate number and the associated costs of Federal reserve banks; (2) publication on its website, with respect to all lending and financial assistance facilities created by the Board to address the financial crisis, of (A) the nature and amounts of the collateral that the central bank is accepting on behalf of American taxpayers in the various lending programs, on no less than a monthly basis; (B) the extent to which changes in valuation of credit extensions to various special purpose vehicles, such as Maiden Lane I, Maiden Lane II, and Maiden Lane III, are a result of losses on collateral which will not be recovered; (C) the number of borrowers that participate in each of the lending programs and details of the credit extended, including the extent to which the credit is concentrated in one or more institutions; and (D) information on the extent to which the central bank is contracting for services of private sector firms for the design, pricing, management, and accounting for the various lending programs and the terms and nature of such contracts and bidding processes,''.

AMENDMENT NO. 875, AS MODIFIED

(Purpose: To require information from the Board of Governors of the Federal Reserve System about the use of emergency economic assistance)

In Sec. 215, following ''contracts and bidding processes,'' add the following: '';and (3) including the identity of each entity to which the Board has provided ''all loans and other financial assistance since March 24, 2005, the value or amount of that financial assistance, and what that entity is doing with such financial assistance,'' after ''2008,''.

Mr. CONRAD. Mr. President, I ask unanimous consent that the list I send to the desk be the only amendments remaining in order to the budget resolution and managers' amendments which have been cleared by the managers and leaders and that a side by side be in order to any of the amendments on the list at the discretion of the managers and leaders; that the order in which

the amendments are considered be determined by the managers; that upon disposition of all amendments, the Senate proceed to vote on adoption of the concurrent resolution, with the provisions of the previous orders remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list is as follows:

DeMint healthcare No. 963, Kyl Iran No. 932, Crapo Capital Gains No. 897, Hatch Terrorism Tools POO No. 962, Alexander Student Loans No. 792, DeMint CPSC No. 964, DeMint Autos No. 965, DeMint Earmarks No. 967, Sessions Border Fence POO No. 969, Crapo FDIC No. 958, Burr Veterans Health No. 777, Coburn No. 828, Coburn No. 830, Hatch Medicare Advantage No. 976, Hatch/Baucus (Not Yet Filed), KBH OCS No. 867, Vitter Oil and Gas No. 751, Vitter Drug Testing No. 937, Enzi Unfunded Mandates No. 819, Enzi Health IT No. 822, Graham Debt/Household No. 959, Barrasso Cow Tax No. 765, Barrasso NEPA No. 960, Barrasso ESA No. 890, Crapo DOE Loan Guarantees No. 733, Crapo Nuclear Research Priority No. 734, Hatch DNRF for FDA Facilities No. 939, Snowe/Landrieu DNRF for Energy Star No. 940, Session OCS Inventory No. 770, Hatch/Dodd Maternal Child Health Block Grant No. 878, Martinez Trade Agreements No. 843, Murkowski Nat'l Health Service Corps No. 841, Begich Denali No. 901, Begich Arctic Oil No. 903, Brown Training No. 810, Klobuchar Food Safety No. 886, Lautenberg Homeland Security Grants No. 977, Pryor CPSC No. 814.

Mr. CONRAD. Mr. President, we are prepared to go to the DeMint amendment.

Mr. GREGG. No, Durbin.

Mr. CONRAD. I am sorry. Mr. President, next in order is the Durbin amendment and then the DeMint amendment.

Senator DURBIN.

AMENDMENT NO. 974, AS MODIFIED

Mr. DURBIN. Mr. President, I call up amendment No. 974, as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 974, as modified.

The amendment is as follows:

(Purpose: To provide that no additional estate tax relief beyond that which is already assumed in this resolution, which protects over 99.7 percent of estates from the estate tax, shall be allowed under any deficit-neutral reserve fund unless an equal amount of aggregate tax relief is also provided to Americans earning less than $100,000 per year)

At the appropriate place in title II, insert the following:

Sec.____. POINT OF ORDER AGAINST LEGISLATION THAT PROVIDES ADDITIONAL RELIEF FOR THE ESTATE TAX BEYOND THE LEVELS ASSUMED IN THIS BUDGET RESOLUTION UNLESS AN EQUAL AMOUNT OF ADDITIONAL TAX RELIEF IS PROVIDED TO MIDDLE-CLASS TAXPAYERS.

(a) IN GENERAL.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that would provide estate tax relief beyond $3,500,000 per person ($7,000,000 per married couple) and a graduated rate ending at less that 45 percent unless an equal amount of tax relief is provided to Americans earning less than $100,000 per year and that such relief is in addition to the amounts assumed in this budget resolution.

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on any point of order raised under this section.

Mr. DURBIN. Mr. President, in the midst of the worst recession in 75 years, with hundreds of thousands of Americans losing their jobs and their homes, 51 Members of the Senate believe our highest priority is to give a generous tax break to the wealthiest people in America. Many of these same Senators have been wailing for weeks about deficits but obviously believe deficits do not count when it comes to tax breaks for the wealthy.

At this point, it is clear they would move forward with these tax breaks for the wealthiest people in America. My amendment is simple. It creates a point of order. It says we should help struggling Americans first. Before we give an additional $100 billion in tax breaks to the superwealthy, we must first give at least as much in tax relief to Americans earning less than $100,000. It will be tax relief beyond that already included in this budget resolution.

The amendment creates a point of order that if the people insist, a majority of Senators, that we give this estate tax to the wealthiest, at least let's help working families first before we do so.

I urge my colleagues to support the amendment.

The PRESIDING OFFICER. Who yields time in opposition? The Senator from Arizona.

Mr. KYL. Mr. President, the Senate just voted to support estate tax relief set at $5 million per person to be exempted and at no more than a 35-percent rate. The Durbin amendment creates a point of order unless you have a rate of at least 45 percent and a $3.5 million per person exempted amount. It is directly contrary to what we just voted for. Were this to be adopted, you would have two absolutely contradictory instructions—one for a $5 million exempted amount; the Durbin amendment, $3.5 million. Having voted the way we did, the Durbin amendment should be defeated.

To the extent that it suggests there should be other tax relief, I stipulate to that, I am all for it. But the point of order relates to anything above the $3.5 million or below the 45-percent rate.

I urge my colleagues to vote against it.

Mr. DURBIN. Do I have any time remaining?

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 974, as modified.

Mr. GREGG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 147 Leg.]

YEAS—56

Akaka	Feinstein	Mikulski
Baucus	Gillibrand	Murray
Bayh	Hagan	Nelson (NE)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown	Kennedy	Sanders
Burris	Kerry	Schumer
Byrd	Klobuchar	Shaheen
Cantwell	Kohl	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Conrad	Lieberman	Warner
Dodd	Lincoln	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	

NAYS—43

Alexander	Ensign	McConnell
Barrasso	Enzi	Murkowski
Bennett	Graham	Nelson (FL)
Bond	Grassley	Risch
Brownback	Gregg	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Snowe
Coburn	Isakson	Specter
Cochran	Johanns	Thune
Collins	Kyl	Vitter
Corker	Landrieu	Voinovich
Cornyn	Lugar	Wicker
Crapo	Martinez	
DeMint	McCain	

The amendment (No. 974), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENTS NOS. 777, 962, AND 946

Mr. CONRAD. Mr. President, we have a number of amendments we can now take by unanimous consent: Burr No. 777, Hatch No. 962, and Dorgan No. 946.

I ask unanimous consent that we approve Burr amendment No. 777, Hatch amendment No. 962, and Dorgan amendment No. 946.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

The amendments (Nos. 777, 962, and 946) were agreed to, as follows:

AMENDMENT NO. 777

(Purpose: To provide that legislation that would provide authority to the Secretary of Veterans Affairs to recover from a private health insurer of a disabled veteran amounts paid for treatment of such disability is subject to a point of order in the Senate)

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.

AMENDMENT NO. 962

(Purpose: To ensure the continued safety of Americans against terrorist attack by Al Qaeda and other terrorist organizations by providing a point of order against any legislation that would weaken or eliminate critical terror-fighting tools)

At the appropriate place, insert the following:

SEC. _____. POINT OF ORDER.

(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) weakens any authorized anti-terrorism tool or investigative method provided by the USA Patriot Act of 2001 (PL 107-56), the Intelligence Reform and Terrorism Prevention Act of 2004 (PL 108-458), the USA Patriot Improvement and Reauthorization Act of 2005 (PL 109-177), or the FISA Amendments Act of 2008 (PL 110-261); or

(2) eliminates any authorized anti-terrorism tool or investigative method provided by any of the statutes referred to in paragraph (1).

(b) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of subsection (a) 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 subsection (a).

AMENDMENT NO. 946

(Purpose: To increase the budget authority for the Indian Health Service by an additional $200 million to obtain a total $600 million increase over the FY 2009 enacted level)

On page 19, line 24, increase the amount by $200,000,000.

On page 19, line 25, increase the amount by $130,000,000.

On page 20, line 4, increase the amount by $40,000,000.

On page 20, line 8, increase the amount by $20,000,000.

On page 20, line 12, increase the amount by $10,000,000.

On page 27, line 23, decrease the amount by $200,000,000.

On page 27, line 24, decrease the amount by $130,000,000.

On page 28, line 3, decrease the amount by $40,000,000.

On page 28, line 7, decrease the amount by $20,000,000.

On page 28, line 11, decrease the amount by $10,000,000.

AMENDMENT NO. 962

Mr. HATCH. Mr. President, since the attacks of September 11, 2001, Congress has taken steps to give the Federal law enforcement and intelligence community the necessary tools to keep our citizens safe from terrorist attacks. Last week, FBI Director Robert Mueller testified before the Senate Judiciary Committee. When asked about expiring provisions of the PATRIOT Act, Director Mueller urged Congress to renew these provisions. He referred to them as ''exceptional tools to help protect our national security.'' Director Mueller further provided the committee with information regarding the use of these provisions.

From 2004 to 2007, the roving wiretaps provision was used 225 times—that is—25 times over 3 years. That breaks down to 75 times a year. Roving wiretaps were only used 147 times in 3 years. Congress granted the FBI the authority to use national security letters, NSL, in counterterrorism and counterintelligence investigations. The use of NSLs is invaluable in these investigations. Their use also predates the attacks on 9/11.

The uninformed and the paranoid portray these tools as an example of unchecked government monitoring reminiscent of a scene from George Orwell's book ''1984.'' I would submit to my colleagues that these figures show that these necessary tools have not been overused. Fail-safes and checks against overuse and improper application exist at numerous levels in this process. Changing administrations does not diminish the terrorism threat to our country. Two days ago, a Taliban leader responsible for brazen attacks in Pakistan issued a threat to attack the White House.

Mr. DORGAN. Mr. President, This amendment will go far in meeting the Federal Government's trust responsibility to provide health care services to Native Americans.

There is a health care crisis in Indian Country and I have spoken many times on the Senate floor about the importance of funding and meeting our obligation to provide for the health care of the First Americans. There are over 4 million Native Americans in this country, just fewer than 2 million of which depend on the Indian Health Service for their health care needs. However, the Indian Health Service is severely underfunded. Despite our trust obligation to Indian Tribes, the Federal Government spends twice as much on the health care of Federal prisoners as we do on American Indians.

My amendment will increase the budget authority for the Indian Health Service by an additional $200 million to obtain a total of $600 million in increased budget authority over the fiscal year 2009 enacted level. The President's request for ''over $4 billion'' for total IHS funding, asks for an increase for IHS of over $400 million. My amendment will increase the President's budget request from $400 million to $600 million in increased budget authority for the Indian Health Service. This brings us to the total that committee Vice Chairman BARRASSO and I recommended for the Indian Health Service for fiscal year 2010 in our views and estimates letter to the Senate Budget Committee on March 13, 2009. As my colleagues will remember, last year, Congress overwhelmingly passed a similar amendment requesting a $1 billion increase in Indian Health Service budget authority by a vote of 69 to 31. I ask my colleagues to again consider the great need for assistance in Indian health, even in these tough economic times.

While $200 million is small in comparison to the unmet needs of the Indian Health Service, when included with the President's request, the amendment makes the overall increase in budget authority equal to $600 million. This amendment is crucial because it shows that Congress is committed to funding the Indian Health Service at a higher level and emphasizes the government's effort to continue to fulfill its trust responsibility to provide health care in Indian Country.

We passed the Indian Health Care Improvement Act on the floor of the Senate in the 110th Congress. I am proud of that because it had been many years since this Congress had addressed the issue of Indian health care. Unfortunately, the bill did not pass the House and Indian Country suffers the consequences.

Through a number of hearings by the Senate Indian Affairs Committee, we have confirmed extensive unmet health care needs in Indian Country. The need includes over $3 billion just for health facilities and an ever growing $1 billion for contract health services. The health status of Native Americans are staggering. For example, Native Americans die at higher rates than other Americans from tuberculosis 600 percent higher, alcoholism, 510 percent higher, diabetes, 189 percent higher, and suicide, 70 percent higher. Third

world conditions exist right here in this country on Indian lands.

The story of Jami Rose Jetty highlights what underfunding the Indian health care system means to the lives of our youth and families in Indian Country and communities across the U.S. In February, I held an Indian Affairs oversight hearing on youth suicide. At that hearing, a young woman of 16 years old, named Dana Lee Jetty of the Spirit Lake Nation in North Dakota testified. She told the story of losing her sister, Jami Rose Jetty, who committed suicide at just 14 years old.

Dana described her sister Jami as someone who had a lot of friends and was mature for her age. Jami was an open-minded, caring, and compassionate teenager. The sisters were best friends and part of a middle-class, loving home.

Jami's mother knew there was something wrong with her daughter. She took Jami to Indian health care facilities over and over again, but no doctor properly diagnosed her depression. Even though her mother knew better, the doctors would say Jami was ''just a typical teenager'' and send the family home. In November 2008, Jami took her own life.

During her testimony, Dana emphasized that she felt her sister Jami would still be alive had there been trained mental health professionals available near the Spirit Lake Reservation. Unfortunately, Jami didn't receive the services she needed. Dana, her family, and the entire Spirit Lake community were affected by the loss of this precious young life.

Jami did not receive the care she needed because we have a health care system in Indian Country that is not working. It is dramatically underfunded. We are rationing health care and people are dying as a result. It is truly a scandal, which should be front-page news.

Mr. President, by asking for an increase in Indian health funding, my amendment allows us to continue the dialogue with Indian Country. It emphasizes that the United States understands the health disparities that Native Americans face and that we will make Indian Country a priority this Congress. I thank my colleagues for joining me today and in the future in supporting efforts to improve the health of Native Americans throughout the United States.

AMENDMENT NO. 965

Mr. CONRAD. Mr. President, next we go to an amendment by Senator DEMINT with respect to the auto industry.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. I call up amendment No. 965.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 965.

The amendment is as follows:

(Purpose: To prevent taxpayer-funded bailotus for auto manufacturers)

On page 4, line 13, decrease the amount by $10,829,000,000.

On page 4, line 14, decrease the amount by $131,000,000.

On page 4, line 15, decrease the amount by $195,000,000.

On page 4, line 16, decrease the amount by $279,000,000.

On page 4, line 17, decrease the amount by $379,000,000.

On page 4, line 18, decrease the amount by $485,000,000.

On page 4, line 22, decrease the amount by $10,829,000,000.

On page 4, line 23, decrease the amount by $131,000,000.

On page 4, line 24, decrease the amount by $195,000,000.

On page 4, line 25, decrease the amount by $279,000,000.

On page 5, line 1, decrease the amount by $379,000,000.

On page 5, line 2, decrease the amount by $485,000,000.

On page 5, line 6, decrease the amount by $10,829,000,000.

On page 5, line 7, decrease the amount by $131,000,000.

On page 5, line 8, decrease the amount by $195,000,000.

On page 5, line 9, decrease the amount by $279,000,000.

On page 5, line 10, decrease the amount by $379,000,000.

On page 5, line 11, decrease the amount by $485,000,000.

On page 5, line 16, decrease the amount by $10,829,000,000.

On page 5, line 17, decrease the amount by $10,960,000,000.

On page 5, line 18, decrease the amount by $11,155,000,000.

On page 5, line 19, decrease the amount by $11,434,000,000.

On page 5, line 20, decrease the amount by $11,813,000,000.

On page 5, line 21, decrease the amount by $12,298,000,000.

On page 5, line 24, decrease the amount by $10,829,000,000.

On page 5, line 25, decrease the amount by $10,960,000,000.

On page 6, line 1, decrease the amount by $11,155,000,000.

On page 6, line 2, decrease the amount by $11,434,000,000.

On page 6, line 3, decrease the amount by $11,813,000,000.

On page 6, line 4, decrease the amount by $12,298,000,000.

On page 15, line 17, decrease the amount by $10,800,000,000.

On page 15, line 18, decrease the amount by $10,800,000,000.

On page 26, line 20, decrease the amount by $29,000,000.

On page 26, line 21, decrease the amount by $29,000,000.

On page 26, line 24, decrease the amount by $131,000,000.

On page 26, line 25, decrease the amount by $131,000,000.

On page 27, line 3, decrease the amount by $195,000,000.

On page 27, line 4, decrease the amount by $195,000,000.

On page 27, line 7, decrease the amount by $279,000,000.

On page 27, line 8, decrease the amount by $279,000,000.

On page 27, line 11, decrease the amount by $379,000,000.

On page 27, line 12, decrease the amount by $379,000,000.

On page 27, line 15, decrease the amount by $485,000,000.

On page 27, line 16, decrease the amount by $485,000,000.

Mr. DEMINT. Mr. President, this amendment is called the Auto Bailout Prevention Amendment. We are debating an amendment which spends more, borrows more, and taxes more than any budget in history. Americans are already fed up with how much we spent on all the bailouts. One of the areas they are most frustrated with is the auto bailouts. We have already taken over $17 billion from funds designated to financial institutions and now the administration is talking about some form of bankruptcy while General Motors and Chrysler have asked for another $21.6 billion.

This amendment reduces function 370 funds by $21.6 billion, which prevents the President from further using TARP to prop up General Motors and Chrysler with taxpayer dollars.

Enough is enough. I reserve the remainder of my time.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time in opposition?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, Senator STABENOW has the time in opposition.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, just 3 days ago, President Obama released a bold new plan to revitalize the American auto industry. We need to give this plan a chance to work. There are two or three different outcomes. But they are in the middle of the boldest restructuring of the American auto industry we have ever seen. This would cut the legs out from under that.

Our President has made it clear that we are not going to walk away from the people, the communities or the businesses—the thousands of businesses that depend on the auto industry.

I would finally say that all around the world countries such as Japan helping Toyota, Germany, Korea, China, France—around the world, other countries understand the critical nature for their own national security in terms of the auto industry; their economic security in terms of building a middle class, and they have stepped forward in this global credit crisis to help their auto industries.

We are now in the middle of a plan to save jobs in communities and restructure. I urge strongly a ''no'' vote.

The PRESIDING OFFICER. The time of the Senator has expired.

The question is on agreeing to amendment No. 965.

Mr. GREGG. 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD)

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 31, nays 66, as follows:

[Rollcall Vote No. 148 Leg.]

YEAS—31

Barrasso	Enzi	Nelson (NE)
Bunning	Graham	Risch
Burr	Grassley	Roberts
Chambliss	Gregg	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Specter
Collins	Johanns	Thune
Cornyn	Kyl	Vitter
Crapo	McCain	Wicker
DeMint	McConnell	
Ensign	Murkowski	

NAYS—66

Akaka	Feingold	Menendez
Alexander	Feinstein	Merkley
Baucus	Gillibrand	Mikulski
Bayh	Hagan	Murray
Begich	Harkin	Nelson (FL)
Bennet	Hatch	Pryor
Bennett	Hutchison	Reed
Bingaman	Inouye	Reid
Bond	Johnson	Rockefeller
Boxer	Kaufman	Sanders
Brown	Kerry	Schumer
Brownback	Klobuchar	Shaheen
Burris	Kohl	Snowe
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Conrad	Lieberman	Voinovich
Corker	Lincoln	Warner
Dodd	Lugar	Webb
Dorgan	Martinez	Whitehouse
Durbin	McCaskill	Wyden

NOT VOTING—2

Byrd	Kennedy

The amendment (No. 965) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Ms. STABENOW. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, we still have probably 30-some amendments left to do. We are working through a process to try to put together managers' packages that could clear the significant majority of those amendments, but we still have a number of amendments that will require votes. One of the lessons I hope we learn from this is to never do it again. That would be my strong recommendation.

In just a moment, we will be prepared to have a managers' package.

AMENDMENTS NOS. 901, 903, 886, 792, 958, 976, 867, 819, 960, 890, 733, 734, 939, 878, AND 841, EN BLOC

Mr. CONRAD. Mr. President, I propose a managers' package that would involve Begich No. 901, Begich No. 903, Klobuchar No. 886, Alexander No. 792, Crapo No. 958, Hatch No. 976, Hutchison No. 867, Enzi No. 819, Barrasso No. 960, Barrasso No. 890, Crapo No. 733, Crapo No. 734, Hatch No. 939, Hatch-Dodd No. 878, and Murkowski No. 841. I ask that they be accepted by unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments are agreed to.

The amendments are as follows:

AMENDMENT NO. 901

(Purpose: To express the sense of the Senate regarding the funding level for the Denali Commission)

On page 35, strike line 11 and insert the following:

(a) INFRASTRUCTURE.—

(1) IN GENERAL.—The Chairman of the Senate

On page 35, between lines 23 and 24, insert the following:

The Chairman of the Budget Committee may also revise the allocations to allow funding for the Denali Commission established by section 303(a) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; 112 Stat. 2681–637) for each applicable fiscal year at a level equal to not less than the level of funding made available for the Denali Commission during fiscal year 2006.

AMENDMENT NO. 903

(Purpose: To modify the deficit-neutral reserve fund to invest in clean energy and preserve the environment to provide for additional funding for the conduct of arctic oil spill research)

On page 33, line 5, before ''implement'', insert ''set aside additional funding from the Oil Spill Liability Trust Fund for arctic oil spill research conducted by the Oil Spill Recovery Institute,''.

AMENDMENT NO. 886

(Purpose: To create a deficit-neutral reserve fund to improve the safety of the food supply in the United States)

On page 46, between lines 2 and 3, insert the following:

(c) FOOD SAFETY.—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 improve the safety of the food supply in the United States, by the amounts provided in such legislation for these 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.

AMENDMENT NO. 792

(Purpose: To modify the Deficit-Neutral Reserve Fund for Higher Education, to maximize higher education access and affordability by ensuring that institutions of higher education and their students are able to continue to participate in a competitive student loan program, in order to maintain a comprehensive choice of student loan products and services)

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,''.

AMENDMENT NO. 958

(Purpose: To provide for a deficit-neutral reserve fund to increase the borrowing authority of the Federal Deposit Insurance Corporation and the National Credit Union Administration, and for other purposes)

At the appropriate place, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND INCREASE FDIC AND NCUA BORROWING AUTHORITY.

The chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to increase the borrowing authority of the Federal Deposit Insurance Corporation and the National Credit Union Administration, provided that such legislation does not increase the deficit over the period of the total of fiscal years 2009 through 2019.

AMENDMENT NO. 976

(Purpose: To establish a deficit-neutral reserve fund to address our Nation's long-term fiscal problems)

On page 32, line 10, after ''increases;'' insert ''or'' and the following:

(4) protect Medicare Advantage enrollees from premium increases and benefit reductions in their Medicare Advantage plans that would result from the estimate of the national per capita Medicare Advantage growth percentage contained in the Centers for Medicare & Medicaid Services' Advance Notice of Methodological Changes for Calender Year 2010, as proposed on February 20, 2009, that is made using the Medicare payment rates for physicians' services assumed in such Advance Notice rather than the Medicare payment rates for physicians' services assumed in the President's budget proposal for fiscal year 2010 (which accounts for additional expected Medicare payments for such services).

AMENDMENT NO. 867

(Purpose: To reduce U.S. dependence on foreign energy sources, minimize future gasoline price increases, and reduce the federal budget deficit through expanded oil and gas production on the Outer Continental Shelf)

On page 33, line 1 after ''reduce our Nation's dependence on imported energy'' insert ''including through expanded offshore oil and gas production in the Outer Continental Shelf''.

AMENDMENT NO. 819

(Purpose: To reinstate the 60-vote point of order under section 425(a)(2) of the Congressional Budget Act of 1974 for legislation that creates unfunded mandates on States and local governments)

On page 68, between lines 4 and 5, insert the following:

SEC. _____. RESTRICTIONS ON UNFUNDED MANDATES ON STATES AND LOCAL GOVERNMENTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would increase the direct costs of one or more States or local governments by an amount that exceeds the threshold provided under section 424(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 658c(a)(1)).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 960

(Purpose: To increase amounts made available for the conduct of reviews under the National Environmental Policy Act of 1969)

On page 13, line 21, increase the amount by $50,000,000.

On page 13, line 22, increase the amount by $50,000,000.

On page 27, line 23, decrease the amount by $50,000,000.

On page 27, line 24, decrease the amount by $50,000,000.

AMENDMENT NO. 890

(Purpose: To provide funding to enable certain individuals and entities to comply with the Endangered Species Act of 1973)

On page 13, line 21, increase the amount by $50,000,000.

On page 13, line 22, increase the amount by $50,000,000.

On page 27, line 23, decrease the amount by $50,000,000.

On page 27, line 24, decrease the amount by $50,000,000.

AMENDMENT NO. 733

(Purpose: To establish a deficit-neutral reserve fund for the innovative loan guarantee program of the Department of Energy)

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR INNOVATIVE LOAN GUARANTEE PROGRAM OF THE DEPARTMENT OF ENERGY.

(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 authorizes an additional $50,000,000,000 for use to provide loan guarantees for eligible projects under title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.).

(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.

AMENDMENT NO. 734

(Purpose: To establish a deficit-neutral reserve fund for unclear research and development)

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR NUCLEAR RESEARCH AND DEVELOPMENT.

(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 authorizes nuclear research and development activities, including the Generation IV program, the Advanced Fuel Cycle Initiative, and the Light Water Reactor Sustainability program.

(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.

AMENDMENT NO. 939

(Purpose: To establish a deficit-neutral reserve fund for the 2012 completion of Food and Drug Administration facilities)

On page 49, between lines 3 and 4, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR THE 2012 COMPLETION OF FOOD AND DRUG ADMINISTRATION FACILITIES.

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 in order to provide sufficient funding for the General Services Administration to complete construction of the Food and Drug Administration White Oak Campus in Silver Spring, Maryland by 2012, 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.

AMENDMENT NO. 878

(Purpose: To increase funding for the Maternal and Child Health Block Grant within the Health Resources and Services Administration by $188,000,000 in fiscal year 2010)

On page 19, line 24, increase the amount by $188,000,000.

On page 19, line 25, increase the amount by $56,000,000.

On page 20, line 4, increase the amount by $81,000,000.

On page 20, line 8, increase the amount by $34,000,000.

On page 20, line 12, increase the amount by $13,000,000.

On page 27, line 23, decrease the amount by $188,000,000.

On page 27, line 24, decrease the amount by $56,000,000.

On page 28, line 3, increase the amount by $81,000,000.

On page 28, line 7, increase the amount by $34,000,000.

On page 28, line 11, increase the amount by $13,000,000.

AMENDMENT NO. 841

(Purpose: To increase funding for the National Health Service Corps)

On page 19, line 24, increase the amount by $100,000,000.

On page 19, line 25, increase the amount by $30,000,000.

On page 20, line 4, increase the amount by $43,000,000.

On page 20, line 8, increase the amount by $18,000,000.

On page 20, line 12, increase the amount by $7,000,000.

On page 27, line 23, decrease the amount by $100,000,000.

On page 27, line 24, decrease the amount by $30,000,000.

On page 28, line 3, decrease the amount by $43,000,000.

On page 28, line 7, decrease the amount by $18,000,000.

On page 28, line 11, decrease the amount by $7,000,000.

AMENDMENT NO. 792

Mr. ALEXANDER. Mr. President, I am pleased that the Senate unanimously approved my amendment to maximize college affordability and access by helping to preserve competition and choice in the student loan program. I look forward to working with my colleagues to preserve the Federal Family Education Loan—FFEL—program as a viable program for students and institutions of higher education.

My amendment is very straightforward and it calls on the Congress to maintain ''a competitive student loan program that provides students and institutions of higher education with a comprehensive choice of loan products and services.'' We know that institutions of higher education like the ability to choose which program to participate in, and 73 percent of schools choose to use the FFEL program.

I think that we should maintain that ability of institutions to choose which program to participate in so that we can give them, and their students, the best options, the best services, and the best programs.

The President's budget proposes to originate all new student loans in the Direct Loan program, which is a proposal that I do not support. When I was U.S. Secretary of Education, I opposed the creation of the Direct Loan program because I felt that the Federal Government shouldn't be in the business of being a bank. I still feel that way. The problem with the government operating as a bank is that we would have to borrow a lot of money and add to the Federal deficit. The FFEL program last year generated $52.9 billion in loans, while the Direct Loan program generated $21.8 billion. If we were to move all of the FFEL loans to the government's loan program, that's a lot more debt to add to our books. I don't think we should do that right now when we know that the FFEL program is working.

I also thought that the Federal Government wouldn't be able to manage that many loans very effectively or efficiently for the students, and I haven't changed my mind on that. There are 6,000 colleges and universities, and over 15 million loans each year to students and parents. The Department of Education can't manage that many loans, nor should they. It is a massive undertaking that calls on over 30,000 people throughout our Nation working for banks, guarantors, and nonprofit lenders. We don't need to increase the Department of Education staffing by 30,000 people, so I don't see why we should move all of the loans and operations to that agency.

As the president of one of our lenders in Tennessee recently wrote in the Knoxville News Sentinel, ''Nationalizing the student loan industry would be the equivalent of the government taking over the parcel shipping industry and doing away with FedEx and UPS, relying entirely on the U.S. Postal Service.'' We can't afford to take that risk when we are dealing with students.

In the past week we have all heard from many of the institutions of higher education in our States favoring the continuation of the FFEL program. My amendment does just that, and it sends the message that the U.S. Senate supports giving colleges and universities—and ultimately parents and students—the choice which student loan program works best for them.

Mr. CONRAD. Mr. President, let me say that we are just about ready.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

AMENDMENT NO. 967

Mr. CONRAD. Mr. President, we are prepared to go to DeMint amendment No. 967.

Mr. DEMINT. Mr. President, I would like to call up DeMint Amendment No. 967.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 967.

Mr. DEMINT. 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 implement President Obama's earmark reforms)

At the appropriate place, insert the following:

SEC. _____. EARMARK POINT OF ORDER.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a bill, resolution, amendment, or conference report that includes—

(1) a congressional earmark to a private for profit entity that is not subject to the same competitive bidding requirements as other Federal contracts;

(2) a congressional earmark which has not been the subject of a public hearing in the committee of jurisdiction where the member requesting the earmark has testified on its behalf; or

(3) a congressional earmark which has not been posted on the Member sponsor's website at least 72 hours before consideration of the legislation.

(b) TRADING EARMARKS.—A Senator may not trade a congressional earmark for any political favor, including a campaign contribution.

(c) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of subsection (a) 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 subsection (a).

(d) DEFINITION.—In this section, the term ''congressional earmark'' means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

Mr. DEMINT. Mr. President, one of the changes President Obama said he would bring to Washington is earmark reform.

Last month, on March 11, he laid out his plan. And that is what this amendment is. It is a four-point plan. I will explain it with quotes from the President: Any earmark for a for-profit private company should be subject to the same competitive bidding requirements as other Federal contracts; No. 2, each earmark must be open to scrutiny at public hearings where Members will have to justify their expense to the taxpayer; No. 3, earmarks that Members do seek might be aired on those Members' websites in advance so the public and the press can examine them and judge their merits for themselves; and, No. 4, that he would prohibit the trading of earmarks for public favors.

It is just that simple. This is the President's plan for earmark reform. I ask my colleagues to support it.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Chairman INOUYE has the time in opposition.

Mr. INOUYE. Mr. President, at this moment, if you are trying to get an earmark in the bill, you have to have it posted on your Web site 30 days before markup to give the public an opportunity to look at the Web site.

Secondly, there is much transparency, much more than ever before.

Thirdly, we have reduced earmarks to less than 1 percent. And now that, as our Senator has indicated, on March 11, the President spoke on the earmarks, it went something further.

The President said:

I recognize that Congress has the power of the purse, and I believe that individual Members of the Congress understand their districts best. They should have the ability to respond to the needs of the communities.

Yes, all of us were elected to represent our districts and our States. We were not elected to be rubberstamps of anyone.

Mr. COCHRAN. Mr. President, the amendment of the Senator from South Carolina creates a point of order against legislation that does not comply with President Obama's recently proposed earmark reforms.

The amendment ignores the layers of reforms that Congress has adopted in recent years and the reduction in the amount of earmarks that has already taken place.

For the coming fiscal cycle the Appropriations Committee has required that earmarks be posted on the requesting Members' Web sites well in advance of the appropriations bills even being considered in subcommittee. This well exceeds the 72 hour threshold sought by President Obama. And I note that President Obama will not make public his own earmark requests prior to publication of his budget.

The amendment would require all Senators to testify at hearings in support of any earmarks they seek. If testimony by Senators is to be required to justify legislative initiatives, why on Earth would we want to limit this to earmarks? Shouldn't Senators be required to testify at hearings in support of any legislative initiative they advocate? When was the hearing on the amendment of the Senator from South Carolina?

The amendment purports to prohibit earmarks from being traded for ''political favors.'' Mr. President, does this mean it is OK to trade any other official act for political favors? Does this give Members license to pursue legislative provisions for labor interests or for particular industries in exchange for political favors? Of course, it doesn't. My colleagues are well aware that trading earmarks or any other official act for political favors is already against the laws and ethics rules of this body.

I am happy for earmarks and all other legislative matters to be subject to the scrutiny of the legislative process. That is exactly as it should be. I hope my colleagues will support efforts to consider individual appropriations bills this summer in an orderly and timely manner so that the Senator from South Carolina and all other Members can offer amendments to eliminate spending that they see as wasteful.

But we don't need new points of order to do this. I urge my colleagues to reject this amendment.

Mr. GREGG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. CONRAD. Mr. President, I raise a point of order that the amendment is not germane.

The PRESIDING OFFICER. The motion to waive is considered made.

Mr. DEMINT. I ask for the yeas and nays on the motion to waive.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to the motion to waive the Budget Act in relation to the DeMint amendment No. 967.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) 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 yeas and nays resulted—yeas 28, nays 69, as follows:

[Rollcall Vote No. 149 Leg.]

YEAS—28

Barrasso	Ensign	Martinez
Bennet	Enzi	McCain
Bunning	Feingold	McCaskill
Burr	Graham	Risch
Chambliss	Grassley	Sessions
Coburn	Inhofe	Snowe
Corker	Isakson	Thune
Cornyn	Johanns	Vitter
Crapo	Kyl	
DeMint	Lieberman	

NAYS—69

Akaka	Baucus	Begich
Alexander	Bayh	Bennett

Bingaman	Hatch	Nelson (NE)
Bond	Hutchison	Pryor
Boxer	Inouye	Reed
Brown	Johnson	Reid
Brownback	Kaufman	Roberts
Burris	Kerry	Rockefeller
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Shelby
Cochran	Leahy	Specter
Collins	Levin	Stabenow
Conrad	Lincoln	Tester
Dodd	Lugar	Udall (CO)
Dorgan	McConnell	Udall (NM)
Durbin	Menendez	Voinovich
Feinstein	Merkley	Warner
Gillibrand	Mikulski	Webb
Gregg	Murkowski	Whitehouse
Hagan	Murray	Wicker
Harkin	Nelson (FL)	Wyden

NOT VOTING—2

Byrd	Kennedy

The PRESIDING OFFICER. On this vote, the yeas are 28, the nays are 69. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

The Senator from North Dakota.

MODIFICATION TO PURPOSE OF AMENDMENT NO. 890

Mr. CONRAD. Mr. President, I ask unanimous consent that notwithstanding the adoption of amendment No. 890 by Senator BARRASSO, the amendment be modified in the purpose statement. The modification is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The purpose, as modified, is as follows:

(Purpose: To provide funding for voluntary efforts to conserve endangered species and to enable certain individuals and entities to comply with the Endangered Species Act of 1973)

AMENDMENTS NOS. 980, AS MODIFIED; 830, 765, 940, 870, AND 810

Mr. CONRAD. Mr. President, I have six amendments that have been agreed to by both sides, starting with Kyl amendment No. 980, as modified, on Iran—I think the modification is at the desk.

Mr. KYL. It is.

Mr. CONRAD. The modification is at the desk—Coburn amendment No. 830; Barrasso No. 765; Snowe-Landrieu No. 940; Thune No. 870; and Brown No. 810.

I ask unanimous consent those six amendments be agreed to.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 980, as modified; 830, 765, 940, 870, and 810) were agreed to, as follows:

AMENDMENT NO. 980, AS MODIFIED

(Purpose: To deny funding for federal government expenditures to companies that are obtaining at least $1,000,000 in revenue from the sale of goods or services to or investment in Iran's energy sector, including, but not limited to: the exploration, development or exploitation of Iran's natural gas or crude oil fields; the import of refined petroleum products, including but not limited to liquefied natural gas and petroleum bi-products into Iran; the enhancement or maintenance of Iran's oil refineries; and assistance in the import and or export of energy products to or from Iran, including the provision of shipment, insurance, and reinsurance services)

On page 12, line 21, decrease the amount by $1.00.

On page 12, line 22, decrease the amount by $1.00.

On page 27, line 23, decrease the amount by $1.00.

On page 27, line 24, decrease the amount by $1.00.

AMENDMENT NO. 830

(Purpose: To provide for legislation that allows for a temporary suspension of the 10 percent tax penalty in order for struggling families to make an early withdrawal from their qualified retirement accounts to pay their monthly mortgage payments)

On page 40, strike lines 9 through 22 and insert the following:

(f) HOUSING ASSISTANCE.—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 related to housing assistance, which may include low income rental assistance, assistance provided through the Housing Trust Fund created under section 1131 of the Housing and Economic Recovery Act of 2008, and legislation that allows for a temporary suspension of the 10 percent tax penalty in order for struggling families to make an early withdrawal from their qualified retirement accounts to pay their monthly mortgage payments, 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.

AMENDMENT NO. 765

(Purpose: To provide that the authorized climate change legislation decrease greenhouse gas emissions without regulating carbon dioxide, nitrogen oxide, water vapor, or methane emissions from biological processes associated with livestock production)

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)''.

AMENDMENT NO. 940

(Purpose: To establish a deficit-neutral reserve fund to require a certain portion of funding for the Energy Star Program of the Environmental Protection Agency to be allocated to the Energy Star for Small Business Program)

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY STAR FOR SMALL BUSINESS PROGRAM.

(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 set aside, from amounts made available for the Energy Star Program of the Environmental Protection Agency, at least 2 percent for the Energy Star for Small Business Program.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in that subsection 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.

AMENDMENT NO. 870

(Purpose: To provide for a total of $99,000,000 in COPS Hot Spots funding, as authorized in the Combat Meth Act)

On page 24, line 24, increase the amount by $99,000,000.

On page 24, line 25, increase the amount by $12,000,000.

On page 25, line 4, increase the amount by $28,000,000.

On page 27, line 23, decrease the amount by $99,000,000.

On page 27, line 24, decrease the amount by $12,000,000.

On page 28, line 3, decrease the amount by $28,000,000.

AMENDMENT NO. 810

(Purpose: To modify the deficit-neutral reserve fund for economic stabilization and growth to promote new employment opportunities that are critical to economic recovery by supporting workforce strategies that help workers seeking specialized training for emerging industries)

On page 37, line 24, insert ''by increasing support for sector workforce training,'' after ''products,''.

AMENDMENT NO. 940

Ms. SNOWE. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, and as a longstanding steward of the environment, I have continuously requested increased funding for the Environmental Protection Agency's Energy Star for Small Business Program, which has documented how voluntary action by small business owners can reduce energy costs by 30 percent or more.

The Snowe-Landrieu amendment would require that a minimum of 2 percent of the EPA's Energy Star Program's total budget be allocated to the Energy Star for Small Business Program. This critical program provides free unbiased information and technical support for small businesses to improve their company's financial performance by reducing energy waste and energy costs, while protecting the Earth's environment.

Regrettably, in the past, less than 2 percent of Energy Star's annual funding has been allocated to the Small Business program which is responsible for reaching the entire small business community, thereby restricting its tremendous potential impact. This inadequate percentage grossly underestimates the critical role small businesses can play in improving our Nation's energy efficiency and reducing our carbon footprint.

Through efforts to increase energy efficiency, small businesses can contribute to America's energy security,

help to combat global warming, while strengthening their competitive advantage all at the same time. With 27 million small businesses in the U.S. comprising 99.7 percent of all domestic employer firms and producing approximately half of all the commercial and industrial energy in the United States, the role small businesses can play in forging a solution to global climate change and rising energy prices is undeniable.

This amendment would provide small businesses with the funding, technical assistance, and resources necessary to improve small business energy efficiency. Every effort must be made at the Federal level to ensure the connection small businesses can engage in clean and renewable energy. I appreciate the support of my colleagues on this amendment.

AMENDMENT NO. 810

Mr. President, I support the amendment offered by Senator BROWN, which I am cosponsoring, to create a deficit-neutral reserve fund to support funding for critical workforce strategy programs that help individuals seeking specialized training for emerging industries. This reserve fund will help highlight the need for resources to grow new employment opportunities that are critical to economic recovery by supporting workforce strategy programs that help those in need of training.

Any effort to further stabilize our careening economy must include consideration of job training and transformation. Improving and reauthorizing the Workforce Investment Act, WIA, to help the millions of unemployed—and millions more underemployed—must be a critical element of bolstering our economy.

Much has been made of the phenomena of ''green jobs'' and a ''green technology.''At a recent speech in Atlanta, author Tom Friedman urged America to retake the lead in the world through innovation in ''ET''—Energy Technology. Friedman said the United States needs to ''invent a source of abundant, cheap, clean, reliable electrons.'' He compared the ''ET'' movement to the ''IT''—Information Technology—movement of the last decade. There are thousands of entrepreneurs who are developing the next energy concept that will revolutionize our energy policies, and those concepts will need a highly educated and prepared workforce to make them a reality. The job training programs already in place under the Workforce Investment Act can help activate Americans, and expedite the transformation into a new energy economy. I believe this amendment will help ensure funding for our workers to get the best training and pave the way for just such a revolutionary shift in the future of this country.

Throughout the Nation, workforce strategy programs, like those within WIA, are being used to promote the long-term competitiveness of industries and to advance employment opportunities. For example, the State of Maine has created a program called the North Star Alliance Initiative. The Alliance has brought together Maine's boat builders, the University of Maine's Advanced Engineered Wood Composites Centers, Maine's marine and composite trade association, economic development groups, and investment organizations for the purpose of advancing workforce training.

In order to promote programs like the North Star Alliance Initiative, Senator BROWN and I introduced the SECTORS Act, S. 777, which provides grants to industry clusters—interrelated group of businesses, service providers, and associated institutions in order to establish and expand sector partnerships. By providing financial assistance to these partnerships, this legislation would create customized workforce training solutions for specific industries at a regional level. A sector approach is beneficial because it can focus on the dual goals of promoting the long-term competitiveness of industries and advancing employment opportunities for workers, thereby encouraging economic growth. Existing sector partnerships have long been recognized as key strategic elements within some of the most successful economic development initiatives throughout the country. Unfortunately, current federal policy does not provide sufficient support for these critical ventures. This amendment will help ensure that critical funding will be made available for the SECTORS Act if it is passed into law.

AMENDMENT NO. 969

Mr. CONRAD. Mr. President, now we wish to go to the Sessions amendment No. 969.

Senator SESSIONS.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the chairman of the committee.

This Congress passed the Secure Fence Act of 2006 by a vote of 80 to 19, with broad bipartisan support, including then-Senators Obama, BIDEN, and Clinton. We committed to 700 miles of barriers. Today we are less than halfway there. The funding has simply not been there.

Some progress is being made in areas where the fencing is in place. We have had a dramatic reduction in crime in the San Diego area since the fence was completed a number of years ago. This will help us reduce crime. It will help us reduce drug smuggling, gun smuggling, and immigration violations. We have a lawless border.

Progress is being made, colleagues. We are seeing a reduction in the number of people entering America, a reduction in the number of arrests. And if we follow through with what we have told the American people we intend to do, we will be able to create a lawful system of immigration, which is a responsibility this Congress has.

I urge support of this amendment. It is consistent with previous votes. It puts a budget point of order against an appropriation in this area that does not fund the fence completion.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 969.

The amendment is as follows:

(Purpose: To provide for a point of order against any appropriations bill that fails to fully fund the construction of the Southwest border fence)

On page 68, between lines 4 and 5, insert the following:

SEC. ____. POINT OF ORDER AGAINST FAILURE TO FULLY FUND SOUTHWEST BORDER FENCE.

(a) POINT OF ORDER.—After a concurrent resolution on the budget in the Senate is agreed to, it shall not be in order in the Senate to consider any appropriations bill that fails to provide at least $2,600,000,000 to carry out section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note).

(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) SUNSET PROVISION.—This section shall cease to be effective on the earlier of—

(1) the date on which $2,600,000,000 is appropriated to carry out section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; or

(2) the date that is 2 years after the date of enactment of this Act.

Mr. CONRAD. Mr. President, Senator SCHUMER has the time in opposition.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, many of us supported the fence. Many of us opposed it. But one thing is for sure, there is only about $120 million left to complete this section of the fence.

The amendment we have before us—without an evaluation as to whether it is effective, without an evaluation of where the new parts should go, without an evaluation as to whether there are other, better ways to deal with the problem of undocumented and illegal immigration—says vote $2.6 billion whether it works or not. That does not make much sense at a time when we are trying to balance the budget, be fiscally austere.

I had prepared a side by side. Let's have an evaluation by the Department of Homeland Security and the Border Patrol and everyone else as to whether the fence is working. I do not think that is clear. We should find out where it is working, how to make it better.

Another thing we do here, without even any test, is set a double fence—$2.6 billion whether we know it works or not. I urge the amendment be defeated; we let the Department of Homeland Security study the most effective

way to deal with illegal immigration, and if a double fence or another thing is needed, we will learn about that in time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CONRAD. Mr. President, I raise a point of order that the amendment is not germane.

The PRESIDING OFFICER. The motion to waive is considered made.

Mr. GREGG. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 36, nays 61, as follows:

[Rollcall Vote No. 150 Leg.]

YEAS—36

Alexander	Cornyn	Johanns
Barrasso	Crapo	Kyl
Bayh	DeMint	McCain
Bennett	Ensign	McConnell
Bond	Enzi	Nelson (NE)
Brownback	Graham	Risch
Bunning	Grassley	Roberts
Burr	Gregg	Sessions
Chambliss	Hatch	Shelby
Coburn	Hutchison	Thune
Cochran	Inhofe	Vitter
Corker	Isakson	Wicker

NAYS—61

Akaka	Harkin	Nelson (FL)
Baucus	Inouye	Pryor
Begich	Johnson	Reed
Bennet	Kaufman	Reid
Bingaman	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown	Kohl	Schumer
Burris	Landrieu	Shaheen
Cantwell	Lautenberg	Snowe
Cardin	Leahy	Specter
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Collins	Lincoln	Udall (CO)
Conrad	Lugar	Udall (NM)
Dodd	Martinez	Voinovich
Dorgan	McCaskill	Warner
Durbin	Menendez	Webb
Feingold	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Gillibrand	Murkowski	
Hagan	Murray	

NOT VOTING—2

Byrd	Kennedy

The PRESIDING OFFICER. On this vote the yeas are 36, the nays are 61. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. SCHUMER. 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.

Mr. CONRAD. Mr. President, we are now down to six amendments and final passage. I wish to thank all the colleagues who have helped us get to this point.

AMENDMENT NO. 963

The next amendment in order would be the DeMint amendment No. 963 on health care.

Mr. DEMINT. Mr. President, I wish to call up DeMint amendment No. 963.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 963.

The PRESIDING OFFICER. The amendment is as follows:

(Purpose: To provide for a point of order against any legislation that eliminates the ability of Americans to keep their health plan or their choice of doctor)

At the appropriate place, insert the following:

SEC. ___. POINT OF ORDER ON LEGISLATION THAT ELIMINATES THE ABILITY OF AMERICANS TO KEEP THEIR HEALTH PLAN OR THEIR CHOICE OF DOCTOR.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that eliminates the ability of Americans to keep their health plan or their choice of doctor (as determined by the Congressional Budget Office).

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. DEMINT. Mr. President, there are a number of concerns about this budget, and I have heard from a number of Americans who see in the budget hundreds of millions of dollars for health care which suggests that the Government is not only going to expand into banks and auto companies and education but to expand into health care. One of the propositions President Obama made is that Americans will always be able to pick their own plans and choose their own doctors. This amendment simply codifies that. It creates a point of order against any legislation that would eliminate the ability of a patient to pick their own plans or their own doctor.

I encourage my colleagues to support it.

The PRESIDING OFFICER. Mr. President, would Senator DEMINT be willing to accept a voice vote?

Mr. DEMINT. If you can assure me we will win.

Mr. CONRAD. I assure you.

Mr. DEMINT. It is a done deal. Thank you.

Mr. CONRAD. Mr. President, I ask to take this on a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 963) was agreed to.

Mr. CONRAD. Mr. President, that gives us five. We are going to go to the countdown; five plus final passage.

AMENDMENT NO. 964

DeMint No. 964 is the next amendment in order.

Mr. DEMINT. Mr. President, I wish to call up amendment No. 964.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 964.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund to protect small and home businesses from the burdensome and impractical requirements of the Consumer Product Safety Improvement Act of 2008)

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVEMENTS TO BAN ON LEAD IN CHILDREN'S PRODUCTS.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution by the amounts authorized to be appropriated for the programs described in paragraphs (1) through (6) in 1 or more bills, joint resolutions, amendments, motions, or conference reports that fund consumer product safety, including any program that—

(1) delays the lead ban in section 101 of the Consumer Product Safety Improvement Act of 2008 (15 U.S.C. 1278a) by 6 months;

(2) exempts thrift stores, consignment shops, and other second hand sellers from the provisions of such section;

(3) exempts children's motorcycles and all terrain vehicles from treatment as banned hazardous substances under such section;

(4) exempts books from treatment as banned hazardous substances under such section;

(5) allows a product to comply with the lead ban in such section if every component of the product complies with the ban; or

(6) does not require products manufactured before the effective date of the ban under such section to be removed from store shelves.

(b) LIMITATION.—The authority described in subsection (a) may not be used unless the appropriations in the legislation described in paragraphs (1) through (6) of subsection (a) would not increase the deficit over—

(1) the 6-year period beginning with the first day of fiscal year 2009; or

(2) the 11-year period beginning with the first day of fiscal year 2009.

Mr. DEMINT. Mr. President, I ask unanimous consent to add as cosponsors Senators BENNETT, ENZI, BROWNBACK, COBURN, and VITTER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEMINT. Mr. President, I ask for my colleagues' attention because this is not a partisan amendment; it is not a messaging amendment.

Many of my colleagues have probably heard from a number of constituents about some problems with the Consumer Product Safety Act that we passed. This amendment simply allows for the improvement of that bill with certain considerations such as allowing current inventory to sell through, exempting thrift stores and secondhand sellers, exempting book sales and children's motorcycles, allowing manufacturers to prove there is no lead content

by proving that their components have no lead contents. This means they don't have to destroy existing inventory if they can prove it is safe. This amendment does nothing to diminish safety, but it is common sense.

Please, this is costing millions of dollars, thousands of jobs across this country. I encourage my colleagues to support this amendment.

Mr. CONRAD. Mr. President, Senator PRYOR has the time in opposition.

Mr. CONRAD. Senator PRYOR has the time in opposition.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, this amendment is a bad amendment. Last year, the Senate passed this legislation with 97 votes. It is a good bill. It bans lead in children's toys. It does so many other great things to make sure our marketplace is safe. It protects us from unsafe Chinese toys.

We need to vote against this amendment. The problem is not with the act. It is very clear from the Consumer Product Safety Commission, where the Commissioner, who is not the Chairman, says that the single most important step that needs to be taken in furtherance of the implementation of the CPSIA at the agency is to have a third Commissioner who would also be a chairman appointed to lead the agency. Until then, any legislative fixes are premature.

The CPSC has the authority to fix all the problems that have been raised by the Senator from South Carolina.

I strongly urge that we vote for our children and vote no on the DeMint amendment.

Mr. CONRAD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) 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 39, nays 58, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—39

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Begich	Enzi	Nelson (NE)
Bennett	Graham	Risch
Bond	Grassley	Roberts
Brownback	Hagan	Sessions
Bunning	Hatch	Shelby
Burr	Hutchison	Snowe
Chambliss	Inhofe	Specter
Coburn	Isakson	Thune
Cochran	Klobuchar	Vitter
Corker	Kyl	Voinovich
Crapo	Lugar	Wicker

NAYS—58

Akaka	Bingaman	Cantwell
Baucus	Boxer	Cardin
Bayh	Brown	Carper
Bennet	Burris	Casey
Collins	Kohl	Reed
Conrad	Landrieu	Reid
Cornyn	Lautenberg	Rockefeller
Dodd	Leahy	Sanders
Dorgan	Levin	Schumer
Durbin	Lieberman	Shaheen
Feingold	Lincoln	Stabenow
Feinstein	Martinez	Tester
Gillibrand	McCain	Udall (CO)
Gregg	McCaskill	Udall (NM)
Harkin	Menendez	Warner
Inouye	Merkley	Webb
Johanns	Mikulski	Whitehouse
Johnson	Murray	Wyden
Kaufman	Nelson (FL)	
Kerry	Pryor	

NOT VOTING—2

Byrd	Kennedy

The amendment (No. 964) was rejected.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 870, AS MODIFIED

Mr. CONRAD. Mr. President, I ask unanimous consent that the Thune amendment, No. 870, be modified with the changes which are at the desk, notwithstanding adoption of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 24, line 24, increase the amount by $99,000,000.

On page 24, line 25, increase the amount by $12,000,000.

On page 25, line 4, increase the amount by $28,000,000.

On page 25, line 8, increase the amount by $59,000,000.

On page 27, line 23, decrease the amount by $99,000,000.

On page 27, line 24, decrease the amount by $12,000,000.

On page 28, line 3, decrease the amount by $28,000,000.

On page 28, line 7, decrease the amount by $59,000,000.

Mr. CONRAD. Mr. President, we are now down to three amendments and final passage, and one of the three can be done on a voice vote.

AMENDMENT NO. 828

The next amendment in order is Coburn amendment No. 828.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, imagine tomorrow morning, if we are in session, and you no longer get to vote your conscience, that a Federal bureaucrat will tell you what you can and cannot do.

The fact is, we have wonderful physicians in this country who make decisions every day based on a multitude of factors, including what they think in their conscience is right. This is an amendment which simply protects that right, just as you would want the right for your vote in this body to be protected. It also protects the conscience of a patient to be able to choose the physician and the caregiver to whom they trust their body and their health.

I hope this body will support this amendment.

I yield the floor.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 828.

The amendment is as follows:

(Purpose: To protect the freedom of conscience for patients and the right of health care providers to serve patients without violating their moral and religious convictions)

On page 31, strike lines 3 through 7 and insert the following: ''cans;

(8) maintain long-term fiscal sustainability and pays for itself by reducing health care cost growth, improving productivity, or dedicating additional sources of revenue; or

(9)(A) subject to subparagraph (B), protect the freedom of conscience for patients and the right of health care providers to serve patients without violating their moral and religious convictions, which includes, but is not limited to, prohibiting—

(i) discrimination on the basis of a provider's objection to perform or participate in specific surgical or medical procedures or prescribe certain pharmaceuticals;

(ii) legal coercion against a provider who expresses a conscience objection to perform or participate in specific surgical or medical procedures or prescribe certain pharmaceuticals; and

(iii) government coercion of patients to enroll in specific health insurance plans or see pre-selected health care providers; and

(B) require the principles described in subparagraph (A) shall not be construed to authorize or shield from liability the denial, on the basis of a patient's race or present or predicted disability, of a surgical or medical procedure or pharmaceutical that a provider offers to others;''.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, Senator MURRAY has the time in opposition.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, this amendment would put in place a regulation that would mean health care providers—not just doctors but anybody in a health care clinic or hospital—could refuse millions of women health care for critical services. It jeopardizes Federal family planning services, Medicaid, and title X, and it undermines State laws that guarantee women access to contraceptive services.

Health and Human Services has proposed to rescind this rule which the Bush administration published when their clock was running out.

This amendment puts ideology ahead of science and ahead of women's health care. Federal law already permits medical professionals to decline to assist in abortions based on their religious beliefs. But stopping this regulation will not change that. This amendment goes way too far and ignores the needs of patients and denies women reproductive health care services.

I encourage my colleagues to vote no.

Mr. GREGG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD)

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 41, nays 56, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—41

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Graham	Nelson (NE)
Brownback	Grassley	Pryor
Bunning	Gregg	Risch
Burr	Hatch	Roberts
Casey	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Corker	Kyl	Voinovich
Cornyn	Lugar	Wicker
Crapo	Martinez	

NAYS—56

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (FL)
Bayh	Harkin	Reed
Begich	Inouye	Reid
Bennet	Johnson	Rockefeller
Bingaman	Kaufman	Sanders
Boxer	Kerry	Schumer
Brown	Klobuchar	Shaheen
Burris	Kohl	Snowe
Cantwell	Landrieu	Specter
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Dodd	Lincoln	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Merkley	Wyden
Feinstein	Mikulski	

NOT VOTING—2

Byrd	Kennedy

The amendment (No. 828) was rejected.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the next amendment that is in order is amendment No. 751 by Senator VITTER, if he could briefly mention the amendment.

AMENDMENT NO. 751

Mr. VITTER. Mr. President, I call up amendment No. 751.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 751.

Mr. VITTER. Mr. President, I ask unanimous consent to waive the reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect the more than 6 million Americans employed by the domestic oil and gas industry and to ensure low-cost energy for America's consumers, businesses, and families)

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''

Mr. CONRAD. Mr. President, I ask unanimous consent that we accept the amendment.

The PRESIDING OFFICER. Is there objection? Hearing no objection, it is so ordered.

The amendment (No. 751) was agreed to.

Mr. CONRAD. Mr. President, I thank Senator VITTER, and I also want to take just a moment to thank Senator CRAPO for his graciousness in withdrawing an amendment, as well as Senator MARTINEZ for his graciousness in withdrawing an amendment. We appreciate it very much.

AMENDMENT NO. 937

We are now on to the final amendment before final passage, No. 937, by Senator VITTER.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I call up amendment No. 937.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 937.

Mr. VITTER. Mr. President, I ask unanimous consent to waive the reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require States to implement drug testing programs for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program, which would encourage healthy, drug-free families instead of encouraging dependent behavior or on-going drug abuse)

At the appropriate place in title II, insert the following:

SEC.____. RESERVE FUND TO REQUIRE DRUG TESTING AND TO PROVIDE DRUG TREATMENT FOR TANF RECIPIENTS.

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 a bill, joint resolution, amendment, motion, or conference report that—

(1) Would require that States operate a drug testing program as part of their Temporary Assistance for Needy Families (TANF) program;

(2) Would provide treatment programs for those who test positive for illegal drug use or are convicted of drug-related crime;

(3) Would withhold TANF assistance for two years to any recipient who, after initially testing positive and having been offered treatment, again tests positive; and

(4) Would not reduce or deny TANF assistance allocated for dependents if the dependent's caretaker tests positive for drug use or is convicted of drug-related crime; by the amounts provided in that legislation for that purpose, 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.

Mr. VITTER. Mr. President, this amendment is very simple. It advances the policy of drug testing for welfare or TANF recipients. If a recipient were to test positive, they would get treatment. If they tested positive again, then and only then would they be denied the benefit.

Under no circumstances, would the children of that beneficiary be denied the children's benefit because they, of course, would not be a guilty party in any way.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, Senator BAUCUS will speak in opposition to the amendment.

The PRESIDING OFFICER. (Mr. BEGICH). The Senator from Montana.

Mr. BAUCUS. Mr. President, I oppose this amendment for a lot of reasons. No. 1, this is an unfunded mandate. The TANF program, the low-income program, the welfare program, is a block grant program. We give to all the States and the States set up their own systems under TANF. This is an unfunded mandate. It tells States they have to test all low-income people for drugs.

I think, frankly, it is a mean-spirited amendment. I believe we should not equate all low-income families with drug addiction. States can decide for themselves if they want to drug test. My State of Montana does. TANF, again, is a block grant program. States can decide for themselves what they want to do. We should not equate all low-income families with drug addiction, and I strongly encourage this amendment be soundly defeated.

Mr. VITTER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 27 seconds remaining.

Mr. VITTER. Mr. President, I don't understand what is mean spirited about not giving tax money to folks who have drug problems and about trying to get them help, which is the first and most important thing we can do to actually help them.

I urge broad bipartisan support for this commonsense amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 937.

Mr. GREGG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The result was announced—yeas 18, nays 79, as follows:

[Rollcall Vote No. 153 Leg.]

YEAS—18

Barrasso	Cornyn	Inhofe
Brownback	Crapo	Isakson
Bunning	DeMint	Kyl
Burr	Ensign	McConnell
Chambliss	Enzi	Risch
Coburn	Grassley	Vitter

NAYS—79

Akaka	Gregg	Nelson (FL)
Alexander	Hagan	Nelson (NE)
Baucus	Harkin	Pryor
Bayh	Hatch	Reed
Begich	Hutchison	Reid
Bennet	Inouye	Roberts
Bennett	Johanns	Rockefeller
Bingaman	Johnson	Sanders
Bond	Kaufman	Schumer
Boxer	Kerry	Sessions
Brown	Klobuchar	Shaheen
Burris	Kohl	Shelby
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Specter
Carper	Leahy	Stabenow
Casey	Levin	Tester
Cochran	Lieberman	Thune
Collins	Lincoln	Udall (CO)
Conrad	Lugar	Udall (NM)
Corker	Martinez	Voinovich
Dodd	McCain	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Merkley	Wicker
Feinstein	Mikulski	Wyden
Gillibrand	Murkowski	
Graham	Murray	

NOT VOTING—2

Byrd Kennedy

The amendment (No. 937) was rejected.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KYL. Mr. President, during these recent budget debates, I have been reminded that some in Washington used to mock President Reagan for the ''rosy economic scenarios'' they said his budgets relied upon. But never—until now—has any President's economic model differed so fundamentally from those predicted by most independent analysts.

President Obama's budget chief, Peter Orszag, predicts that from 2010–2013 the economy will grow 4 percent a year. But the blue-chip economic forecasters say it is much lower—about 2.7 percent. That is a big difference when we are talking about hundreds of billions of dollars.

President Obama claims his budget will halve the deficit by 2014. But the way it gets there is by first running up a huge deficit and then cutting that number in half. The Congressional Budget Office now projects a $1.669 trillion deficit in 2009 that will bottom out at $658 billion in 2012, which is still more than 40 percent above the highest deficit during the Bush administration. But the Congressional Budget Office also says the deficits accumulated by Obama's budget will then surge to $9.2 trillion in 2019.

President Obama has said he will cut taxes for 95 percent of Americans. But his budget would raise taxes by $1.4 trillion over 10 years. It not only lets some of the existing tax rates expire—thus raising taxes—but implements a colossal energy tax that will impact every American household—regardless of income—and is estimated to drop an additional $3,168 annual bill on every family, on top of its existing energy costs. Remember, candidate Obama told us that under this energy plan, ''electricity rates would necessarily skyrocket.'' Why is this a good idea?

Economic historian John Steele Gordon draws this analogy to an energy tax in the recent issue of Commentary magazine: ''If passed it will act on the economy as a whole exactly the way a governor acts on a steam engine, increasingly resisting any increase in revolutions per minute. . . . The more the economy tries to speed up the more [this tax] will work to prevent it from doing so.''

Think about the incongruity between the growth predicted in President Obama's budget and the policies his budget would partially implement. This budget would saddle American taxpayers, businesses, and industry—everyone—with a bevy of new tax increases and regulations that, once enacted, will unavoidably harm job creation and growth by making it more expensive for businesses to hire and by removing money from the private economy and transferring it to Washington.

How can our economy recover with the Government hampering job creation and growth?

Facts are stubborn things, as President Reagan used to say. We know that raising taxes in time of recession has never helped the economy grow. Why would this time be different?

Mr. FEINGOLD. Mr. President, I strongly believe that the Senate needs to address the serious and pressing problem of climate change, and I look forward to that debate this Congress. I do not, however, believe it would be appropriate to use the fast-track procedure known as reconciliation to consider climate change legislation. Reconciliation is intended for legislation that reduces the deficit. I have strongly opposed past efforts to use reconciliation to address policy matters, such as drilling in the Arctic National Wildlife Refuge. It wasn't appropriate then; it isn't appropriate now.

Mr. SPECTER. Mr. President, in approaching the budget for fiscal year 2010, I am heavily influenced by the $700 billion expenditure in President Bush's bailout package—it was badly administered and I voted against release of the second $350 billion—and the President Obama twin brother $787 billion stimulus package. We have to take a closer look than usual at the mounting deficits and mounting national debt. These budget votes are all going to be determined by the Democratic majority largely on party lines so my vote is really a protest vote and to show there is substantial concern, at least with the loyal opposition, to limit Federal expenditures. To that end, I supported amendments offered by Senators SESSIONS, No. 772, and CRAPO No. 844, to freeze domestic discretionary spending. I also supported amendments by Senators ALEXANDER, No. 747, and GREGG, No. 739, to require a 60-vote threshold on any budget resolution that increases public debt.

Congress must take action to address the current deficit spending especially the increasing funds for entitlement programs. I supported an amendment offered by Senator GREGG, No. 835, to establish a commission to examine the long-term obligations of the Federal Government and make recommendations to reduce that spending. Similarly, I voted in favor of the McCain amendment, No. 882, as an alternative budget resolution to lay down a marker to encourage reductions in Federal expenditures. The budget is just an outline without any of these votes being determinative as to what will occur on appropriations bills, where I will take another look at spending proposals depending on circumstances at that time.

Mr. AKAKA. Mr. President, I support the budget resolution for fiscal year 2010. The resolution embraces many priorities that I strongly support. They include a renewed commitment to energy efficiency, educational improvements, middle-class tax cuts, and our veterans.

The resolution preserves the major priorities in President Obama's budget that was submitted to Congress. The President's budget outlined a blueprint for addressing and reversing the effects of the deep recession, collapse of the housing and credit markets, and the rise in joblessness that we inherited from the previous administration by setting the stage for sustained economic growth through investments in energy, education, and infrastructure, which were begun in the American Recovery and Reinvestment Act, ARRA. Since President Obama's budget was submitted to Congress, the CBO's re-estimate of that budget has added $2.3 trillion to long-term deficit projections. Accordingly, the resolution adjusts the President's budget to cut the long-term deficit in half from $1.2 trillion in fiscal year 2010 to $508 billion in fiscal year 2014 while retaining the President's core priorities.

The resolution matches the funding level in the President's budget for fiscal year 2010 energy discretionary funding to reduce our dependence on foreign sources of fuel, produce green jobs, promote renewable energy development, and improve the electric transmission grid, while encouraging energy conservation and efficiency.

I am pleased that this resolution continues with green investments made in the American Reinvestment and Recovery Act and provides increases for the energy efficiency and renewable energy program. The resolution will enable investments in further research and development in clean and sustainable energy technologies from resources that are abundant in my State of Hawaii, such as wind, solar, ocean, hydrogen, and biomass.

The resolution invests in our Nation's future by fully funding the President's request for discretionary education and training programs. This includes expanding early childhood education programs that have proven to be so instrumental in preparing our Nation's children for future success. The

budget also increases support for programs designed to reach out to low-income students so that every child has an equal opportunity to succeed. Similarly, by providing the necessary funding to support a $5,550 maximum Pell grant award in the 2010–2011 school year, this budget resolution will provide much needed assistance to individuals striving to achieve their higher education goals including adults returning to school to revise and revamp their skills in order to more effectively compete in today's workforce.

I was also pleased to see that funding was included in the budget resolution to enhance and improve the capability of the Federal acquisition workforce. In my role as both chairman of the Subcommittee on Oversight of Government Management and a senior member of the Armed Services Committee, I have long advocated for improvements in the hiring and retention of Federal employees. Similarly, I strongly support funding for the reform of Department of Defense processes for the acquisition of weapons systems including the reduction of no-bid and cost-plus contracts.

As chairman of the Federal Workforce Subcommittee, I am pleased the resolution provides pay parity between Federal civilian and military servicemembers in the average annual pay raise, which is consistent with more than 20 years of congressional precedent and my priorities.

Turning to items in the budget resolution for the Department of Veterans Affairs, the resolution includes the President's request, plus $540 million to compensate for the ill-advised proposal that would have billed veterans' insurance companies for service-connected care. President Obama made the right decision not to move forward with that proposal. Veterans' care and benefits are a cost of war and treatment for conditions directly related to service is the responsibility of the government alone.

The resolution also includes mandatory budget authority for important benefits, such as compensation and pension, for veterans and their survivors. I look forward to working with my colleagues and the administration to enact the funding increases and targeted programs to help VA adapt to the changing needs of veterans and their loved ones.

My colleagues, this resolution, with its targeted investments and changed public-policy priorities, will help us address the essential needs of the Nation.

I urge my colleagues to support the budget resolution for fiscal year 2010.

Mr. KAUFMAN. Mr. President, I believe the document we are now debating reflects two basic realities. First, it reflects the deep troubles that we have inherited from years of lax regulation, excessive risk, neglected oversight, even fraud and criminal behavior in our financial sector.

As President Obama said when he addressed the Joint Session of Congress, America's ''day of reckoning'' has arrived. The deficit spending of the past administration and the economic collapse that began last fall have created deep structural problems that this budget inherits.

Along with short-sighted budget policies that have put us deeper into debt, the collapse of our financial sector has brought down virtually every other sector of our economy. Those facts set the difficult context in which we do our work.

Delaware has not been spared from the waves of bad economic news that have swept over our Nation. We have seen the job losses in our manufacturing industries, layoffs in flagship companies like DuPont, and downsizing in our financial services industry.

Nationally, we just lost another three-quarters of a million jobs last month. In Delaware, our statewide unemployment rate has hit 7.4 percent, a level we have not seen in a generation.

As families in Delaware and around the country sit at their kitchen tables, they know that the world outside has changed. For those who have lost their jobs, for the husbands, the mothers, who have come home with that heartbreaking news—the process of sorting out mortgage payments, health insurance, groceries—even school books and lunch money—has taken on a sad urgency.

For the others, whose neighbors are out of work, whose neighborhood now has a foreclosure or two mixed in with the for sale signs, whose own jobs could be among the next to go—basic decisions about family priorities are growing tougher every day.

We must not forget those families as we do our work here on the Federal budget this week.

But this budget reflects another reality, as well. It reflects the fundamental strengths of our country—our faith in the future, our ability to pull together, the strengths of our national character.

And this budget reflects the change in direction, the change in priorities and values, the American people voted for last November.

To help with family finances, this budget provides tax cuts to middle-class families.

To begin the work of making our health care system more affordable, this budget makes health care more accessible for families and small businesses.

It makes a college education more accessible and more affordable, so our children can qualify for the jobs that will define our economic future.

This budget starts winding down our dependence on imported fossil fuels, by investments in clean and renewable energy we can provide right here—creating new processes, new products, and new jobs.

And it begins the process of restoring the balance to our Nation's finances—a balance we had achieved just eight years ago—indeed, a budget surplus that was squandered.

Just as the economic crisis has hit the paychecks of American workers, it has lowered the economic activity that funds the revenues we need to pay for our national priorities.

One key part of our response to this crisis must be to fill the hole left in our economy by the loss of 5 million jobs, the loss of so much economic activity. Our economic recovery package, passed earlier this year, is a part of that response.

So a key function of this budget will be to continue to fill that gap in our economy, to continue to provide families, businesses, and state and local governments with the resources they need to slow, stop, and reverse the decline in our economy.

But if we are to move beyond the current crisis, we must make the investments that will reshape our future.

This budget is a clear statement of new priorities: it lays down a new foundation for economic growth. These are the priorities, these are the commitments President Obama and Vice President BIDEN campaigned on. These are the priorities the American people voted for last November.

We must not lose sight of the lesson before us: under the previous administration we gave free rein—and huge financial rewards—to short-term risk-taking, to highly leveraged debt, to deals that many times were not worth the paper they were written on.

We now know that tens of billions, or maybe more, of those paper profits were created by criminal enterprises like the one run by Bernie Madoff. Others, while legal, tread on the very border of our outdated and poorly enforced rules and regulations.

At the same time, we failed to recognize and support average families in their struggles with rising health care costs, with the rising costs of a college education.

We wasted years when we could have invested in cleaner and more efficient domestic sources of energy, while our dependence on dirty, dangerous, uncertain sources of imported oil increased. Those wasted years made our country more vulnerable to those who control oil reserves.

The American people have rejected those failed policies and misplaced priorities. This budget replaces them with an agenda for rebuilding our economy and reasserting our values.

Budgets are statements of our priorities, here in Washington, at the kitchen tables of families in Delaware, in the homes of families around the country.

No budget is perfect. All budgets reflect difficult choices. In this economic crisis, our choices are more difficult, and our decisions carry more importance.

I believe this budget reflects the best balance of addressing our present crisis, building a foundation for the future, and putting our finances on a sustainable path.

I urge my colleagues to join me in supporting it.

Mr. LEVIN. Mr. President, I will vote for this budget resolution. It rightfully recognizes that our way through these difficult times is by investing in our future, with significant funding for infrastructure, energy independence and programs that ensure the safety, health, and education of our Nation's children. This budget resolution makes clear that we cannot continue to cut taxes for a handful of wealthy individuals, at the expense of the many and hope that someday the benefits will trickle down. That course of action would lead to deeper and deeper deficits.

The prior administration's fiscal policies failed. They left us in difficult and uncertain times. Unemployment in my state of Michigan and across the country is sky high. The financial markets are in turmoil, and millions of hard-working Americans that still have jobs are not only concerned about their depleted savings and retirement accounts, but making their mortgage payments. And now, some of the greatest companies in our country are under great duress.

Our shared ability to navigate these troubled waters will depend upon our willingness to come together. Through this budget resolution, the Senate will set the blueprint for its work to help reverse the past administration's failed fiscal policies that have been so damaging to our economy.

The Budget Committee includes in this resolution deficit-neutral reserve funds to promote economic recovery and growth, investments in infrastructure, and a long overdue commitment to the health of Americans. With adequate funds, we can modernize the health care system by continuing to progress towards health information technology. With additional dollars to help support and strengthen the health care workforce, we are making a firm statement that we will no longer shirk our responsibilities and will continue to fight for the 45.7 million uninsured individuals who have not had access to health care.

This budget will help reduce our dependence on foreign oil. It allows us to improve our educational system. And it provides tax relief to millions of middle-income Americans, including providing much-needed relief from the alternative minimum tax. Congress, and our citizens, have long known that this tax was never intended to hit middle-class families.

I am also pleased that this budget paves the way for using our committed resources to restore our financial system, while providing critical transparency and accountability for taxpayers. While I was pleased to support the economic stimulus packages, they only provided a partial solution to fixing our economy's problems. We cannot stop now. Although we have already taken unprecedented efforts to stimulate and revive our economy, there is more work ahead. While hard-working families struggle to make ends meet, we owe it to them to continue to invest in their futures.

I am pleased that this budget resolution includes my proposal to establish a deficit-neutral reserve fund to promote American manufacturing. Congress needs to take bold, decisive action to revitalize our domestic manufacturing sector. The U.S. has lost more than 4.1 million manufacturing jobs since January 2001 and over 300,000 manufacturing jobs in Michigan since January 2001. It is important that we revitalize and maintain a strong manufacturing base in the U.S. The manufacturing industry faces pressure from international corporations that are strongly supported by their respective governments; our own government needs to lend similar support to keep American manufacturing companies competitive in the global marketplace.

The deficit-neutral reserve fund included in this budget lays the groundwork for legislation to address important initiatives to boost American manufacturing. I look forward to continuing to work with my colleagues to stimulate the manufacturing sector in a meaningful way, and make a wise investment in the long-term growth, health, and stability of the manufacturing industry.

The budget wisely includes a deficit-neutral reserve fund to accommodate legislation that would provide investments in clean energy and reduce greenhouse gas emissions, leaving the details of the legislation to the appropriate committees of jurisdiction. The threat of climate change is real and its impacts could be catastrophic if we do not act quickly. Clean energy and advanced technologies hold the promise for making real progress on reducing harmful greenhouse gases.

While swift action is needed to confront the daunting challenges of global climate change, I oppose misusing the budget reconciliation process in the consideration of climate legislation. That legislation would influence every sector of the U.S. economy and could have far-reaching impacts across the globe. For this reason, I supported an amendment offered by Senator JOHANNS that would prohibit the use of reconciliation for climate legislation. I voted in support of the Johanns amendment to reaffirm my opposition to an extremely truncated process for climate legislation, which would make a deliberative approach impossible. Taking action on climate change legislation to protect public health, the economy, and natural security should be done in a thoughtful way and not rushed through Congress.

I was pleased to join Senator DORGAN in proposing an amendment to provide an increase of $10 million for organ donation activities at the Health Resources Services Administration. This modest amendment is aimed at fulfilling the promise of the Organ Donation and Recovery Improvement Act of 2004, to increase the number of organ donations. Currently, over 100,000 individuals are on the organ transplant waiting list, and more than 83,000 of those are in need of a kidney transplant. On average, patients wait 4 years before receiving a kidney transplant. Medicare spends about $55,000 per patient per year for dialysis. This means that every kidney donation has the potential to save Medicare as much as $220,000. Unfortunately, nearly 6,000 people die every year while waiting for a transplant. By doing more to educate people about donation and developing programs to encourage donation, we can take steps to reduce that number.

Mr. President, this budget will continue the job of getting our great Nation back on track, and it deserves to pass.

Mr. GREGG. Mr. President, I ask unanimous consent that a list of organizations opposing this budget resolution be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OUTSIDE GROUPS KEY VOTING AND OPPOSING THE SENATE BUDGET RESOLUTION

GROUPS KEY VOTING AGAINST FINAL PASSAGE OF THE BUDGET

Americans for Prosperity, Americans for Tax Reform, Associated Builders and Contractors, Center for Fiscal Accountability, Citizens Against Government Waste, Club for Growth, Concerned Women for America, Freedom Works, Independent Electrical Contractors, International Foodservice Distributors Association, National Association of Wholesaler-Distributors, and National Taxpayers Union.

GROUPS OPPOSING THE BUDGET

American Conservative Union, American Family Business Institute, Americans for Limited Government, Associated General Contractors, Club for Growth, Council on National Policy, Family Research Council, National Association of Manufacturers, Numbers USA, Small Business Entrepreneurship Council, Tax Relief Coalition, and U.S. Chamber of Commerce.

GROUPS OPPOSING USING RECONCILIATION FOR HEALTH CARE AND CARBON TAX WITHIN THE BUDGET

Business Roundtable, National Federation of Independent Business, National Mining Association, and Small Business & Entrepreneurship Council.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I wish to say a brief word so we know what we are going to do when we get back on Monday, 2 weeks from Monday.

First of all, I express my appreciation to the whole Senate for the outstanding work done by the managers of this bill, Chairman CONRAD, Ranking Member GREGG. They did wonderful work. All the Senate speaks with one voice in recognizing the tremendous difficulty of this resolution. The work was done with civility. We had difficult amendments. This is a day the Senate should be proud.

I applaud and commend, I repeat, on behalf of the entire Senate, the brilliant work done by these two fine gentlemen.

When we come back, I was hoping we would not have to have this vote on Monday, but it appears we are going to have to. We have two wars going on. One, as we know, Afghanistan, and one we cannot put out of our mind in Iraq. One of the great career senior foreign service officers whom we have had in recent years, Christopher R. Hill of Rhode Island, has been nominated by the President to be Ambassador to Iraq.

It is hard to comprehend, but I am going to have to file cloture on that tonight before we leave. I would hope everyone who is trying to hold up this man would give this some thought. How does this look? It does not look very good. But we are going to go ahead, and we are going to have this cloture vote on Monday. We have a lot of other things we could work on. We have a lot to do. We have a 5-week work period when we get back. I have already informed the Republican leader as to what days we are not going to have votes; there are three of them.

I hope everyone has a good 2 weeks. We have a lot of time we need to spend at home. We have not been home. These have been very long periods, two long work periods we have had since we have become a new Congress.

Of course, I have to say for all of us, it is very exiting to all of us to see the Presiding Officer.

The VICE PRESIDENT. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I would like to take a minute to thank the majority leader and Republican leader for their assistance in helping us move this bill in a reasonably expeditious way, considering it is the budget.

I especially wish to thank the chairman and his staff, headed up by Mary Naylor. They do an extraordinary job. They are extremely professional and very courteous to the minority. It is always an open and fair process when we take up the budget, and they set an excellent standard.

I additionally wish to thank my staff, headed up by Cheri Reidy and Jim Hearn, Allison Parent, and they do a fabulous job. I also wish to thank the folks up there on the dais because they stay here all day and make sure we are in order and keeping things on the move and we thank them very much for their time.

Mr. BAUCUS. Mr. President, the chairman of the committee and the ranking member did such a wonderful job. I think we should all express our appreciation.

(Applause, Senators rising.)

The VICE PRESIDENT. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I wish to thank all of our colleagues. This is a tough, difficult day for all of us. I think the Senate has conducted itself well and distinguished itself today.

I wish to thank each of our colleagues for that. I especially wish to thank Leader REID for his support throughout this process; Senator MURRAY, who I think has a special knack for convincing people not to offer amendments. Thank goodness for Senator MURRAY. To my colleague, Senator GREGG, you could not ask for a better partner. There is no one more professional, more decent or somebody whose word is better than Senator GREGG. I deeply appreciate it, as well as his professional staff, who have been terrific to work with.

On our side, Mary Naylor, my staff director; John Righter and Joel Friedman, my deputies; Joe Gaeta, Steve Bailey, Mike Jones, Jamie Morin, Stu Nagurka, Steve Posner, Sarah Kuehl, and all the others who have contributed.

This has been a labor of love. They have worked night and day, weekends for months, and I deeply appreciate their sacrifice.

The VICE PRESIDENT. The Republican leader.

Mr. MCCONNELL. Mr. President, let me briefly echo the remarks of the majority leader and congratulate Chairman CONRAD and Ranking Member GREGG and say we have a lot of freshmen Senators. You probably think this is a tough day. I might mention to you, this is one of the least tough budget days we have had in the time that I have been here. I think I see the Vice President smiling. He would agree with that.

That is a tribute largely to Senator GREGG and Senator CONRAD. Thank you so much for an excellent job.

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I wish to make a plea, if I can publicly. There is still time between now and tomorrow to try to do something differently on this question of sending our Ambassador to Iraq.

Senator LUGAR is supportive. I am supportive. There is bipartisan support for this nominee. He is going to be approved. We all know that. Iraq is experiencing increasing political difficulties, and the missing ingredient of our capacity to get the success we want is political reconciliation.

Ambassador Crocker has not been well recently. He has put enormous energy in this effort. Getting Christopher Hill there in the next 2 weeks can make a difference. I would urge our colleagues, if there are other issues linked to this, there are other ways to work it through.

My hope would be that we would be able to free him up. It is a terrible message to send, to tie him to issues of North Korea or otherwise extraneous. It handicaps our capacity to maximize our efforts in a war.

If we are going to treat a war seriously, we ought to treat this Ambassador nomination seriously. I would ask my colleagues to think about that while there is an opportunity to be able to approve it in these next 24 hours.

Mr. ENSIGN. Mr. President, I hate to throw a little cold water on this whole ''Kumbaya'' party we are having, but I think it is an important precedent that we determine tonight.

I rise to make a parliamentary inquiry regarding the status of the budget resolution: Specifically, I rise to inquire if the resolution remains a privileged measure, notwithstanding the adoption of 10 corrosive points of order, 8 of which reach into the jurisdiction of the Finance Committee, 1 of which reaches into the Veterans' Committee, and 1 into the Judiciary Committee.

In the case of the Durbin amendment, No. 974, the point of order specifies, with exacting detail, what level of taxpayer must receive a tax cut in order to allow death taxes to go forward.

Therefore, I put the question to the Chair: Does the pending budget resolution retain its privileged status despite these corrosive points of order having been adopted?

The VICE PRESIDENT. It does.

Mr. ENSIGN. Further parliamentary inquiry: Does that mean it would require 60 votes for passage?

The VICE PRESIDENT. It does not require 60 votes for passage.

Mr. ENSIGN. Further parliamentary inquiry: Is losing its privileged status at this point, does that mean it would be still fully debatable?

The VICE PRESIDENT. It has not lost its privileged status.

Mr. ENSIGN. So that would be the precedent for the future, 8 to 10 corrosive amendments does not lose its privileged status.

The VICE PRESIDENT. This particular budget resolution has not lost its privileged status.

Mr. ENSIGN. I thank the Chair.

The VICE PRESIDENT. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, to briefly respond to the Senator from Massachusetts, the chairman of the distinguished Foreign Relations Committee has raised a serious issue about Ambassador Hill.

A number of us on our side have serious questions about Ambassador Hill and how he conducted himself in the last assignment. I would like to see what some of those instructions were from that assignment.

I recognize the seriousness of the situation we are in in Iraq, no question about that. But I have serious reservations about his position in going to that. I think this will be a good period of time for us to get some of these questions answered from the State Department.

I have proffered a letter to them. I have some serious questions about what took place during the negotiations with North Korea and a possible missile launch that will take place even in this interim, and this was our lead negotiator there.

For those reasons, I, amongst others, am raising questions at this time. I think they need to be answered before

he is approved for such an important spot for the United States.

The VICE PRESIDENT. The question is on the adoption of the concurrent resolution, as amended.

Mr. CONRAD. I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 154 Leg.]

YEAS—55

Akaka	Hagan	Murray
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson	Reed
Bingaman	Kaufman	Reid
Boxer	Kennedy	Rockefeller
Brown	Kerry	Sanders
Burris	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Stabenow
Carper	Lautenberg	Tester
Casey	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Dodd	Lieberman	Warner
Dorgan	Lincoln	Webb
Durbin	McCaskill	Whitehouse
Feingold	Menendez	Wyden
Feinstein	Merkley	
Gillibrand	Mikulski	

NAYS—43

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Bayh	Enzi	Nelson (NE)
Bennett	Graham	Risch
Bond	Grassley	Roberts
Brownback	Gregg	Sessions
Bunning	Hatch	Shelby
Burr	Hutchison	Snowe
Chambliss	Inhofe	Specter
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Collins	Kyl	Voinovich
Corker	Lugar	Wicker
Cornyn	Martinez	
Crapo	McCain	

NOT VOTING—1

Byrd

The concurrent resolution (S. Con. Res. 13), as amended, was agreed to.

(The resolution will be printed in a future edition of the RECORD.)

Mr. DURBIN. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. (Mr. BEGICH). The Senator from Michigan.

NOMINATION OF ASHTON CARTER

Mr. LEVIN. Mr. President, I had the intent, when we got to executive session, of asking unanimous consent that Calendar item No. 47, Ashton Carter's nomination, be agreed to by unanimous consent. There is a hold on this nomination. The two Senators who have that hold have indicated to me their reasons for it. One of those Senators—and I have talked to Senator SHELBY; there is no objection to my identifying him this way—has not had the opportunity that he seeks to talk to Mr. CARTER. He has made a commitment that he will do so as quickly as he possibly can after the recess so we can hopefully get to this nomination very promptly. It is essential this be taken up.

So in light of the assurance I have received from Senator SHELBY particularly, and I have talked also to Senator SESSIONS about this matter, I am not going to make that unanimous consent request tonight.

Ms. KLOBUCHAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JANE HOLL LUTE

Mr. COBURN. Mr. President, in a few minutes there will be a unanimous consent request on a voice vote for a nominee to the No. 2 position at Homeland Security—a very nice lady by the name of Ms. Lute.

I would make the point, as the second most senior member on Homeland Security on the minority side, I cast a ''no'' vote for this person in committee, and that is very well detailed in my statement.

But I think there are some important things the American people should know about her previous service in terms of the peacekeeping forces under her direction as far as the procurement, management, and followup.

Here is what we know. Forty-three percent of all the money spent on international peacekeeping at the United Nations was either involved in fraud or kickback schemes and illegal contracting.

The other thing we know is that the international peacekeepers raped and abused hundreds and hundreds of people, for which at this time today the services under the direction of Ms. Lute have not been directed toward or the care given for those individuals who suffered those consequences.

The other thing we know is that the contracting associated with her administration in the U.N. was associated with several no-bid contracts that were inefficiently done and ineffectively carried out. It is on that basis that I agreed not to hold up her nomination. She will go through, and she will be confirmed. But this nominee has to prove herself at the Department of Homeland Security. I am willing to be proven wrong, but the fact is, her reason for the problems she had at the U.N. was the lack of cooperation at the U.N. She is going to be running a much larger budget with greater responsibilities, and if, in fact, that is the case, and it was all the U.N., then her limited experience, we can hope, will grow, and she will be an effective Assistant Secretary.

There are other people much more qualified who could fill this position. As I said, this is a very humble lady. She has served with great distinguished service in the Armed Services of this country. There is no personal animosity nor direction toward her individually. But the fact is, one of our most difficult agencies is the Department of Homeland Security. It has big problems, conflicts, lack of transparency, and inefficiency.

It is my hope that after she is confirmed, she will, in fact, be up to the task, and we, both in the Senate and as American taxpayers, will get real value out of her service.

With that, I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider, en bloc, Calendar Nos. 37, 38, 39, 41, 42, 44, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 58, 59, 60, and all nominations on the Secretary's desk; that the Agriculture Committee be discharged, and the Senate proceed, en bloc, to PN206, PN213 and PN221; that the nominations be confirmed, en bloc, the motions to reconsider be laid upon the table, en bloc, and that no further motions be in order.

The nominations considered and confirmed en bloc are as follows:

INTERNATIONAL BANKS

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, vice Henry M. Paulson Jr., resigned.

DEPARTMENT OF STATE

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).

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.

Melanne Verveer, of the District of Columbia, to be Ambassador at Large for Women's Global Issues.

DEPARTMENT OF DEFENSE

James N. Miller, Jr., of Virginia, to be Deputy Under Secretary of Defense for Policy.

Alexander Vershbow, of the District of Columbia, to be an Assistant Secretary of Defense.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael C. Gould

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier geneal

Col. Debra A. Scullary

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General Roger A. Binder
Brigadier General David L. Commons
Brigadier General Anita R. Gallentine
Brigadier General Carl M. Skinner
Brigadier General Howard N. Thompson
Brigadier General Paul M. Van Sickle

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Colonel William B. Binger
Colonel Catherine A. Chilton
Colonel James A. Firth
Colonel Robert M. Haire
Colonel Stayce D. Harris
Colonel Thomas P. Harwood, III
Colonel Maryanne Miller
Colonel Pamela K. Milligan
Colonel Robert K. Millmann, Jr.
Colonel James J. Muscatell, Jr.
Colonel Dennis P. Ployer
Colonel Kevin E. Pottinger
Colonel Derek P. Rydholm
Colonel George F. Williams

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Vincent K. Brooks

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be major general

Brig. Gen. James K. Gilman
Brig. Gen. Philip Volpe

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Col. William B. Gamble
Col. Richard W. Thomas

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Paul W. Brier
Col. Frans J. Coetzee

OFFICE OF PERSONNEL MANAGEMENT

John Berry, of the District of Columbia, to be Director of the Office of Personnel Management for a term of four years.

SMALL BUSINESS ADMINISTRATION

Karen Gordon Mills, of Maine, to be Administrator of the Small Business Administration.

[NEW REPORTS]

DEPARTMENT OF VETERANS AFFAIRS

W. Scott Gould, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN94 AIR FORCE nomination of Kathy L. Fullerton, which was received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN95 AIR FORCE nominations (3) beginning EMIL B. KABBAN, and ending STEPHEN H. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN96 AIR FORCE nominations (29) beginning BRIAN D. ANDERSON, and ending MARGARET M. WALSH, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN97 AIR FORCE nominations (21) beginning MARK T. ALLISON, and ending PHILIP T. WOLD, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN98 AIR FORCE nominations (3) beginning TINA M. BARBERMATTHEW, and ending REGAN J. PATRICK, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN99 AIR FORCE nominations (32) beginning JAMES J. BALDOCK IV, and ending BRENDA L. YI, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN100 AIR FORCE nominations (67) beginning LISA L. ADAMS, and ending RICHARD J. ZAVADIL, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN101 AIR FORCE nominations (1179) beginning ARIEL O. ACEBAL, and ending STEVEN M. ZUBOWICZ, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN118 AIR FORCE nomination of Jonathon V. Lammers, which was received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN119 AIR FORCE nominations (3) beginning GARY A. FOSKEY, and ending CONNIE L. WARR, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN120 AIR FORCE nominations (7) beginning BRYSON D. BORG, and ending DEXTER W. LOVE, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN155 AIR FORCE nominations (2) beginning GEORGE B. GOSTING, and ending JOSEPH S. PARK, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN158 AIR FORCE nominations (51) beginning RICHARD D. BAKER, and ending GREGORY B. YORK, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN159 AIR FORCE nominations (15) beginning JEFFREY L. ANDRUS, and ending ROSE M. WOJCIK, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN160 AIR FORCE nominations (16) beginning FEDERICO C. AQUINO JR., and ending JUNKO YAMAMOTO, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN161 AIR FORCE nominations (148) beginning JOSELITA M. ABELEDA, and ending GABRIEL ZIMMERER, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN162 AIR FORCE nominations (40) beginning THOMAS J. BAUER, and ending STACEY E. ZAIKOSKI, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN163 AIR FORCE nominations (286) beginning AMANDA J. ADAMS, and ending DON L. ZUST JR., which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN192 AIR FORCE nominations (3) beginning XAVIER A. NGUYEN, and ending JENNIFER A. TAY, which nominations were received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN193 AIR FORCE nominations (3) beginning JOHN M. BEENE II, and ending ELIZABETH N. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN234 AIR FORCE nomination of Ryan G. McPherson, which was received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN235 AIR FORCE nomination of Mark J. Ivey, which was received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN238 AIR FORCE nominations (37) beginning CHRISTOPHER B. BENNETT, and ending DAVID J. WESTERN, which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

IN THE ARMY

PN102 ARMY nomination of Peter C. Gould, which was received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN103 ARMY nomination of Garrett S. Yee, which was received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN104 ARMY nominations (6) beginning ROY L. BOURNE, and ending STANLEY W. SHEFTALL, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN121 ARMY nomination of Frank Rodriguez Jr., which was received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN122 ARMY nomination of Edward E. Turski, which was received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN123 ARMY nomination of Joseph R. Krupa, which was received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN124 ARMY nomination of Kathleen P. Naiman, which was received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN125 ARMY nominations (2) beginning JUAN G. ESTEVA, and ending THOMAS E. STARR, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN126 ARMY nominations (2) beginning ROBERT F. DONNELLY, and ending ANGELICA REYES, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN127 ARMY nominations (3) beginning RICHARD H. DAHLMAN, and ending DAVID A. STILLS, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN128 ARMY nominations (4) beginning JULIE S. AKIYAMA, and ending ANDREW L. HAGEMASTER, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN129 ARMY nominations (3) beginning MICHAEL L. NIPPERT, and ending JOHN K.

GOERTMILLER, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN130 ARMY nominations (3) beginning MARTIN L. BADEGIAN, and ending MARK J. HODD, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN131 ARMY nominations (5) beginning DEBRA H. BURTON, and ending LEE D. SCHNELL, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN132 ARMY nominations (10) beginning PAUL P. BRYANT, and ending CHRISTOPHER R. WARD, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN133 ARMY nominations (77) beginning ROBERT J. ABBOTT, and ending PATRICK J. WOOLSEY, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN134 ARMY nominations (22) beginning VANESSA A. BERRY, and ending SCOTT F. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN135 ARMY nominations (8) beginning EFREN E. RECTO, and ending WILLIAM A. WOLKSTEIN, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN136 ARMY nominations (14) beginning SUZANNE D. ADKINSON, and ending BRANDON S. WATKINS, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN156 ARMY nominations (7) beginning THOMAS M. CARDEN JR., and ending ANTHONY WOODS, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN194 ARMY nomination of Laura K. Lester, which was received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN195 ARMY nomination of Brigitte Belanger, which was received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN196 ARMY nomination of Mitzi A. Rivera, which was received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN197 ARMY nomination of Catherine B. Evans, which was received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN198 ARMY nomination of Victor G. Kelly, which was received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN199 ARMY nomination of Ryan T. Choate, which was received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN200 ARMY nominations (9) beginning RAFAEL A. CABRERA, and ending CARL J. TADAKI, which nominations were received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN201 ARMY nominations (43) beginning ROBERT A. BORCHERDING, and ending MICHAEL C. WONG, which nominations were received by the Senate and appeared in the Congressional Record of March 17, 2009.

PN241 ARMY nomination of Victor J. Torres-Fernandez, which was received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN242 ARMY nominations (86) beginning JOSEPH ANGERER, and ending MATTHEW J. YANDURA, which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN243 ARMY nominations (3) beginning TED R. BATES, and ending PETER M. MENICUCCI, which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN244 ARMY nominations (3) beginning JOHN M. DIAZ, and ending LAVORE L. RICHMOND JR., which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN245 ARMY nominations (2) beginning LUISA SANTIAGO, and ending YEVGENY S. VINDMAN, which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN246 ARMY nominations (124) beginning RANDALL W. COWELL, and ending DANIEL M. ZERBY, which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN247 ARMY nominations (16) beginning ALBERT J. ADKINSON, and ending WILLIAM E. WYNNS JR., which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

IN THE MARINE CORPS

PN112 MARINE CORPS nominations (5) beginning DAVID G. ANTONIK, and ending STEVEN D. PETERSON, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN113 MARINE CORPS nominations (132) beginning KELLY P. ALEXANDER, and ending ANTHONE R. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN137 MARINE CORPS nominations (773) beginning DEREK M. ABBEY, and ending ROBERT B. ZWAYER, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2009.

PN138 MARINE CORPS nominations (464) beginning HARALD AAGAARD, and ending MARK W. ZIPSIE, which nominations were received by the Senate and appeared in the Cressional Record of February 25, 2009.

IN THE NAVY

PN55 NAVY nomination of Scott D. Shiver, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN107 NAVY nominations (2) beginning STEVEN A. KHALIL, and ending DAVID B. ROSENBERG, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN108 NAVY nomination of Miguel Gonzalez, which was received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN109 NAVY nomination of David M. Dromsky, which was received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN110 NAVY nomination of Jed R. Espiritu, which was received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN111 NAVY nominations (27) beginning CHARLES C. ADKISON, and ending TRICIA L. TEAS, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2009.

PN164 NAVY nominations (2) beginning GREGORY G. GALYO, and ending OLIVER C. MINIMO, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2009.

PN248 NAVY nominations (12) beginning CHRISTOPHER G. CUNNINGHAM, and ending CHRISTOPHER A. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

PN249 NAVY nominations (3) beginning JANET L. JACKSON, and ending TODD M. SULLIVAN, which nominations were received by the Senate and appeared in the Congressional Record of March 25, 2009.

DEPARTMENT OF AGRICULTURE

James W. Miller, of Virginia, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services, vice Mark Everett Keenum, resigned.

Kathleen A. Merrigan, of Massachusetts, to be Deputy Secretary of Agriculture, vice Charles F. Conner, resigned.

Joe Leonard, Jr., of the District of Columbia, to be an Assistant Secretary of Agriculture, vice Margo M. McKay, resigned.

NOMINATION OF KAREN GORDON MILLS

Ms. LANDRIEU. Mr. President, today the Senate Committee on Small Business and Entrepreneurship unanimously reported the President's nomination of Karen Gordon Mills to serve as Administrator for the Small Business Administration. I would like to thank my ranking member, Senator SNOWE, who recommended Ms. Mills for this post and her staff for their work on this nomination.

I am pleased that President Obama nominated Karen Mills. I believe she has the right mix of experience and education and a willingness to serve that will benefit her in this challenging position. As our new SBA Administrator, Ms. Mills will be an extraordinary role model for entrepreneurs across America—particularly for women entrepreneurs.

Ms. Mills graduated magna cum laude from Harvard with a degree in economics. She then stayed at Harvard to earn her MBA. She started out working as a product manager for General Mills and then segued into what was to become her true passion—growing new businesses. Ms. Mills is a founding partner and was managing director of Solera Capital, a NY-based venture capital firm run largely by women. She currently serves as President at MMP Group, Inc., a private equity investment and advising firm.

Ms. Mills has balanced her role in private, for-profit enterprises with active involvement in her community. This has been demonstrated in the work she has done in Maine, serving on the boards of many nonprofits that work to promote economic development. It also shows in the work that she has done for organizations like the Council on Foreign Relations.

From my meetings with Ms. Mills, it is clear that we share many of the same priorities—for example, assisting women and minority entrepreneurs and making sure small businesses can access credit in these trying economic times.

The SBA is an agency at a crossroads. Under the previous administration, the agency's funding was slashed by 28 percent—the biggest cut of any Federal agency. In my view, the agency was relegated to the back benches during important policy debates on health care, trade and technology innovation, to name a few.

We need strong, capable leadership to return this agency to its rightful place as a Federal advocate for small business interests. In Ms. Mills, I am confident that we have it.

NOMINATION OF JANE HOLL LUTE TO BE DEPUTY SECRETARY OF HOMELAND SECURITY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 57, the nomination of Jane Holl Lute.

The assistant legislative clerk read the nomination of Jane Holl Lute, of New York, to be Deputy Secretary of Homeland Security.

Mr. LIEBERMAN. Mr. President, I rise to express my unqualified endorsement of Jane Holl Lute to be Deputy Secretary for the Department of Homeland Security.

Mrs. Lute has impressive educational credentials—including a Ph.D. from Stanford, a J.D. from Georgetown, and 3 years as a professor at West Point—an outstanding professional history, and broad national security and management experience, all of which is more than ample preparation for the position to which she has been nominated.

She had a distinguished career in the military, served as the European specialist at the National Security Council during the first Bush and Clinton administrations, and for the past several years has worked in various positions with United Nations Peacekeeping Operations.

Mrs. Lute joined the Army right out of college and spent the next 16 years serving in a variety of capacities, including as an action officer in Operation Desert Storm, U.S. Army Central Command, Riyadh; as company commander, U.S. Signal Command, a brigade signal officer; and as director for european affairs on the National Security Council for President George H.W. Bush and President Bill Clinton. Her military experience with signals intelligence and on the National Security Council has helped prepare her for the intelligence and counterterrorism missions of DHS.

Since 2003, she has served in a variety of senior leadership positions with the U.N., including as the Assistant Secretary-General of Peacekeeping Operations, and most recently as the Assistant Secretary General for Peacekeeping Support in the Executive Office of the Secretary-General of the U.N.

As Assistant Secretary-General, Mrs. Lute has managed a very large and complex Peacekeeping workforce, with responsibility for hundreds of thousands of military and civilian personnel in over 30 countries, including hotspots such as Kosovo, the Congo, and Darfur, to name just a few. This was no small accomplishment. Her leadership helped to ensure the security and welfare of people around the globe living in unaccommodating and hostile circumstances.

She also managed multibillion-dollar budgets and welcomed oversight and constructive criticism of her department, in an organization that many have described as ''openly hostile'' to such transparency.

At the U.N., she managed support operations for the second largest deployed military force in the world, and oversaw a multibillion budget, which grew from $2 billion to nearly $8 billion annually. She undertook a variety of initiatives to improve the management and financial accountability of the Department of Peacekeeping Operations, which included instituting a requirements review panel for acquisitions and a mission startup monitoring process.

When she noticed that the U.N. was short on the procurement personnel with the language skills and expertise needed for the complex transactions they would work on, she helped institute a program to identify, recruit, and train additional staff.

She also instituted advanced training programs for senior administrative and management personnel, in response to deficiencies she observed.

I am particularly impressed by Mrs. Lute's leadership and management experience in a career dedicated to public service. In her testimony before the Homeland Security and Governmental Affairs Committee last week, it was apparent that her experiences have helped her develop into the leader she is today: One who recognizes that, in her own words, ''people are the most important resource any . . . organization has.''

It is a testimony to Mrs. Lute and her work that the committee has received numerous letters supporting her nomination. Letters have come from the International Association of Emergency Managers, the National Emergency Managers Association, the International Association of Fire Chiefs, the Major Cities Chiefs, the National Sheriffs' Association, Lee Baca, the Sheriff of L.A. County, Lee Hamilton, former congressman and current President and Director, Woodrow Wilson International Center for Scholars, HRH Prince Zeid Ra'ad Al-Hussein, Jordan's Ambassador to the U.S., and many others.

Managing the Department of Homeland Security is no small task, demanding a smart and steady hand. The Deputy Secretary post carries with it diverse responsibilities that range from overseeing preparations to respond to a nuclear terrorist attack to ensuring that DHS employees have adequate office space.

DHS has at times struggled to gain solid footing over the course of its six-year lifespan. Each year it becomes stronger, I am happy to note. And I don't think there is any question that the country is safer as a result of the Department's efforts.

But the Department has a difficult and varied mission and its work is central to the security of all Americans. So we must continue to press forward to improve upon its capabilities.

To that end, I am working to draft the Senate's first authorization bill for the Department as a means of laying out what I believe should be its priorities and to make the Department more efficient and effective in its missions. Needless to say, we will be seeking input from the administration.

One of the biggest problems the Department faces is its management of acquisitions. Some of the Department's largest and most troubled acquisition programs—Deepwater, SBINet, radiation detection portal monitors—need stronger oversight and more decisive leadership than they have gotten in the past.

Furthermore, the Department's heavy reliance on contractors to perform basic services raises serious questions about whether DHS is building sufficient internal capacity and institutional knowledge. Right now, DHS still has insufficient capacity to develop requirements and evaluate the technical feasibility of contractors' proposals.

In recent years the United States has seen serious threats to our cyber networks and we have not yet developed the tools to detect and defend against these threats. Due to the vulnerabilities that still exist, we have experienced massive identity theft, monetary loss, and leaks of sensitive information. Moreover, if these vulnerabilities are ever fully exploited, there is the potential to do significant damage to our Nation's critical infrastructure. The Department of Homeland Security has the important responsibility of leading Federal efforts to protect domestic cyber networks, both public and private. The Department has made some progress in developing its capabilities in this area, but much more work remains to be done. I look forward to working with Mrs. Lute to bolster the nation's cyber security.

Clearly, our southern border security has also become a central focus for the Department and the Obama administration. Senator COLLINS and I successfully amended the budget resolution this week to add $550 million for the Departments of Homeland Security and Justice to help stem the flow of drugs and people moving north into the U.S. and guns and money moving south into Mexico. I look forward to a close collaboration with the Department in this area.

The Department faces many other challenges that must be met and conquered if it is to succeed in its ultimate mission of protecting the nation from terrorism and natural disasters. This committee has always worked cooperatively with the Department and will continue to do so to ensure its success.

If confirmed, Mrs. Lute will play a large part in setting the Department on course to overcome these challenges. I want to thank her for her many years of service and say that I believe she is exceptionally qualified to take on DHS' challenges. I urge my fellow Senators to support her confirmation.

Mr. COBURN. Mr. President, Jane Holl Lute has been nominated to become the Deputy Secretary for Management at the Department of Homeland Security, (DHS). If confirmed, she would be responsible for the following at DHS: budget, appropriations, expenditure of funds, accounting and finance; procurement; human resources and personnel; information technology systems; facilities, property, equipment, and other material resources; and performance measurements tracking.

After reviewing the parts of her U.N. record that had to be leaked for any of us to know about it, it is clear that Ms. Lute is either not qualified or not experienced to manage the DHS. When pressed to explain the mismanagement, fraud, and corruption that took place under her watch at U.N. Peacekeeping Operations, Ms. Lute consistently diverted blame to other U.N. officials or departments—making it appear she really didn't manage much of the U.N. If accurate, she is not experienced. When pressed to explain how she is experienced enough to manage DHS, Ms. Lute then claims she was at the center of Peacekeeping Operations, managed the internal operations—making it appear that she was responsible for everything. If accurate, this means she is also responsible for the mismanagement and waste. Ms. Lute cannot have it both ways.

An overall assessment of Peacekeeping Operations is that they are saturated in fraud and abuse.

In 2007 and 2008, the U.N. Procurement Task Force, a branch of the U.N. Office of Internal Oversight Services, OIOS, issued several reports that had to be leaked in order for anyone outside the U.N. to know about them.

The reports were based on investigations related to U.N. peacekeeping management and procurement that uncovered a significant amount of corruption, fraud, waste, overpayments, abuse, negligence and mismanagement in a number of high value contracts. This reflects a lack of an internal control system within U.N. Peacekeeping procurement under Ms. Lute's management.[1]

The findings of the U.N. audit reports are alarming.

For example, the reports found 43 percent of mostly U.N. peacekeeping procurement tainted by fraud. Out of $1.4 billion in U.N. contracts internally investigated, $610 million was tainted by 10 ''significant fraud and corruption schemes.''[2] Since 43 percent of the procurement contracts are tainted and the U.S. taxpayer contributes up to 26 percent of all U.N. funding, it is safe to say the entire U.S. contribution in this case was tainted by corruption an waste.

''Total disregard for controls'' is how the task force described senior U.N. officials involved in peacekeeping procurement fraud.[3] In an environment of no controls, Ms. Lute's Peacekeeping Operations suffered from numerous problems that greatly increased the cost of operations or lost resources altogether.

Specific examples listed in the report include criminal acts such as bribery and kickback schemes, overpayments to vendors, lack of competitive bidding, lack of acquisition plans, lack of qualified procurement staff, splitting single contracts apart to avoid reporting requirements, transactions with no contract in place, unauthorized contracts issued, use of uneconomical contractors, unnecessary expenditures, and dysfunctional asset and property management.

The task force found that significant Peacekeeping missions lacked ''indicators of achievement and performance measures'' for the political and civilian affairs components of operations. Specifically, roles and responsibilities were not formally established, and there were no defined reporting lines and accountability.[4]

The task force reports that a major roadblock to its investigation is due to ''limited cooperation'' from U.N. staff and vendors due to the lack of a compulsory process for obtaining documents and testimony.[5]

Even after the task force exposed Peacekeeping mismanagement, peacekeeping and procurement management were not ''consistent in applying the standards to which they are supposed to hold staff accountable.''[6]

For each of its audits and investigations, the task force made recommendations to Ms. Lute and her U.N. Peacekeeping team on how to address the serious fraud and mismanagement issues. A number of critical recommendations were not accepted.[7]

Regarding Peacekeeping procurement, Ms. Lute tries to have it both ways by diverting blame but also claiming she still has procurement experience.

When asked at her nomination hearing about the procurement corruption under her watch, Ms. Lute claimed that the corruption and mismanagement was not her fault but the fault of procurement staff in the field.

Since she indicated at the hearing that she had little or no responsibility for the Peacekeeping procurement, Ms. Lute was asked in her questions for the record what other procurement experience she had that would qualify her for managing procurement at DHS. Her written response reveals that Ms. Lute was much more responsible for Peacekeeping procurement than she admitted at the hearing. She wrote in her response that she had ''responsibility for oversight of personnel responsible for directly engaging and supervising the provision of contract services.''

Another indication that Ms. Lute has a much larger role and influence on Peacekeeping procurement than she admitted at her hearing is how she pushed through a no-bid contract for her mission to Darfur in 2007. In 2007, Lute personally steered a $250 million no-bid contract for U.N. peacekeeping in Darfur to a subsidiary of Lockheed Martin.

At the time, the Officer-in-Charge of the U.N. Department of Management where much of the U.N.'s procurement took place sent Ms. Lute a memo responding to her charges that Peacekeeping procurement problems was the fault of the U.N. Department of Management.

While the Department of Management has many faults and has an equally tarnished record within the U.N., the comments in the memo are telling in that they reinforce the findings of several OIOS and Procurement Task Force reports.

According to the memo, Ms. Lute failed to plan for the Darfur peacekeeping mission which led to sole source contracting despite having 18 months to prepare. The memo also indicates Ms. Lute failed the preparedness test by not having a logistics concept in place to embark on a logistics delivery capability at short notice that will also meet U.N. procurement rules. Finally, the memo states that the delays in startup of the mission were due to Ms. Lute constantly changing mission requirements. According to the memo, these delays ''constitute a pattern, to which oversight bodies of the U.N. may be less charitable towards and may well find the pattern as troubling.''

In a 2008 OIOIS Procurement Task Force report, U.N. auditors expressed concerns that based on prior audits and investigations that Peacekeeping Operations will face a ''higher-risk exposure to mismanagement, fraud and corruption'' as a result of the no-bid contract requested by Ms. Lute.[8]

It is also important to point out that almost the entire U.N. shares concerns about what Ms. Lute did with this contract. In 2007, the U.N. General Assembly voted 142 to 1, sadly with only the United States dissenting, to express concern about the no-bid contract[9]

Even though Ms. Lute claimed at her hearing that she had little responsibility in contracting decisions or oversight, she clearly had enough influence on the process to pressure her U.N. colleagues to accept a no-bid contract. Why would she then be unable to use this same influence to press for controls, transparency, and accountability in order to protect her Peacekeeping Operations from being undermined by cost overruns, waste, and illicit behavior?

If the assessment from the U.N. official in the Management Department is correct, Ms. Lute failed the preparedness test when it came to rapid deployment of resources and personnel to respond to new crises. Preparedness is what she was responsible for at U.N. Peacekeeping, and it will be what she is responsible for at DHS.

Another indication that Ms. Lute had more responsibility for Peacekeeping procurement than what she admitted to at her hearing was that she publicly defended the Peacekeeping procurement fraud when it was made public in

the media. In 2007, the Washington Post published its report on the Peacekeeping procurement fraud after the U.N. audits were leaked. Ms. Lute chose to respond on behalf of U.N. Peacekeeping. In her op-ed, she makes excuses for the fraud, claims there is no pattern of abuse in peacekeeping procurement, and misrepresented the Washington Post article in order to discredit it. She claims the article was misleading when it said that peacekeeping ''suffered losses in the hundreds of millions.'' In reality, the article quoted directly from the U.N. audits saying correctly that U.N. auditors found multiple instances of fraud that tainted $610 million worth of contracts.[10]

If Ms. Lute was truly not responsible for the massive amount of procurement fraud, it is odd that she would then choose to represent peacekeeping procurement and rebut this article. Even if she had no responsibility for the mismanagement and fraud, it would have been much more productive if Ms. Lute chose instead to use this opportunity in her op-ed to make the case for reforming Peacekeeping operations and procurement, offer suggestions for cutting waste, and laying out a better preparedness plan and logistics concept. Unfortunately, we have no record of Ms. Lute speaking out about the problems that were undermining U.N. Peacekeeping or offering reform ideas whether at a press conference or in a report to the U.N. Security Council.

The Procurement Task Force released a report in July of 2007 regarding its investigation of ground fuel procurement in the U.N. peacekeeping mission to Haiti, MINUSTAH.[11] The conclusion of the report indicated the ground fuel procurement process was not conducted in a fair and transparent manner resulting in bid rigging and the awarding of the contract to a company initially ranked as ''non-compliant.'' U.N. staff from both Procurement and Peacekeeping Departments was responsible. This report made several findings that reflect on Ms. Lute's performance as manager of resources and field deployment.

For example, it reports that Ms. Lute failed to staff MINUSTAH with experienced fuel staff that could evaluate the technical and commercial aspects of the fuel contracting.[12]

It also illustrates that Ms. Lute failed to act on the continual supply chain inconsistencies. The report shows that Peacekeeping staff reported problems including the discrepancy between how much fuel was purchased and what was actually delivered, the contractor's use of substandard fuel tankers, and other problems. Even after the problem had been flagged, the contract was never pulled and reassigned.[13]

Making the U.N.'s risk exposure even worse, under Ms. Lute's watch, MINUSTAH received its fuel supply with an expired contract. The initial fuel contract expired, and while the long-term contract was being prepared, the poor-performing contractor continued to supply fuel to the mission without a written contract.[14]

Ms. Lute failed to step in when poor-performing contractor was given long-term contract despite repeated reports of inconsistent fuel supply and poor performance measurements.[15] Bid rigging by U.N. Peacekeeping and Procurement staff was again to blame.[16]

Since this took place towards the end of her time managing U.N. Peacekeeping, it is telling that, even after five years managing Peacekeeping Operations, Ms. Lute failed to have the proper controls in place that would prevent this from occurring or from being overlooked so many times.

Another U.N. audit report written towards the end of Ms. Lute's time managing Peacekeeping revealed another mission she deployed without proper controls in place. The Procurement Task Force released an audit in May of 2007 regarding its assessment of procurement fraud indicators in the mission to Liberia, UMIL.[17] The audit was designed to test whether UNMIL had the proper controls in place to protect against fraud and corruption.

Regarding UNMIL's requisitioning office, which is under Ms. Lute's management, the audit found that Ms. Lute failed to initiate good business practice and internal control principles by not limiting the number of persons that can raise requisitions.[18] It also found that Ms. Lute failed to staff the requisition office with qualified staff that could ensure specifications on the requisition are accurate. This could lead to inefficient procurement, wasteful purchases, and loss of funds.[19]

Ms. Lute's record responding to Peacekeeper rape and sexual exploitation of women and children is also troubling.

For years, U.N. watchdogs, human rights groups, and now U.N. auditors have been documenting hundreds of allegations and confirmed instances of sexual crimes against women and small children under U.N. peacekeeping care and protection. The perpetrators include both military and civilian Peacekeeping personnel. Allegations of misconduct have been made in every major Peacekeeping operation including the Democratic Republic of Congo, Bosnia, Burundi, Cambodia, Guinea, Haiti, Ivory Coast, Kosovo, Liberia, Sierra Leone, and the Sudan.[20]

Ms. Lute was responsible for the U.N. response to and prevention of the rape and sexual exploitation. Despite claiming a ''zero tolerance'' policy and having systems in place to help prevent this abuse, Ms. Lute's record suggests otherwise with abuse continuing to plague peacekeeping operations and no known prosecution and imprisonment of a single perpetrator.

In 2004, reports first began emerging of the rampant sexual exploitation of children at the Republic of Congo, DRC, peacekeeping mission. According to press reports, in June 2004, U.N. Peacekeeping managers were informed by the head of the DRC Mission that there were initially 50 allegations of sexual abuse, 42 involving minors, but total allegations rose to 72 in a followup report.[21] The report detailed acts such as the rape of a minor in a U.N. armored personnel carrier and a prostitution network of minors at the U.N. airport.

The media reports indicate that the investigation done by Ms. Lute and the other managers of U.N. Peacekeeping Operations was fatally flawed. There was no witness protection offered to the victims which led to witnesses being bribed or threatened to change their testimony. Investigators were reportedly ordered to only investigate claims in one town while ignoring the numerous claims made throughout the DRC.

It is also reported that a high-ranking Peacekeeping official for the U.N. Mission to the DRC was sexually exploiting minors as young as 13, and eventually 150 cases were brought against Peacekeeping soldiers and civilians ranging from abduction and rape of minors to the finding of more than 250 images of child pornography involving Congolese children on the laptop of a U.N. official.

The OIOS documented in January, 2005 at least 7 cases of underage sexual abuse committed by U.N. peacekeepers, and all but one of them were fully substantiated.

There were also press reports of abuses in the Sudan during this same time period. According to The Daily Telegraph, in 2005, U.N. officials knew of the sexual abuse of children as young as 12 that began in 2005 soon after the U.N. Peacekeeping mission in Southern Sudan, UNMIS, went to work to rebuild the region.[22] A leaked internal report compiled by the U.N. children's agency, UNICEF, in July 2005 referred to the sexual exploitation perpetrated by U.N. peacekeepers, military policy, and civilian staff. According to the paper, this report was substantiated by a preliminary report from a leading U.N. affiliated NGO that was unwilling to be named for political reasons.

Allegedly hundreds of children have been abused, and the Telegraph has independently documented at least 20 victims claiming U.N. peacekeepers and civilian staff regularly picked up young children in U.N. vehicles and raped them.

As Under Secretary General for Field Support, Ms. Lute was responsible for responding to this issue and implementing policies to prevent this abuse and bring the perpetrators to justice. Sadly, even after implementing weak reforms—such as what amounts to sexual harassment training for peacekeepers—the abuse continued and there are no known prosecutions or imprisonments for the perpetrators.

In 2006, U.N. investigators at the OIOS substantiated reports that U.N. peacekeepers in Liberia had sexually

abused an under-age girl and U.N. peacekeepers in the Sudan had sexually abused four women.[23] In 2008, the NGO Save the Children reported that peacekeepers were sexually abusing very young children in war zones and disaster areas in the Ivory Coast, southern Sudan, and Haiti— and going largely unpunished.[24] Save the Children reports, ''Children as young as six are trading sex with aid workers and peacekeepers in exchange for food, money, soap and, in very few cases, luxury items such as mobile phones.''

According to Marianne Mollman of Human Rights Watch, the current status of the U.N. response to peacekeeping abuses continues to be poor.[25] Mollman describes investigations of the abuse carried out by Ms. Lute as follows: lack of speed of investigations, lack of transparency and follow through of investigations, and lack of breadth of investigations.

There are other instances of illicit behavior going largely unpunished during Ms. Lute's tenure at Peacekeeping. In 2008, Human Rights Watch issued a letter regarding several cases where Peacekeepers were involved in other illicit activities such as gold-smuggling and weapons trading. In these cases, like the sexual abuse case, Human Rights Watch reports that ''the slow process in carrying out this investigation and the continued lack of action raises important questions on how the U.N. investigates itself.''[26]

When I questioned Ms. Lute about the number of victims she provided assistance to, the budget of her victims' assistance program, the number of perpetrators she successfully had prosecuted, and other basic information, she responded saying she knows of no reports that track this information. This is a disturbing answer from someone claiming to effectively deploy victims' assistance into the field while reports on the ground claim there are many victims that have been waiting for over 4 years but still have not received assistance from Ms. Lute. This certainly does not sound like a policy of ''zero tolerance.''

In her response, Ms. Lute also points out that she coordinated meetings and discussions and conferences at the U.N. regarding Peacekeeping abuse and victims' assistance. But she cannot produce any evidence or information illustrating she carried out the victims' assistance programs or whether any such programs were effective.

In my questions for the Record, in order to ascertain whether or not Ms. Lute has the qualifications to manage DHS, I asked Ms. Lute whether she had experience managing DHS issues and activities such as border security, immigration, port security, counterterrorism, or other DHS-specific portfolios. In her written response, Ms. Lute claims she had ''responsibilities for border security and management where stopping the flow of illegal arms and narcotics is a central part of the Mission's mandate.''

It is important to point out that we have no evidence or data that suggests Ms. Lute has been successful in this endeavor. Using the Peacekeeping Mission to Lebanon as an example, this one mission alone illustrates Ms. Lute's poor performance at stopping the flow of illegal arms as Hezbollah has, on multiple occasions, successfully armed and rearmed on the Israeli border. There are also multiple reports of illegal arms smuggling involving Peacekeepers in Africa supplying arms to local militias.[27]

Ms. Lute also pointed out that she operated a port in the Congo along a river. When I questioned her at the hearing regarding her responsibility for the abuse that took place in the Congo on her watch, she claimed that she had little ''on the ground'' management responsibilities. Her story changes when asked to provide her experience and qualifications to manage DHS.

In her response to my prehearing questions, Ms. Lute indicated that she utilized several performance indicators to determine whether or not her programs were effective. I then asked Ms. Lute whether there is any record of these performance measures or any reports that audit her operations based on these indicators. Ms. Lute responded that she ''cannot recall specifically which report or which measure'' were tracking her performance. In other words, it appears Ms. Lute has not received specific performance reports and lacks a working knowledge of how she performed according to those standards. I believe it is impossible to manage what you do not measure.

Unfortunately for Ms. Lute, the entire U.N. system, including Peacekeeping Operations, lacks even the most basic transparency or accountability. Without transparency, we cannot discover whether or not there is evidence that Ms. Lute, during her tenure at U.N. Peacekeeping, was able to turn her operations around, institute controls, make policy reforms, and whether these efforts were successful.

Every U.N. report that we were able to receive after they were first leaked indicates that operations under Ms. Lute's management were undermined by fraud, waste, corruption, and mismanagement. We have no positive record of Ms. Lute's performance measurements. Several former U.N. officials have written letters of endorsement for Ms. Lute, but the endorsements were based on Ms. Lute's verbal commitment to address the waste and fraud, and none of these officials actually investigated what Ms. Lute did in response or whether her response was effective.

I believe that Ms. Lute is unqualified and inexperienced to manage the Department of Homeland Security. Given her record that we are able to document, I cannot in good conscience support her nomination.

ENDNOTES

[1] Report of the Office of Internal Oversight Services Part two: peacekeeping operations,'' U.N. Office of Internal Oversight Services, February 23, 2007 and ''Report of the Office of Internal Oversight Services on the activities of the Procurement Task Force for the 18–month period ended 30 June 2007,'' U.N. Office of Internal Oversight Services, October 5, 2007—*http://tinyurl.com/9ext17;* ''Report on the activities of the Office of Internal Oversight Services for the period from 1 January to 31 December 2007,'' U.N. Office of Internal Oversight Services, February 25, 2008.

[2] OIOS, October 5, 2007, pg 16.

[3] OIOS, February 23, 2007, pg 2.

[4] OIOS, February 25, 2008., pg 11.

[5] OIOS, October 5, 2007, pg 2.

[6] OIOS, February 23, 2007, pg. 8.

[7] OIOS, February 23, 2007, pg. 17.

[8] Pg 9–10, ''Report on the activities of the Office of Internal Oversight Services for the period from 1 January to 31 December 2007,'' U.N. Office of Internal Oversight Services, February 25, 2008.

[9] Lee, Matthew Russel, ''UN's Jane Holl Lute Admits No-Bid Lockheed Martin Deal Caused 'Confusion,' Says No Conflict of Interest In Iraq and Afghan Overlap with Husband's Role,'' Intercity Press, February 11, 2008—*http://tinyurl.com/cvycq6*

[10] Lynch, Colum, ''U.N. Finds Fraud, Mismanagement in Peacekeeping,'' Washington Post, December 18, 2007; Lute, Jane Holl, ''Overstating Corruption at the U.N.,'' Washington Post, December 26, 2007.

[11] ''Report on the Ground Fuel Procurements at MINUSTAH,'' Report no. PTF–R010/07, OIOS, July 16, 2007.

[12] OIOS, July 16, 2007, pg. 10.

[13] OIOS, July 16, 2007, pg. 22.

[14] OIOS, July 16, 2007, pg. 24.

[15] OIOS, July 16, 2007, pg. 33.

[16] OIOS, July 16, 2007, pg. 44.

[17] ''Audit Report: Procurement fraud indicators in UNMIL,'' Assignment no. AP2006/626/02, OIOS, May 21, 2007.

[18] OIOS, May 21, 2007, pg. 2.

[19] OIOS, May 21, 2007, pg. 3.

[20] Schaeffer, Brett, ''United Nations Peacekeeping: The U.S. Must Press for Reform,'' Heritage Foundation, September 18, 2008—*http://tinyurl.com/brazs6*

[21] Holt, Kate and Sarah Hughes, ''UN: When peacemakers become predators,'' The Independent, January 11, 2005

[22] Holt, Kate and Sarah Hughes, ''U.N. Staff Accused of Raping Children in Sudan,'' The Daily Telegraph, January 4, 2007—*http://tinyurl.com/ympgtn*

[23] ''Report of the Office of Internal Oversight Services Part two: peacekeeping operations,'' Office of Internal Oversight, February 23, 2007.

[24] Corinna Csáky, ''No One to Turn To: The Under-Reporting of Child Sexual Exploitation and Abuse by Aid Workers and Peacekeepers,'' Save the Children, 2008—*http://tinyurl.com/cun6zb*

[25] Phone interview with and email from Marianne Mollman, Human Rights Watch, February 2, 2008.

[26] Roth, Kenneth and Steve Crawshaw, ''UN: Hold Peacekeepers Accountable for Congo Smuggling: Letter to Chief of UN Peacekeeping Urges Follow-Through,'' Human Rights Watch, July 22, 2007—*http://tinyurl.com/dj36xb*

[27] Roth, Kenneth and Steve Crawshaw, ''UN: Hold Peacekeepers Accountable for Congo Smuggling: Letter to Chief of UN Peacekeeping Urges Follow-Through,'' Human Rights Watch, July 22, 2007—*http://tinyurl.com/dj36xb;* ''Peacekeepers sell arms to Somalis,'' BBC News, May 23, 2008—*http://news.bbc.co.uk/2/hi/africa/7417435.stm.*

The PRESIDING OFFICER. The question is, Shall the Senate advise and consent to the nomination of Jane

Holl Lute to be Deputy Secretary of Homeland Security?

The nomination was confirmed.

Mr. REID. Mr. President, I ask unanimous consent that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, the Senate was poised today to confirm three more superbly qualified nominees to fill top leadership positions at the Department of Justice before adjourning for the 2-week April recess. Instead, the Republican minority has returned to the tactics of anonymous and unaccountable holds they employed when they were in the majority to block scores of President Clinton's nominees.

Attorney General Holder needs his leadership team in place to rebuild and restore the Department. Tony West, President Obama's nominee to lead the Civil Division, Lanny Breuer, nominated to head the Criminal Division, and Christine Varney, nominated to head the Antitrust Division, have all chosen to leave lucrative private practices to return to Government service.

None of these are controversial nominees. They all received numerous letters of strong support, and endorsements from both Republican and Democratic former public officials. They were all reported out of the Judiciary Committee last week by unanimous consent. We should be confirming them today, not holding them hostage to the tired partisan playbook of Senate Republicans.

Tony West knows the Department of Justice well. He served in the Department as a Special Assistant to Deputy Attorneys General Philip Heymann and Jamie Gorelick. He then worked as a Federal prosecutor in the U.S. Attorney's Office for the Northern District of California. His commitment to public service continued when he became a Special Assistant Attorney General in the California Department of Justice. He has also worked in private practice. Mr. West is a graduate of Harvard University and Stanford University Law School, where he served as president of the Stanford Law Review.

His nomination has earned support from both sides of the aisle. The former chairman of the California Republican Party, George Sundheim, sent a letter to the committee stating that Mr. West is admired by ''both sides of the aisle'' for his ''integrity, honesty and decency,'' and that there is no one ''more qualified to assume a position of leadership in the Department of Justice.'' The Federal prosecutors who worked across the table from Mr. West during the high-profile prosecution of John Walker Lindh witnessed Mr. West's ''extraordinary professionalism,'' and ''smart advocacy . . . executed with the highest degree of integrity.'' We should be confirming this outstanding leader for the Civil Division today.

President Obama has said that Lanny Breuer has the ''depth of experience and integrity'' to fulfill the highest standards of the American people and the Department of Justice. I agree. Mr. Breuer began his legal career as an assistant district attorney in the Manhattan District Attorney's Office. He told us during his hearing that his commitment to ensuring justice for all Americans stemmed from his days working on the front lines of the fight against crime as a Manhattan prosecutor. His call to public service continued while serving in the White House Counsel's Office as a special counsel to President Clinton. Mr. Breuer has also worked in private practice for the prestigious Washington, DC, law firm of Covington & Burling. He is a graduate of Columbia Law School and Columbia University.

Michael Chertoff, who led the Criminal Division at the Department of Justice during the Bush administration, endorsed Mr. Breuer's nomination, saying he has ''exceptionally broad legal experience as a former prosecutor and defense attorney'' and has ''outstanding judgment, a keen sense of fairness, high integrity and an even temperament.'' Brad Berenson, a veteran of the Bush administration's White House counsel's office, writes that Mr. Breuer is ''everything one could hope for in a leader of the Criminal Division.''

Mr. Breuer's former colleagues from the Manhattan District Attorney's Office have said that as a criminal prosecutor, he ''distinguished himself as a tenacious but scrupulously fair trial lawyer, driven by the unwavering goal of achieving justice.'' Former Deputy Attorney General Larry D. Thompson and former Congressman and DEA Administrator Asa Hutchinson have also written to the committee in support of Mr. Breuer's nomination. I agree with all their comments and wish the Republican minority was not stalling confirmation of Mr. Breuer's nomination.

Christine Varney was confirmed to be a U.S. Federal Trade Commissioner in 1994, after being nominated by President Clinton. As a Federal Trade Commissioner, Ms. Varney gained valuable experience in antitrust enforcement and in reducing anticompetitive measures that harm American consumers. Her Government service work includes a high level position in President Clinton's White House, where she served as an assistant to the President and secretary to the Cabinet. She has worked in private practice for the prestigious Washington, DC, law firm of Hogan & Hartson. She also graduated from my alma mater, the Georgetown University Law Center.

Her nomination is supported by individuals who served in the Antitrust Division during both Democratic and Republican administrations. John Shenefield and James Rill, both former heads of the Antitrust Division, say that she is ''extraordinarily well qualified to lead the Antitrust Division.'' Twenty former chairs of the American Bar Association Section of Antitrust Law have described Ms. Varney as a ''highly accomplished, capable nominee who will serve consumers and this country with distinction'' and who will have ''immediate credibility'' in her new position.

I agree. At a time when our economy is suffering, there is a temptation to act anticompetitively. We need to make sure that we have a strong and effective advocate for competition and the interests of consumers in place. Now is not the time for delay.

Republican Senators delayed for weeks the confirmation of Harvard Law School Dean Elena Kagan to be the Solicitor General of the United States, before demanding an extended debate on her nomination. They have yet to consent to a time agreement on the nomination of Dawn Johnsen to lead the critical Office of Legal Counsel. And they are now holding up three nominations today, including the nomination of Christine Varney to head the Antitrust Division. I am concerned that Republican delay tactics are creating a double standard for these highly qualified women. Republicans did not apply the same standards or make the same demands for extensive followup information and meetings when supporting President Bush's nominations to the same posts.

Indeed, The New York Times and Roll Call yesterday each featured reports suggesting that Senate Republicans intend to, and are planning to, filibuster the nomination of Dawn Johnsen to serve as the Assistant Attorney General for the Office of Legal Counsel at the Justice Department. I cannot remember a time when Democratic Senators filibustered a Justice Department nomination. Speech after speech by Republican Senators just a few short years ago about how it would be unconstitutional to filibuster Presidential nominees appear now to be just speeches that served a partisan political purpose at the time.

During last week's formal installation of the Attorney General, President Obama reminded Americans and the world that what makes our country unique is that ''we are bound together not by a shared bloodline or allegiance to any one leader or faith or creed, but by an adherence to a set of ideals.'' The men and women at the Department of Justice have a special duty to uphold the rule of law because ''laws are only as effective, only as compassionate, [and] only as fair as those who enforce them.''

All of the nominees we should be considering and confirming today fit the mold described by President Obama and the best traditions of the Department of Justice. I urge Republican Senators to reconsider their partisan obstructionist approach and return from recess ready to end the delays and confirm these nominees.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDER OF PROCEDURE—EXECUTIVE CALENDAR

Mr. REID. Mr. President, as if in executive session, I ask unanimous consent that on Monday, April 20, at 5:30 p.m., the Senate proceed to executive session to consider the following nominations, and that once reported, the Senate proceed to vote as follows:

Calendar No. 34, the nomination of Tony West; Calendar No. 35, the nomination of Lanny Breuer; Calendar No. 36, the nomination of Christine Anne Varney.

I further ask that prior to each vote, there be 2 minutes of debate equally divided and controlled in the usual form; and after the first vote in this sequence, the succeeding votes be limited to 10 minutes each; that upon confirmation of the nominations, the motions to reconsider be laid upon the table, en bloc; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD, as if read, the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF CHRISTOPHER R. HILL TO BE AMBASSADOR TO IRAQ

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 43, the nomination of Christopher R. Hill, to be Ambassador to Iraq.

The assistant legislative clerk read the nomination of Christopher R. Hill, of Rhode Island, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Christopher R. Hill, of Rhode Island, to be Ambassador to the Republic of Iraq.

Harry Reid, John F. Kerry, Richard Durbin, Charles E. Schumer, Jon Tester, Tom Udall, Dianne Feinstein, Edward E. Kaufman, Mark Begich, Frank R. Lautenberg, Bill Nelson, Sheldon Whitehouse, Jack Reed, Bernard Sanders, Christopher J. Dodd, Patty Murray, Benjamin L. Cardin.

Mr. REID. Mr. President, I ask unanimous consent that upon disposition of the nominations specified in a previous order for Monday, April 20, there be 20 minutes of debate, equally divided and controlled between the leaders or their designees prior to the cloture vote on the Hill nomination, and that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I now ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID, Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

CORPORAL MICHAEL OUELLETTE

Mrs. SHAHEEN. Mr. President, I wish to express my sympathy over the loss of Marine Cpl Michael W. Ouellette, a 29-year-old native of Manchester, NH. Corporal Ouellette died on March 22, 2009, as a result of injuries sustained from an improvised explosive device while on foot patrol in the Helmand Province of Afghanistan. Another marine was killed in the attack and two others were injured.

Corporal Ouellette graduated from Memorial High School in Manchester in 1999. He joined the Marines in June 2005 and was trained as an infantryman. He served two terms in Iraq, deploying there in March 2006 and again in July 2007. He began his third tour overseas when he deployed to Afghanistan in November 2008. Ouellette was assigned to the 3rd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force out of Camp Lejeune, NC.

Corporal Ouellette served with honor and distinction throughout his highly decorated military career. He received a number of awards for his duty, including the Afghanistan Campaign Medal, the Combat Action Ribbon, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Sea Service Deployment Ribbon, the Iraq Campaign Medal, and the National Defense Service Medal.

New Hampshire is proud of Corporal Oullette's service to and sacrifice for our country. He, and the thousands of brave men and women of the U.S. Armed Forces serving today, deserve America's highest honor and recognition.

Corporal Ouellette is survived by his parents, Donna and Leonard Ouellette, as well as a brother, Alan, and a sister, Stephanie. He will be missed dearly by all those who knew him.

I ask my colleagues to join me and all Americans in honoring U.S. Marine Cpl Michael Ouellette.

Mr. GREGG. Mr. President, I rise today with a heavy heart and a deep sense of gratitude to pay tribute to Cpl Michael Ouellette of Manchester, NH, for his service and the sacrifice he paid for his country.

Michael exhibited willingness and enthusiasm to serve and defend his country after visiting hurricane-ravaged New Orleans in 2005. He subsequently joined the U.S. Marine Corps and served two tours of duty in Iraq before deploying to Afghanistan. Tragically, on March 22, 2009, Michael paid the ultimate sacrifice. In support of his brothers in arms and the country he loved, Michael was killed by an improvised explosive device in Helmand Province, Afghanistan. Corporal Ouellette will live on as a decorated hero and the epitome of a patriot.

Michael graduated from Manchester Memorial High School in 1999. A beloved member of the Manchester community, Michael was the embodiment of selflessness. With the same sense of altruistic integrity that led him to help an unfamiliar and unsuspecting Memorial High classmate fix a flat tire; Michael answered the call to help his country.

In giving his life to protect our freedoms, Michael personified our greatest attributes as citizens. His hard work and dedication was paramount to his unit's success and places him among the great heroes and citizens our state has known. Michael was regularly recognized for his courageous actions in Afghanistan and Iraq, receiving the Afghanistan Campaign Medal, Combat Action Ribbon, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Sea Service Deployment Ribbon, the Iraq Campaign Medal, and the National Defense Service Medal. He will always be remembered for his courage, kindness, and unwavering devotion.

My thoughts, condolences, and prayers go out to Michael's family. I offer them my deepest sympathies and heartfelt thanks for Michael's service. We will keep his memory alive knowing that his efforts have made us safer and have preserved the liberties we enjoy every day. God Bless Michael Ouellette.

60TH ANNIVERSARY OF THE NORTH ATLANTIC TREATY ORGANIZATION

Ms. MIKULSKI. Mr. President. I wish today to recognize the 60th anniversary of the creation of the North Atlantic Treaty Organization.

Sixty years ago this April, NATO was created to ensure the freedom and security of western nations in the aftermath of the Second World War. Since

then, it has evolved into the most comprehensive international security organization the world has ever known and has become a reliable cornerstone of America's national security.

As many of my Senate colleagues know, I was an active proponent of NATO expansion in 1999 and again in 2004. For me, the debate over whether to expand NATO had deep personal resonance. For many of the countries aspiring to join NATO at that time, freedom did not come to every nation in Europe at the end of the Second World War. For those countries caught behind the Iron Curtain, the end of the Second World War marked the beginning of a long struggle for freedom and democracy. Even after the Iron Curtain fell, their freedom and security was not ensured. For many of those countries, joining NATO in the expansion rounds in 1999 and 2004 provided true security for the first time.

For me, growing up as a Polish American in east Baltimore, I learned about the burning of Warsaw. I knew about the occupation of Poland by the Nazis. I learned about the burning of Warsaw at the end of World War II, when the Germans burned it because of the Warsaw uprising, Soviet troops stood on the other side of the Vistula River and watched it burn. I learned about the Katyn massacre, where Russians murdered more than 4,000 military officers and intellectuals in the Katyn Forest at the start of the Second World War, so there would not be an intellectual force in Poland, ever, to lead it to democracy. I learned that these terrible events must never be permitted again. When the Senate voted to ratify the accession of Poland, the Czech Republic, and Hungary into NATO, I knew that Poland could finally emerge from the shadow of the Cold War to join the family of Western nations.

In the 60 years since it was created, NATO has been an unprecedented success in deterring conflict and promoting peace and stability. To remain relevant and successful in the future, NATO must keep its doors open to those European democracies ready to bear the responsibilities, as well as the burdens, of membership. We must all remember that for many nations that have been occupied and oppressed over the last 100 years, NATO represents an institution that will guard against a repeat of the despicable and inhumane practices of the old century.

LETTER TO PRESIDENT OBAMA FROM CUBAN PATRIOTS

Mr. MARTINEZ. Mr. President, I wish to share with my colleagues a recent letter from 17 courageous activists within Cuba who are calling for democracy for their country. These individuals represent peaceful local movements across the nation. They represent Cuba's future more than the aged military elite now ruling that country alongside Raul Castro. They are asking for the support of the United States, including a policy that does not ''sacrifice the moral leadership of the United States in the face of commercial temptations.''

Though Cubans have suffered oppression under the Castro regime for more than 50 years, this is an especially appropriate time to raise awareness of the ongoing plight of the Cuban people. In recent weeks, the Cuban regime has tightened its grip on the reins of power and installed hard-line military officers in top government posts. Ironically, at a time with increasing harassment and imprisonments taking place in Cuba, there are efforts within this Congress to adjust U.S. policy in a way that would essentially reward the Cuban regime.

Before any Member of this body or the President considers loosening the sanctions we have on Cuba, I commend the following letter to their reading:

The material follows:

[Informal Translation]

DEAR PRESIDENT OBAMA, Your election is a formidable symbol of what civic determination can do to institute transcendental social and political change. By assuming and conducting your important Presidential duties, you honor the millions of Americans who have fought for liberty, social justice, civil rights and human dignity.

In Cuba, there is a movement representing a broad racial and religious spectrum, formed by women, men, workers, and young people that—despite being the object of terrible repression by the regime in power—is conducting a peaceful civic struggle for democracy and human rights.

Our movement includes the desire for CHANGE by thousands of Cubans who have defied the repression, the intimidation and have overcome the fear to sign their names in petitions for constitutional reforms and academic freedom. Thousands more have refused to join in the attacks or ''actos de repudio'' ordered by the political police against those who aspire for peaceful political change. We are sustained by the inspiration of the more than 1.4 million Cubans that boycotted the elections of a single party and candidate organized by the regime in January and February 2008. Every day, in subtle and not so subtle ways, in visible and invisible ways, the Cuban people increasingly deny their support to the regime in power through acts of civil disobedience.

A great majority of Cubans, including many within the government, yearn for deep democratic changes in Cuba.

The great example of the civil rights movement in the United States is a ray of hope that the full dignity of every Cuban will be restored. We want to determine our future through democratic means.

It is our understanding that your administration will redirect the policy of the United States on Cuba and the regime. We ask that you do not put commercial considerations ahead of political freedom for our people. The regime's repression has increased considerably during the last year, and the militarization at high levels of government is a clear signal of the government's lack of will to initiate real changes. Today, hundreds of political prisoners languish in terrible conditions in Castro's jails. Their only crime has been to fight for the same freedoms that Americans such as Abraham Lincoln and Dr. Martin Luther King, Jr. gave their lives for. Have no doubt Mr. President Obama that their fight is our fight now.

We ask that you consider an international, multilateral strategy that would compel the regime to open itself to its own people by freeing the political prisoners, restoring the civil rights of the Cuban people and organizing free elections with international supervision. Such a policy would reinforce and strengthen the work of many groups of Cubans dedicated to the peaceful political change.

This movement for change seeks to peacefully and deeply transform the political scene of Cuba.

We invite you to not sacrifice the moral leadership of the United States in the face of commercial temptations. Your presidency is a tribute to everything that can be conquered when a cause is just and correct. We dedicate our lives to the movement for the freedom of Cuba and expect—one day—to have a democratically-elected Cuban president who would welcome you to Havana.

Do not forget us. We need your support. We, too, ''have a dream'' of freedom.

Attentively,

1. Jorge Luis García Pérez ''Antúnez'', Presidio Político Pedro Luis Boitel
2. Néstor Rodríguez Lobaina, Movimiento Cubano de Jóvenes por la Democracia, La Habana
3. Rolando Rodríguez Lobaina, Alianza Democrática Oriental, Guantánamo
4. Idania Yánez Contreras, Coalición Central Opositora, Villa Clara
5. Juan Carlos González Leiva, Consejo de Relatores de Derechos Humanos, La Habana
6. Iris Pérez Aguilera, Movimiento Feminista de Derecho Civiles Rosa Parks, Villa Clara
7. Alejandro Tur Valladares, Jagua Press, Cienfuegos
8. Ana Margarita Perdigón Brito, Presidio Político Pedro Luis Boitel, Sancti Spiritus
9. Joaquín Cabezas de León, Movimiento Cubano Reflexión, Villa Clara
10. Ricardo Pupo Sierra, Plantados hasta la Libertad y la Democracia, Cienfuegos
11. Enyor Díaz Allen, Movimiento Cubano de Jóvenes por la Democracia, Guantánamo
12. Cristián Toranzo, Movimiento Cubano de Jóvenes por la Democracia, Holguín
13. Marta Díaz Rondón, Movimiento Feminista de Derecho Civiles Rosa Parks, Holguín
14. Margarito Broche Espinosa, Consejo de Relatores de Derechos Humanos de Cuba, Villa Clara
15. María de la Caridad Noa González, Comisión de Derechos Humanos y Reconciliación Familiar, Villa Clara
16. Virgilio Mantilla Arango, Fundación Cubana de Derechos Humanos, Camagüey
17. Yorledis Duvalón Gibert, Movimiento Cubano de Jóvenes por la Democracia, Santiago de Cuba

COMMISSION OF INQUIRY

Mr. LEAHY. Mr. President, since I last came to the floor to discuss a proposal for a Commission of Inquiry, Americans have learned disturbing new facts that underscore the need for such a nonpartisan review. In the last 8 years, expansive views of Presidential authority and misguided policies have dominated the question of how best to preserve and protect national security. As Senators, we each take an oath to ''support and defend the Constitution of the United States.'' In the months and years following 9/11, driven by an inflated view of executive power, the Bush-Cheney administration compromised many of the very laws and

protections that are the heart of our democracy. Their policies, which condoned torture, extraordinary renditions, and the warrantless wiretapping of Americans, have left a stain on America's reputation in the world.

In recent weeks, we have also seen a few more opinions previously issued by the Office of Legal Counsel after 9/11 that had been kept secret until now. I commend the new Attorney General on their release. I have asked that more be released, and it is my hope that they will be soon. These opinions sought to excuse policies that trample upon the Constitution and our duly enacted legal protections. These opinions arise from an arrogant rationale that the President can do anything he wants to do, that the President is above the law. The last President to make that claim was Richard Nixon. We saw the results of that policy in Watergate. It was through efforts like the Church Committee that we revised our laws and moved forward. In my view, it is time to do so again.

Perhaps the most persuasive new revelation that demonstrates why we cannot just turn the page without reading it is Mark Danner's account of a leaked copy of a report on the treatment of detainees at Guantanamo Bay. The report, compiled by the International Committee of the Red Cross, is nothing short of chilling. One detainee interviewed describes: ''Two black wooden boxes were brought into the room outside my cell. One was tall, slightly higher than me and narrow .The other was shorter, perhaps only [3½ feet] in height. I was taken out of my cell and one of the interrogators wrapped a towel around my neck, they then used it to swing me around and smash me repeatedly against the hard walls of the room. . . . I was then put into the tall black box for what I think was about one and a half to two hours. . . . They put a cloth or cover over the outside of the box to cut out the light and restrict my air supply. It was difficult to breathe.''

The report continues to describe how these men were kept naked, shackled to a chair for weeks in freezing cold temperatures, forced with cold water to stay awake for days on end, bombarded with loud music, starved, and beaten over and over again. In one interview, a man describes how he was waterboarded: He was ''dragged from the small box, unable to walk properly and put on what looked like a hospital bed, and strapped down very tightly with belts.'' As they poured water on him, he said ''I struggled against the straps, trying to breathe, but it was hopeless. I thought I was going to die.''

The report concludes that from those descriptions, this was torture. And there is mounting evidence to suggest it was a Bush administration policy. Media reports suggest that the CIA briefed high-level administration officials on the interrogation plan. Vice President Cheney admitted in an interview with ABC News that he supported the plan that authorized these measures, including waterboarding. In fact he continues to claim, without any basis, that the Bush administration's interrogation tactics, including torture, were appropriate and effective.

This past Sunday, a Washington Post article described how the waterboarding of Abu Zubaida failed to produce any useful intelligence. Of course, Zubaida is a detainee who many Bush administration officials had long claimed provided useful intelligence only after he was subjected to harsh interrogation techniques. According to Post interviews of former senior government officials, ''not a single significant plot was foiled as a result of Abu Zubaida's tortured confessions . . . Nearly all of the leads attained through the harsh measures quickly evaporated, while most of the useful information from Abu Zubaida . . . was obtained before waterboarding was introduced.''

Jack Goldsmith refers to the August 2002 ''Bybee memo'' as the ''golden shield,'' because it redefined torture in order to shield decisionmakers from liability for these tactics. The release of related memos is needed. Whether they end up shielding decisionmakers from prosecution, they should not shield them from accountability. Accountability does not only happen in a courtroom. We need to know what was done. Transparency and accountability can help restore our reputation around the world. Most importantly, to reestablish the trust of the American public in their government, they deserve to know and understand what happened.

Just last week, we heard about the Bush administration's attempt to silence Binyam Mohammed, a British citizen held for years as an enemy combatant at the detention facility at Guantanamo Bay. He claims that he was tortured during the course of his detention. Bush administration officials apparently demanded that he sign a secret plea bargain which would have prohibited him from ever suing the United States over his alleged torture in order to be sent back to the United Kingdom. He did not and now Britain is investigating his allegations. When asked about the involvement of a particular British intelligence agent, Mr. Mohammed said, ''I feel very strongly that we shouldn't scapegoat the little people. We certainly shouldn't blame 'Witness B,' he was only following orders.''

One of my concerns in proposing the Commission of Inquiry is that we not scapegoat or punish those of lesser rank. Such a commission's objective would be to find the truth to provide accountability for the past. People would be invited to come forward and share their knowledge and experiences, not for purposes of constructing criminal indictments, but to assemble the facts, to know what happened and to make sure mistakes are not repeated. We have had successful oversight in some areas, but on issues including harsh interrogation tactics, extraordinary rendition and executive override of the laws, the last administration successfully kept many of us in the dark about what happened and who ordered it.

One month ago, the Judiciary Committee held a hearing to explore my proposal. A bipartisan panel of respected witnesses explained why we need such a commission. Since that time, this idea has received a wide range of support from people all across this country. I am not interested in a panel comprised of partisans intent on advancing partisan conclusions. I regret that Senate Republicans have approached this matter to date as partisans. That was not my intent or focus. Indeed, it will take bipartisan support in order to move this forward.

I continue to talk about this prospect with others in Congress, and with outside groups and experts. I continue to call on Republicans to recognize that this is not about partisan politics. It is about being honest with ourselves as a country. We need to move forward together.

I recently heard from the Nobel Prize recipient Bishop Desmond Tutu about this proposal. Bishop Tutu, respected throughout the world for his efforts for peace and justice in his own country of South Africa, offered his support for what we are trying to do.

The legacy of the last administration left us facing crises in more areas than just the economy, the wars in Iraq and Afghanistan, and the worst recession since the Great Depression. There is no question that those are all pressing issues. But we cannot ignore the failures of government forever. We do so at our peril.

We are tackling tough issues in these difficult and uncertain times. The Judiciary Committee has a full legislative agenda, having reported bipartisan legislation to fight fraud, public corruption and to aid the economy through patent reform. But the fact remains that under the most remarkably broad expansion of executive authority in my lifetime, we have seen policies on detention and interrogation that undermined our values, our reputation and, many believe, our efforts to ensure national security.

The country will need to have an honest discourse about what happened and what went wrong. I continue to feel strongly that a Commission of Inquiry would provide us the best nonpartisan setting in which to undertake that study and national conversation. I think we should proceed sooner rather than later. I am continuing to reach out and to work on the proposal. But a conversation is not something I can undertake unilaterally. As strongly as I feel, it will take the cooperation and commitment of others for this proposal to serve its intended purpose so that we can join together to move past the mistakes of the recent past.

RECOGNIZING HOSTELLING INTERNATIONAL USA

Mr. UDALL of New Mexico. Mr. President, today I wish to recognize Hostelling International USA for 75 years of service to intercultural understanding and youth travel.

Since 1934, Hostelling International USA has hosted 22 million visitors in its 70 hostels across the country. These visitors came from across the country and around the world. Hostels made their trips affordable and gave them the opportunity to see more of our country. My State of New Mexico is the proud home of 10 hostels that give visitors the opportunity to see our beautiful landscape and experience our unique culture.

HI-USA works because of the many volunteers who help educate travelers, find sites for new hostels, and promote youth travel.

Please join me in celebrating 75 years of Hostelling International USA.

DENOUNCING THE IMPRISONMENT OF MIKHAIL KHODORKOVSKY

Mr. CARDIN. Mr. President, last October marked the fifth anniversary of the arrest of Mikhail Khodorkovsky, the former head of Yukos, Russia's largest oil company. The Council of Europe, Freedom House, and Amnesty International, among others, have concluded he was charged and imprisoned in a process that did not follow the rule of law and was politically influenced. This miscarriage of justice in 2003 is significant because it was one of the early signs that Russia was retreating from democratic values and the rule of law.

Last month, Russian authorities decided to go to trial with a second set of charges first introduced in 2007 when Khodorkovsky was to become eligible for parole. Despite credible reports that he was a model prisoner, parole was denied on apparently flimsy and contrived technical grounds. Yet the Russian judiciary recently saw fit to grant parole to Colonel Yuri Budanov, who was serving a sentence for raping and murdering a Chechen girl. I would also like to note that it was Stanislav Markelov, a courageous attorney who was instrumental in putting Budanov behind bars. But Budanov is now free and Markelov was gunned down, along with Anastasia Baburova a journalist for Russia's premier independent newspaper Novaya Gazeta, in broad daylight in central Moscow last January. The message this sends is loud and clear and profoundly disturbing.

Based on the observations of many independent international lawyers and organizations, there was no compelling evidence that Khodorkovsky or any of his associates were guilty of the crimes for which they were originally charged or that the legal process reflected the rule of law or international standards of justice. Even Russian officials have acknowledged that Khodorkovsky's arrest and imprisonment were politically motivated. As reported by the Economist, Igor Shuvalov, First Deputy Prime Minister of Russia, admitted that Khodorkovsky was in a Siberian prison camp ''for political reasons.'' He added that ''Once you behead someone, you give a good example (to other Russian tycoons) of how to behave.'' In other words, freedom for Russia's businessmen is determined by the Kremlin's political expediency. As reported by The Washington Post and the Boston Globe, Shuvalov has called the trial and continued imprisonment of Khodorkovsky a ''showflogging'' intended to serve as an example to others on the political consequences of challenging the Kremlin's economic ambitions.

The current charges against Khodorkovsky amount to legal hooliganism and highlight the petty meanness of the senior government officials behind this travesty of justice.The charges and verdicts have been inexplicable to Russian and Western lawyers, leading international organizations, courts, and human rights groups to condemn the trial as politically inspired. The second set of charges against Khodorkovsky should be dropped and the new trial should be abandoned.

I strongly support President Obama's call to reset the U.S.-Russian relationship and welcome the statement that emerged from his meeting in London with Russian President Medvedev. We have many common interests with Russia and must seek to improve the atmosophere and substance of our ties with Moscow. But the Helsinki process is predicated on the idea that domestic politics and inter-state relations are linked. I hope that President Medvedev, a trained jurist from whom many hope to see evidence of a reformist approach, will make that connection. The case of Mikhail Khodorsky is a good place to start.

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:

Due to the price of gas, my husband might get laid off. He shuttles the railroad employees around Idaho. At this time I do not have a job due to being laid off from St. Al's, so gas prices have and will continue to affect our family until something is done about it!

SARAH.

In short, the fuel prices are making small farming extremely difficult. I have been retired for seven years, and have a small farm to help supplement our income. I have empathy for all citizens in this fine country who are struggling. The time is far spent; our resources need to be utilized now. The environmental hacks and the tree huggers as well as the nuke protestors [have caused harm to our country]. America is hurting because of political gaming. My grandchildren desire to see my wife and me; however, we can no longer afford the fuel for long trips. I am thankful for being able to plant two gardens with intentions of helping less fortunate with food items as they struggle to make ends meet. I have discontinued use of any recreational outings to help stave off the discomfort of tight budgets. A sad commentary after working and saving for over 45 years, and this is the kind of retirement that has been foisted upon millions of us seniors.

RALPH, *Mountain Home.*

Thank you for asking: Here is the data—I spend $85 a week or $340 a month driving to work. I spend an equal amount for health care; or that amounts to two paychecks in a month leaving me and family two paychecks for food and housing. Simple math makes one question—in whose interests are our elected leaders working?

FLOYD, *Pocatello.*

When we talk about energy, most people think of two things; Gasoline and the power and gas for their homes. When I hear you politicians talk about weaning ourselves off of fossil fuels, it makes me cringe. How far are from having the technology to produce electric engines that will fly an airplane and what will it cost to produce them? Right now we are at least 50 years from become free of fossil fuels unless I am not up to speed on things, (which is possible). Let us not forget also all the other petroleum-based products we use in our everyday lives. Plastics, foam, etc., are all going to still be wanted and they are also going up in price. I like where you stand on nuclear energy, but until we can quiet the environmental extremists on this point, we will not soon get there. As long as this country is held hostage by special interest environmental groups we will continue to slide economically. I hope [conservatives have not] moved so far left already to start curbing some of this.

My husband and I live in Oakley, which is a small farming community located 20 miles from the nearest town of Burley. Our farmers are getting hit extremely hard due to the cost of diesel, which also raises the cost of shipping. We owned a trucking company that we were forced to close due to the rising costs of fuel. My husband is also a disabled Viet Nam veteran and must drive to the VA hospital every week for various treatments. That is a distance of 200 miles. Since we are on a very small fixed income, we are soon going to be unable to afford to pay our basic living expenses. Our elderly parents live on the coast, and we have had to cancel all plans to visit them this summer. Please stop

this runaway inflation. I am in favor of using domestic energy sources but congress has been ignoring it. It will soon be too late for most of us.

UNSIGNED.

Yes, I am spending more on gas this year. Yet, I believe we need to put more of our government money into conservation and alternative energies not increasing energy exploitation in the U.S. We have the technology and the innovation as Americans to be creative about this problem. I would love a tax break to purchase a hybrid vehicle or a vehicle that uses biodiesel. Please represent us well and keep our pristine, beautiful environment in Idaho and the coastal U.S. any further.

JENNIFER, *Victor*.

My husband is a dentist and earns a good living, but we have felt a need to curtail our usual driving habits because of fuel prices. My husband drives a diesel pickup to and from work and we also use it to pull our boat. He has been considering buying a scooter/m.bike to ride because of the high diesel price, but I really do not want him crossing busy roads on a vehicle that is harder for another driver to see. I have curtailed my trips to town which cuts down on my consumerism. Not a bad idea, but it will likely be what others are doing which is not good for the local economy. Our own dental practice feels the crunch of conservative spending. Our grown children that live away from this area are cutting back on their visits. I do not like not being able to see my grandchildren as often. Higher gas prices limits the lifestyle of everyone. We are so spread out in this country that it is an investment to go anywhere. Let us get drilling!!!

RENEE, *Twin Falls*.

I am in the insurance business and use my vehicle for work. The high fuel prices are really eating into my margins and are making it increasingly hard to stay on top of my personal and business finances. The way I see it is we need to: First, increase our refinery capacity. Build new refineries. Second, increase drilling for more crude. But this will not help until we have the refinery capacity to process it. Third build nuclear power plants for inexpensive electricity.

Of course, all of the above are extremely difficult with the left wing environmentalists fighting us but somehow we have got to get it done! I am just not sure alternative fuels are the answer because of the cost of production.

KENT, *Paul*.

I have supported you because you have always listened and tried your best to solve the problems of all of your constituents. Now you ask for stories about how the high price of oil has affected Idaho families. I would like to give you rather than a story is a solution, albeit a simple-minded one.

As gasoline prices keep racing towards $5 per gallon, I think it is time to rethink some of our policies. OPEC feels it has a stranglehold on the West and continues to tighten. Now a real simplistic approach to this problem from a purely capitalist point of view would be to look at what goods these countries cannot produce themselves and increase prices there until they feel the pressure to release oil at a more reasonable cost per barrel. You know it is supply versus demand. Last time I checked, they cannot grow enough grain or other food products to sustain life in that region and yet we continue to give away everything. I know this does not breed friendship abroad but they are not our friends anyway, they have proved that time and again.

We also need to release all the energy alternatives that oil companies have been withholding from this country to continue [their] stranglehold on the United States for their profits. This would allow us to relinquish our addiction to foreign oil and strengthen our economy, rather than making continually throwing money at our enemies. Then and only then can we become the Land of the Free and Home of the Brave once again.

Just my opinion, Thank you for your time and allowing me to vent these ideas to you.

JEFF, *Nampa*.

My wife and I like many Idahoans and Americans are feeling the pinch with energy costs rising. There are many issues that attribute to the problem and I feel helpless as an individual that any of these issues will be resolved but we must try, we have no alternatives but to try. If I could prioritize a list of things that I feel we should to do help immediately relieve some of the pain, I would say do the following in order of priority:

(1) Stop the big oil companies from getting so much profit by putting controls on their profits and not help them get such big profits;

(2) Use domestic energy sources;

(3) Nuclear power; and

(4) Renewable and alternative sources of energy.

Now the number one priority in my opinion will be the toughest because I believe like so many other Americans that most government officials will not allow this to happen either because of special interest or under the table money they are receiving from big oil companies. The problem is our government officials are doing nothing illegal in most cases because it is not against the law for special interest groups to contribute to or otherwise [provide a political benefit to their supporters]. As long as this is going on, our rising energy problems will never be solved. We need to get this under control otherwise the big oil companies will pillage us Americans as long as they can.

Other obvious fixes are to use domestic energy sources and nuclear power as much as possible. But as long as the oil companies have free reign, our skyrocketing energy costs will never get under control. We need to pass laws against extreme profits and against allowing big oil companies to lobby our Senators and Congreesman.

DIRCK and CINDY.

Promoting the transition to a hydrogen economy (fuel cell-powered cars) benefits Idaho in two ways: (1) It reduces our dependence on oil and (2) It will fuel the expansion of Idaho National Lab's nuclear research efforts. The two best contenders to replace fossil fuels are batteries or fuel cells. Fuel cells are more compact and better suited for cars, but energy to charge a car battery is much more readily available.

The Next Generation Nuclear Plant (NGNP) being developed at INL (among other national labs) will produce hydrogen at low cost with no carbon emissions. By promoting the growth of the hydrogen economy, Congress will steer research in the direction of NGNP as a replacement to current oil-derived hydrogen.

To make hydrogen viable, the government needs to make more hydrogen available. This means subsidizing hydrogen ''gas stations'' in high-commuter areas and pushing the NGNP concept through DOE funding. Idaho is a big part of the solution, but the federal government needs to start tapping its valuable scientific resources now.

AARON.

We live in Parma. There is nothing here, a little store and a gas station, but nothing else. To do any serious shopping we have to go into Caldwell or Nampa or Boise, at a cost of over $50 for one trip. We do not go shopping often and paying for the gas makes it so expensive we have to cut down on other purchases. We are eating a lot of beans and cornbread, grinding our own wheat and raising a garden because I cannot afford both fuel and food for my little family.

What's going to happen this winter? Where are the programs for underwriting the cost of propane and natural gas? How about helping with the purchase of wood? Have you considered a quick program that would insulate the homes, or help purchase new windows and doors?

There is a new solar energy development from NanoSolar that no one will make available to homeowners. We could have solar power for a few cents a foot on our roofs. Solar is free and clean, unlike the deadly option like nuclear power. If we do not know how to take care of the garbage from nuclear, then we should not have nuclear power in the first place.

If action is not taken in a big way to save what we have and get into renewable power, the country is not going to survive and this winter will be deadly.

ANN, *Parma*.

I first want to thank Mike Crapo for taking an interest in what we the people are worried about. Finally, someone in our government that is listening to the people and their concerns. I hope that these concerns do not fall on deaf ears and can promise each of you if they do, you will not remain in office long. We as Americans will not tolerate being ignored.

I work in a hospital and help people in need every day by using my field of expertise. (I expect the same from our government representation.) However when I see people holding off until they have no choice but to come in for major medical issues because of financial concerns and when I see many who die because they did not get help soon enough, I feel it time for someone to stand up for them and say enough is enough. It is time for a change.

I do not make a ton of money but know that I am in much better shape than those who work so hard in housekeeping, maintenance, and other lower paying areas in our hospital. I feel the crunch pretty hard with five kids, a mortgage and such and have tried not to drive but walk or ride my bike when I can. However, with the winters, we have and the distance we have to travel in our great state, this is often not possible. So I have to drive. When I get down to a half a tank of fuel, I fill up. Why? Well, it costs me $72 for a half a tank of diesel and I fear that I would have a stroke on the spot if I had to fill it from empty. That gentleman is ridiculous! I cannot even imagine how those in lower-paying jobs can even make it! When I go to the store and see food prices I am again appalled at what is happening. When I buy clothing, still again I am shocked at the staggering prices. Everything seems to be going up but our wages. Now we do not have the best. We do not buy name brand. We have tightened our belt, and there was not a lot of fat to trim before that. Then we have tightened again. There is not much more to tighten. And I would consider us to be a family in a very modest home, with not much in the way of extras and we have tried to keep our debt to home and car (and never a new car). But with the price of fuel, both for cars and home, things are getting out of hand in a hurry. Why? Greed and power through fear!

Here is the deal. We sit on more oil then OPEC. And yet we have closed at least three refineries in the last ten years. We have never been able to refine oil as cleanly and

efficiently then we can now and yet our government chooses not to build more refineries and sink more oil wells. Supply and demand still runs any business and yet if we were to increase supply, we could still make a healthy profit. Enough to pay for the refineries in a hurry and to put more research into alternative fuels. Not to mention lower dramatically the prices not only at the pump, but everywhere else as well. We might even start to help replenish our failing Social security and pay down our national debt. Business sense is what we need in Washington. Reagan Economics that helps to build for the future, not run our great nation further into the ground. We do not need more taxes; we need more initiative in Washington. We need leaders that put the interests of the people first and the world second. We need to use what we have while developing new technology for the future. We need some good old fashion farm boy ''fix it''—live within your means, balance your own checkbook logic. Occam's Razor says that ''the simplest answer is usually the best one''. We do not need bickering and fighting; we need cooperation. We do not need pork bellies and hidden agendas; we need playing well in the sandbox. We do not need environmentalists dictating to us; we need people who look out for the environment while utilizing in the best way we can, the resources that we have. We need to tap into the creative genius of a nation that has continued to wow the world for over 200 years. We need God and we need to humble ourselves enough to see the other person's ideas for what they are, [accept] what we can use and build together the nation we have had in the past. It is time to put away selfishness and start working with each other toward a stronger more sound America.

Remember that people cannot create and press forward when they can hear nothing but their bellies growling and feel the discomfort of not having their physical needs met. It is when their physical needs are met that they can concentrate on other higher creative thought processes.

Fuel has brought us down in a hurry of late and is a great place to start to bring us back up. Roll up your sleeves and get to work. Supply and demand is still what runs a business, and it seems that we have more than enough supply of professional politicians, saying one thing and doing another or just plain ignoring what we the people say, each of you know where that leads. Be the one to stand shoulder to shoulder with those that have Americas best interest at heart and make a change for the better. We sure do need it if we are to survive.

STEVEN, *Idaho Falls.*

Thank you for giving the people the opportunity to be involved. There is definitely a need for concern about the energy crisis, economy and environmental impacts. These problems are linked and have been around for a long time. They are only going to get worse unless we take stronger action now. There is a solution for the crisis and there always has been. The solution is to unite the people for the cause. ''For united we stand and divided we fall''.

The following are topics that can immediately be addressed: (1) personal choices; (2) clean energy economy; (3) adoption of renewables; (4) enhanced energy efficiencies; (5) innovative leadership. Visit www.wecansolveit.org for more details.

My story is to get involved and encourage others to get involved! We can start with personal choices by using products and technologies that enhance energy efficiencies such as light bulbs, water saving and efficient toilets, dishwashers, clothes washers, moisture controlled sprinkler systems, biodegradable products, etc.

Fuel reformulators would increase fuel economy by as much 20% and decrease hydrocarbons in the atmosphere by at least 30%. A bridge over troubled waters? (If everyone participated in this one, it would be like taking approximately 145,000,000 cars and trucks off the highway nationally or 175,000 in the state of Idaho alone!). Visit www.forearthonline.com/EarthLink

Recycle materials and Vote for candidates who are for the people, for the cause, for the earth!

LARRY, *Hailey.*

ADDITIONAL STATEMENTS

REMEMBERING ANDREA MEAD LAWRENCE

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in reflecting on the memory and deeds of a remarkable American, Andrea Mead Lawrence, who passed away March 31 in the town of Mammoth Lakes in Mono County.

Andrea was born in Vermont, where she developed a life-long love of winter sports. At the age of 15, she participated in the 1948 Winter Olympics in St. Moritz, Switzerland. In the 1952 Winter Olympics she won two Gold Medals in the Olympic Special and Giant Slalom races in Oslo, Norway. She also competed in the 1956 Olympics in Cortina d'Ampezzo, Italy. She was inducted into the U.S. National Ski Hall of Fame in 1958 at the age of 25. In 1960, she was the torch lighter at the Winter Olympics in Squaw Valley, CA. She remains the only American double-Gold Medalist in Alpine Skiing. Additional honors and her love of winter sports continued the rest of her life.

In 1967, she moved to Mammoth Lakes in California's spectacularly beautiful Eastern Sierra, a place that she fought to protect, for the rest of her life. Serving 16 years on the Mono County Board of Supervisors, she worked tirelessly to protect and restore Mono Lake and as a member of the Great Basin Air Pollution Control District, she saw that air pollution caused by the de-watering of Owens Lake was reduced. She founded the Andrea Lawrence Institute for Mountains and Rivers in 2003 to work for environmental protection and economic vitality in the region she loved so much.

Last summer, she testified before the Mono County Board of Supervisors in favor of the Eastern Sierra Wild Heritage Act, a bill that became law with the signature of President Barack Obama, the day before she died. Andrea knew that this legislation to protect nearly 500,000 acres of her beloved Eastern Sierra had become law.

Andrea Mead Lawrence passed away surrounded by her children, Cortlandt, Matthew, Dierdre, Leslie and Quentin, and leaves four grandchildren. She was 76 years old. Andrea had a remarkable and wonderful life and she will be sorely missed by all those who were fortunate enough to know her. She leaves a rich legacy that will continue to benefit present and future generations.•

150TH ANNIVERSARY OF CARIBOU, MAINE

• Ms. COLLINS. Mr. President, it is with pride and gratitude that today I commemorate the 150th anniversary of Caribou, ME, which happens to be my hometown.

The early settlers of Caribou were brave, self-reliant pioneers who left the comfort and security of established communities behind to make their own way in the wilderness of northern Maine. I am proud that my ancestors, led by Samuel Wilson Collins, were among that intrepid number, and grateful that for six generations my family has been a part of this wonderful community.

I have great memories of growing up in Caribou, where my parents both served as mayor, and where my brothers now run our fifth generation family lumber business. I remember fondly starting the school year in August so that we could take time off to pick potatoes, working at the public library, and the fun we had going to high school basketball teams, especially during the exciting 1969 State championship season.

But more than anything, I remember what it was like to grow up in a place that had such a strong sense of community. We learned to care for our friends and neighbors and to value our family members. We learned to help those in need. And Caribou's farm and lumber roots taught us the importance of hard work. The lessons I learned growing up in Caribou have stayed with me my entire life and I know many others who would say the same.

This sesquicentennial year is a time to honor those who turned a remote settlement into a center of commerce, education, arts and recreation. It is a time to honor the valiant young men who served in many wars, beginning with the Civil War, and who have risen to our Nation's defense ever since.

It is a time to honor the people of Caribou who celebrate each others' joys and who share each others' burdens.

Mr. President, a couple of years ago, the television host and author Larry King asked me to contribute to a book he was compiling of short essays describing an all-important lesson the contributors learned growing up. I was delighted by the request and had no trouble recalling that defining moment.

One of my earliest childhood memories is of being taken to the Caribou Memorial Day Parade by my Dad. A decorated World War II veteran, with the modesty characteristic of all who serve our Nation in uniform, he would hoist me onto his shoulders so I could better see the parade. And what I was able to see was the entire street lined by the people of Caribou, taking off their hats and putting their hands over their hearts as our flag went by, their eyes shining with pride in their country and with gratitude for those who serve her. A community that joins together to honor its past and to face its

future that is Caribou. That is my hometown.

Mr. President, I am proud of what the people of Caribou, ME, have accomplished in building a great American community. I am deeply grateful for the many blessings that this community has given me, and so many others.●

TRIBUTE TO ADMIRAL ROBERT PEARY

● Ms. COLLINS. Mr. President, today I wish to commemorate the expedition of ADM Robert Peary and his discovery of the North Pole 100 years ago, on April 6, 1909.

While Robert Peary was born in Pennsylvania, he was educated in the State of Maine, at Bowdoin College in Brunswick. He graduated in 1877. He lived in Portland and Fryeburg, and built a home on Eagle Island, which is now a State park.

A century ago, Admiral Peary and his men set sail for the North Pole in the Maine-built SS *Roosevelt*. They sailed through the frigid, ice-laden North Atlantic and froze the ship into a bay off northern Ellesmere Island. After more than a month of dog sledging over the moving sea ice covering the Arctic Ocean, Admiral Peary, Matthew Henson, and four Inughuit men stood at the northernmost place on Earth—the sea ice that marked the North Pole.

Peary's success had come after a number of previous failures and lessons learned. Nations had competed to get there; countless men had suffered trying to do so, and some had even perished.

The story of Robert Peary, his expeditions, and his attainment of reaching the North Pole is a celebration of the triumph of leadership, creativity and ingenuity.

Though traveling there has become significantly easier than it was in 1909, the North Pole remains a destination for scientists. The fact is, however, the North Pole of today is not the same North Pole that Admiral Peary discovered. The thick, multiyear sea ice that Admiral Peary encountered has disappeared. In the last 30 years, the Arctic has lost sea ice cover over an area ten times as large as the State of Maine, and at this rate the Arctic Ocean will be ice free by 2050. Global climate change is one of the most significant environmental challenges facing our country, and it has renewed scientific interest in the North Pole.

Today, visitors to the Peary-MacMillan Arctic Museum at Bowdoin College can learn more about Admiral Peary's historic journey to the top of the Earth. In special recognition of the 100th anniversary of the expedition, the museum has brought together an impressive collection of objects that were at the North Pole on April 6, 1909, including an American flag that flew at the pole on that day, a page from his diary where he reflects on his accomplishment, and one of his sledges.

The people of Maine, and especially those at Bowdoin College, are proud of Robert Peary and of all of those involved in his epic journey. I am pleased to honor the anniversary of this historic occasion.●

20TH ANNIVERSARY OF THE EITELJORG MUSEUM OF AMERICAN INDIANS AND WESTERN ART

● Mr. LUGAR. Mr. President, I am pleased to have this opportunity to recognize a hallmark event taking place this year in Indianapolis, IN—the 20th anniversary of the Eiteljorg Museum of American Indians and Western Art.

The museum's facility first opened its doors on June 24, 1989, and was one of the first cultural institutions to take residence in White River State Park, which has in turn become a vibrant hub of recreational and cultural activities in Indianapolis and greater central Indiana. A popular attraction since its opening, the Eiteljorg Museum continues to thrive. Recently, in 2005, it underwent an important expansion that doubled its space by creating a variety of new galleries, an education center, a café, and a resource center and library.

But it is not only its facility and its existing collections that are to be lauded, for the Eiteljorg is also actively engaged in supporting new generations of artists and their work. This is perhaps best highlighted through the museum's Eiteljorg Fellowship for Native American Fine Art and its artists-in-residence program.

In honor of this year's special anniversary occasion, the museum has planned a series of events for its patrons and the community. The festivities officially began last month, on March 14, 2008, when the new ''Facing West: Celebrating 20 Years of the Eiteljorg Museum'' exhibition was unveiled during a special opening day celebration. Celebratory events will continue throughout this summer and fall, however, and will include a lecture series, festival days at the museum and the holding of an anniversary gala later this month.

Like so many of my fellow Hoosiers, I take pride in the Eiteljorg's presence in our State and am thankful for its continued commitment to its mission: ''to inspire an appreciation and understanding of the art, history and cultures of the American West and the indigenous peoples of North America.'' In the actualization of this mission, the Eiteljorg has reached a wide patronage of both local residents and visitors alike who have come to this unique and inspiring facility to take advantage of its wonderful offerings.●

TRIBUTE TO MIKE FIELD

● Mr. RISCH. Mr. President, I want to talk for a moment about Mike Field, a man whose public service has done much to improve the quality of life for people in our home State of Idaho.

Like many Western States, much of Idaho is made up of large swathes of rural areas where it can be challenging to provide the housing, infrastructure and economic opportunities for those residents. Having grown up in the rural community of Grandview, Mike learned this firsthand. Raised by loving and civic-minded parents, Oscar and Francis, he saw the work ethic and generosity that was demonstrated within his own family and by his neighbors. It became a foundation he used as he built his career in extending the helping hand of the State and Federal governments to Idahoans in our rural areas.

He started his work in this body, the U.S. Senate, where he served under Senators Jim McClure and Larry Craig. Mike worked with fellow Idahoans and helped them sort out their difficulties with Federal agencies. Showing a deft touch with people, he became the Idaho State director of USDA Rural Development and later the USDA Farm Service Agency. In both roles, Mike naturally led and served Idaho's many farmers and ranchers, in part based on his days growing up and working with them. Mike then was appointed as a council member to the Northwest Power Planning Council, where he worked to provide an infrastructure for reliable and cost effective power that would reach many areas of Idaho. He also dealt with natural resource issues that impacted the livelihood of many in the rural parts of our State.

From there, he returned as the head of the USDA Rural Development IDAHO, where he has served over the past 8 years. In that capacity he has used his optimism and good nature to lead and motivate a team that has brought hundreds of millions of dollars in improvements to our State. He oversaw many positive changes in housing, drinking water and jobs throughout our rural areas. Mike built a strong trust between the different levels of government, tribes and agencies as he worked to improving the quality of life for rural Idahoans.

I cannot imagine what Idaho, and particularly its rural areas, would look like today without the efforts of Mike Field. Together, with his wife Debbie, they have greatly improved the lives of Idahoans with their dedicated public service.

I congratulate Mike for his many years of outstanding leadership and service to his fellow Idahoans.●

TRIBUTE TO AL SCHOCK

● Mr. THUNE. Mr. President, today I wish to honor Al Schock of Sioux Falls, SD, for his years of extraordinary service to his community as a member of the Downtown Lions Club. Mayor Dave Munson of Sioux Falls will be recognizing his lifetime of accomplishments by proclaiming April 14, 2009, to be Al Schock, Lion King Day.

Al Schock has been a dedicated member of the Downtown Lions Club since

1949 and has worked to promote its humanitarian mission of improving lives and communities around the world. He has served in almost every capacity possible, including club president, district governor, and member of the Lions International Board of Directors. Since he first joined the Lions Club, he has shown tremendous leadership by recruiting a total of over 100 new members to the organization. He has also excelled in fundraising for the South Dakota Lions Foundation, having sold over 50,000 tickets to community fundraising events.

Schock has also contributed to the community of Sioux Falls through his involvement with the Chamber of Commerce, the Sioux Falls Development Foundation, Augustana College, the YMCA, the First Lutheran Church, Luther Manor health care, and The Banquet. He and his brother, Ozzie Schock, started the Shock Foundation, a nonprofit organization that works to support local charitable organizations. Al Shock's selfless devotion and faithful service to others and to his community is truly commendable.

It gives me great pleasure to congratulate Al Schock for receiving this honor, and to thank him for all his years of service to South Dakota and our Nation.●

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 treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1388. An act entitled ''The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws.''

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 11:58 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1664. An act 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 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. 93. A concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess of adjournment of the Senate.

The message further announced that pursuant to section 841(b) of the National Defense Authorization Act for Fiscal Year 2008 (P.L. 110–181), the Minority Leader appoints The Honorable Christopher Shays of Connecticut to the Commission on Wartime Contracting to fill the existing vacancy thereon.

At 5:06 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1256. An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, 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.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1256. An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

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–1172. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Import/Export User Fees'' (Docket No. APHIS–2006–0144) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1173. A communication from the Acting Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Specialty Crop Block Grant Program—Farm Bill'' (RIN0581–AC88) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1174. A communication from the Acting Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Relaxation of Handling Requirements'' ((Docket No. AMS–FV–08–0106)(FV09–925–1 IFR)) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1175. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Requirements for the Disposition of Cattle that Become Non-Ambulatory Disabled Following Ante-Mortem Inspection'', received in the Office of the President of the Senate on March 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1176. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2008 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–1177. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program'' (RIN0648–XN73) received in the Office of the President of the Senate on April 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1178. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Groundfish Fishery; Amendment 15; Correction'' (RIN0648–AW08) received in the Office of the President of the Senate on April 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1179. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Catch Sharing Plan'' (RIN0648–AX44) received in the Office of the President of the Senate on April 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1180. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Saugus River, Lynn, MA'' ((RIN1625–AA00)(Docket No. USCG–2008–1026)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1181. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Underwater Object, Massachusetts Bay, MA'' ((RIN1625–AA00)(Docket No. USCG–2008–1272)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1182. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Captain of the Port Zone Jacksonville; Offshore Cape Canaveral, Florida'' ((RIN1625–AA00)(Docket No. USCG–2008–0411)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1183. A communication from the Attorney Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Regulations; Port of New York'' ((RIN1625–AA01)(Docket No. USCG–2008–0155)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1184. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Coast Guard Base San Juan, San Juan Harbor, Puerto Rico'' ((RIN1625–AA87)(Docket No. USCG–2008–0440)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1185. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Coast Guard Air Station San Francisco Airborne Use of Force Judgmental Training Flights'' ((RIN1625–AA00)(Docket No. USCG–2009–0063)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1186. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Baltimore Captain of the Port Zone'' ((RIN1625–AA00)(Docket No. USCG–2008–0129)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1187. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Naval Underwater Detonation; Northwest Harbor, San Clemente Island, CA'' ((RIN1625–AA00)(Docket No. USCG–2009–0046)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1188. A communication from the Project Counsel, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Consolidation of Merchant Mariner Qualification Credentials'' ((RIN1625–AB02)(Docket No. USCG–2006–24371)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1189. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Rule To Identify the Western Great Lakes Populations of Gray Wolves as a Distinct Population Segment and To Revise the List of Endangered and Threatened Wildlife'' (RIN1018–AW41) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Environment and Public Works.

EC–1190. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Rule to Identify the Northern Rocky Mountain Population of Gray Wolf as a Distinct Population Segment and to Revise the List of Endangered and Threatened Wildlife'' (RIN1018–AW37) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Environment and Public Works.

EC–1191. A communication from the Regulation Coordinator of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Premiums and Cost Sharing'' (RIN0938–AO47) received in the Office of the President of the Senate on March 31, 2009; to the Committee on Finance.

EC–1192. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Security-Related Assistance Provided by the United States to the Countries of Central Asia''; to the Committee on Foreign Relations.

EC–1193. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''United States Participation in the United Nations; A Report by the Secretary of State to the Congress for the Year 2007''; to the Committee on Foreign Relations.

EC–1194. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. support for Taiwan's participation as an observer at the 62nd World Health Assembly and in the work of the World Health Organization; to the Committee on Foreign Relations.

EC–1195. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of $50,000,000 or more with Mexico; to the Committee on Foreign Relations.

EC–1196. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed export of defense services and defense articles in the amount of $100,000,000 or more to Spain; to the Committee on Foreign Relations.

EC–1197. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles or defense services in the amount of $100,000,000 or more with Japan; to the Committee on Foreign Relations.

EC–1198. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of $100,000,000 or more to Turkey; to the Committee on Foreign Relations.

EC–1199. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of $100,000,000 or more with Italy and the United Kingdom; to the Committee on Foreign Relations.

EC–1200. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of two rules entitled ''Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) and ''Annual Financial and Actuarial Information Reporting; Pension Protection Act of 2006'' (RIN1212–AB09) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–1201. A communication from the Acting Administrator, Small Business Administration, transmitting, pursuant to law, an annual report relative to the Federal Employee Anti-Discrimination and Retaliation Act; to the Committee on Homeland Security and Governmental Affairs.

EC–1202. A communication from the Associate Attorney General, Department of Justice, transmitting, pursuant to law, a report relative to agency compliance with the Freedom of Information Act; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–16. A petition transmitted by a private citizen relative to the Long-Term Care Security Act; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEVIN, from the Committee on Armed Services, with an amendment in the nature of a substitute:

S. 454. A bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 515. A bill to amend title 35, United States Code, to provide for patent reform.

By Mr. KERRY, from the Committee on Foreign Relations, with amendments and with a preamble:

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.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. AKAKA for the Committee on Veterans' Affairs.

*W. Scott Gould, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

*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 Mr. ROBERTS (for himself, Mr. VITTER, Mrs. HUTCHISON, Mr. WICKER, Mr. BAYH, Mr. LUGAR, Mr.

CHAMBLISS, Mr. CARDIN, Mr. ISAKSON, Mr. BURR, and Ms. LANDRIEU):

S. 781. A bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 782. A bill to provide for the establishment of the National Volcano Early Warning and Monitoring System; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 783. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic and North Atlantic planning areas; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 784. A bill to provide for the recognition of certain Native communities and the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 785. A bill to establish a grant program to encourage retooling of entities in the timber industry in Alaska, and for other purposes; to the Committee on Environment and Public Works.

By Mr. AKAKA (for himself, Mr. SCHUMER, Mr. INOUYE, and Mr. LIEBERMAN):

S. 786. A bill to authorize a grant program to provide for expanded access to mainstream financial institutions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD (for himself, Mrs. BOXER, Mr. CARDIN, Mr. BROWN, Ms. CANTWELL, Mr. CARPER, Mr. DODD, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. MERKLEY, Mr. REED, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 787. A bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself and Mr. NELSON of Florida):

S. 788. A bill to prohibit unsolicited mobile text message spam; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN:

S. 789. A bill to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself, Mr. CASEY, Mr. KOHL, and Mr. UDALL of New Mexico):

S. 790. A bill to improve access to health care services in rural, frontier, and urban underserved areas in the United States by addressing the supply of health professionals and the distribution of health professionals to areas of need; to the Committee on Finance.

By Mr. BAUCUS:

S. 791. A bill to direct the Secretary of Transportation to carry out programs and activities to improve highway safety; to the Committee on Environment and Public Works.

By Mr. SANDERS:

S. 792. A bill to amend the Public Health Service Act to improve the National Program of Cancer Registries by expanding data collection and allowing data sharing for public health objectives, while preserving the confidentiality of patients, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN:

S. 793. A bill to direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility; to the Committee on Veterans' Affairs.

By Mr. BROWN:

S. 794. A bill to amend title 10, United States Code, to modify certain retirement pay and grade authorities for service performed after eligibility for retirement, and for other purposes; to the Committee on Armed Services.

By Mr. HATCH (for himself, Mrs. LINCOLN, Mr. KOHL, and Ms. SNOWE):

S. 795. A bill to amend the Social Security Act to enhance the social security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN:

S. 796. A bill to modify the requirements applicable to locatable minerals on public domain land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DORGAN (for himself, Mr. BARRASSO, Mr. BAUCUS, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. KYL, Mr. WYDEN, Mr. JOHNSON, Ms. CANTWELL, Ms. MURKOWSKI, Mr. THUNE, Mr. TESTER, Mr. BEGICH, and Mr. UDALL of New Mexico):

S. 797. A bill to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes; to the Committee on Indian Affairs.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 798. A bill to amend the Internal Revenue Code of 1986 to permanently extend existing elective tax treatment for Alaska Native Settlement Trusts; to the Committee on Finance.

By Mr. DURBIN (for himself, Mrs. BOXER, Ms. CANTWELL, Mr. CARDIN, Mr. FEINGOLD, Mr. HARKIN, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. REED, Mr. SANDERS, Ms. STABENOW, and Mr. WHITEHOUSE):

S. 799. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself and Mr. CASEY):

S. 800. A bill to require the President to update and modify the website recovery.gov; to the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA (for himself, Mr. BURR, Mr. TESTER, Mr. BURRIS, and Mr. ROCKEFELLER):

S. 801. A bill to amend title 38, United States Code, to waive charges for humanitarian care provided by the Department of Veterans Affairs to family members accompanying veterans severely injured after September 11, 2001, as they receive medical care from the Department and to provide assistance to family caregivers, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JOHNSON:

S. 802. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to transfer the credit for electricity produced from renewable resources; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. CORNYN, and Mr. UDALL of New Mexico):

S. 803. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to employers for the costs of implementing wellness programs, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN:

S. 804. A bill to amend subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 to establish incentives for States to extend the minimum length of the school year to 200 full days by 2014, and for other purposes; to the Committee on Health, Education, Labor , and Pensions.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 805. A bill to provide for a comprehensive study by the National Research Council of the National Academy of Sciences to assess the water management, needs, and conservation of the Apalachicola-Chattahoochee-Flint River System; to the Committee on Environment and Public Works.

By Mr. VOINOVICH (for himself and Mr. AKAKA):

S. 806. A bill to provide for the establishment, administration, and funding of Federal Executive Boards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Nebraska:

S. 807. A bill to reduce fuel prices and improve national energy security by increasing domestic supply, reducing excessive speculation in the markets, and promoting long-term security through alternative energy sources, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself, Mr. BOND, Mr. AKAKA, Mrs. BOXER, Ms. COLLINS, Mr. DURBIN, Mr. KERRY, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. SCHUMER, and Mr. WHITEHOUSE):

S. 808. A bill to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY:

S. 809. A bill to establish a program to provide tuition assistance to individuals who have lost their jobs as a result of the economic downturn; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE:

S. 810. A bill to establish 4 regional institutes as centers of excellence for research, planning, and related efforts to assess and prepare for the impacts of climate change on ocean and coastal areas and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INOUYE:

S. 811. A bill to amend the Public Health Service Act to promote mental and behavioral health services for underserved populations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself and Mr. GRASSLEY):

S. 812. 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 Finance.

By Mr. BROWN (for himself, Mr. KENNEDY, and Mr. FEINGOLD):

S. 813. A bill to amend the National Labor Relations Act to apply the protections of the Act to teaching and research assistants; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON of Florida:

S. 814. A bill 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; to the Committee on the Judiciary.

By Mr. NELSON of Florida (for himself, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. KERRY, and Mr. MENENDEZ):

S. 815. A bill to amend the Immigration and Nationality Act to exempt surviving spouses of United States citizens from the numerical limitations described in section 201 of such Act; to the Committee on the Judiciary.

By Mr. CRAPO (for himself, Mr. BAUCUS, Mr. TESTER, Mrs. LINCOLN, and Mr. BENNETT):

S. 816. A bill to preserve the rights granted under second amendment to the Constitution in national parks and national wildlife refuge areas; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mrs. MURRAY, Mrs. FEINSTEIN, Mrs. BOXER, Mr. WYDEN, Mr. MERKLEY, and Mr. BEGICH):

S. 817. A bill to establish a Salmon Stronghold Partnership program to conserve wild Pacific salmon and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself, Mr. BURR, Mr. KENNEDY, Mr. HATCH, and Mrs. MURRAY):

S. 818. A bill to reauthorize the Enhancing Education Through Technology Act of 2001, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. CASEY, and Mr. MENENDEZ):

S. 819. A bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS:

S. 820. A bill to amend title 38, United States Code, to enhance the automobile assistance allowance for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 821. A bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from collecting certain copayments from veterans who are catastrophically disabled, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 822. A bill to support the recruitment and retention of volunteer firefighters and emergency medical services personnel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE (for herself, Mr. BAUCUS, Mr. HATCH, Ms. STABENOW, Mr. ENSIGN, Mrs. LINCOLN, Ms. CANTWELL, and Mr. NELSON of Florida):

S. 823. A bill to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of operating losses, and for other purposes; to the Committee on Finance.

By Ms. SNOWE (for herself and Mr. BEGICH):

S. 824. A bill to establish a Jobs Creation Coordinator in the Department of Commerce to ensure that agencies in the Department use resources in a manner that maximizes the maintenance and creation of jobs in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. LINCOLN (for herself and Ms. SNOWE):

S. 825. A bill to amend the Internal Revenue Code of 1986 to restore, increase, and make permanent the exclusion from gross income for amounts received under qualified group legal services plans; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Ms. SNOWE):

S. 826. A bill to promote renewable energy, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. ROBERTS, and Mr. LEAHY):

S. 827. A bill to establish a program to reunite bondholders with matured unredeemed United States savings bonds; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. THUNE, and Mr. JOHNSON):

S. 828. A bill to amend the Energy Policy Act of 2005 to provide loan guarantees for projects to construct renewable fuel pipelines, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VITTER:

S. Res. 98. A resolution designating each of April 15, 2009, and April 15, 2010, as ''National TEA Party Day''; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. SANDERS, and Mr. BINGAMAN):

S. Res. 99. A resolution expressing the sense of the Senate that the Government of Uzbekistan should immediately enforce its existing domestic legislation and fulfill its international commitments aimed at ending state-sponsored forced and child labor; to the Committee on Foreign Relations.

By Mr. DURBIN:

S. Res. 100. A resolution expressing the support of the Senate for the establishment of an Urban Youth Sport Initiative in partnership with the United States Olympic Committee; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself and Mrs. HAGAN):

S. Res. 101. A resolution expressing the sense of the Senate on the tragic events at the Pinelake Health and Rehab Center in Carthage, North Carolina on Sunday, March 29, 2009; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. BENNETT):

S. Res. 102. A resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 103. A resolution to authorize testimony and document production in Richard Bowen v. Department of the Navy (MSPB); considered and agreed to.

By Mrs. GILLIBRAND (for herself and Mr. SPECTER):

S. Con. Res. 17. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a bust of Sojourner Truth; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. SCHUMER, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 27, a bill to establish the Daniel Webster Congressional Clerkship Program.

S. 266

At the request of Mr. NELSON of Florida, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 266, a bill to amend title XVIII of the Social Security Act to reduce the coverage gap in prescription drug coverage under part D of such title based on savings to the Medicare program resulting from the negotiation of prescription drug prices.

S. 306

At the request of Mr. NELSON of Nebraska, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 306, a bill to promote biogas production, and for other purposes.

S. 343

At the request of Mrs. LINCOLN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 343, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage services of qualified respiratory therapists performed under the general supervision of a physician.

S. 384

At the request of Mr. LUGAR, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 384, a bill 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, and for other purposes.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 442

At the request of Mr. DORGAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 442, a bill to impose a limitation on lifetime aggregate limits imposed by health plans.

S. 454

At the request of Mr. LEVIN, the names of the Senator from Nebraska

(Mr. NELSON) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 454, a bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

S. 467

At the request of Mr. DODD, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 467, a bill to amend the National and Community Service Act of 1990 to establish Encore Service Programs, Encore Fellowship Programs, and Silver Scholarship Programs, and for other purposes.

S. 469

At the request of Mr. VOINOVICH, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 469, a bill 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. 475

At the request of Mr. BURR, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 475, a bill to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 484

At the request of Mrs. FEINSTEIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 484, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 514

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to enhance vocational rehabilitation benefits for veterans, and for other purposes.

S. 515

At the request of Mr. LEAHY, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Texas (Mr. CORNYN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 515, a bill to amend title 35, United States Code, to provide for patent reform.

S. 534

At the request of Mr. NELSON of Florida, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 534, a bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 546

At the request of Mr. REID, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 584

At the request of Mr. HARKIN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 584, a bill to ensure that all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, are able to travel safely and conveniently on and across federally funded streets and highways.

S. 599

At the request of Mr. CARPER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor 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. 605

At the request of Mr. KAUFMAN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 605, a bill to require the Securities and Exchange Commission to reinstate the uptick rule and effectively regulate abusive short selling activities.

S. 614

At the request of Mrs. HUTCHISON, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 614, a bill to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

S. 622

At the request of Mrs. FEINSTEIN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 622, a bill to ensure parity between the temporary duty imposed on ethanol and tax credits provided on ethanol.

S. 633

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 633, a bill to establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes.

S. 661

At the request of Mr. BINGAMAN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 661, a bill to strengthen American manufacturing through improved industrial energy efficiency, and for other purposes.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 729

At the request of Mr. DURBIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor 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. 731

At the request of Mr. NELSON of Nebraska, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 731, a bill to amend title 10, United States Code, to provide for continuity of TRICARE Standard coverage for certain members of the Retired Reserve.

S. 753

At the request of Mr. SCHUMER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of 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.

S. 773

At the request of Mr. BAYH, his name was added as a cosponsor of S. 773, a bill to ensure the continued free flow of commerce within the United States and with its global trading partners through secure cyber communications, to provide for the continued development and exploitation of the Internet and intranet communications for such purposes, to provide for the development of a cadre of information technology specialists to improve and maintain effective cybersecurity defenses against disruption, and for other purposes.

S. 778

At the request of Mr. ROCKEFELLER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 778, a bill to establish, within the Executive Office of the President, the Office of National Cybersecurity Advisor.

S. 780

At the request of Mr. NELSON of Florida, the names of the Senator from Indiana (Mr. LUGAR), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 780, a bill to amend the Andean Trade Preference Act to add Paraguay to the list of countries that are eligible to be designated as beneficiary countries and ATPDEA beneficiary countries.

S. RES. 72

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. Res. 72, a resolution expressing the sense of the Senate regarding drug trafficking in Mexico.

S. RES. 92

At the request of Mr. MENENDEZ, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. Res. 92, a resolution honoring the accomplishments and legacy of Cesar Estrada Chavez.

AMENDMENT NO. 742

At the request of Mr. INHOFE, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from North Carolina (Mr. BURR), the Senator from South Dakota (Mr. THUNE) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of amendment No. 742 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. 755

At the request of Mr. CASEY, the names of the Senator from Indiana (Mr. BAYH) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of amendment No. 755 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. 764

At the request of Mr. CARPER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of amendment No. 764 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. 765

At the request of Mr. BARRASSO, the names of the Senator from Nebraska (Mr. JOHANNS) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of amendment No. 765 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. 784

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 784 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. 785

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 785 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. 786

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 786 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. 787

At the request of Mr. VITTER, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of amendment No. 787 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. 792

At the request of Mr. ALEXANDER, the names of the Senator from Texas (Mr. CORNYN) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of amendment No. 792 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. 799

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 799 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.

At the request of Mr. BENNET, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 799 proposed to S. Con. Res. 13, supra.

AMENDMENT NO. 803

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 803 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. 808

At the request of Mr. BROWN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 808 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. 810

At the request of Mr. BROWN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 810 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. 819

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 819 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. 821

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 821 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. 825

At the request of Mr. ENZI, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of amendment No. 825 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. 838

At the request of Mr. DORGAN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Delaware (Mr. KAUFMAN) were added as cosponsors of amendment No. 838 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. 841

At the request of Ms. MURKOWSKI, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 841 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. 843

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 843 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. 852

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 852 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. 864

At the request of Mr. ENSIGN, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of amendment No. 864 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. 870

At the request of Mr. THUNE, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 870 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. 872

At the request of Mr. DODD, the names of the Senator from New York (Mr. SCHUMER), the Senator from Vermont (Mr. SANDERS) and the Senator from Delaware (Mr. KAUFMAN) were added as cosponsors of amendment No. 872 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. 873

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of amendment No. 873 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. 875

At the request of Mr. SANDERS, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of amendment No. 875 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. 876

At the request of Mrs. LINCOLN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 876 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. 881

At the request of Mr. DORGAN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 881 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. 890

At the request of Mr. BARRASSO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of amendment No. 890 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. 904

At the request of Mr. LIEBERMAN, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Alaska (Mr. BEGICH) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of amendment No. 904 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. 905

At the request of Ms. SNOWE, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of amendment No. 905 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. 916

At the request of Mr. TESTER, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of amendment No. 916 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. 920

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 920 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. 921

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 921 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

By Ms. MURKOWSKI:

S. 784. A bill to provide for the recognition of certain Native communities and the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise to introduce a bill to allow five Southeast Alaska communities to finally be allowed to form urban corporations under the terms of 1971's Alaska Native Claims Settlement Act, the Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act.

At the very beginning of the Alaska Native Claims Settlement Act of 1971 there are a series of findings and declarations of congressional policy that explain the underpinnings of this landmark legislation.

The first clause reads, ''There is an immediate need for a fair and just settlement of all claims by Natives and Native groups of Alaska, based on aboriginal land claims.'' The second clause states, ''The settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives.''

Mr. President, 37, going on 38, years have passed since the Alaska Native Claims Settlement Act became law and still the Native peoples of five communities in Southeast Alaska—Ketchikan, Wrangell, Petersburg, Tenakee and Haines—the five ''landless communities'' are still waiting for their fair and just settlement.

The Alaska Native Claims Settlement Act awarded $966 million and 44 million acres of land to Alaska Natives and provided for the establishment of Native Corporations to receive and manage such funds and lands. The beneficiaries of the settlement were issued stock in one of 13 regional Alaska Native corporations—12 based in Alaska. Most beneficiaries also had the option to enroll and receive stock in a village, group or urban corporation.

For reasons that still defy clear explanation the Native peoples of the ''landless communities,'' were not permitted by the Alaska Native Claims Settlement Act to form village or urban corporations. These communities were excluded from this benefit even though they did not differ significantly from other communities in Southeast Alaska that were permitted to form village or urban corporations under the Alaska Native Claims Settlement Act. For example, Ketchikan had more Native residents in 1970, the year of a member census, than Juneau, which was permitted to form the Goldbelt urban corporation. This finding was confirmed in a February 1994 report submitted by the Secretary of the Interior at the direction of the Congress. That study was conducted by the Institute of Social and Economic Research at the University of Alaska.

The Native people of Southeast Alaska have recognized the injustice of this oversight for more than 34 years. An independent study issued more than 12 years ago confirms that the grievance of the landless communities is legitimate. Legislation has been introduced in the past sessions of Congress to remedy this injustice. Hearings have been held and reports written. Yet legislation to right the wrong has inevitably stalled out. This December marks the 38th anniversary of Congress' promise to the Native peoples of Alaska, the promise of a rapid and certain settlement. And still the landless communities of Southeast Alaska are landless.

I am convinced that this cause is just, it is right, and it is about time that the Native peoples of the five landless communities receive what has been denied them for so long.

The legislation that I am introducing today would enable the Native peoples of the five ''landless communities'' to organize five ''urban corporations,'' one for each unrecognized community. These newly formed corporations would be offered and could accept the surface estate to 23,040 acres of land—one township as granted all other village corporations. Sealaska Corporation, the regional Alaska Native Corporation for Southeast Alaska, would receive title to the subsurface estate to the designated lands. The urban corporations would each receive a lump sum payment to be used as start-up funds for the newly established corporation. The Secretary of the Interior would determine other appropriate compensation to redress the inequities faced by the unrecognized communities.

It is long past time that we return to the Native peoples of Southeast Alaska a small slice of the aboriginal lands that were once theirs alone. It is time that we open our minds and open our hearts to correcting this injustice that has gone on far too long and finally give the Native peoples of Southeast Alaska the rapid and certain settlement for which they have been waiting.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 785. A bill to establish a grant program to encourage retooling of entities in the timber industry in Alaska, and for other purposes; to the Committee on Environment and Public Works.

Ms. MURKOWSKI. Mr. President, I rise to speak about a bill that I have introduced, the Southeast Alaska Timber Industry Retooling and Restructuring Act, which is intended to stimulate employment in Southeast Alaska, by helping firms that have focused on the region's timber industry to modernize or branch out into new industries.

In 1954, the US Department of Agriculture encouraged the development of a sawmill and pulp mill timber industry in the Tongass National Forest in Southeast Alaska, which at 16.98 million acres is the largest national forest in America. From the startup of the pulp mills in Ketchikan and in Sitka in 1961 to passage of the Alaska National Interest Lands Conservation Act in 1980, the Tongass was producing about 600 million board feet of timber a year, generating 3,500 direct and 2,500 indirect jobs and providing the largest number of year-round jobs in the region.

But following passage of ANILCA that created 14 wilderness areas covering about 4.9 million acres and the follow up Tongass Timber Reform Act of 1990 that placed another 727,762 acres into protected non-roaded status and created another 12 wilderness areas containing 300,000 acres, the timber harvest and thus timber industry-related employment plummeted in the region—an area nearly the size of Maine. While the two pulp mills closed in the mid 1990's, sawmills have tried to survive on the then anticipated 268 mmbf of allowable timber harvest. But a litany of Federal forest policy changes from the Clinton-era roadless policy, to changes in Forest Service sale and road policies, to sale delays caused by litigation have resulted in harvest levels falling to 28 million board feet from Federal lands and less than 50 million from private lands in 2008. That harvest level is far below the 192 mmbf reached in 2006 and about half of the 144 mmbf of 2007. Recent years have been drastically down from the 495 million board feet harvested from all lands as recently as 1997.

Year round timber employment, according to U.S. Forest Service in 2007, the last year of current full data, was 402 jobs, just 13 percent of the employment of a decade earlier. The impacts on the region's economy have been clearly documented. According to a report by The McDowell Group consultants, total timber-related payroll in 2007 hit just $17 million, compared to $300 million in 1990. Currently, according to the State of Alaska, unemployment in December 2008 has reached 16.5 percent on Prince of Wales Island, the resource base for traditional southern timber operations, and 24.6 percent in the Hoonah and Angoon area, the former resource base for central timber

operations—three times the rising national average.

This bill is a measure that calls on the Federal Government to finally acknowledge its role in the reduction of economic activity in the region. By the act, the Government would on a one-time basis, allow the Secretary of Agriculture to provide grants to allow existing timber facilities to retool either to adopt new timber production practices that can operate profitably on far smaller harvests or to convert timber plants to totally new types of manufacturing/business operations, leaving timber-dependent work. Firms—sawmills, logging companies and road construction companies involved in timber work for at least a decade—that seek funding for ''retooling projects'' must submit business plans and demonstrate the likelihood of success. More importantly they must commit to the ''extent practicable'' to continue to employ substantially the same number of employees for a ''reasonable'' period after completion of a retooling project. To limit the impact of the aid, grants may only go to businesses hat operated in the Tongass for not less than 10 years prior to Jan. 1, 2009. The program sunsets within 2 years with the maximum authorization of aid being $40 million subject to appropriation.

The bill would allow companies that used to build Forest Service timber roads, for example, to buy more appropriate equipment to bid on Federal highway work and water and sewer line work. It could help firms move into sand and gravel operations. It could allow sawmills with water access to be converted to marine repair facilities or into wood treatment plants. And it might allow some mills to convert to higher value-added products requiring less raw materials, like door and window sash manufacturing.

The changes would ease environmental pressures on timber stands, while aiding the economy by helping to replace the former year-round jobs in a region now nearly solely dependent on fishing and tourism income, besides government-sector spending, for employment. In a region where non-government jobs are precious, it could stimulate job retention and help create new employment. At a time when Congress is contemplating spending nearly $1 trillion to stimulate employment, this measure is a reasonable expenditure to help potentially transition employees to 21st century jobs. The Federal Government was the leading advocate for the establishment of a pulp-timber industry in the region following World War II. It is more than fitting that it provide more assistance to help the region transition to a new era of reduced timber harvests—an era prompted by major environmental legislation that this Congress passed in 1980 and 1990 that is largely responsible for the sharp drop in timber harvests. I hope this body will give fair and swift consideration to this measure.

By Mr. AKAKA (for himself, Mr. SCHUMER, Mr. INOUYE, and Mr. LIEBERMAN):

S. 786. A bill to authorize a grant program to provide for expanded access to mainstream financial institutions; to the Committee on Banking, Housing, and Urban Affairs.

Mr. AKAKA. Mr. President, today I am reintroducing the Improving Access to Mainstream Financial Institutions Act of 2009. This bill provides economic empowerment and educational opportunities for working families by helping bank the unbanked and increasing access to financial literacy opportunities. It will also encourage the use of mainstream financial institutions for working families that need small loans. I thank my cosponsors, Senators SCHUMER, INOUYE, and LIEBERMAN.

Too many Americans lack basic financial literacy. Americans of all ages and backgrounds face increasingly complex financial decisions as members of the nation's workforce, managers of their families' resources, and voting citizens. Many find these decisions confusing and frustrating because they lack the tools necessary that would enable them to make wise, personal choices about their finances.

Without a sufficient understanding of economics and personal finance, individuals will not be able to appropriately manage their finances, effectively evaluate credit opportunities, successfully invest for long-term financial goals in an increasingly complex marketplace, or be able to cope with difficult financial situations. Unfortunately, today too many working families are struggling as they are confronted with increases in energy and food costs or the loss of a job.

We must work toward improving education, consumer protections, and empowering individuals and families through economic and financial literacy in order to build stronger families, businesses, and communities. The bill that I am introducing today would help to educate, empower and protect consumers.

Millions of working families do not have a bank or credit union account. The unbanked rely on alternative financial service providers to obtain cash from checks, pay bills, and send remittances. Many of the unbanked are low- and moderate-income families that can ill afford to have their earnings diminished by reliance on these high-cost and often predatory financial services. Among those families who make up the bottom 20 percent of earners, one in four does not have a transaction account according to the Federal Reserve's Survey of Consumer Finances. Indeed, the unbanked are often among the most vulnerable. More than 15 percent of families headed by a single parent are unbanked. The unbanked are unable to save securely to prepare for the loss of a job, a family illness, a down payment on a first home, or education expenses making it difficult for these individuals to better their finances.

My bill authorizes grants intended to help low- and moderate-income unbanked individuals establish bank or credit union accounts. Providing access to a bank or credit union account can empower families with tremendous financial opportunities. An account at a bank or credit union provides consumers with alternatives to rapid refund loans, check cashing services, and high cost remittances. In addition, bank and credit union accounts provide access to saving and borrowing services.

Low- and moderate-income individuals are often challenged with a number of barriers that limit their ability to open and maintain accounts. Regular checking accounts may be too costly for some consumers unable to maintain minimum balances or unable to afford monthly fees. Poor credit histories may also hinder their ability to open accounts. By providing Federal resources for product development, administration, outreach, and financial education, banks and credit unions will be better able to reach out and bank the unbanked.

The second grant program authorized by my legislation provides consumers with a lower cost, short term alternative to payday loans. More needs to be done to encourage mainstream financial service providers to develop affordable small loan products. My legislation will help support the development of affordable credit products at bank and credit unions. Working families would be better off by going to their credit unions and banks, mainstream financial services providers, than payday loan shops. Payday loans are cash loans repaid by borrowers' postdated checks or borrowers' authorizations to make electronic debits against existing financial accounts. Payday loans often have triple digit interest rates that range from 390 percent to 780 percent when expressed as an annual percentage rate. Loan flipping, which is a common practice, is the renewing of loans at maturity by paying additional fees without any principal reduction. Loan flipping often leads to instances where the fees paid for a payday loan well exceed the principal borrowed. This situation often creates a cycle of debt that is hard to break.

There is a great need for working families to have access to affordable small loans. My legislation would encourage banks and credit unions to develop payday loan alternatives. Consumers who apply for these loans would be provided with financial literacy and educational opportunities. Loans extended to consumers under the grant would be subject to the annual percentage rate promulgated by the National Credit Union Administration's, Loan Interest Rates. Several credit unions have developed similar products.

I will work to enact this legislation so vital to empowering our citizens. In our current, modern, complex economy, not having a bank or credit union

account severely hinders the ability of families to improve their financial condition or help them navigate difficult financial circumstances. Instead of borrowing money from payday lenders at outrageous fees, we need to encourage people to utilize their credit unions and banks for affordable small loans. Banks and credit unions have the ability to make the lives of working families better by helping them save,

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. 786

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 ''Improving Access to Mainstream Financial Institutions Act of 2009''.

SEC. 2. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) ALASKA NATIVE CORPORATION.—The term ''Alaska Native Corporation'' has the same meaning as the term ''Native Corporation'' under section 3(m) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(m)).

(2) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ''community development financial institution'' has the same meaning as in section 103(5) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702(5)).

(3) FEDERALLY INSURED DEPOSITORY INSTITUTION.—The term ''federally insured depository institution'' means any insured depository institution (as that term is defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) and any insured credit union (as that term is defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)).

(4) LABOR ORGANIZATION.—The term ''labor organization'' means an organization—

(A) in which employees participate;

(B) which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work; and

(C) which is described in section 501(c)(5) of the Internal Revenue Code of 1986.

(5) NATIVE HAWAIIAN ORGANIZATION.—The term ''Native Hawaiian organization'' means any organization that—

(A) serves and represents the interests of Native Hawaiians; and

(B) has as a primary and stated purpose, the provision of services to Native Hawaiians.

(6) PAYDAY LOAN.—The term ''payday loan'' means any transaction in which a small cash advance is made to a consumer in exchange for—

(A) the personal check or share draft of the consumer, in the amount of the advance plus a fee, where presentment or negotiation of such check or share draft is deferred by agreement of the parties until a designated future date; or

(B) the authorization of the consumer to debit the transaction account or share draft account of the consumer, in the amount of the advance plus a fee, where such account will be debited on or after a designated future date.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(8) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the same meaning as in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 3. EXPANDED ACCESS TO MAINSTREAM FINANCIAL INSTITUTIONS.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary is authorized to award grants, including multi-year grants, to eligible entities to establish an account in a federally insured depository institution for low- and moderate-income individuals that currently do not have such an account.

(b) ELIGIBLE ENTITIES.—An entity is eligible to receive a grant under this section, if such an entity is—

(1) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, and is exempt from taxation under section 501(a) of such Code;

(2) a federally insured depository institution;

(3) an agency of a State or local government;

(4) a community development financial institution;

(5) an Indian tribal organization;

(6) an Alaska Native Corporation;

(7) a Native Hawaiian organization;

(8) a labor organization; or

(9) a partnership comprised of 1 or more of the entities described in the preceding subparagraphs.

(c) EVALUATION AND REPORTS TO CONGRESS.—For each fiscal year in which a grant is awarded under this section, the Secretary shall submit a report to Congress containing a description of the activities funded, amounts distributed, and measurable results, as appropriate and available.

SEC. 4. LOW COST ALTERNATIVES TO PAYDAY LOANS.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary is authorized to award demonstration project grants (including multi-year grants) to eligible entities to provide low-cost, small loans to consumers that will provide alternatives to more costly, predatory payday loans.

(b) ELIGIBLE ENTITIES.—An entity is eligible to receive a grant under this section if such an entity is—

(1) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(2) a federally insured depository institution;

(3) a community development financial institution; or

(4) a partnership comprised of 1 or more of the entities described in paragraphs (1) through (3).

(c) TERMS AND CONDITIONS.—

(1) PERCENTAGE RATE.—For purposes of this section, an eligible entity that is a federally insured depository institution shall be subject to the annual percentage rate promulgated by the National Credit Union Administration's Loan Interest Rates under part 701 of title 12, Code of Federal Regulations (or any successor thereto), in connection with a loan provided to a consumer pursuant to this section.

(2) FINANCIAL LITERACY AND EDUCATION OPPORTUNITIES.—Each eligible entity awarded a grant under this section shall offer financial literacy and education opportunities, such as relevant counseling services or educational courses, to each consumer provided with a loan pursuant to this section.

(d) EVALUATION AND REPORTS TO CONGRESS.—For each fiscal year in which a grant is awarded under this section, the Secretary shall submit a report to Congress containing a description of the activities funded, amounts distributed, and measurable results, as appropriate and available.

SEC. 5. PROCEDURAL PROVISIONS.

(a) APPLICATIONS.—A person desiring a grant under section 3 or 4 shall submit an application to the Secretary, in such form and containing such information as the Secretary may require.

(b) LIMITATION ON ADMINISTRATIVE COSTS.—A recipient of a grant under section 3 or 4 may use not more than 6 percent of the total amount of such grant in any fiscal year for the administrative costs of carrying out the programs funded by such grant in such fiscal year.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary, such sums as are necessary to carry out the grant programs authorized by this Act, to remain available until expended.

SEC. 7. REGULATIONS.

The Secretary is authorized to promulgate regulations to implement and administer the grant programs authorized by this Act.

By Mr. FEINGOLD (for himself, Mrs. BOXER, Mr. CARDIN, Mr. BROWN, Ms. CANTWELL. Mr. CARPER, Mr. DODD, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. MERKLEY, Mr. REED, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 787. A bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States; to the Committee on Environment and Public Works.

Mr. FEINGOLD. Mr. President, today I am introducing legislation to restore Clean Water Act protections for the same waters that were covered by the Act prior to two recent divisive U.S. Supreme Court decisions. I want to thank Senators BOXER, CARDIN, BROWN, CANTWELL, CARPER, DODD, DURBIN, GILLIBRAND, KERRY, KOHL, LAUTENBERG, LEAHY, LEVIN, LIEBERMAN, MENENDEZ, MERKLEY, REED, SANDERS, SCHUMER, SHAHEEN, STABENOW, WHITEHOUSE, and WYDEN for joining me in introducing this important legislation.

For 35 years, the American people have relied upon the Clean Water Act to protect and restore the health of the Nation's waters. The primary goal of the act to make rivers, streams, wetlands, lakes, and coastal waters safe for fishing, swimming and other recreation, suitable for our drinking water supply and agricultural and industrial uses, and available for wildlife and fish habitat has broad public support not only as a worthy endeavor but also as a fundamental expectation of Government providing for its citizens. It is our responsibility to ensure that our freshwater resources are able to enhance human health, contribute to the economy, and help the environment.

We must remain committed to the Clean Water Act of 1972, and to that end, Congress must enact legislation. Every day that Congress fails to act, more and more rivers, streams, wetlands and other waters that have long

been protected by the Clean Water Act are being stripped of their Clean Water Act protections and being polluted or destroyed altogether. According to the Environmental Protection Agency, over 20,000 determinations have been made since the court decisions on whether specific water bodies are covered by the act. Congress should not delay action until protections are stripped from more water bodies throughout the country. The EPA estimates that the court decisions could ultimately impact over half the stream miles and 20 percent of wetlands in the lower 48 States. Lost protections for these waters means the drinking water sources for over 110 million Americans are in jeopardy of pollution.

The Clean Water Restoration Act must be enacted to restore historical protections, using a surgical fix that reaffirms protections for the same categories of waters identified in the over three-decade-old EPA regulatory definition of ''waters of the United States.''

This is a serious problem, demanding serious debate and action. If we do not act, we will be allowing the Clean Water Act to be rolled back. That would mean increased uncertainty, confusion, litigation, and permitting delays resulting from the court decisions and subsequent agency guidelines. It also would pose a very real threat to Clean Water Act protections for public water supplies, industrial and agriculture uses, fish and wildlife, and recreation.

I am pleased to lead the effort to protect the Clean Water Act in the Senate, and to have support from a range of interested parties, including former EPA Administrators from both Republican and Democratic administrations; governors; attorneys general; State agencies; professional societies and associations; labor and business professionals and unions; farming organizations; and over 400 hunting, fishing, recreational, and conservation organizations.

In response to suggestions I received last Congress, I made several revisions to the bill to make Congressional intent very clear.

My bill, the Clean Water Restoration Act, would continue to protect only those waters historically protected by the Clean Water Act prior to the Supreme Court decisions. This is the crux of my bill, Section 4. In 1972, Congress granted Clean Water Act protections to ''navigable waters'' and broadly defined those as ''the waters of the United States, including the territorial seas'', in stark contrast to the 1899 Rivers and Harbors Act, which had only provided protections for the commercially navigable waters. Since the 1970s, EPA and Corps regulations, 40 CFR 122.2 and 33 CFR 328.3, have properly established the scope of ''waters of the United States'' to be protected, including all intrastate and interstate rivers, streams, lakes, and wetlands. My bill simply takes the longstanding, existing regulatory definition for ''waters of the United States'' and puts it into law, in lieu of defining ''navigable waters'' as ''waters of the United States,'' as the Act does now. This surgical fix is necessary because the Supreme Court used the word ''navigable'' to create a more narrow definition for ''waters of the United States'' than the definition used for over 30 years. The Court did not, however, limit protections more drastically to only ''navigable-in-fact'' and continuously flowing waters as some interests have called for. This might have been the law in 1899 when the Rivers and Harbors Act focused on commercial navigation, but it would be entirely inappropriate for the modern day clean water protections provided by the Clean Water Act of 1972.

My bill also asserts appropriate constitutional authority to protect the Nation's waters. Despite claims to the contrary, Congress has broad constitutional authority, including under the Commerce Clause, Property Clause, Treaty Clause, and Necessary and Proper Clause, to enact laws protecting our nation's water quality. To prevent future courts from narrowly applying Congress's constitutional authority, my bill includes the phrase ''activities affecting those waters.''

My bill also maintains existing exemptions for farming, silviculture, ranching, and other activities, and leaves unchanged the activities that require a permit. The bill only ensures that the same types of waters covered before the Supreme Court decisions continue to be protected and does not affect the activities that require permits. In short, if you have not needed a permit for the last thirty-five years for an activity, you will not need one when this bill is enacted.

Importantly, in 1977, when the Act was modified, a significant compromise was reached to exempt farming, silviculture, and forestry activities from the Act. I stand by this understanding, and just to be sure, the Clean Water Restoration Act explicitly states that the Act's existing exemptions are maintained. As stated in the Act and left unchanged by my bill, agricultural activities are largely exempt from the Clean Water Act [the main permitting programs affecting agriculture address point-source discharge, Section 402, not non-point, and the dredging and filling of waters, Section 404. The following agricultural activities are exempt: normal farming activities (which casts a wide net for plowing, cultivating, harvesting, conservation practices, etc.), agriculture run-off/stormwater discharges, return flows from irrigation, maintenance and construction of farm roads, farm and stock ponds, and irrigation ditches, and maintenance of drainage ditches. There are additional EPA regulatory exemptions for prior converted cropland, and wastewater treatment systems, including treatment lagoons and ponds. Again, my bill does not affect these exemptions and the findings make Congressional intent very clear in this regard.

In short, my bill will allow those waters always protected by the Clean Water Act to continue to receive basic protections. I appreciate the depth and breadth of support for reaffirming the Clean Water Act of 1972 and importantly, rejecting efforts to roll back the law.

Mr. WYDEN. Mr. President, If there is one environmental issue that divides us more than unites us, it's water, especially in the West.

Farmers, ranchers, cities, towns, all compete for limited supplies. Salmon and other economically and culturally important fish depend on its flow. If it is not water quantity, then it is water quality that makes what gets passed on to the next water user the source of contention.

The Clean Water Act has been enormously successful at making water users clean up the water that they use before it is discharged back into lakes, rivers, and streams, and, before it's used by the next person downstream. It has also helped ensure the survival of fish and wildlife.

Over the past 8 years, the U.S. Supreme Court has rendered two major decisions that have restricted the scope of the Act. As it is now being interpreted by the U.S. Environmental Protection Agency and the Corps of Engineers, the Act no longer prevents the discharge of pollution or fill into many wetlands or intermittent streams, lakes and ponds. By some estimates, more than half the streams in Oregon could be classified as intermittent streams and no longer protected. Another estimate concludes that over one million Oregonians get their drinking water from sources that would no longer be fully protected by the Clean Water Act. I think this is the wrong thing to do.

Last year, I cosponsored S. 1870—the Clean Water Restoration Act—legislation which was intended to return the protections of the Clean Water Act to the way they were before these two Supreme Court decisions occurred. No more, and no less.

In my town hall meetings around Oregon, I have received questions and complaints about this legislation. The biggest concern that many people had was that this new bill was actually going to expand the reach of the Federal Government over water regulation in ways that would literally threaten the ability of farmers to farm and ranchers to ranch. People were also concerned that this legislation would not only regulate discharges into rivers and streams, but it would also regulate the quantity of water they use.

I am no supporter of Federal water grabs. I would not have cosponsored this legislation in the last Congress if it would threaten Oregon farmers' ability to farm or our ranchers' ability to ranch. I would have opposed it.

Ranchers and farmers and forest owners know how to be stewards of the land they ranch and farm and manage because their livelihoods depend on it,

and if they are not careful about how they manage that land there will be nothing to pass on to the next generation. The same is true for how we must treat our rivers, streams and wetlands.

So over the past few months, my staff and I have worked with Senator FEINGOLD, the primary sponsor of the bill, to clarify that intent of this legislation is to simply restore the interpretation of the Clean Water Act to what it had been before these Supreme Court decisions. No more, and no less.

Earlier this year, in response to my concerns about how the bill would impact rural Oregon, Senator FEINGOLD reiterated in a letter to me his intent that the Clean Water Restoration Act not expand the scope of the law. Sen. FEINGOLD also revised the text of the bill in a way that I believe makes it even clearer that the goal is not to expand the scope of the Clean Water Act beyond what it was in 2001 before the Supreme Court decisions.

First of all, the bill again includes a savings clause that clearly continues the existing exemption for irrigation return flows from Clean Water Act regulation. It continues the exemption for dredged or fill materials from normal farming, silviculture and ranching activities. It continues the exemption for construction and maintenance of farm or stock ponds or irrigation ditches and drainage ditches. It continues the exemption for construction and maintenance of farm roads or forest roads.

Second, the bill now contains a much more detailed set of findings that make it absolutely clear that the intent of Congress with enactment of the bill is to restore the regulatory system for the Clean Water Act to what it was before these two Supreme Court decisions. These findings also make it clear that the bill is not regulating ground water, only surface water, just as the Clean Water Act has always done. The findings make it clear that exclusions for prior converted cropland and manmade impoundments remain in place. They make it clear that the intent is to regulate water quality, not quantity or ownership.

If more changes are needed to ensure that the bill does what Sen. FEINGOLD and I say it does, than I am certainly open to making more changes to make sure the Senate gets this crucial issue right.

Some people do not like the pre-2001 Clean Water Act regulatory system. Some believe that the Supreme Court did the right thing by removing many wetlands and intermittent streams and lakes from the protections of the Clean Water Act. I disagree. I think those protections are needed to protect our water supplies and our environment and wildlife habitat. Farmers and ranchers need those protections for their livelihoods. But I want to be absolutely clear, that I will not support expanding Federal authority in this area beyond what it was before 2001.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be placed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, January 8, 2009.

Hon. RON WYDEN,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR WYDEN: Thank you for your commitment to reinstating longstanding Clean Water Act protections, which have been unquestionably reduced and blurred by recent Supreme Court decisions. I appreciate you contacting me on behalf of your constituents with some important questions about the intent and effect of my bill, the Clean Water Restoration Act.

Like you, I am committed to restoring the scope of the Clean Water Act of 1972 and strongly oppose efforts to roll back the Act—which is happening and will continue to happen until Congress acts. A recent investigation by the House Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure found that the 2006 Rapanos case and subsequent agency guidance are directly responsible for ''a drastic deterioration of [the Environmental Protection Agency's] Clean Water Act enforcement program . . . hundreds of violations have not been pursued.'' The investigation revealed that top EPA officials warned that ''the difficulty in interpreting and applying the Rapanos decision and the Inter-Agency guidance has created a drain on [EPA] resources, caused delays and uncertainty in compliance determinations. . . .'' According to the EPA, over 50 percent of U.S. streams, 20 million acres of wetlands, and the drinking water for 110 million Americans remain in jeopardy of being polluted or destroyed as a result of the Supreme Court decisions.

Since Congress is the only branch of government that can reinstate protections and prevent a significant roll-back of the Act. I introduced the Clean Water Restoration Act to do just that, and only that.

The bill will not increase permitting and does not change the requirements for what activities need a permit. The Clean Water Restoration Act would only modify one term in the Act and does not alter any other sections of law, including those identifying what activities need a permit. Nevertheless, when the bill was reintroduced in the 110th Congress, we added a savings clause to make it explicitly clear that the exemptions for agriculture, ranching, and forestry are maintained. The Act was amended in 1977 to add these permitting exemptions and my bill will not change those exemptions, or existing exemptions in the regulations that do not require permits for agricultural activities affecting prior converted cropland or for wastewater treatment systems.

As you know, the Clean Water Act protects ''navigable waters,'' which the Act broadly defines as ''waters of the United States, including the territorial seas'' (though often a source of confusion, the term ''navigable waters'' has a very different meaning in the Clean Water Act than it does in the Rivers and Harbors Act of 1899, which extends only very narrow protections to commercially navigable waters). ''Navigable waters'' and ''waters of the United States'' are broadly defined, for purposes of the Clean Water Act, in the Environmental Protection Agency and U.S. Army Corps of Engineers' regulations to cover all waters necessary to achieve the Act's water quality purposes. This includes such so-called isolated wetlands as prairie potholes and playa lakes, which have been jeopardized since the 2001 SWAIVCC case, as well as intermittent streams, which remain jeopardized by the 2006 Rapanos case and subsequent agency guidance. In order to meet the intent and purpose of the Clean Water Act of 1972, we must ensure all these waters continue to be protected—which is why the Clean Water Restoration Act defines ''waters of the United States'' using the same list of waters.

In your letter, you asked about an exchange at a hearing on the bill in 2008 where the former Administrator of the EPA, Carol Browner, responded to a question about whether a ''puddle'' is a ''wetland.'' Though the question was likely intended in jest, there is a longstanding, scientific process for determining and delineating a wetland. Professional determinations are made, for purposes of Section 404 of the Clean Water Act, using the Corps regulatory definition of a wetland. Wetlands generally include swamps, marshes, bogs, and similar areas (33 CFR 328.3(b)).

Lastly, the Clean Water Act does not regulate water quantity, only water quality. Its purpose is to ''restore and maintain the chemical, physical, and biological integrity of the nation's waters'' (33 U.S.C. 1251 et seq.). I am pleased to lead the effort to protect the Clean Water Act in the Senate, and to have your support, as well as that of a range of interested parties, including former EPA Administrators from both Republican and Democratic administrations; governors; attorneys general; state agencies; professional societies and associations; labor and business professionals and unions; farming organizations; and over 400 hunting. fishing, recreational, and conservation organizations.

Thanks for your efforts to educate others about the importance of this legislation and the true purpose of the Clean Water Restoration Act. As always. I am committed to working with you and others to restore historical protections to the waters of the United States.

Sincerely,

RUSSELL D. FEINGOLD.

By Ms. SNOWE (for herself and Mr. NELSON, of Florida):

S. 788. A bill to prohibit unsolicited mobile text message spam; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today, along with Senator BILL NELSON, to introduce legislation that would curb a growing nuisance that millions of wireless customers experience on a daily basis—unsolicited text messages or mobile spam.

Spam has long been loathed by email users around the world. It is for good reason—percent of all email sent worldwide is considered spam, which means close to 200 billion spam messages are sent every day. The vast majority of the spam sent on the Internet is done so illegally through the use of botnets, which are ''networks'' of hijacked or compromised computers. One botnet, Srizbi, which consists of more than 450,000 compromised PCs is able to send on average more than 60 billion spam messages per day. Many of these spam messages include viruses, malicious spyware, or are phishing attacks.

With more data functionality and improved user interfaces with wireless devices, it is expected that mobile spam will grow over the next several years. Those viruses and malware that are so prevalent on a user's computer could

and most likely will show up on their cell phones through m-spam. So a very significant threat to wireless users looms.

While the FCC and the FTC have adopted rules to prohibit sending unwanted commercial e-mail messages to wireless devices without prior permission, text messages are not covered by their rules so it is not having the desired effect of deterring distribution of mobile spam, let alone email spam. The m-SPAM Act would provide more government attention to this growing problem and makes modifications to existing law in order to improve efforts to restrain mobile spam—before it becomes more than an annoyance.

More text and voice spam are steadily invading handsets. Wireless users in the U.S. received more than 1.1 million spam text messages in 2007, up 38 percent from 2006. Mobile spam not only clutters a wireless user's inbox, but it also unduly increases the monthly wireless bill—wireless subscribers typically are charged for sending and receiving text messages—sometimes as much as 20 cents per message.

Some telephone companies have been proactive in preventing spam—wireless carriers already block up to 200 million unsolicited text messages per month, but many times the senders cannot be located and brought to justice without Government help. In May 2007, Verizon Wireless sued telemarketers that had inundated the company with more than 12 million mobile spam messages. The carrier was able to block most of them but the inundation still hit consumers with unwanted charges and the carrier with a congested network. So more can be done to prevent this aggravating practice and relieve consumers of having to resolve these charges on their bills. Even the wireless industry recently has urged government to do more to catch and prosecute spammers.

That is why I sincerely hope that my colleagues will join Senator BILL NELSON and me in supporting this critical legislation.

By Mr. BINGAMAN (for himself, Mr. CASEY, Mr. KOHL, and Mr. UDALL, of New Mexico):

S. 790. A bill to improve access to health care services in rural, frontier, and urban underserved areas in the United States by addressing the supply of health professionals and the distribution of health professionals to areas of need; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I rise today with Senators ROBERT CASEY, HERB KOHL, and TOM UDALL to introduce the Health Access and Health Professions Supply Act of 2009.

Health care reform is a national priority—far too many Americans do not have access to meaningful, affordable health insurance. But even if every person in the U.S. had health insurance, we do not have a cohesive or coordinated strategy to address health workforce emergencies and shortages, and problems with reliable access to quality, affordable care. Over 20 percent of Americans are living in health professions shortage areas without access to adequate medical, dental, and mental and behavioral health services. This workforce deficiency will worsen as the population ages and grows by an estimated 25 million individuals per decade and, could be severely exacerbated by epidemics and disasters. It is estimated that without intervention, the United States will experience shortages of as many as 200,000 physicians and one million nurses by 2020. It takes many years to create a pipeline of health professionals. I am introducing the Health Access and Health Professions Supply Act of 2009 to coordinate our health workforce strategy, to build and maintain this pipeline, so that health and safety of every American is protected. The legislation is based on the most recent recommendations developed by Council on Graduate Medical Education and other health workforce experts.

This legislation addresses these issues in an unprecedented and comprehensive manner. It creates a Permanent National Health Workforce Commission to assure that the Federal investment in the education of health professionals is a public good that address the needs of the American people. The Commission is tasked to design, revise, implement and evaluate programs, grants, and regulations related to the nation's health workforce.

The Health Access and Health Professions Supply Act of 2009 expands the Medicare medical home demonstration project. This pilot program would include 1,000 medical home primary care providers working in interdisciplinary teams. These clinicians will provide the highest quality medical care using the best health information technology, and personalized, coordinated, and accessible care.

But new models are not enough. We have allowed our primary care educational infrastructure to crumble. Without intervention, the decline will likely continue, and access to care in underserved areas will rapidly deteriorate. Family physicians represent 58 percent of the rural physician workforce, 70 percent of non-federal physicians in whole-county health professional shortage areas, and 78 percent of primary care physician full-time equivalents in the National Health Service Corps. Yet, the number of graduates from medical school in the U.S. who choose to practice family medicine has plummeted 50 percent in less than 10 years. Currently, less than 5 percent of graduates from medical school specialize in primary care. This is despite the fact that one of the most significant measures of the effectiveness and efficiency of a healthcare system is the degree to which the population has access to meaningful and coordinated primary care.

Experts tell us that the dearth of primary care providers may be attributed to many factors including low reimbursement levels and a lack of federal incentives to teaching institutions to promote primary care. My legislation would allow the National Health Workforce Commission to analyze these issues and recommend solutions including changes in Federal reimbursement systems. For example, this bill calls for improved transparency and accountability for Federal dollars spent for medical education through direct Graduate Medical Education, GME, and Indirect Medical Education, IME, and money paid in Disproportionate Share, DSH, support for safety net services provided under the Medicare and Medicaid programs.

This legislation also substantially increases funding for the National Health Service Corps. This will help provide healthcare access to the areas of our country that are in most desperate need. Also, included are expanded loan forgiveness and grant programs to develop new training programs in rural and other underserved communities to help us train health professionals in areas where they are needed.

The Health Access and Health Professions Supply Act of 2009 establishes a U.S. Public Health Sciences Track to train physicians, dentists, nurses, physician assistants, mental and behavior health specialists, pharmacists, and public health professionals emphasizing team-based service, public health, epidemiology, and emergency preparedness and response in affiliated institutions. Students in this program are accepted as Commission Corps officers in the U.S. Public Health Service and will receive tuition remission and a stipend with a two year service commitment for each year of school covered. This group will form an elite cadre of healthcare professionals that can be deployed when epidemics, natural or other disasters strike.

I am introducing the Health Access and Health Professions Supply Act of 2009 with the understanding that our health workforce shortfall cannot be solved using a piecemeal approach. We must address health workforce issues in health care reform to guarantee access to quality care for all Americans but we must also ensure that taxpayer dollars used to support health professions education are spent wisely.

This legislation has received widespread support and is endorsement by the: National Association of Community Health Centers, National Rural Health Association, American Medical Students Association, Trust for America's Health, American Psychological Association, American Association of Colleges of Pharmacy, American Academy of Physician Assistants, Commissioned Officers Association of the U.S. Public Health Service, National Rural Recruitment and Retention Network, American Academy of Child and Adolescent Psychiatry, New Mexico Health Resources, New Mexico Medical Society, New Mexico Chapter of the American College of Physicians, and the Santa Fe Project Access.

I urge my colleagues in the Senate to join us in support of the Health Access and Health Professions Supply Act of 2009.

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. 790

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 ''Health Access and Health Professions Supply Act of 2009'' or ''HAHPSA 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—AMENDMENTS TO THE SOCIAL SECURITY ACT

Sec. 101. Permanent National Health Workforce Commission.
Sec. 102. State health workforce centers program.
Sec. 103. Medicare medical home service and training pilot program.
Sec. 104. Improvements to payments for graduate medical education under medicare.
Sec. 105. Distribution of resident trainees in an emergency.
Sec. 106. Authority to include costs of training of psychologists in payments to hospitals for approved educational activities under Medicare.

TITLE II—AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT

Sec. 201. Expansion of National Health Service Corps programs.
Sec. 202. National health service corps scholarship program for medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, and nursing students in the United States public health sciences track in affiliated schools.
Sec. 203. Federal medical facility grant program and program assessments.
Sec. 204. Health professions training loan program.
Sec. 205. United States Public Health Sciences Track.
Sec. 206. Medical education debt reimbursement for physicians of the Veterans Health Administration.

TITLE III—HEALTH PROFESSIONAL TRAINING PIPELINE PARTNERSHIPS PROGRAM

Sec. 301. Grants to prepare students for careers in health care.

SEC. 2. FINDINGS.

(a) FINDINGS RELATED TO HEALTH CARE ACCESS IN RURAL, FRONTIER, AND URBAN UNDERSERVED AREAS OF THE UNITED STATES.—Congress finds the following:

(1) The United States does not have a cohesive or coordinated approach to addressing health workforce shortages and problems with reliable access to quality, affordable health care.

(2) There are 50,000,000 citizens of the United States living in areas that are designated under section 332(a)(1)(A) of the Public Health Service Act as health professional shortage areas.

(3) The population of the United States will grow by 25,000,000 each decade.

(4) The number of individuals over 65 years of age in the United States will double between 2000 and 2030, with such individuals accounting for 20 percent of the total population of the United States in 2030.

(5) Individuals over 65 years of age have twice as many doctor visits as those individuals under 65 years of age, resulting in an increase in the demand for physicians, physician assistants, pharmacists behavioral and mental health professionals, nurses, and dentists.

(6) The rates of chronic diseases (such as diabetes) are increasing in the population of the United States.

(7) There are 47,000,000 citizens of the United States who do not have health insurance, and over 130,000,000 individuals within the United States who do not have dental insurance. Those individuals who are uninsured have limited access to health care.

(8) Academic health centers, Federal medical facilities, and teaching hospitals provide a substantial percentage of safety net services in the United States to uninsured and underinsured populations and to those individuals who have 1 or more chronic diseases. Such centers, facilities, and teaching hospitals provide those safety net services while concurrently providing for the training of health professionals.

(9) The pipeline for the education of health professionals—

(A) begins and often ends in urban areas;

(B) does not reliably include Federal support for nonphysician training;

(C) does not incorporate modern training venues and techniques, including community-based ambulatory sites; and

(D) discourages interdisciplinary, team, and care coordination models as a result of restrictive regulations.

(10) Health reform must include measures to transform the health delivery system to assure access, quality, and efficiency by utilizing contemporary models and venues of care.

(11) Reform of the health delivery system will require modernization of the training of health professionals to ensure that health professionals—

(A) practice in integrated teams in a variety of delivery venues (including inpatient and ambulatory settings and long-term care facilities) to utilize decision support and health information systems;

(B) deliver patient-centered care;

(C) practice evidence-based health care;

(D) learn performance-based compensation systems, comparative effectiveness, and costs of care across the spectrum; and

(E) deliver culturally appropriate, personalized care.

(b) FINDINGS RELATED TO ACCESS TO ORAL HEALTH.—Congress finds the following:

(1) Dental care is the number 1 unmet health care need in children, and is 1 of the top 5 unmet health care needs in adults.

(2) Over 130,000,000 citizens of the United States are without dental insurance.

(3) Over 45,000,000 citizens of the United States live in areas that are designated under section 332(a)(1)(A) of the Public Health Service Act as dental health professional shortage areas.

(4) Rural counties have less than half the number of dentists per capita compared to large metropolitan areas (29 versus 62 for population of 100,000).

(5) In 2006, over 9,000 dentists were needed in such dental health professional shortage areas.

(6) Between 27 and 29 percent of children and adults in the United States have untreated cavities.

(7) The number of dental school graduates in the United States decreased by 20 percent between 1982 and 2003 and the average age of practicing dentists in the United States is 49.

(8) There were over 400 dental faculty vacancies in the school year beginning in 2006.

(9) In 2007, the average debt of a dental student at graduation was $172,627.

(c) FINDINGS RELATED TO PHYSICIAN SHORTAGES, EDUCATION, AND DISTRIBUTION.—Congress finds the following:

(1) By 2020, physician shortages are forecasted to be in the range of 55,000 to 200,000.

(2) Although 21 percent of the population of the United States lives in rural areas, only 10 percent of physicians work in rural areas and, for every 1 physician who goes into practice in regions with a low supply of physicians, 4 physicians go into practice in regions with a high supply of physicians.

(3) According to a 2004 report by Green et al. for the Robert Graham Center of the American Academy of Family Physicians, the number of applicants from rural areas accepted to medical school has decreased by 40 percent in the last 20 years while the number of such applications has remained the same.

(4) In order to respond to forecasted shortages, experts have recommended an increase between 15 and 30 percent in class size at medical schools over the next 10 years.

(5) There are 55,000,000 citizens of the United States who lack adequate access to primary health care because of shortages of primary care providers in their communities.

(6) The number of graduates from medical school in the United States who choose to practice family medicine has plummeted 50 percent in less than 10 years. Without congressional intervention, such decline will likely continue, and access to care in underserved areas will rapidly deteriorate. Family physicians represent 58 percent of the rural physician workforce, 70 percent of non-Federal physicians in whole-county health professional shortage areas, and 78 percent of primary care physician full-time equivalents in the National Health Service Corps.

(7) Current trends indicate that fewer resident trainees from pediatric and internal medicine residencies pursue generalist practice at graduation.

(8) Funding for medical education which is provided through direct Graduate Medical Education (GME) and Indirect Medical Education (IME) under the Medicare program is not transparent or accountable, nor is it aligned to the types of health professionals most needed or to the areas in which health professionals are most needed.

(9) Physician supply varies 200 percent across regions and there is no relationship between regional physician supply and health needs.

(10) The Council on Graduate Medical Education's 18th Report (issued in 2007), entitled ''New Paradigms for Physician Training for Improving Access to Health Care'', and 19th Report (issued in 2007), entitled ''Enhancing Flexibility in Graduate Medical Education'', each call for changes to address the healthcare needs of the United States by removing barriers to expanding and more appropriately training the physician workforce.

(d) FINDINGS RELATED TO NURSING SHORTAGES, EDUCATION, AND DISTRIBUTION.—Congress finds the following:

(1) By 2020, nursing shortages are forecast to be in the range of 300,000 to 1,000,000 and the Bureau of Labor Statistics of the Department of Labor estimates that more than 1,200,000 new and replacement registered nurses will be needed by 2014.

(2) Nurse vacancy rates are currently 8 percent or greater in hospitals and community health centers receiving assistance under

section 330 of the Public Health Service Act, and for nursing faculty positions.

(3) Surveys indicate that 40 percent of nurses in hospitals are dissatisfied with their work and, of nurses who graduate and go into nursing, 50 percent leave their first employer within 2 years.

(4) Nursing baccalaureate and graduate programs rejected more than 40,000 qualified nursing school applicants in 2006, with faculty shortages identified by such programs as a major reason for turning away qualified applicants.

(5) More than 70 percent of nursing schools cited faculty shortages as the primary reason for not accepting all qualified applicants into entry-level nursing programs.

(6) The nursing faculty workforce is aging and retiring and, by 2019, approximately 75 percent of the nursing faculty workforce is expected to retire.

(7) The average age of nurses in the United States is 49 and the average age of an associate professor nurse faculty member in the United States is 56.

(8) Geriatric patients receiving care from nurses trained in geriatrics are less frequently readmitted to hospitals or transferred from skilled nursing facilities and nursing facilities to hospitals.

(e) FINDINGS RELATED TO PUBLIC HEALTH WORKFORCE SHORTAGES.—Congress finds the following:

(1) The United States has an estimated 50,000 fewer public health workers than it did 20 years ago while the population has grown by approximately 22 percent.

(2) Government public health departments are facing significant workforce shortages that could be exacerbated through retirements.

(3) Twenty percent of the average State health agency's workforce will be eligible to retire within 3 years, and by 2012, over 50 percent of some State health agency workforces will be eligible to retire.

(4) Approximately 20 percent of local health department employees will be eligible for retirement by 2010.

(5) The average age of new hires in State health agencies is 40.

(6) 4 out of 5 current public health workers have not had formal training for their specific job functions.

(f) FINDINGS RELATED TO PHYSICIAN ASSISTANT SHORTAGES.—Congress finds the following:

(1) The purpose of the physician assistant profession is to extend the ability of physicians to provide primary care services, particularly in rural and other medically underserved communities.

(2) Physician assistants always practice medicine as a team with their supervising physicians, however, supervising physicians need not be physically present when physician assistants provide medical care.

(3) Physician assistants are legally regulated in all States, the District of Columbia, and Guam. All States, the District of Columbia, and Guam authorize physicians to delegate prescriptive authority to physician assistants.

(4) In 2007, physician assistants made approximately 245,000,000 patient visits and prescribed or recommended approximately 303,000,000 medications.

(5) The National Association of Community Health Centers, the George Washington University, and the Robert Graham Center for Policy Studies in Family Medicine and Primary Care found that while the number of patients who seek care at community health centers has increased, the number of primary care providers, including physician assistants, has not. The report estimates a need for 15,500 primary health care providers to provide care at community health centers.

(g) FINDINGS RELATED TO MENTAL HEALTH PROFESSIONAL SHORTAGES.—Congress finds the following:

(1) The National Institute of Mental Health estimates that 26.2 percent of citizens of the United States ages 18 and older suffer from a diagnosable mental disorder. Approximately 20 percent of children in the United States have diagnosable mental disorders with at least mild functional impairment.

(2) The Health Resources and Services Administration reports that there are 3,059 mental health professional shortage areas within the United States with 77,000,000 people living in those areas. More than 5,000 additional mental health professionals are needed to meet demand.

(3) According to the Department of Health and Human Services, minority representation is lacking in the mental health workforce. Although 12 percent of the population of the United States is African-American, only 2 percent of psychologists, 2 percent of psychiatrists, and 4 percent of social workers are African-American. Moreover, there are only 29 mental health professionals who are Hispanic for every 100,000 individuals who are Hispanic in the United States, compared with 173 non-Hispanic White providers for every 100,000 individuals who are non-Hispanic White in the United States.

(h) FINDINGS RELATED TO HEALTH PROFESSIONAL SHORTAGE AREAS.—

(1) In 2006, the National Health Service Corps had a total of 4,200 vacant positions in health professional shortage areas, but only 1,200 of those positions were funded. For each National Health Service Corps award, there are 7 applicants.

(2) Community health centers receiving assistance under section 330 of the Public Health Service Act have expanded to serve 16,000,000 individuals in over 1,000 sites. Such community health centers have high vacancy rates for family physicians (13 percent), obstetricians and gynecologists (21 percent), dentists, nurses, and other health professionals.

(3) The Institute of Medicine of the National Academies has recommended that medical education and public health issues be more closely aligned, especially in relation to preparedness for natural disasters, pandemic, bioterrorism, and other threats to public health.

(4) The education of health professionals must be more closely aligned with health care needs in the United States, with special attention to underserved populations and areas, health disparities, the aging population, and individuals with 1 or more chronic diseases.

(5) There is some duplication, and little coordination, between the Council on Graduate Medical Education (related to the physician workforce), the National Advisory Committee on Nursing Programs (related to the nursing workforce), the Advisory Committee on Training in Primary Care Medicine and Dentistry, and other advisory committees and councils.

(6) The Association of Academic Health Centers calls for making the health workforce of the United States a priority domestic policy issue and creating a national health workforce planning body that engages Federal, State, public, and private stakeholders.

TITLE I—AMENDMENTS TO THE SOCIAL SECURITY ACT

SEC. 101. PERMANENT NATIONAL HEALTH WORKFORCE COMMISSION.

(a) ESTABLISHMENT.—There is hereby established the Permanent National Health Workforce Commission (in this section referred to as the ''Commission'').

(b) DUTIES.—

(1) REVIEW OF FEDERAL POLICIES AND ANNUAL REPORTS.—

(A) REVIEW.—The Commission shall review Federal policies with respect to the training, financing, and distribution of the health professional workforce, particularly with respect to such workforce in rural, frontier, and urban underserved areas, including the specific topics described in paragraph (2). Such review shall include a comprehensive analysis and reporting of—

(i) the most recent COHPPERDDUST Annual Report;

(ii) the number of medical students and residents, physician assistant students, pharmacy students and residents, behavioral and mental health students and residents, dental students and residents, nursing students and advance practice nursing trainees, and other health professionals in need of training, the rates of payment for such training; and the methodologies for funding such training;

(iii) how to align payments for direct graduate medical education costs under section 1886(h) of the Social Security Act (42 U.S.C. 1395ww(h)) and payments for the indirect costs of medical education under section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)) with other Federal and State subsidies and payments for health professions education with desired outcomes for the health professional workforce;

(iv) whether Federal medical facilities should be permitted to train health professionals with support paid directly by the entity sponsoring the health professional;

(v) whether the establishment of transparent, accountable Federal payment policies for training health professionals would ensure that the types of health professionals trained and the distribution of such health professionals would meet the health care needs of the population of the United States;

(vi) the feasibility of establishing a National Health Professions Education Trust Fund to ensure an open and fair system of Federal, State, and private support for providing education for health professionals; and

(vii) any other issues related to such Federal policies as the Commission determines appropriate.

(B) COHPPERDDUST ANNUAL REPORTS.—Not later than each of January 1 of each year (beginning with 2012) the Commission shall submit to the Secretary and to Congress a report containing—

(i) the results of the review conducted under subparagraph (A); and

(ii) recommendations—

(I) with respect to the Health Professions Pipeline, Education, Research, Diversity & Distribution to Underserved Areas Utilizing Service/Training Models; and

(II) for such legislation or administrative action, including regulations, as the Commission determines appropriate.

(2) SPECIFIC TOPICS DESCRIBED.—

(A) PAYMENTS FOR HEALTH PROFESSIONS EDUCATION.—Specifically, the Commission shall review, with respect to the training, financing, and distribution of the health professional workforce, the following:

(i) The regular update, revision, and standardization of hospital-specific and sponsoring institution-specific base-period per resident amounts and cost reporting periods for payments for direct graduate medical education costs under section 1886(h) of the Social Security Act (42 U.S.C. 1395ww(h)) and payments for the indirect costs of medical education under section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)).

(ii) The feasibility of the Secretary, subject to review by the Commission, granting a waiver under the Medicare program, such as

the waiver granted to the Utah Medical Education Commission, which would allow States flexibility to utilize funding under titles XVIII, XIX, and XXI of the Social Security Act for direct graduate medical education and indirect graduate medical education to support coordinated and comprehensive health workforce training innovations.

(iii) Replacement of the current methodology for making payments for such direct graduate medical education costs and such indirect costs of medical education with a workforce adjustment payment, based on a Sustainable Growth Rate formula or a prospective payment system, under which—

(I) payments would be made directly to the sponsoring institution where such education is provided; and

(II) payments would be separated to reflect the costs to the professional and facility components of such education.

(iv) The establishment of standards for the financing of education for health professionals who are not physicians.

(v) The expansion of the definition, for purposes of making payments for health professions education (including such direct graduate medical education costs and such indirect costs of medical education), of the term ''sponsoring institution'', which traditionally has been a teaching hospital or medical school, to include nonteaching hospital-based entities (such as managed care organizations and public and private healthcare consortia) that are capable of assembling all of the resources necessary for effectively providing the training and education required to address healthcare access, quality, and costs and to meet workforce needs.

(vi) The provision of health professions education by nonteaching hospital-based entities (including rural health clinics (as defined in subsection (aa)(2) of section 1861 of the Social Security Act (42 U.S.C. 1395x)), community health centers (as defined in section 330 of the Public Health Service Act (42 U.S.C. 254b)), and Federally qualified health centers (as defined in subsection (aa)(4) of such section 1861) that are not sponsoring institutions (as defined under clause (v)) as affiliates of the sponsoring institution for purposes of providing more limited, but highly valuable clinical training.

(vii) The establishment of incentives to promote interdisciplinary, team-based, and care coordination-based education of health professionals, including incentives to encourage the development of health information technology (such as a repository of consumer health status information in computer processable form) which can be used for diagnosis, management, and treatment and includes price and cost information.

(viii) Adjustment to the Medicare caps on graduate medical education positions to increase the number of primary care residents, general dentistry residents, geriatric fellowship trainees, and other health professionals trained in Federal medical facilities.

(ix) The development of pay-for-performance methodologies for payments for health professions education (including such direct graduate medical education costs, payments for such indirect costs of medical education, and disproportionate share payments under section 1886(d)(5)(F) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(F))) to—

(I) increase payments to sponsoring institutions and the affiliates of such institutions that achieve desired outcomes; and

(II) reduce payments to such institutions and such affiliates that do not perform.

(x) The correlation between Federal policies with respect to the training, financing, and distribution of the health professional workforce and specific evidence-based, measurable, and comparative outcomes across sponsoring institutions and the affiliates of such institutions.

(xi) Disproportionate share payments under section 1886(d)(5)(F) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(F)) made to service and training institutions that provide safety net access, community-based outreach programs, measurable and transparent community benefit, and planned financial assistance to low-income patients, Medicare beneficiaries, and underinsured (including uninsured) individuals in rural, frontier, and urban underserved areas.

(xii) The establishment of a workforce adjustment payment under the Medicare program under title XVIII of the Social Security Act, the Medicaid program under title XIX of such Act, the State Children's Health Insurance Program under title XXI of such Act, and other publicly funded health insurance programs to support training programs for health professionals in Federal medical facilities, under which such workforce adjustment payment would be made directly to the sponsoring institution. Such payment would, as the Secretary determines appropriate, in consultation with the Commission, replace or supplement the provisions under clause (iii).

(B) DATA COLLECTION AND REVIEW.—Specifically, the Commission shall review, with respect to the adequacy, supply, and distribution of undergraduate and graduate education programs for health professionals, the following:

(i) Available data on the adequacy, supply, and distribution of such education programs for physicians, physician assistants, nurses, dentists, psychologists, pharmacists, behavioral and mental health professionals (as defined in section 331(a)(3)(E)(i) of the Public Health Service Act (42 U.S.C. 254d(a)(3)(E)(i)), public health professionals, and other health professionals, including data collected under the State Health Workforce Centers Program established under section 102.

(ii) Processes for improving the collection of data on health professionals, including the collection of more consistent, independent, and comprehensive data from entities (such as State licensure boards) to inform health professions workforce issues. In conducting such review, the Commission shall determine the costs of implementing such data collection.

(3) CONDUCT OF HEARINGS.—

(A) IN GENERAL.—The Commission shall conduct hearings on health professions education to assess performance, identify barriers, speed approval of innovative programs, improve flexibility, and reduce bureaucratic obstacles balancing hospital training while emphasizing sustained affiliation agreements with community-based, interdisciplinary, team, and care management methodologies and education designed to improve quality and efficiency of patient care across the care delivery system.

(B) TESTIMONY.—In conducting hearings under subparagraph (A), the Commission shall solicit testimony from the Accreditation Council for Graduate Medical Education, Residency Review Committees, and other appropriate organizations that accredit education programs for health professionals.

(C) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Commission may secure directly from a Federal agency such information as the Commission considers necessary to carry out this section.

(ii) PROVISION OF INFORMATION.—The head of the agency shall provide the information to the Commission at the request of the Chairperson of the Commission.

(4) REDUCING HEALTH PROFESSIONAL ISOLATION AND BUILDING COMMUNITY HEALTH PROFESSIONAL TRAINING INFRASTRUCTURE.—

(A) IDENTIFICATION OF PROGRAMS.—The Commission shall identify programs to reduce health professional isolation and build community health professional training infrastructure in rural, frontier, and urban underserved areas through continuing education (including continuing education utilizing information technology, such as telehealth and health information technology), mentoring, and precepting activities.

(B) ANALYSIS.—The Commission shall examine—

(i) whether the establishment of regional or statewide Health Advice Lines would reduce after-hours calls responsibilities for overworked health professionals in remote sites with few health professionals available to fulfill such responsibilities; and

(ii) what support should be given to health professionals fulfilling such responsibilities—

(I) in hospitals and emergency departments in areas designated under section 332 of the Public Health Service Act as health professional shortage areas;

(II) under practice relief programs that allow health professionals practicing in such areas to have their practice and calls covered when they are ill, pursuing continuing education, or taking a vacation;

(III) with respect to field faculty development to become supervisors, mentors, and preceptors for health professional students and trainees;

(iii) support structures (such as Area Health Education Centers) for health professionals; and

(iv) whether the establishment of Rural Health Education Offices, based on the model of agricultural extension offices, would—

(I) help build community health professional service and training capacity; and

(II) spur local economic development.

(5) DEVELOPMENT OF GUIDING PRINCIPLES AND ACCOUNTABILITY STANDARDS.—The Commission shall develop guiding principles and accountability standards for Federal, State, and private sector education of health professionals. Such guidelines shall be crafted to assure that the Federal investment in the education of health professionals is a public good, regardless of whether a portion of such education is funded by other sources.

(6) IDENTIFICATION OF STATE AND REGIONAL HEALTH PROFESSIONS EDUCATION COMMISSIONS.—The Commission shall identify State and regional Health Professions Education Centers. The Commission shall enter into agreements with such Centers under which the Centers shall provide data and reports to the Commission to provide a balanced and adequate assessment of the entire Nation's healthcare workforce.

(c) SECRETARIAL RESPONSIBILITIES.—Not later than 18 months after the date of enactment of this Act, the Secretary shall, in consultation with the Commission, and through negotiated rulemaking, promulgate regulations to address the matters reviewed under clauses (i) through (vii) of subsection (b)(1)(A), as the Secretary determines appropriate to address access and health professional shortages and needs identified by the Commission with respect to titles XVIII, XIX, and XXI of the Social Security Act.

(d) MEMBERSHIP.—

(1) NUMBER OF APPOINTMENT.—The Commission shall be composed of 20 members appointed by the Comptroller General of the United States.

(2) QUALIFICATIONS.—The membership of the Commission shall include representatives of—

(A) dentists and dental hygienists who practice in urban underserved and rural areas;

(B) primary care providers who practice in urban underserved and rural areas;

(C) nurses and physician assistants who practice in urban underserved and rural areas;

(D) psychologists and other behavioral and mental health professionals (as defined in section 331(a)(3)(E)(i) of the Public Health Service Act (42 U.S.C. 254d(a)(3)(E)(i)) who practice in urban underserved and rural areas;

(E) public health professionals;

(F) clinical pharmacists who practice in a Federal market or are sole-community providers;

(G) national and specialty physician and nursing organizations;

(H) schools of medicine, osteopathy, and nursing, educational programs for public health professionals, behavioral and mental health professionals (as so defined), and physician assistants, public and private teaching hospitals, and ambulatory health facilities, including Federal medical facilities;

(I) health insurers;

(J) business;

(K) labor; and

(L) any other health professional organization or practice site the Comptroller General determines appropriate.

(e) STAFF.—

(1) IN GENERAL.—The Comptroller General of the United States shall provide for the appointment of an executive director, deputy director, and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Comptroller General of the United States may fix the compensation of the executive director, deputy director, and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) MAXIMUM RATE OF PAY.—The rate of pay for the executive director, deputy director, and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(4) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(f) POWERS.—

(1) HEARINGS.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from a Federal agency such information as the Commission considers necessary to carry out this section.

(B) PROVISION OF INFORMATION.—On request of the Chairperson of the Commission, the head of the agency shall provide the information to the Commission.

(3) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(4) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(g) STATUS AS PERMANENT COMMISSION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) DEFINITIONS.—In this section:

(1) COHPPERDDUST ANNUAL REPORT.—The term ''COHPPERDDUST Annual Report'' means the annual report submitted by the Commission under subsection (b)(1)(B).

(2) FEDERAL MEDICAL FACILITY.—The term ''Federal medical facility'' means a facility for the delivery of health services, and includes—

(A) a Federally qualified health center (as defined in section 1861(aa)(4) of the Social Security Act (42 U.S.C. 1395x(aa)(4)), a public health center, an outpatient medical facility, or a community mental health center;

(B) a hospital, State mental hospital, facility for long-term care, or rehabilitation facility;

(C) a migrant health center or an Indian Health Service facility;

(D) a facility for the delivery of health services to inmates in a penal or correctional institution (under section 323 of such Act (42 U.S.C. 250)) or a State correctional institution;

(E) a Public Health Service medical facility (used in connection with the delivery of health services under section 320, 321, 322, 324, 325, or 326 of such Act (42 U.S.C. 247e, 248, 249, 251, 252, or 253));

(F) a nurse-managed health center; or

(G) any other Federal medical facility.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SEC. 102. STATE HEALTH WORKFORCE CENTERS PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a demonstration program (in this section referred to as the ''program'') under which the Secretary makes grants to participating States for the operation of State Health Workforce Centers to carry out the activities described in subsection (c).

(b) PARTICIPATING STATES.—A State seeking to participate in the program shall submit an application to the Secretary containing such information and at such time as the Secretary may specify. The Secretary may only consider under the preceding sentence 1 application submitted by each State which has been certified by the Governor or the chief executive officer of the State.

(c) USE OF FUNDS.—Grants awarded under subsection (a) may be used to support activities designed to improve the training, deployment, and retention of critical health professionals in underserved areas and for underserved populations, including the following:

(1) Conducting assessments of key health professional capacity and needs. Such assessments shall be conducted in a coordinated manner that provides for the nationwide collection of health professional data.

(2) Convening State health professional policymakers to review education, education financing, regulations, and taxation and compensation policies which affect the training, deployment, and retention of health professionals. A participating State may, taking into consideration the results of such reviews, develop short-term and long-term recommendations for improving the supply, deployment, and retention of critical health professionals in underserved areas and for underserved populations.

(d) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $13,750,000 to carry out this section.

(2) MATCHING REQUIREMENT.—The Secretary may require a State, in order to be eligible to receive a grant under this section, to agree that, with respect to the costs incurred by the State in carrying out the activities for which the grant was awarded, the State will make available (directly or through donations from public or private entities) non-Federal contributions in an amount equal to a percent of Federal funds provided under the grant (as determined appropriate by the Secretary).

(e) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(2) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

SEC. 103. MEDICARE MEDICAL HOME SERVICE AND TRAINING PILOT PROGRAM.

(a) EXPANSION OF MEDICARE MEDICAL HOME DEMONSTRATION PROJECT.—

(1) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall expand the Medicare medical home demonstration project under section 204 of Division B of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 2987) by adding a Medicare medical home service and training pilot program (in this section referred to as the ''pilot program'') to redesign the methodologies for payments to primary care providers for coordinating the care of applicable Medicare beneficiaries. Such pilot program shall be in addition to, and run concurrently with, the Medicare medical home demonstration program. Except for any modifications under this section, the Secretary shall carry out the pilot program under similar terms and conditions as the Medicare medical home demonstration program.

(2) APPLICABLE MEDICARE BENEFICIARIES DEFINED.—In this section, the term ''applicable Medicare beneficiary'' means an individual who—

(A) is entitled to, or enrolled for, benefits under part A of title XVIII of the Social Security Act, or is enrolled under part B of such title;

(B) has 1 or more chronic illnesses (such as diabetes, hypertension, chronic obstructive pulmonary disease, asthma, congestive heart failure, end stage liver disease, and end stage renal disease); and

(C) is in the top 2 quartiles of cost under the Medicare program under such title (as determined based on Medicare claims data for the most recent 2 years for which data is available).

(b) DETAILS.—

(1) DURATION; SCOPE.—The pilot program shall operate during the period beginning on January 1, 2011 and ending on December 31, 2014 and shall include not more than 1,000 medical home primary care providers.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary may implement the pilot program—

(i) under title XVIII of the Social Security Act; or

(ii) subject to subparagraph (B), under a combination of such title and other public or private programs or organizations.

(B) SPECIAL RULE.—In the case where the Secretary implements the pilot program under a combination of title XVIII of the Social Security Act and other public or private programs or organizations, the Secretary shall establish procedures to ensure that any funding made available under such title for

the pilot program is only used to furnish items and services to Medicare beneficiaries.

(3) PARTICIPATION OF PRIMARY CARE PROVIDERS.—

(A) IN GENERAL.—In no case shall participation in the pilot program be limited to primary care providers in those States participating in the Medicare medical home demonstration project under section 204 of Division B of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 2987). Any primary care provider in the United States that meets the requirements and definitions under this section and, if applicable, such section 204, shall be eligible to participate in the pilot program. In selecting primary care providers to participate in the pilot program, the Secretary shall give preference to sites where clinical services and health professional education are provided concurrently, taking into consideration priorities of the Permanent National Health Workforce Commission established under section 101 of the Health Access and Health Professions Supply Act of 2009.

(B) DEFINITION OF PRIMARY CARE PROVIDERS.—In this section, the term ''primary care provider'' means—

(i) a personal physician (as defined in subsection (c)(1) of section 204 of Division B of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 2987), except that, in applying such definition under this section, the requirements described in subsection (c)(2)(B) of such section 204 shall specify that the staff and resources of the physician may include a team of health professionals (such as nurse practitioners, clinical nurse specialists, certified nurse midwives, psychologists and other behavioral and mental health professionals (as defined in section 331(a)(3)(E)(i) of the Public Health Service Act (42 U.S.C. 254d(a)(3)(E)(i)), physician assistants, and other primary care providers that meet requirements established by the Secretary)); and

(ii) any other primary care provider (such as a nurse practitioner or a physician assistant) that is subject to State licensure laws and the requirements of the Secretary.

(C) LIMITATION ON NUMBER OF PRIMARY CARE PROVIDERS PARTICIPATING IN THE PILOT PROGRAM WHO ARE NOT PERSONAL PHYSICIANS.—The Secretary shall ensure that the total number of independently practicing primary care providers who are not personal physicians participating in the pilot program reflects the percentage of such primary care providers in the United States (as determined by the Secretary), not to exceed 10 percent of the total number of primary care providers participating in the pilot program.

(4) SERVICES PERFORMED.—A primary care provider shall perform or provide for the performance of at least the services described in subsection (c)(3) of such section 204 under the pilot program.

(c) CARE COORDINATION FEE PAYMENT METHODOLOGY.—Under the pilot program, the Secretary shall provide for payment under section 1848 of the Social Security Act (42 U.S.C. 1395w–4) of a per member per month care coordination fee to primary care providers for the care of eligible Medicare beneficiaries participating in the pilot program. The Secretary shall appoint a committee to make recommendations about the design and implementation of a methodology for payment of the per member per month care coordination fee.

(d) PROVISION OF DATA AND TECHNICAL ASSISTANCE.—The Secretary shall provide—

(1) data to primary care providers participating in the pilot program; and

(2) technical assistance to such primary care providers that do not meet the criteria for the highest tier of the pilot program (as defined by the Secretary).

(e) REPORTS BY THE SECRETARY.—

(1) INTERIM REPORT.—Not later than January 1, 2013, the Secretary shall submit to Congress an interim report on the pilot program.

(2) FINAL REPORT.—Not later than January 1, 2014, the Secretary shall submit to Congress a final report on the pilot program. Such report shall include outcome measures reported by the Secretary under the pilot program, including at least the following:

(A) The total costs to the Medicare program per eligible Medicare beneficiary participating in the pilot program.

(B) The performance of primary care providers participating in the pilot program with regard to—

(i) quality measures developed by the Secretary; and

(ii) patient safety indicators developed by the Secretary.

(C) The experience of eligible Medicare beneficiaries and primary care providers participating in the pilot program.

(D) An assessment of savings to the Medicare program per eligible Medicare beneficiary participating in the pilot program that are a result of such participation, as compared to traditional Medicare fee-for-service payment methodologies.

(f) GAO ASSESSMENT AND REPORT.—

(1) ASSESSMENT.—The Comptroller General of the United States shall, at the completion of the pilot program, provide for an overall assessment of the efficacy of the pilot program.

(2) REPORT.—Not later than January 1, 2014, the Comptroller General shall submit to Congress a report containing the results of the assessment under paragraph (1).

SEC. 104. IMPROVEMENTS TO PAYMENTS FOR GRADUATE MEDICAL EDUCATION UNDER MEDICARE.

(a) INCREASING THE MEDICARE CAPS ON GRADUATE MEDICAL EDUCATION POSITIONS.—

(1) DIRECT GRADUATE MEDICAL EDUCATION.—Section 1886(h)(4)(F) of the Social Security Act (42 U.S.C. 1395ww(h)(4)(F)) is amended—

(A) in clause (i), by inserting ''clause (iii) and'' after ''subject to''; and

(B) by adding at the end the following new clause:

''(iii) INCREASE IN CAPS ON GRADUATE MEDICAL EDUCATION POSITIONS FOR STATES WITH A SHORTAGE OF RESIDENTS.—

''(I) IN GENERAL.—For cost reporting periods beginning on or after January 1, 2011, the Secretary shall increase the otherwise applicable limit on the total number of full-time equivalent residents in the field of allopathic or osteopathic medicine determined under clause (i) with respect to a qualifying hospital by an amount equal to 15 percent of the amount of the otherwise applicable limit (determined without regard to this clause). Such increase shall be phased-in equally over a period of 3 cost reporting periods beginning with the first cost reporting period in which the increase is applied under the previous sentence to the hospital.

''(II) QUALIFYING HOSPITAL.—In this clause, the term 'qualifying hospital' means a hospital that agrees to use the increase in the number of full-time equivalent residents under subclause (I) to support community-based training which emphasizes underserved areas and innovative training models which address community needs and reflect emerging, evolving, and contemporary models of health care delivery. A qualifying hospital shall give priority to providing such training and training models to health professionals in specialties which the Secretary, in consultation with the Permanent National Health Workforce Commission established under section 101(a) of the Health Access and Health Professions Supply Act of 2009, determines are in high-need (including family medicine, general surgery, geriatrics, general internal medicine, general surgery, and obstetrics and gynecology).

''(III) INCREASE IN PAYMENTS.—Notwithstanding any other provision of law, in the case of full-time equivalent residents added to a hospital's training program as a result of such increase, the Secretary shall provide for an increase in the amounts otherwise payable under this subsection with respect to direct graduate medical education costs that would otherwise apply with respect to such residents by 10 percent. Such increased payments shall be made to the facility in which the training is provided to such residents.''.

(2) INDIRECT MEDICAL EDUCATION.—Section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)) is amended by adding at the end the following new clause:

''(x) Clause (iii) of subsection (h)(4)(F) shall apply to clause (v) in the same manner and for the same period as such clause (iii) applies to clause (i) of such subsection.''.

(b) APPLICATION OF MEDICARE GME PAYMENTS TO ADDITIONAL TRAINING SITE VENUES.—

(1) IN GENERAL.—The Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall, by regulation, provide for the use of payments for direct graduate medical education costs under section 1886(h) of the Social Security Act (42 U.S.C. 1395ww(h)) and payments for the indirect costs of medical education under section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)) to support the implementation of community-based training and innovative training models under subsections (h)(4)(F)(iii)(II) and (d)(5)(B)(x) of section 1886 of the Social Security Act (42 U.S.C. 1395ww).

(2) USE OF MODEL OF CARE DELIVERY.—In promulgating regulations under paragraph (1), the Secretary shall consider the model of care delivery of the Institute of Medicine of the National Academies.

(3) CONSULTATION.—In promulgating such regulations, the Secretary shall consult with the Permanent National Health Workforce Commission established under section 101(a).

(c) DETERMINATION OF HOSPITAL-SPECIFIC APPROVED FTE RESIDENT AMOUNTS.—Section 1886(h)(2) of the Social Security Act (42 U.S.C. 1395ww(h)(2)) is amended by adding at the end the following new subparagraph:

''(G) FLEXIBILITY IN DETERMINATION.—

''(i) IN GENERAL.—Notwithstanding the preceding provisions of this paragraph, the approved FTE resident amount for each cost reporting period beginning on or after January 1, 2011, with respect to an applicable resident shall be determined using a methodology established by the Secretary that allows flexibility for payments to be made for costs in addition to the costs of hospital-sponsored education. Such methodology shall provide that nonteaching hospital-based entities (such as managed care organizations and public and private healthcare consortia) that are capable of assembling all of the resources necessary for effectively providing graduate medical education may receive payments for providing graduate medical education, either as the sponsor of such graduate medical education program or as an affiliate of such a sponsor.

''(ii) APPLICABLE RESIDENT.—In this subparagraph, the term 'applicable resident' means a resident—

''(I) in a specialty which the Secretary, in consultation with the Permanent National Health Workforce Commission established under section 101(a) of the Health Access and Health Professions Supply Act of 2009, determines is in high-need;

''(II) in a health professional shortage area (as defined in section 332 of the Public Health Service Act);

''(III) in a medically underserved community (as defined in section 799B of the Public Health Service Act), or with respect to a medically underserved population (as defined in section 330(b)(3) of the Public Health Service Act); and

''(IV) in a Federal medical facility.

''(iii) FEDERAL MEDICAL FACILITY.—In this subparagraph, the term 'Federal medical facility' means a facility for the delivery of health services, and includes—

''(I) a community health center (as defined in section 330 of the Public Health Service Act), a public health center, an outpatient medical facility, or a community mental health center;

''(II) a hospital, State mental hospital, facility for long-term care, or rehabilitation facility;

''(III) a migrant health center or an Indian Health Service facility;

''(IV) a facility for the delivery of health services to inmates in a penal or correctional institution (under section 323 of such Act) or a State correctional institution;

''(V) a Public Health Service medical facility (used in connection with the delivery of health services under section 320, 321, 322, 324, 325, or 326 of such Act); or

''(VI) any other Federal medical facility.''.

SEC. 105. DISTRIBUTION OF RESIDENT TRAINEES IN AN EMERGENCY.

(a) EXCLUSION FROM 3-YEAR ROLLING AVERAGE.—Notwithstanding any other provision of law, in the case of a host hospital participating in an emergency Medicare GME affiliation agreement on or after the date of enactment of this Act and training residents in excess of its cap, consistent with the rolling average provisions applicable for closed programs as specified in section 413.79(d)(6) of title 42, Code of Federal Regulations, the Secretary of Health and Human Services shall exclude from the 3-year rolling average FTE residents associated with displaced residents during the period in which such agreement is in effect.

(b) ASSESSMENT AND REVISION OF GME POLICIES.—

(1) REVIEW.—The Secretary of Health and Human Services shall review policies with respect to payments for direct graduate medical education costs under section 1886(h) of the Social Security Act (42 U.S.C. 1395ww(h)) and payments for the indirect costs of medical education under section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)).

(2) REVISION AND REPORT.—Not later than January 1, 2011, the Secretary shall—

(A) as appropriate, revise such policies that constrain the ability of the Secretary to respond to emergency situations and situations involving institutional and program closure; and

(B) in the case where the Secretary determines legislative action is necessary to make such revisions, submit to Congress a report containing recommendations for such legislative action.

SEC. 106. AUTHORITY TO INCLUDE COSTS OF TRAINING OF PSYCHOLOGISTS IN PAYMENTS TO HOSPITALS FOR APPROVED EDUCATIONAL ACTIVITIES UNDER MEDICARE.

Effective for cost reporting periods beginning on or after the date that is 18 months after the date of enactment of this Act, for purposes of payment to hospitals under the Medicare program under title XVIII of the Social Security Act for costs of approved educational activities (as defined in section 413.85 of title 42, Code of Federal Regulations), such approved educational activities shall include a 1-year doctoral clinical internship operated by the hospital as part of a clinical psychology training program that is provided upon completion of university course work.

TITLE II—AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT

SEC. 201. EXPANSION OF NATIONAL HEALTH SERVICE CORPS PROGRAMS.

(a) IN GENERAL.—Section 338H of the Public Health Service Act (42 U.S.C. 254q) is amended—

(1) in subsection (a), by striking paragraphs (1) through (5) and inserting the following:

''(1) for fiscal year 2009, $165,000,000;

''(2) for fiscal year 2010, $198,000,000;

''(3) for fiscal year 2011, $231,000,000;

''(4) for fiscal year 2012, $264,000,000;

''(5) for fiscal year 2013, $297,000,000; and

''(6) for fiscal year 2014, $330,000,000.''; and

(2) by adding at the end the following:

''(d) EXPANSION OF PROGRAMS.—The Secretary shall use amounts appropriated for each of fiscal years 2010 through 2014 under subsection (a), that are in excess of the amount appropriated under such subsection for fiscal year 2009, to address shortages of health professionals in rural, frontier, and urban underserved areas through an expansion of the number of scholarships and loan repayments under this subpart to address health workforce shortages in health professional shortage areas (as defined in section 332), in medically underserved communities (as defined in section 799B), or with respect to medically underserved populations (as defined in section 330(b)(3)).''.

(b) EXPANSION OF OTHER PROGRAMS.—The Director of the Indian Health Service, the Secretary of Defense, and the Secretary of Veterans Affairs, shall expand existing loan repayment programs to emphasize the provision of health professions services to facilities that have health professional shortages.

(c) NO TAX IMPLICATIONS.—

(1) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, any amount received under a health-related Federal loan repayment program by a health professional providing health-related services in a Federal medical facility shall not be included in the gross income of such professional.

(2) DEFINITION.—In this subsection, the term ''Federal medical facility'' means a facility for the delivery of health services, and includes—

(A) a federally qualified health center (as defined in section 330A of the Public Health Service Act (42 U.S.C. 254c)), a public health center, an outpatient medical facility, or a community mental health center;

(B) a hospital, State mental hospital, facility for long-term care, or rehabilitation facility;

(C) a migrant health center or an Indian Health Service facility;

(D) a facility for the delivery of health services to inmates in a penal or correctional institution (under section 323 of such Act (42 U.S.C. 250)) or a State correctional institution;

(E) a Public Health Service medical facility (used in connection with the delivery of health services under section 320, 321, 322, 324, 325, or 326 of such Act (42 U.S.C. 247e, 248, 249, 251, 252, or 253));

(F) a nurse-managed health center; or

(G) any other Federal medical facility.

(d) REDUCED LOAN SUPPORT FOR PART TIME PRACTITIONERS.—Section 338C of the Public Health Service Act (42 U.S.C. 254m) is amended by adding at the end the following:

''(e) Notwithstanding any other provision of this subpart, the Secretary shall develop procedures to permit periods of obligated services to be provided on a part-time basis (not less than 1,040 hours of such service per year). Such procedures shall prohibit an individual from holding other part-time employment while providing such part-time obligated services. The Secretary may provide for a reduction in the loan repayments provided to individuals who provide part-time obligated services under the authority provided under this subsection.''.

(e) LOAN SUPPORT FOR PARTICIPATING PRECEPTORS, MENTORS, AND ATTENDINGS TO SUPERVISE STUDENTS AND TRAINEES ON-SITE.—Section 338C of the Public Health Service Act (42 U.S.C. 254m), as amended by subsection (d), is further amended by adding at the end the following:

''(f) The Secretary shall develop procedures to permit up to 20 percent of the service obligation of an individual under this section to be provided by the individual through precepting or mentoring activities, or by preparing curriculum, for on-site students and trainees. The procedures developed under subsection (e) shall provide for the proportional application of this subsection with respect to individual providing obligated service on a part-time basis.''.

SEC. 202. NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP PROGRAM FOR MEDICAL, DENTAL, PHYSICIAN ASSISTANT, PHARMACY, BEHAVIORAL AND MENTAL HEALTH, PUBLIC HEALTH, AND NURSING STUDENTS IN THE UNITED STATES PUBLIC HEALTH SCIENCES TRACK IN AFFILIATED SCHOOLS.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—Subpart III of part D of title III of the Public Health Service Act (42 U.S.C. 254l et seq.) is amended—

(A) in the heading by inserting ''**, Scholarship Program for Medical, Dental, Physician Assistant, Pharmacy, Behavioral and Mental Health, Public Health, and Nursing Students in the United States Public Health Sciences Track in Affiliated Schools,**'' after ''**Scholarship Program**''; and

(B) by inserting after section 338A the following:

''SEC. 338A-1. NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP PROGRAM FOR MEDICAL, DENTAL, PHYSICIAN ASSISTANT, PHARMACY, BEHAVIORAL AND MENTAL HEALTH, PUBLIC HEALTH, AND NURSING STUDENTS IN THE UNITED STATES PUBLIC HEALTH SCIENCES TRACK IN AFFILIATED SCHOOLS.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish a program to be known as the National Health Service Corps Scholarship Program for Medical, Dental, Physician Assistant, Pharmacy, Behavioral and Mental Health, Public Health, and Nursing Students in the United States Public Health Sciences Track in Affiliated Schools (in this section referred to as the 'U.S. Public Health Sciences Track Scholarship Program) to ensure, with respect to the provision of high-needs health care services, including primary care, general dentistry, nursing, obstetrics, and geriatricians pursuant to section 331(a)(2), an adequate supply of physicians, physician assistants, pharmacists, behavioral and mental health professionals, public health professionals, dentists, and nurses. The purpose of this program is to train an additional 150 medical students, 100 dental students, 100 physician assistant students, 100 behavioral and mental health students, 100 public health students, and 250 nursing students during each year. Of the 150 scholarships awarded to the medical students as described under the preceding sentence, 10 shall be for training at the Uniformed Services University of the Health Sciences as members of the Commissioned Corps of the Public Health Service.

''(2) RELATIONSHIP TO NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP PROGRAM.—

Scholarships provided under this section are intended to complement, and not take the place of, scholarships provided to students enrolled in courses of study leading to a degree in medicine, osteopathic medicine, dentistry, or nursing or completion of an accredited physician assistant, pharmacy, public health, or behavioral and mental health educational program under the National Health Service Corps Scholarship Program authorized by section 338A.

''(b) ELIGIBILITY.—To be eligible to participate in the U.S. Public Health Sciences Track Scholarship and Grants Program, an individual shall—

''(1) be accepted for enrollment as a full-time student—

''(A) in an accredited (as determined by the Secretary) educational institution in a State; and

''(B) in a course of study, or program, offered by such institution leading to a degree in medicine, osteopathic medicine, dentistry, physician assistant, pharmacy, behavioral and mental health, public health, or nursing;

''(2) be eligible for, or hold, an appointment as a commissioned officer in the Regular or Reserve Corps of the Service or be eligible for selection for civilian service in the Corps;

''(3) submit an application to participate in the U.S. Public Health Sciences Track Scholarship and Grants Program; and

''(4) sign and submit to the Secretary, at the time of submittal of such application, a written contract to accept payment of a scholarship and to serve (in accordance with this subpart) for the applicable period of obligated service in an area in which the need for public health-related services may be demonstrated.''.

(2) NO TAX IMPLICATIONS.—For purposes of the Internal Revenue Code of 1986, any amount received under the National Health Service Corps Scholarship Program for Medical, Dental and Nursing Students in the United States Public Health Sciences Track in Affiliated Schools under section 338A–1 of the Public Health Service Act, as added by paragraph (1), by a medical student, dental student, or nursing student shall not be included in the gross income of such student.

(b) GRANTS TO INCREASE THE NUMBER OF AVAILABLE SLOTS FOR NEWLY ADMITTED MEDICAL, DENTAL, PHYSICIAN ASSISTANT, PHARMACY, BEHAVIORAL AND MENTAL HEALTH, PUBLIC HEALTH, AND NURSING STUDENTS AND TO INCREASE PARTICIPATION IN THE U.S. PUBLIC HEALTH SCIENCES TRACK SCHOLARSHIP PROGRAM.—Part C of title VII of the Public Health Service Act (42 U.S.C. 293k et seq.) is amended by adding at the end the following:

''SEC. 749. GRANTS TO INCREASE THE NUMBER OF AVAILABLE SLOTS FOR NEWLY ADMITTED MEDICAL, DENTAL, PHYSICIAN ASSISTANT, PHARMACY, BEHAVIORAL AND MENTAL HEALTH, PUBLIC HEALTH, AND NURSING STUDENTS AND TO INCREASE PARTICIPATION IN THE U.S. PUBLIC HEALTH SCIENCES TRACK SCHOLARSHIP PROGRAM.

''(a) PROGRAM AUTHORIZED.—The Secretary may make grants to medical, dental, public health, and nursing schools and physician assistant, pharmacy, and behavioral and mental health programs for the following purposes:

''(1) To increase the capacity of the recipient medical, dental, public health, or nursing school or physician assistant, pharmacy, or behavioral and mental health program, to accept additional medical, dental, public health, nursing, physician assistant, pharmacy, or behavioral and mental health students each year.

''(2) To develop curriculum.

''(3) To acquire equipment.

''(4) To recruit, train, and retain faculty.

''(5) To provide assistance to students who have completed a course of study at the recipient medical, dental, public health, or nursing school or physician assistant, pharmacy, or behavioral and mental health program during the period in which such students are completing a residency or internship program affiliated with the recipient institution.

''(b) APPLICATION.—A medical, dental, public health, or nursing school or physician assistant, pharmacy, or behavioral and mental health program seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(c) DEFINITION OF MEDICAL SCHOOL.—In this section, the term 'medical school' means a school of medicine or a school of osteopathic medicine.''.

SEC. 203. FEDERAL MEDICAL FACILITY GRANT PROGRAM AND PROGRAM ASSESSMENTS.

(a) FEDERAL MEDICAL FACILITY GRANT PROGRAM.—Title VII of the Public Health Service Act (42 U.S.C. 292 et seq.) is amended—

(1) by redesignating part F as part G; and

(2) by inserting after part E, the following:

''PART F—START-UP EXPENSES LOAN AND GRANT PROGRAMS FOR FEDERAL MEDICAL FACILITIES AND HOSPITALS STARTING HIGH NEEDS RESIDENCY PROGRAMS IN SHORTAGE AREAS

''SEC. 781. FEDERAL MEDICAL FACILITY GRANT PROGRAM.

''(a) IN GENERAL.—The Secretary shall award grants to eligible facilities to increase interdisciplinary, community-based health professions training in high-needs specialties for physicians, nurses, dentists, physician assistants, pharmacy, behavioral and mental health professionals, public health professionals, and other health professionals as determined appropriate by the Secretary, in consultation with the Permanent National Health Workforce Commission established under section 101(a) of the Health Access and Health Professions Supply Act of 2009.

''(b) ELIGIBLE FACILITIES; APPLICATION.—

''(1) DEFINITION OF ELIGIBLE FACILITY.—In this section, the term 'eligible facility'—

''(A) means a facility which—

''(i) is located in a health professional shortage area (as defined in section 332);

''(ii) is located in a medically underserved community (as defined in section 799B), or with respect to a medically underserved population (as defined in section 330(b)(3));

''(iii) is a Federal medical facility;

''(iv) is an area health education center, a health education and training center, or a participant in the Quentin N. Burdick program for rural interdisciplinary training, that meet the requirements established by the Secretary; or

''(v) is establishing new residency programs in a specialty which the Secretary, in consultation with the Permanent National Health Workforce Commission established under section 101(a) of the Health Access and Health Professions Supply Act of 2009, determines is in high-need; and

''(B) includes Medicare certified Federally Qualified Health Centers, community health centers, health care for the homeless centers, rural health centers, migrant health centers, Indian Health Service entities, urban Indian centers, health clinics and hospitals operated by the Indian Health Service, Indian tribes and tribal organizations, and urban Indian organizations (as defined in section 4 of the Indian Health Care Improvement Act), and other Federal medical facilities).

''(2) APPLICATION.—An eligible facility desiring a grant under subsection (a) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(c) USE OF FUNDS.—An eligible facility shall use amounts received under a grant under subsection (a) to promote—

''(1) the training of health professionals in interdisciplinary, community-based settings that are affiliated with hospitals and other health care facilities and teaching institutions;

''(2) community development programs that assure a diverse health professions workforce through emphasis on individuals from rural and frontier areas and underrepresented minority groups;

''(3) the development of a reliable health professions pipeline that provides an emphasis on health-related careers in schools (such as schools participating in the Health Careers Opportunities Program) and centers of excellence, and that encourage individuals in underrepresented minorities (including Hispanic, African American, American Indian, and Alaska Native individuals) to pursue health professions careers;

''(4) the reduction of health professional isolation in rural, frontier, and urban underserved areas through the provision of continuing education, mentoring, and precepting activities, field faculty development, and the utilization of technology such as telehealth and electronic health records;

''(5) the establishment and operation of regional or statewide health advice telephone lines to reduce after-hours call responsibilities for overworked health professionals who provide services in remote areas that have few health professionals taking such after-hours calls;

''(6) an increase in the number of professionals taking after-hours calls in hospitals and emergency departments in health professional shortage areas (as defined in section 332), in medically underserved communities (as defined in section 799B), or with respect to medically underserved populations (as defined in section 330(b)(3));

''(7) the establishment and operation of relief programs that provide health professionals practicing in health professional shortage areas (as defined in section 332) with patient and call coverage when such professionals are ill, are pursuing continuing education, or are taking a vacation; and

''(8) the exposure of health professions residents to systems of health care that represent the contemporary American healthcare delivery program (such as 'P4' Prepare the Personal Physician for Practice and the 'Health Commons' programs).

''(d) SUBGRANTS.—An eligible facility may use amounts received under a grant under this section to award subgrants to States and other entities determined appropriate by the Secretary to carry out the activities described in subsection (c).

''(e) SET ASIDE.—In awarding grants under this section, the Secretary shall ensure that a total of $500,000 is awarded annually for the activities of the National Rural Recruitment and Retention Network, or a similar entity.

''(f) DEFINITION OF FEDERAL MEDICAL FACILITY.—In this section, the term 'Federal medical facility' means a facility for the delivery of health services, and includes—

''(1) a federally qualified health center (as defined in section 330A), a public health center, an outpatient medical facility, or a community mental health center;

''(2) a hospital, State mental hospital, facility for long-term care, or rehabilitation facility;

''(3) a migrant health center or an Indian Health Service facility;

''(4) a facility for the delivery of health services to inmates in a penal or correctional

institution (under section 323) or a State correctional institution;

''(5) a Public Health Service medical facility (used in connection with the delivery of health services under section 320, 321, 322, 324, 325, or 326)); or

''(6) any other Federal medical facility.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $623,000,000 for fiscal year 2009, $666,000,000 for fiscal year 2010, $675,000,000 for fiscal year 2011, $700,000,000 for fiscal year 2012, and $725,000,000 for fiscal year 2013.''.

(b) ASSESSMENTS.—

(1) ESTABLISHMENT.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall establish program assessment rating tools for each program funded through titles VII and VIII of the Public Health Service Act (42 U.S.C. 292 and 296 et seq.).

(2) CRITERIA.—The Secretary, in consultation with the Administrator of the Health Resources and Services Administration and other appropriate public and private stakeholders, shall, through negotiated rulemaking, establish criteria for the conduct of the assessments under paragraph (2).

(3) ANNUAL ASSESSMENTS.—The Secretary shall annually enter into a contract with an independent nongovernmental entity for the conduct of an assessment, using the tools established under paragraph (1) and the criteria established under paragraph (2), of not less than 20 percent, nor more than 25 percent, of the programs carried out under titles VII and VIII of the Public Health Service Act, so that every program under such titles is assessed at least once during every 5-year period.

SEC. 204. HEALTH PROFESSIONS TRAINING LOAN PROGRAM.

Part F of title VII of the Public Health Service Act (as added by section 203) is amended by adding at the end the following

''SEC. 782. ESTABLISHMENT.

''(a) IN GENERAL.—The Secretary shall establish a program under which the Secretary shall award interest-free loans to—

''(1) eligible hospitals to enable such hospitals to establish training programs in high-need specialties; and

''(2) eligible non-hospital community-based entities to enable such entities to establish health professions training programs.

''(b) ELIGIBILITY.—

''(1) IN GENERAL.—To be eligible to receive a loan under subsection (a)—

''(A) a hospital shall—

''(i) be located in a health professional shortage area (as such term is defined in section 332);

''(ii) comply with the requirements of paragraph (2); and

''(iii) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; or

''(B) a non-hospital community-based entity shall—

''(i) comply with the requirements of paragraph (2); and

''(ii) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(2) REQUIREMENTS.—To be eligible to receive a loan under subsection (a), a hospital or non-hospital community-based entity shall—

''(A) on the date on which the entity submits the loan application, not operate a residency with respect to a high-needs specialty (as determined by the Secretary in consultation with the Permanent National Health Workforce Commission established under section 101(a) of the Health Access and Health Professions Supply Act of 2009) or provide a health professions training program, as the case may be;

''(B) have received appropriate preliminary accreditation from the relevant accrediting agency (American Council for Graduate Medical Education, American Osteopathic Association, or Dental, Physician Assistant, Pharmacy, Behavioral and Mental Health, Public Health, and Nursing accrediting agencies), as determined by the Secretary; and

''(C) execute a signed formal contract under which the hospital or entity agree to repay the loan.

''(c) USE OF LOAN FUNDS.—Amounts received under a loan under subsection (a) shall be used only for—

''(1) the salary and fringe benefit expenses of residents, students, trainees, and faculty, or other costs directly attributable to the residency, educational, or training program to be carried out under the loan, as specified by the Secretary; or

''(2) facility construction or renovation, including equipment purchase.

''(d) PRIORITY.—In awarding loans under subsection (a), the Secretary shall give priority to applicants that are located in health professional shortage areas (as defined in section 332) or in medically underserved communities (as defined in section 799B), or that serve medically underserved populations (as defined in section 330(b)(3)).

''(e) LOAN PROVISIONS.—

''(1) LOAN CONTRACT.—The loan contract entered into under subsection (b)(2) shall contain terms that provide for the repayment of the loan, including the number and amount of installment payments as described in such contract. Such repayment shall begin on the date that is 24 months after the date on which the loan contract is executed and shall be fully repaid not later than 36 months after the date of the first payment.

''(2) INTEREST.—Loans under this section shall be repaid without interest.

''(f) LIMITATION.—The amount of a loan under this section with respect to each of the uses described in subsection (c)(1) or (c)(2) shall not exceed $2,000,000.

''(g) FAILURE TO REPAY.—A hospital or non-hospital community-based entity that fails to comply with the terms of a contract entered into under subsection (b)(2) shall be liable to the United States for the amount which has been paid to such hospital or entity under the contract.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, such sums as may be necessary to carry out this section.''.

SEC. 205. UNITED STATES PUBLIC HEALTH SCIENCES TRACK.

Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by adding at the end the following:

''PART D—UNITED STATES PUBLIC HEALTH SCIENCES TRACK

''SEC. 271. ESTABLISHMENT.

''(a) UNITED STATES PUBLIC HEALTH SERVICES TRACK.—

''(1) IN GENERAL.—There is hereby authorized to be established a United States Public Health Sciences Track (referred to in this part as the 'Track'), at sites to be selected by the Secretary, with authority to grant appropriate advanced degrees in a manner that uniquely emphasizes team-based service, public health, epidemiology, and emergency preparedness and response. It shall be so organized as to graduate not less than—

''(A) 150 medical students annually;

''(B) 100 dental students annually;

''(C) 250 nursing students annually;

''(D) 100 public health students annually;

''(E) 100 behavioral and mental health professional students annually;

''(F) 100 physician assistant or nurse practitioner students annually; and

''(G) 50 pharmacy students annually.

''(2) LOCATIONS.—The Track shall be located at existing and accredited, affiliated health professions education training programs at academic health centers located in regions of the United States determined appropriate by the Surgeon General, in consultation with the Permanent National Health Workforce Commission.

''(b) NUMBER OF GRADUATES.—Except as provided in subsection (a), the number of persons to be graduated from the Track shall be prescribed by the Secretary. In so prescribing the number of persons to be graduated from the Track, the Secretary shall institute actions necessary to ensure the maximum number of first-year enrollments in the Track consistent with the academic capacity of the affiliated sites and the needs of the United States for medical, dental, and nursing personnel.

''(c) DEVELOPMENT.—The development of the Track may be by such phases as the Secretary may prescribe subject to the requirements of subsection (a).

''(d) INTEGRATED LONGITUDINAL PLAN.—The Surgeon General shall develop an integrated longitudinal plan for health professions continuing education throughout the continuum of health-related education, training, and practice. Training under such plan shall emphasize patient-centered, interdisciplinary, and care coordination skills. Experience with deployment of emergency response teams shall be included during the clinical experiences.

''(e) FACULTY DEVELOPMENT.—The Surgeon General shall develop faculty development programs and curricula in decentralized venues of health care, to balance urban, tertiary, and inpatient venues.

''SEC. 272. ADMINISTRATION.

''(a) IN GENERAL.—The business of the Track shall be conducted by the Surgeon General with funds appropriated for and provided by the Department of Health and Human Services. The Permanent National Health Workforce Commission shall assist the Surgeon General in an advisory capacity.

''(b) FACULTY.—

''(1) IN GENERAL.—The Surgeon General, after considering the recommendations of the Permanent National Health Workforce Commission, shall obtain the services of such professors, instructors, and administrative and other employees as may be necessary to operate the Track, but utilize when possible, existing affiliated health professions training institutions. Members of the faculty and staff shall be employed under salary schedules and granted retirement and other related benefits prescribed by the Secretary so as to place the employees of the Track faculty on a comparable basis with the employees of fully accredited schools of the health professions within the United States.

''(2) TITLES.—The Surgeon General may confer academic titles, as appropriate, upon the members of the faculty.

''(3) NONAPPLICATION OF PROVISIONS.—The limitations in section 5373 of title 5, United States Code, shall not apply to the authority of the Surgeon General under paragraph (1) to prescribe salary schedules and other related benefits.

''(c) AGREEMENTS.—The Surgeon General may negotiate agreements with agencies of the Federal Government to utilize on a reimbursable basis appropriate existing Federal medical resources located in the United States (or locations selected in accordance with section 271(a)(2)). Under such agreements the facilities concerned will retain

their identities and basic missions. The Surgeon General may negotiate affiliation agreements with accredited universities and health professions training institutions in the United States. Such agreements may include provisions for payments for educational services provided students participating in Department of Health and Human Services educational programs.

''(d) PROGRAMS.—The Surgeon General may establish the following educational programs for Track students:

''(1) Postdoctoral, postgraduate, and technological institutes.

''(2) A graduate school of nursing.

''(3) Other schools or programs that the Surgeon General determines necessary in order to operate the Track in a cost-effective manner.

''(e) CONTINUING MEDICAL EDUCATION.—The Surgeon General shall establish programs in continuing medical education for members of the health professions to the end that high standards of health care may be maintained within the United States.

''(f) AUTHORITY OF THE SURGEON GENERAL.—

''(1) IN GENERAL.—The Surgeon General is authorized—

''(A) to enter into contracts with, accept grants from, and make grants to any nonprofit entity for the purpose of carrying out cooperative enterprises in medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, and nursing research, consultation, and education;

''(B) to enter into contracts with entities under which the Surgeon General may furnish the services of such professional, technical, or clerical personnel as may be necessary to fulfill cooperative enterprises undertaken by the Track;

''(C) to accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property made to the Track, including any gift, devise, or bequest for the support of an academic chair, teaching, research, or demonstration project;

''(D) to enter into agreements with entities that may be utilized by the Track for the purpose of enhancing the activities of the Track in education, research, and technological applications of knowledge; and

''(E) to accept the voluntary services of guest scholars and other persons.

''(2) LIMITATION.—The Surgeon General may not enter into any contract with an entity if the contract would obligate the Track to make outlays in advance of the enactment of budget authority for such outlays.

''(3) SCIENTISTS.—Scientists or other medical, dental, or nursing personnel utilized by the Track under an agreement described in paragraph (1) may be appointed to any position within the Track and may be permitted to perform such duties within the Track as the Surgeon General may approve.

''(4) VOLUNTEER SERVICES.—A person who provides voluntary services under the authority of subparagraph (E) of paragraph (1) shall be considered to be an employee of the Federal Government for the purposes of chapter 81 of title 5, relating to compensation for work-related injuries, and to be an employee of the Federal Government for the purposes of chapter 171 of title 28, relating to tort claims. Such a person who is not otherwise employed by the Federal Government shall not be considered to be a Federal employee for any other purpose by reason of the provision of such services.

''SEC. 273. STUDENTS; SELECTION; OBLIGATION.

''(a) STUDENT SELECTION.—

''(1) IN GENERAL.—Medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, and nursing students at the Track shall be selected under procedures prescribed by the Surgeon General. In so prescribing, the Surgeon General shall consider the recommendations of the Permanent National Health Workforce Commission.

''(2) PRIORITY.—In developing admissions procedures under paragraph (1), the Surgeon General shall ensure that such procedures give priority to applicant medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, and nursing students from rural communities and underrepresented minorities.

''(b) CONTRACT AND SERVICE OBLIGATION.—

''(1) CONTRACT.—Upon being admitted to the Track, a medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, or nursing student shall enter into a written contract with the Surgeon General that shall contain—

''(A) an agreement under which—

''(i) subject to subparagraph (B), the Surgeon General agrees to provide the student with tuition (or tuition remission) and a student stipend (described in paragraph (2)) in each school year for a period of years (not to exceed 4 school years) determined by the student, during which period the student is enrolled in the Track at an affiliated or other participating health professions institution pursuant to an agreement between the Track and such institution; and

''(ii) subject to subparagraph (B), the student agrees—

''(I) to accept the provision of such tuition and student stipend to the student;

''(II) to maintain enrollment at the Track until the student completes the course of study involved;

''(III) while enrolled in such course of study, to maintain an acceptable level of academic standing (as determined by the Surgeon General);

''(IV) if pursuing a degree from a school of medicine or osteopathic medicine, dental, public health, or nursing school or a physician assistant, pharmacy, or behavioral and mental health professional program, to complete a residency or internship in a specialty that the Surgeon General determines is appropriate; and

''(V) to serve for a period of time (referred to in this part as the 'period of obligated service') within the Commissioned Corps of the Public Health Service equal to 2 years for each school year during which such individual was enrolled at the College, reduced as provided for in paragraph (3);

''(B) a provision that any financial obligation of the United States arising out of a contract entered into under this part and any obligation of the student which is conditioned thereon, is contingent upon funds being appropriated to carry out this part;

''(C) a statement of the damages to which the United States is entitled for the student's breach of the contract; and

''(D) such other statements of the rights and liabilities of the Secretary and of the individual, not inconsistent with the provisions of this part.

''(2) TUITION AND STUDENT STIPEND.—

''(A) TUITION REMISSION RATES.—The Surgeon General, based on the recommendations of the Permanent National Health Workforce Commission established under section 101(a) of the Health Access and Health Professions Supply Act of 2009, shall establish Federal tuition remission rates to be used by the Track to provide reimbursement to affiliated and other participating health professions institutions for the cost of educational services provided by such institutions to Track students. The agreement entered into by such participating institutions under paragraph (1)(A)(i) shall contain an agreement to accept as payment in full the established remission rate under this subparagraph.

''(B) STIPEND.—The Surgeon General, based on the recommendations of the Permanent National Health Workforce Commission, shall establish and update Federal stipend rates for payment to students under this part.

''(3) REDUCTIONS IN THE PERIOD OF OBLIGATED SERVICE.—The period of obligated service under paragraph (1)(A)(ii)(V) shall be reduced—

''(A) in the case of a student who elects to participate in a high-needs speciality residency (as determined by the Permanent National Health Workforce Commission), by 3 months for each year of such participation (not to exceed a total of 12 months); and

''(B) in the case of a student who, upon completion of their residency, elects to practice in a Federal medical facility (as defined in section 781(e)) that is located in a health professional shortage area (as defined in section 332), by 3 months for year of full-time practice in such a facility (not to exceed a total of 12 months).

''(c) SECOND 2 YEARS OF SERVICE.—During the third and fourth years in which a medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, or nursing student is enrolled in the Track, training should be designed to prioritize clinical rotations in Federal medical facilities in health professional shortage areas, and emphasize a balance of hospital and community-based experiences, and training within interdisciplinary teams.

''(d) DENTIST, PHYSICIAN ASSISTANT, PHARMACIST, BEHAVIORAL AND MENTAL HEALTH PROFESSIONAL, PUBLIC HEALTH PROFESSIONAL, AND NURSE TRAINING.—The Surgeon General shall establish provisions applicable with respect to dental, physician assistant, pharmacy, behavioral and mental health, public health, and nursing students that are comparable to those for medical students under this section, including service obligations, tuition support, and stipend support. The Surgeon General shall give priority to health professions training institutions that train medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, and nursing students for some significant period of time together, but at a minimum have a discrete and shared core curriculum.

''(e) ELITE FEDERAL DISASTER TEAMS.—The Surgeon General, in consultation with the Secretary, the Director of the Centers for Disease Control and Prevention, and other appropriate military and Federal government agencies, shall develop criteria for the appointment of highly qualified Track faculty, medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, and nursing students, and graduates to elite Federal disaster preparedness teams to train and to respond to public health emergencies, natural disasters, bioterrorism events, and other emergencies.

''(f) STUDENT DROPPED FROM TRACK IN AFFILIATE SCHOOL.—A medical, dental, physician assistant, pharmacy, behavioral and mental health, public health, or nursing student who, under regulations prescribed by the Surgeon General, is dropped from the Track in an affiliated school for deficiency in conduct or studies, or for other reasons, shall be liable to the United States for all tuition and stipend support provided to the student.

''SEC. 274. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this part, section 338A-1, and section 749, such sums as may be necessary.''.

SEC. 206. MEDICAL EDUCATION DEBT REIMBURSEMENT FOR PHYSICIANS OF THE VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a program

under which eligible physicians described in subsection (b) are reimbursed for the education debt of such physicians as described in subsection (c).

(b) ELIGIBLE PHYSICIANS.—An eligible physician described in this subsection is any physician currently appointed to a physician position in the Veterans Health Administration under section 7402(b)(1) of title 38, United States Code, who enters into an agreement with the Secretary to continue serving as a physician in such position for such period of time as the Secretary shall specify in the agreement.

(c) COVERED EDUCATION DEBT.—The education debt for which an eligible physician may be reimbursed under this section is any amount paid by the physician for tuition, room and board, or expenses in obtaining the degree of doctor or medicine or of doctor of osteopathy, including any amounts of principal or interest paid by the physician under a loan, the proceeds of which were used by or on behalf of the physician for the costs of obtaining such degree.

(d) FREQUENCY OF REIMBURSEMENT.—Any reimbursement of an eligible physician under this section shall be made in a lump sum or in installments of such frequency as the Secretary shall specify the agreement of the physician as required under subsection (b).

(e) LIABILITY FOR FAILURE TO COMPLETE OBLIGATED SERVICE.—Any eligible physician who fails to satisfactorily complete the period of service agreed to by the physician under subsection (b) shall be liable to the United States in an amount determined in accordance with the provisions of section 7617(c)(1) of title 38, United States Code.

(f) TREATMENT OF REIMBURSEMENT WITH OTHER PAY AND BENEFIT AUTHORITIES.—Any amount of reimbursement payable to an eligible physician under this section is in addition to any other pay, allowances, or benefits that may be provided the physician under law, including any educational assistance under the Department of Veterans Affairs Health Professional Educational Assistance Program under chapter 76 of title 38, United States Code.

TITLE III—HEALTH PROFESSIONAL TRAINING PIPELINE PARTNERSHIPS PROGRAM

SEC. 301. GRANTS TO PREPARE STUDENTS FOR CAREERS IN HEALTH CARE.

(a) PURPOSE.—The purpose of this section is to support the development and implementation of programs designed to prepare middle school and high school students for study and careers in the healthcare field, including success in postsecondary mathematics and science programs.

(b) DEFINITIONS.—In this section:

(1) CHILDREN FROM LOW-INCOME FAMILIES.—The term ''children from low-income families'' means children described in section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)(1)(A)).

(2) ELIGIBLE RECIPIENTS.—The term ''eligible recipient'' means—

(A) a nonprofit healthcare career pathway partnership organization; or

(B) a high-need local educational agency in partnership with—

(i) not less than 1 institution of higher education with an established health profession education program; and

(ii) not less than 1 community-based, private sector healthcare provider organization.

(3) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term ''high-need local educational agency'' means a local educational agency or educational service agency—

(A) that serves not fewer than 10,000 children from low-income families;

(B) for which not less than 20 percent of the children served by the agency are children from low-income families;

(C) that meets the eligibility requirements for funding under the Small, Rural School Achievement Program under section 6211(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7345(b)); or

(D) that meets the eligibility requirements for funding under the Rural and Low-Income School Program under section 6221(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7351(b)(1)).

(4) NONPROFIT HEALTHCARE CAREER PATHWAY PARTNERSHIP ORGANIZATION.—The term ''nonprofit healthcare career pathway partnership organization'' means a nonprofit organization focused on developing career and educational pathways to healthcare professions, that shall include representatives of—

(A) the local educational agencies;

(B) not less than 1 institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) with an established health profession education program; and

(C) not less than 1 community-based, private sector healthcare provider organization or other healthcare industry organization.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(c) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to eligible recipients to enable the recipients to develop and implement programs of study to prepare middle school and high school students for postsecondary education leading to careers in the healthcare field.

(2) MINIMUM FUNDING LEVEL.—Grants shall be awarded at a minimum level of $500,000 per recipient, per year.

(3) RENEWABILITY.—Grants may be renewed, at the discretion of the Secretary, for not more than 5 years.

(d) APPLICATION.—Each eligible recipient desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, which shall include an assurance that the recipient will meet the program requirements described in subsection (f)(2).

(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to—

(1) applicants that include a local educational agency that is located in an area that is designated under section 332(a)(1)(A) of the Public Health Service Act (42 U.S.C. 254e(a)(1)(A)) as a health professional shortage area;

(2) applicants that include an institution of higher education that emphasizes an interdisciplinary approach to health profession education; and

(3) applicants whose program involves the development of a uniquely innovative public-private partnership.

(f) AUTHORIZED ACTIVITIES/USE OF FUNDS.—

(1) IN GENERAL.—Each eligible recipient that receives a grant under this section shall use the grant funds to develop and implement programs of study to prepare middle school and high school students for careers in the healthcare field that—

(A) are aligned with State challenging academic content standards and State challenging student academic achievement standards; and

(B) lead to high school graduation with the skills and preparation—

(i) to enter postsecondary education programs of study in mathematics and science without remediation; and

(ii) necessary to enter healthcare jobs directly.

(2) PROGRAM REQUIREMENTS.—A program of study described in paragraph (1) shall—

(A) involve a review and identification of the content knowledge and skills students who enter institutions of higher education and the workforce need to have in order to succeed in the healthcare field;

(B) promote the alignment of mathematics and science curricula and assessments in middle school and high school and facilitate learning of the required knowledge and skills identified in subparagraph (A);

(C) include an outreach component to educate middle school and high school students and their parents about the full range of employment opportunities in the healthcare field, specifically in the local community;

(D) include specific opportunities for youth to interact with healthcare professionals or industry representatives in the classroom, school, or community locations and how these experiences will be integrated with coursework;

(E) include high-quality volunteer or internship experiences, integrated with coursework;

(F) provide high-quality mentoring, counseling, and career counseling support services to program participants;

(G) consider the inclusion of a distance-learning component or similar education technology that would expand opportunities for geographically isolated individuals;

(H) encourage the participation of individuals who are members of groups that are underrepresented in postsecondary education programs in mathematics and science;

(I) encourage participants to seek work in communities experiencing acute health professional shortages; and

(J) collect data, and analyze the data using measurable objectives and benchmarks, to evaluate the extent to which the program succeeded in—

(i) increasing student and parent awareness of occupational opportunities in the healthcare field;

(ii) improving student academic achievement in mathematics and science;

(iii) increasing the number of students entering health care professions upon graduation; and

(iv) increasing the number of students pursuing secondary education or training opportunities with the potential to lead to a career in the healthcare field.

(3) PLANNING GRANT SET ASIDE.—Each eligible recipient that receives a grant under this section shall set aside 10 percent of the grant funds for planning and program development purposes.

(g) MATCHING REQUIREMENT.—Each eligible recipient that receives a grant under this section shall provide, from the private sector, an amount equal to 40 percent of the amount of the grant, in cash or in kind, to carry out the activities supported by the grant.

(h) REPORTS.—

(1) ANNUAL EVALUATION.—Each eligible recipient that receives a grant under this section shall collect and report to the Secretary annually such information as the Secretary may reasonably require, including—

(A) the number of schools involved and student participants in the program;

(B) the race, gender, socio-economic status, and disability status of program participants;

(C) the number of program participants who successfully graduated from high school;

(D) the number of program participants who reported enrollment in some form of postsecondary education with the potential to lead to a career in the healthcare field;

(E) the number of program participants who entered a paid position, either part-time

or full-time, in the healthcare field following participation in the program; and

(F) the data and analysis required under subsection (f)(2)(J).

(2) REPORT.—Not later than 3 years after the date of enactment of this section, the Secretary shall submit to Congress an interim report on the results of the evaluations conducted under paragraph (1).

(i) AUTHORIZATION AND APPROPRIATION.—

(1) IN GENERAL.—There are authorized to be appropriated $100,000,000 for each of fiscal years 2009 through 2013 to carry out this section.

(2) ADMINISTRATIVE COSTS.—For the costs of administering this section, including the costs of evaluating the results of grants and submitting reports to the Congress, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2013.

By Mr. HATCH (for himself, Mrs. LINCOLN, Mr. KOHL, and Ms. SNOWE):

S. 795. A bill to amend the Social Security Act to enhance the social security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes; to the Committee on Finance.

Mr. HATCH. Mr. President, today, Senator BLANCHE LINCOLN, Senator HERB KOHL, Senator OLYMPIA SNOWE and I will be introducing the Elder Justice Act. The Elder Justice Act we are introducing today was reported by the Senate Finance Committee during the last Congress. In fact, this legislation has been introduced consistently since the 107th Congress. Additionally, it has been reported unanimously by the Finance Committee during the last three Congresses.

I want to express my gratitude to Senator BLANCHE LINCOLN, the other lead sponsor of the Elder Justice Act. Senator LINCOLN's strong commitment to reducing elder abuse has made a tremendous difference. It has been a pleasure to work with her on this important legislation.

In addition, I want to acknowledge the other original cosponsors of this bill, Senator HERB KOHL and Senator OLYMPIA SNOWE. Over the years, Senator KOHL has been strong supporter of this legislation and, as Chairman of the Select Committee on Aging, his support has been greatly appreciated by me. Senator SNOWE has been a strong supporter of the Elder Justice Act for many years.

The Elder Justice Coalition, headed by Bob Blancato, also has been a great ally of the Elder Justice Act. The coalition, which has close to 560 members, is dedicated to eliminating elder abuse, neglect, and exploitation in our country. Over the years, coalition members have worked hard to educate Congress about the Elder Justice Act.

I also must acknowledge the work of former Senator John Breaux on this important legislation. Senator Breaux was the original sponsor of the Elder Justice Act.

In fact, Senator Breaux and I first introduced this legislation in the 107th Congress.

Even though Senator Breaux is no longer in the Senate, he has still fought for passage of this legislation and currently serves as the Honorary Chairman of the Elder Justice Coalition.

As far as the Elder Justice Act is concerned, one of the most significant provisions of this bill is the creation of an Elder Justice Coordinating Council and an Advisory Board on elder abuse, neglect and exploitation.

The Coordinating Council, which would be chaired by the Secretary of Health and Human Services, would be made up of Federal agency representatives who would be responsible for overseeing programs related to elder abuse.

Advisory Board members would include citizens who have extensively studied issues surrounding elder abuse.

Together, the Council and Advisory Board would be responsible for coordinating public and private activities and programs related to elder abuse.

Today, that goal is unattainable because quite simply, the approach to addressing elder abuse is disjointed among Federal agencies.

Therefore, the major goal of the Elder Justice Act would be to encourage a comprehensive and coordinated response by these Federal agencies to elder abuse.

I also want to take a minute to address a concern that has been raised by some who believe that the Elder Justice Act is duplicative because federal programs already exist to address elder abuse.

I respectfully disagree with that assessment. In fact, last Congress, we spent a lot of time with agency officials to address some of the concerns raised about the bill. It is my hope that we will continue those discussions this year.

That being said, I truly believe that our government needs to do more when it comes to elder abuse. As more and more baby boomers retire over the next 3 decades, we can no longer ignore the reality that elder abuse is prevalent within our society and we must do something to address it. Enacting the Elder Justice Act is the first step.

Senior citizens cannot wait any longer for this legislation to pass. Getting this bill signed into law continues to be one of my top priorities. Therefore, I urge my colleagues to cosponsor the Elder Justice Act and support the passage of this legislation.

Our seniors deserve no less.

Mr. KOHL. Mr. President, I wish today to express my support for the Elder Justice Act of 2009. As in previous years, I am proud to be an original cosponsor. I wish to thank my colleague, Senators HATCH, LINCOLN, and SNOWE for their leadership to address the often-hidden scourge of elder abuse. For years, Congress has failed to take concrete action to address the consequences of elder abuse, and that must change.

The Elder Justice Act takes several important steps to help protect our vulnerable elders. First, it boosts funding for the long-term care ombudsman program, which is the chief source of advocacy for individuals who live in nursing homes and assisted living facilities. The bill would advance the understanding of how to prosecute and address elder abuse by providing funds to focus on and develop the forensics of elder abuse. In addition, it elevates the importance of elder justice issues by creating a coordinating council of Federal agencies that will make policy recommendations and submit reports to Congress every 2 years. The legislation provides funding for adult protective services programs and improves training and working conditions for long-term care professionals.

We must also act to prevent abuse of our elders whenever and wherever possible. The Patient Safety and Abuse Prevention Act, which I recently reintroduced with my colleague, Senator Collins, would do much to prevent physical, emotional and financial abuse by providing States with the resources they need to significantly improve background check screening processes for vulnerable populations, including frail elders and individuals with disabilities. We know from the results of a 3-year pilot program that thousands of predators can be eliminated from the long-term care workforce that serves elders simply by improving and tightening screening standards.

In closing, I urge my colleagues to support both the Elder Justice Act and the Patient Safety and Abuse Prevention Act. Thousands of individuals with a history of substantiated abuse or a criminal record are hired every year to work closely with exposed and defenseless seniors within our Nation's nursing homes and other long-term care facilities. Because the current system of State-based background checks is haphazard, inconsistent, and full of gaping holes, predators can evade detection throughout the hiring process, securing jobs that allow them to assault, abuse, and steal from defenseless elders.

I thank Senators HATCH, LINCOLN, and SNOWE for their commitment to the cause of elder justice. I look forward to working with my colleagues to enact the legislation we are introducing today.

By Mr. BINGAMAN:

S. 796. A bill to modify the requirements applicable to locatable minerals on public domain land, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Hardrock Mining and Reclamation Act of 2009. This legislation would reform the antiquated Mining Law of 1872, a law that governs the mining of hardrock minerals, such as gold, silver, and copper, from our Federal lands.

When the Mining Law was enacted in 1872, in the aftermath of the California gold rush, Congress sought to encourage settlement of the West. Congress did this by offering free minerals and land to those who were willing to go West and mine. Congress put in place a system whereby miners could enter the public lands and locate claims for valuable mineral deposits, and mine the minerals with no further payment to the government. In the 1872 law, Congress also provided that the Federal Government would patent, or transfer title in fee simple, to the mining claims on the public domain for $2.50 or $5.00 an acre.

In 1920, Congress enacted the Mineral Leasing Act, and removed oil, gas, coal, and certain other minerals from the operation of the Mining Law. In so doing, Congress enacted a management regime that requires the leasing of these minerals. In addition, Congress required payment of per-acre rentals and ad valorem royalties based on the value of production of the oil, gas and coal, providing a return to the public for the production of publicly-owned resources.

However, as we all know, the Mining Law of 1872 continues to govern the disposition of hardrock minerals from Federal lands. While Congress has stepped in and prevented the patenting of lands through annual appropriations riders, patenting provisions allowing the transfer of mineralized Federal lands for $2.50 or $5.00 per acre are still on the books. In addition, to this day under the Mining Law, billions of dollars of hardrock minerals can be mined from Federal lands without payment of a royalty. General land management and environmental laws apply, but there are no specific statutory provisions under the Mining Law setting surface management or environmental standards.

Efforts to comprehensively reform the Mining Law have been ongoing literally for decades, but results have thus far been elusive. Congress came close to enacting comprehensive reform in 1994, and Congress has enacted moratoria on patent issuance and has imposed claim maintenance fees through the appropriations process. The House passed reform legislation last Congress and several of us in the Senate had discussions regarding how we could address this issue.

There is a growing number of people saying that finally this Congress may be the time to achieve this long-awaited reform. Chairman RAHALL, a champion of reform in the House of Representatives, has again introduced mining reform legislation. The bill that I introduce today differs in many significant ways from the House legislation, and builds on discussions in the Senate last Congress. My bill, like other reform proposals, reflects a view that the law needs to be amended to ensure that the public gets a fair return for its resources, that environmental and land use requirements are modernized, and that certainty is provided to the mining industry.

I note that my bill includes a range for both the royalty rate and the reclamation fee which will be set by the Secretary through a rulemaking process. This ensures that the Secretary will have the benefit of comments and information from interested parties and the public in setting the royalty and fee. We must look comprehensively at the subject of royalties and fees to ensure that we continue to maintain a healthy domestic hardrock mining industry with the benefits that the nation derives from that industry, including jobs and strategic minerals. At the same time, we want to ensure that the public gets the fair return on these resources that the American people deserve. I hope to receive additional input on this issue of royalties and fees during consideration of the bill.

Another part of this legislation warrants special attention—that is the provisions relating to abandoned hardrock mine reclamation. While estimates vary, a recent survey of States indicated that there are as many as 500,000 abandoned hardrock mine sites nationwide with most of these in the West. These abandoned mines pose serious public health and safety risks. They also degrade our environment and pose special threats to our most precious resource: water.

As we discuss the size and shape of legislation to reform the 1872 law, there appears to be substantial support for enacting a robust hardrock abandoned mine land program. My legislation would enact a reclamation fee to fund this effort. In 1977, Congress enacted a coal AML program as part of the Surface Mining Control and Reclamation Act to address the serious problem of abandoned coal mines. This program was funded by a fee levied on coal production. We are overdue to enact a similar program to deal with abandoned hardrock mines.

Mr. President, the bill I introduce today reforms the Mining Law of 1872 in important ways. The key provisions of this bill are outlined.

The bill eliminates patenting of Federal lands, but grandfathers patent applications filed and meeting all requirements by September 30, 1994.

The bill makes modest increases in the annual claim maintenance fee, from $125 to $150, and claim location fee, from $30 to $50. The legislation requires the mine operator to pay a fee in exchange for the use of Federal land that is included within the mine permit area. The bill provides that fees collected are to be used for the administration of hardrock mining on Federal lands. Any excess funds are deposited into the Hardrock Minerals Reclamation Fund.

The bill provides that the production of all locatable minerals is subject to a royalty to be determined by the Secretary by regulation of not less than 2 percent and not more than 5 percent of the value of production, not including reasonable transportation, beneficiation, and processing costs. The royalty may vary based on the particular mineral concerned. No royalty will be collected from lands under permit that are producing in commercial quantities on the date of enactment. Royalty revenues will be deposited into the Hardrock Minerals Reclamation Fund.

The bill includes a provision for royalty reductions for all or part of a mining operation where the person conducting the mineral activities shows by clear and convincing evidence that without the reduction, production would not occur.

The bill states that permits are required for all mineral activities on Federal land except for ''casual use'' that ordinarily results in no or negligible disturbance. Mining permits are for a term of 30 years and so long thereafter as production occurs in commercial quantities. The operator must provide evidence of approved financial assurances sufficient to ensure completion of reclamation if performed by the Secretary concerned.

Financial assurances attributable to the cost of water treatment will not be released until the discharge has ceased for at least 5 years or the operator has met all applicable water quality standards for at least 5 years. The operator may be required to establish a trust fund or other long-term funding mechanism to provide financial assurances for long-term treatment of water or other long-term post-mining maintenance or monitoring requirements.

The Secretary of Agriculture must take any action necessary to prevent unnecessary or undue degradation in administering mineral activities on National Forest System land. The bill directs the Secretaries of the Interior and Agriculture to jointly issue regulations.

The bill requires within 3 years a review of certain lands to determine whether they will be available for future mining claim location. The Governor of a state, Chairman of an Indian tribe, or appropriate local official may petition the Secretary to undertake a review of an area.

The bill establishes a program for the reclamation of abandoned hardrock mines in 14 western states. Creates a Hardrock Minerals Reclamation Fund comprised of hardrock royalties, fees, and donations. Each operator of a hardrock mining operation on Federal, state, tribal or private land, must pay a reclamation fee established by the Secretary of not less than 0.3 percent, and not more than 1.0 percent, of the value of the production of the hardrock minerals for deposit into the Fund. The bill provides grant programs for all states for hardrock reclamation projects and for public entities and nonprofit organizations for collaborative restoration projects to improve fish and wildlife habitat affected by past hardrock mining.

Reform of the Mining Law of 1872 is a matter that has come before the Congress repeatedly and that we simply must address. I ask that my colleagues

join me in cosponsoring this important legislation.

Mr. President, I ask unanimous consent that a bill summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE HARDROCK MINING AND RECLAMATION ACT OF 2009

Eliminates Patenting—Eliminates the practice of patenting Federal land (i.e., transferring title) while grandfathering patent applications filed and meeting all requirements by September 30, 1994.

Claim Maintenance and Location Fees—Increases the current annual claim maintenance fee to $150 (up from $125 under current law) which is paid in lieu of annual assessment work, with an exception for claim holders with 10 or fewer claims. Increases the current claim location fee to $50 per claim (up from $30 under current law). Provides that fees collected are to be used for the administration of hardrock mining on Federal lands. Any excess is deposited into the Hardrock Minerals Reclamation Fund. Provides for adjustment of the fees to reflect changes in the Consumer Price Index.

Royalties—Production of all locatable minerals is subject to a royalty to be determined by the Secretary by regulation of not less than 2 percent and not more than 5 percent of the value of production, not including reasonable transportation, beneficiation, and processing costs. The royalty may vary based on the particular mineral concerned. No royalty will be collected from existing mines that are producing in commercial quantities on the date of enactment. Royalty revenues will be deposited into the Hardrock Minerals Reclamation Fund. Provides for royalty reductions for all or part of a mining operation where the person conducting the mineral activities shows by clear and convincing evidence that without the reduction, production would not occur. Provides for enforcement for royalty and certain fee collections. Provides for a look-back report on the impacts of royalties and fees.

Permits—Permits are required for all mineral activities on Federal land except for ''casual use'' that ordinarily results in no or negligible disturbance. Mining permits are for a term of 30 years and so long thereafter as production occurs in commercial quantities.

Land Use Fees—With respect to new mines, requires the operator to pay a land use fee as determined by the Secretary by regulation equal to 4 times the claim maintenance fee imposed for each 20 acres of Federal land that is included within the mine permit area. Upon approval of the mining permit and payment of the fee, the operator may use and occupy the Federal land within the permit area, consistent with the mining permit and all applicable law.

Financial Assurances—The operator must provide evidence of approved financial assurances sufficient to ensure completion of reclamation if performed by the Secretary concerned.

Water Reclamation—Financial assurances attributable to the cost of water treatment will not be released until the discharge has ceased for at least 5 years or the operator has met all applicable water quality standards for at least 5 years. The operator may be required to establish a trust fund or other long-term funding mechanism to provide financial assurances for long-term treatment of water or other long-term post-mining maintenance or monitoring requirements.

Operation and Reclamation—Creates a uniform standard for operation and reclamation on both BLM and Forest Service lands by applying the ''unnecessary or undue degradation'' standard currently applicable to BLM land to National Forest System land. Directs the Secretaries of the Interior and Agriculture to jointly issue regulations.

Land Open to Location—Amends the Federal Land Policy and Management Act to require within 3 years that local Federal land managers review specified categories of lands for withdrawal from operation of the Mining Law, subject to valid existing rights. The categories to be reviewed are: designated wilderness study areas and National Forest System land identified as suitable for wilderness designation; areas of critical environmental concern; Federal land in which mineral activities pose a reasonable likelihood of substantial adverse impacts on National Conservation System units as defined in the bill; certain areas with potential for inclusion in the Wild and Scenic Rivers System as specified; and areas identified in the set of inventoried roadless area maps contained in the Forest Service Roadless Areas Conservation, Final Environmental Impact Statement, Volume 2, dated November 2000). Based on the review and recommendation of the local Federal land manager, areas can be removed from operation of the Mining Law, subject to valid existing rights. The Governor of a state, head of an Indian tribe, or appropriate local official may petition the Secretary to direct the local Federal land manager to undertake a review of an area to determine whether land should be withdrawn, subject to valid existing rights.

Inspection and Monitoring—Requires the Secretary concerned to conduct inspections at least once each quarter. All operators must develop and maintain a monitoring and evaluation system.

Hardrock Minerals Reclamation Fund—Provides for the payment of royalties, fees, and donations into a Hardrock Minerals Reclamation Fund to be administered by the Secretary of the Interior through the Office of Surface Mining Reclamation and Enforcement.

Use of the Fund—The Secretary may use amounts in the Fund without further appropriation for the reclamation of land and water (Federal, State, tribal and private) affected by past hardrock mining and related activities in 14 western states when there is no continuing reclamation responsibility of the claim holder or operator, and for hardrock reclamation grant programs nationwide as specified in the bill.

Allocation of the Fund—Provides for allocation of the Fund: to states and tribes based on current hardrock production and on the quantity of hardrock minerals historically produced; to agencies for expenditure on Federal land; for grants to states other than the 14 designated western states for reclamation of abandoned hardrock mine sites; for grants to public entities and nonprofit organizations for collaborative restoration projects to improve fish and wildlife habitat affected by past hardrock mining; and for program administration.

Abandoned Mine Land Fee—Each operator of a hardrock mineral mining operation on Federal, state, tribal or private land, shall pay to the Secretary a reclamation fee established by the Secretary by regulation of not less than 0.3 percent, and not more than 1.0 percent, of the value of the production of the hardrock minerals mining operation for each calendar year for deposit into the Fund.

Transition—If a plan of operations is approved or a notice of operations is filed for mineral activities before the date of enactment, mineral activities will be subject to the approved plan of operations or the notice for 10 years after the date of enactment. All fees apply starting on the date of enactment of this Act, except that the land use fee applies only to mining permits or modifications after the date of enactment. No royalty is required on production from Federal land that is subject to an operations permit on the date of enactment of this Act and that produces valuable locatable minerals in commercial quantities on the date of enactment.

Enforcement—Provides for enforcement, including civil penalty authority for the Secretary.

Uncommon Varieties—Subject to valid existing rights, makes minerals classified as ''common varieties with distinct and special value'' subject to disposal under the Materials Act of 1947.

Review of Uranium Development on Federal Land—Provides for a National Academy of Sciences review of legal and related requirements applicable to the development of uranium on Federal lands.

By Mr. DORGAN (for himself, Mr. BARRASSO, Mr. BAUCUS, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. KYL, Mr. WYDEN, Mr. JOHNSON, Ms. CANTWELL, Ms. MURKOWSKI, Mr. THUNE, Mr. TESTER, Mr. BEGICH, and Mr. UDALL of New Mexico):

S. 797. A bill to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes; to the Committee on Indian Affairs.

Mr. DORGAN. Mr. President, I rise today to introduce the Tribal Law and Order Act of 2009.

Last Congress, as Chairman of the Committee on Indian Affairs, I chaired eight hearings on the criminal justice system as it relates to American Indian and Alaska Native communities. Those hearings confirmed that a longstanding and life threatening public safety crisis exists on many of our Nation's American Indian reservations.

One of the primary causes for violent crime in Indian Country is the broken system of justice. The current system limits local tribal government authority to combat crime in their own communities, and requires reservation residents to rely on Federal officials to investigate and prosecute violent crimes in district courts that are often hundreds of miles away from the reservation.

The United States created this system. In so doing, our Government accepted the responsibility to police Indian lands, and incurred a legal obligation to provide for the public safety of tribal communities.

Unfortunately, we are not meeting that obligation.

The following is a partial listing of Indian Country criminal justice statistics. These statistics represent more than numbers. They represent the dark reality faced by hundreds of tribal communities on a daily basis.

The violent crime rate in Indian country is nearly twice the national average, and more than 20 times the national average on some reservations.

Thirty-four percent of Native women will be raped in their lifetimes; and 39 percent will be subject to domestic violence.

Fewer than 3,000 tribal and Federal law enforcement officers patrol more than 56,000,000 acres of Indian lands—less than ½ of the law enforcement presence in comparable communities nationwide.

The lack of police presence has resulted in significant delays in responding to victims' calls for assistance, which in turn adversely affects the collection of evidence needed to prosecute domestic violence and sexual assaults.

In addition, Federal officials have seized business documents from organized crime operations citing the lack of police presence and jurisdictional confusion as reasons for targeting Indian reservations for the manufacture and distribution of drugs.

An Interior Department report found that 90 percent of existing Bureau of Indian Affairs and tribal detention facilities must be replaced. The lack of jail bed space has forced tribal courts to release a number of offenders.

Tribal communities rely solely on the U.S. to investigate and prosecute felony-level crimes occurring on the reservation. However, between 2004 and 2007, Federal prosecutors declined 62 percent of Indian country criminal cases, including 72 percent of child and adult sex crimes.

To address this crisis, I am introducing the Tribal Law and Order Act of 2009 with the support of my colleagues Committee Vice Chairman BARRASSO, and Senators BAUCUS, BINGAMAN, BEGICH, CANTWELL, JOHNSON, KYL, LIEBERMAN, MURKOWSKI, TESTER, THUNE, UDALL, and WYDEN.

This bill will take initial steps to mend this broken system by arming tribal justice officials with the needed tools to protect their communities. Importantly, the bill would enable tribal courts to sentence offenders up to 3 years in prison for violations of tribal law, an increase from the current limit of 1 year. It also arms tribal police with better access to national criminal databases, and improves their ability to makes arrests for reservation crimes.

In addition, the bill would provide for greater accountability on the part of Federal officials responsible for investigating and prosecuting reservation crimes. To increase coordination of prosecutions, the bill would require U.S. Attorneys to file declination reports and maintain data when refusing to pursue a case. Maintaining consistent data on declinations will enable Congress to direct funding where the additional resources are needed. It would also require greater consultation and coordination between federal law enforcement officials, tribal leaders, and community members.

To address the epidemic of domestic violence, the bill would require Federal health and law enforcement officials to establish consistent sexual assault protocols. It would require officials to testify to aid tribal court prosecutions. The bill would also require Federal officials to receive specialized training to properly interview victims of domestic and sexual violence, and improve evidence collection and preservation, which will help improve the prosecution of domestic violence and sexual assaults in Federal and tribal courts.

Improving the system will ensure that Federal dollars appropriated to fight reservation crime will be used in a more efficient manner. To that end, the bill also reauthorizes and amends several Federal programs designed to supplement tribal justice systems to enable them to better combat crime locally. These programs would provide funding for tribal courts, tribal police, Indian youth programs, and tribal jails construction.

This bill was developed in consultation with tribal, Federal and State law enforcement officials, judges, prosecutors, public defenders, victims, victims' advocates and many others.

I want to again thank the co-sponsors for their support. Many of the cosponsors sit on the Indian Affairs Committee with me, and have repeatedly heard from Federal and tribal officials about this longstanding problem. The residents of Indian Country deserve our timely consideration of this bill. I urge my colleagues to join me in supporting the passage of this legislation.

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. 797

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 ''Tribal Law and Order Act of 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purposes.
Sec. 3. Definitions.

TITLE I—FEDERAL ACCOUNTABILITY AND COORDINATION

Sec. 101. Office of Justice Services responsibilities.
Sec. 102. Declination reports.
Sec. 103. Prosecution of crimes in Indian country.
Sec. 104. Administration.

TITLE II—STATE ACCOUNTABILITY AND COORDINATION

Sec. 201. State criminal jurisdiction and resources.
Sec. 202. Incentives for State, tribal, and local law enforcement cooperation.

TITLE III—EMPOWERING TRIBAL LAW ENFORCEMENT AGENCIES AND TRIBAL GOVERNMENTS

Sec. 301. Tribal police officers.
Sec. 302. Drug enforcement in Indian country.
Sec. 303. Access to national criminal information databases.
Sec. 304. Tribal court sentencing authority.
Sec. 305. Indian Law and Order Commission.

TITLE IV—TRIBAL JUSTICE SYSTEMS

Sec. 401. Indian alcohol and substance abuse.
Sec. 402. Indian tribal justice; technical and legal assistance.
Sec. 403. Tribal resources grant program.
Sec. 404. Tribal jails program.
Sec. 405. Tribal probation office liaison program.
Sec. 406. Tribal youth program.

TITLE V—INDIAN COUNTRY CRIME DATA COLLECTION AND INFORMATION SHARING

Sec. 501. Tracking of crimes committed in Indian country.
Sec. 502. Grants to improve tribal data collection systems.
Sec. 503. Criminal history record improvement program.

TITLE VI—DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROSECUTION AND PREVENTION

Sec. 601. Prisoner release and reentry.
Sec. 602. Domestic and sexual violent offense training.
Sec. 603. Testimony by Federal employees in cases of rape and sexual assault.
Sec. 604. Coordination of Federal agencies.
Sec. 605. Sexual assault protocol.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the United States has distinct legal, treaty, and trust obligations to provide for the public safety of tribal communities;

(2) several States have been delegated or have accepted responsibility to provide for the public safety of tribal communities within the borders of the States;

(3) Congress and the President have acknowledged that—

(A) tribal law enforcement officers are often the first responders to crimes on Indian reservations; and

(B) tribal justice systems are ultimately the most appropriate institutions for maintaining law and order in tribal communities;

(4) less than 3,000 tribal and Federal law enforcement officers patrol more than 56,000,000 acres of Indian country, which reflects less than ½ of the law enforcement presence in comparable rural communities nationwide;

(5) on many Indian reservations, law enforcement officers respond to distress or emergency calls without backup and travel to remote locations without adequate radio communication or access to national crime information database systems;

(6) the majority of tribal detention facilities were constructed decades before the date of enactment of this Act and must be or will soon need to be replaced, creating a multibillion-dollar backlog in facility needs;

(7) a number of Indian country offenders face no consequences for minor crimes, and many such offenders are released due to severe overcrowding in existing detention facilities;

(8) tribal courts—

(A) are the primary arbiters of criminal and civil justice for actions arising in Indian country; but

(B) have been historically underfunded;

(9) tribal courts have no criminal jurisdiction over non-Indian persons, and the sentencing authority of tribal courts is limited to sentences of not more than 1 year of imprisonment for Indian offenders, forcing tribal communities to rely solely on the Federal Government and certain State governments for the prosecution of—

(A) misdemeanors committed by non-Indian persons; and

(B) all felony crimes in Indian country;

(10) a significant percentage of cases referred to Federal agencies for prosecution of

crimes allegedly occurring in tribal communities are declined to be prosecuted;

(11) the complicated jurisdictional scheme that exists in Indian country—

(A) has a significant negative impact on the ability to provide public safety to Indian communities; and

(B) has been increasingly exploited by criminals;

(12) the violent crime rate in Indian country is—

(A) nearly twice the national average; and

(B) more than 20 times the national average on some Indian reservations;

(13)(A) domestic and sexual violence against Indian and Alaska Native women has reached epidemic proportions;

(B) 34 percent of Indian and Alaska Native women will be raped in their lifetimes; and

(C) 39 percent of Indian and Alaska Native women will be subject to domestic violence;

(14) the lack of police presence and resources in Indian country has resulted in significant delays in responding to victims' calls for assistance, which adversely affects the collection of evidence needed to prosecute crimes, particularly crimes of domestic and sexual violence;

(15) alcohol and drug abuse plays a role in more than 80 percent of crimes committed in tribal communities;

(16) the rate of methamphetamine addiction in tribal communities is 3 times the national average;

(17) the Department of Justice has reported that drug organizations have increasingly targeted Indian country to produce and distribute methamphetamine, citing the limited law enforcement presence and jurisdictional confusion as reasons for the increased activity;

(18) tribal communities face significant increases in instances of domestic violence, burglary, assault, and child abuse as a direct result of increased methamphetamine use on Indian reservations;

(19)(A) criminal jurisdiction in Indian country is complex, and responsibility for Indian country law enforcement is shared among Federal, tribal, and State authorities; and

(B) that complexity requires a high degree of commitment and cooperation from Federal and State officials that can be difficult to establish;

(20) agreements for cooperation among certified tribal and State law enforcement officers have proven to improve law enforcement in tribal communities;

(21) consistent communication among tribal, Federal, and State law enforcement agencies has proven to increase public safety and justice in tribal and nearby communities; and

(22) crime data is a fundamental tool of law enforcement, but for decades the Bureau of Indian Affairs and the Department of Justice have not been able to coordinate or consistently report crime and prosecution rates in tribal communities.

(b) PURPOSES.—The purposes of this Act are—

(1) to clarify the responsibilities of Federal, State, tribal, and local governments with respect to crimes committed in tribal communities;

(2) to increase coordination and communication among Federal, State, tribal, and local law enforcement agencies;

(3) to empower tribal governments with the authority, resources, and information necessary to safely and effectively provide for the safety of the public in tribal communities;

(4) to reduce the prevalence of violent crime in tribal communities and to combat violence against Indian and Alaska Native women;

(5) to address and prevent drug trafficking and reduce rates of alcohol and drug addiction in Indian country; and

(6) to increase and standardize the collection of criminal data and the sharing of criminal history information among Federal, State, and tribal officials responsible for responding to and investigating crimes in tribal communities.

SEC. 3. DEFINITIONS.

(a) IN GENERAL.—In this Act:

(1) INDIAN COUNTRY.—The term ''Indian country'' has the meaning given the term in section 1151 of title 18, United States Code.

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) TRIBAL GOVERNMENT.—The term ''tribal government'' means the governing body of an Indian tribe.

(b) INDIAN LAW ENFORCEMENT REFORM ACT.—Section 2 of the Indian Law Enforcement Reform Act (25 U.S.C. 2801) is amended by adding at the end the following:

''(10) TRIBAL JUSTICE OFFICIAL.—The term 'tribal justice official' means—

''(A) a tribal prosecutor;

''(B) a tribal law enforcement officer; or

''(C) any other person responsible for investigating or prosecuting an alleged criminal offense in tribal court.''.

TITLE I—FEDERAL ACCOUNTABILITY AND COORDINATION

SEC. 101. OFFICE OF JUSTICE SERVICES RESPONSIBILITIES.

(a) DEFINITIONS.—Section 2 of the Indian Law Enforcement Reform Act (25 U.S.C. 2801) is amended—

(1) by striking paragraph (8);

(2) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(3) by redesignating paragraph (9) as paragraph (1) and moving the paragraphs so as to appear in numerical order; and

(4) in paragraph (1) (as redesignated by paragraph (3)), by striking ''Division of Law Enforcement Services'' and inserting ''Office of Justice Services''.

(b) ADDITIONAL RESPONSIBILITIES OF OFFICE.—Section 3 of the Indian Law Enforcement Reform Act (25 U.S.C. 2802) is amended—

(1) in subsection (b), by striking ''(b) There is hereby established within the Bureau a Division of Law Enforcement Services which'' and inserting the following:

''(b) OFFICE OF JUSTICE SERVICES.—There is established in the Bureau an office, to be known as the 'Office of Justice Services', that'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''Division of Law Enforcement Services'' and inserting ''Office of Justice Services'';

(B) in paragraph (2), by inserting ''and, with the consent of the Indian tribe, tribal criminal laws, including testifying in tribal court'' before the semicolon at the end;

(C) in paragraph (8), by striking ''and'' at the end;

(D) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(10) the development and provision of dispatch and emergency and E–911 services;

''(11) communicating with tribal leaders, tribal community and victims' advocates, tribal justice officials, and residents of Indian land on a regular basis regarding public safety and justice concerns facing tribal communities;

''(12) conducting meaningful and timely consultation with tribal leaders and tribal justice officials in the development of regulatory policies and other actions that affect public safety and justice in Indian country;

''(13) providing technical assistance and training to tribal law enforcement officials to gain access and input authority to utilize the National Criminal Information Center and other national crime information databases pursuant to section 534 of title 28, United States Code;

''(14) in coordination with the Attorney General pursuant to subsection (g) of section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732), collecting, analyzing, and reporting data regarding Indian country crimes on an annual basis;

''(15) submitting to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives, for each fiscal year, a detailed spending report regarding tribal public safety and justice programs that includes—

''(A)(i) the number of full-time employees of the Bureau and tribal government who serve as—

''(I) criminal investigators;

''(II) uniform police;

''(III) police and emergency dispatchers;

''(IV) detention officers;

''(V) executive personnel, including special agents in charge, and directors and deputies of various offices in the Office of Justice Services; or

''(VI) tribal court judges, prosecutors, public defenders, or related staff; and

''(ii) the amount of appropriations obligated for each category described in clause (i) for each fiscal year;

''(B) a list of amounts dedicated to law enforcement and corrections, vehicles, related transportation costs, equipment, inmate transportation costs, inmate transfer costs, replacement, improvement, and repair of facilities, personnel transfers, detailees and costs related to their details, emergency events, public safety and justice communications and technology costs, and tribal court personnel, facilities, and related program costs;

''(C) a list of the unmet staffing needs of law enforcement, corrections, and court personnel at tribal and Bureau of Indian Affairs justice agencies, the replacement and repair needs of tribal and Bureau corrections facilities, needs for tribal police and court facilities, and public safety and emergency communications and technology needs; and

''(D) the formula, priority list or other methodology used to determine the method of disbursement of funds for the public safety and justice programs administered by the Office of Justice Services;

''(16) submitting to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives, for each fiscal year, a report summarizing the technical assistance, training, and other support provided to tribal law enforcement and corrections agencies that operate relevant programs pursuant to self-determination contracts or self-governance compacts with the Bureau of Indian Affairs; and

''(17) promulgating regulations to carry out this Act, and routinely reviewing and updating, as necessary, the regulations contained in subchapter B of title 25, Code of Federal Regulations (or successor regulations).'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''Division of Law Enforcement Services'' and inserting ''Office of Justice Services'';

(B) in paragraph (3)—

(i) by striking ''regulations which shall establish'' and inserting ''regulations, which shall—

''(A) establish'';

(ii) by striking ''reservation.'' and inserting ''reservation; but''; and

(iii) by adding at the end the following:

''(B) support the enforcement of tribal laws and investigation of offenses against tribal criminal laws.''; and

(C) in paragraph (4)(i), in the first sentence, by striking ''Division'' and inserting ''Office of Justice Services'';

(4) in subsection (e), by striking ''Division of Law Enforcement Services'' each place it appears and inserting ''Office of Justice Services''; and

(5) by adding at the end the following:

''(f) LONG-TERM PLAN FOR TRIBAL DETENTION PROGRAMS.—Not later than 1 year after the date of enactment of this subsection, the Secretary, acting through the Bureau, in coordination with the Department of Justice and in consultation with tribal leaders, tribal law enforcement officers, and tribal corrections officials, shall submit to Congress a long-term plan to address incarceration in Indian country, including a description of—

''(1) proposed activities for the construction of detention facilities (including regional facilities) on Indian land;

''(2) proposed activities for the construction of additional Federal detention facilities on Indian land;

''(3) proposed activities for contracting with State and local detention centers, upon approval of affected tribal governments;

''(4) proposed activities for alternatives to incarceration, developed in cooperation with tribal court systems; and

''(5) other such alternatives to incarceration as the Secretary, in coordination with the Bureau and in consultation with tribal representatives, determines to be necessary.

''(g) LAW ENFORCEMENT PERSONNEL OF BUREAU AND INDIAN TRIBES.—

''(1) REPORT.—Not later than 60 days after the date of enactment of this subsection, the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report regarding vacancies in law enforcement personnel of Bureau and Indian tribes.

''(2) LONG-TERM PLAN.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a long-term plan to address law enforcement personnel needs in Indian country.''.

(c) LAW ENFORCEMENT AUTHORITY.—Section 4 of the Indian Law Enforcement Reform Act (25 U.S.C. 2803) is amended—

(1) in paragraph (2)(A), by striking ''), or'' and inserting ''or offenses committed on Federal property processed by the Central Violations Bureau); or''; and

(2) in paragraph (3), by striking subparagraphs (A) through (C) and inserting the following:

''(A) the offense is committed in the presence of the employee; or

''(B) the offense is a Federal crime and the employee has reasonable grounds to believe that the person to be arrested has committed, or is committing, the crime;''.

SEC. 102. DECLINATION REPORTS.

Section 10 of the Indian Law Enforcement Reform Act (25 U.S.C. 2809) is amended by striking subsections (a) through (d) and inserting the following:

''(a) REPORTS.—

''(1) LAW ENFORCEMENT OFFICIALS.—Subject to subsection (d), if a law enforcement officer or employee of any Federal department or agency declines to initiate an investigation of an alleged violation of Federal law in Indian country, or terminates such an investigation without referral for prosecution, the officer or employee shall—

''(A) submit to the appropriate tribal justice officials evidence, including related reports, relevant to the case that would advance prosecution of the case in a tribal court; and

''(B) submit to the Office of Indian Country Crime relevant information regarding all declinations of alleged violations of Federal law in Indian country, including—

''(i) the type of crime alleged;

''(ii) the status of the accused as an Indian or non-Indian;

''(iii) the status of the victim as an Indian; and

''(iv) the reason for declining to initiate, open, or terminate the investigation.

''(2) UNITED STATES ATTORNEYS.—Subject to subsection (d), if a United States Attorney declines to prosecute, or acts to terminate prosecution of, an alleged violation of Federal law in Indian country, the United States Attorney shall—

''(A) submit to the appropriate tribal justice official, sufficiently in advance of the tribal statute of limitations, evidence relevant to the case to permit the tribal prosecutor to pursue the case in tribal court; and

''(B) submit to the Office of Indian Country Crime and the appropriate tribal justice official relevant information regarding all declinations of alleged violations of Federal law in Indian country, including—

''(i) the type of crime alleged;

''(ii) the status of the accused as an Indian or non-Indian;

''(iii) the status of the victim as an Indian; and

''(iv) the reason for the determination to decline or terminate the prosecution.

''(b) MAINTENANCE OF RECORDS.—

''(1) IN GENERAL.—The Director of the Office of Indian Country Crime shall establish and maintain a compilation of information received under paragraph (1) or (2) of subsection (a) relating to declinations.

''(2) AVAILABILITY TO CONGRESS.—Each compilation under paragraph (1) shall be made available to Congress on an annual basis.

''(c) INCLUSION OF CASE FILES.—A report submitted to the appropriate tribal justice officials under paragraph (1) or (2) of subsection (a) may include the case file, including evidence collected and statements taken that could support an investigation or prosecution by the appropriate tribal justice officials.

''(d) EFFECT OF SECTION.—

''(1) IN GENERAL.—Nothing in this section requires any Federal agency or official to transfer or disclose any confidential or privileged communication, information, or source to an official of any Indian tribe.

''(2) FEDERAL RULES OF CRIMINAL PROCEDURE.—Rule 6 of the Federal Rules of Criminal Procedure shall apply to this section.

''(3) REGULATIONS.—Each Federal agency required to submit a report pursuant to this section shall adopt, by regulation, standards for the protection of confidential or privileged communications, information, and sources under paragraph (1).''.

SEC. 103. PROSECUTION OF CRIMES IN INDIAN COUNTRY.

(a) APPOINTMENT OF SPECIAL PROSECUTORS.—Section 543 of title 28, United States Code, is amended—

(1) in subsection (a), by inserting before the period at the end the following: '', including the appointment of qualified tribal prosecutors and other qualified attorneys to assist in prosecuting Federal offenses committed in Indian country''; and

(2) by adding at the end the following:

''(c) SENSE OF CONGRESS REGARDING CONSULTATION.—It is the sense of Congress that, in appointing attorneys under this section to serve as special prosecutors in Indian country, the Attorney General should consult with tribal justice officials of each Indian tribe that would be affected by the appointment.''.

(b) TRIBAL LIAISONS.—The Indian Law Enforcement Reform Act (25 U.S.C. 2801 et seq.) is amended by adding at the end the following:

''SEC. 11. ASSISTANT UNITED STATES ATTORNEY TRIBAL LIAISONS.

''(a) APPOINTMENT.—Each United States Attorney the district of which includes Indian country shall appoint not less than 1 assistant United States Attorney to serve as a tribal liaison for the district.

''(b) DUTIES.—A tribal liaison shall be responsible for the following activities in the district of the tribal liaison:

''(1) Coordinating the prosecution of Federal crimes that occur in Indian country.

''(2) Developing multidisciplinary teams to combat child abuse and domestic and sexual violence offenses against Indians.

''(3) Consulting and coordinating with tribal justice officials and victims' advocates to address any backlog in the prosecution of major crimes in Indian country in the district.

''(4) Developing working relationships and maintaining communication with tribal leaders, tribal community and victims' advocates, and tribal justice officials to gather information from, and share appropriate information with, tribal justice officials.

''(5) Coordinating with tribal prosecutors in cases in which a tribal government has concurrent jurisdiction over an alleged crime, in advance of the expiration of any applicable statute of limitation.

''(6) Providing technical assistance and training regarding evidence gathering techniques to tribal justice officials and other individuals and entities that are instrumental to responding to Indian country crimes.

''(7) Conducting training sessions and seminars to certify special law enforcement commissions to tribal justice officials and other individuals and entities responsible for responding to Indian country crimes.

''(8) Coordinating with the Office of Indian Country Crime, as necessary.

''(9) Conducting such other activities to address and prevent violent crime in Indian country as the applicable United States Attorney determines to be appropriate.

''(c) SENSE OF CONGRESS REGARDING EVALUATIONS OF TRIBAL LIAISONS.—

''(1) FINDINGS.—Congress finds that—

''(A) many tribal communities rely solely on United States Attorneys offices to prosecute felony and misdemeanor crimes occurring on Indian land; and

''(B) tribal liaisons have dual obligations of—

''(i) coordinating prosecutions of Indian country crime; and

''(ii) developing relationships with tribal communities and serving as a link between tribal communities and the Federal justice process.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that the Attorney General should—

''(A) take all appropriate actions to encourage the aggressive prosecution of all crimes committed in Indian country; and

''(B) when appropriate, take into consideration the dual responsibilities of tribal liaisons described in paragraph (1)(B) in evaluating the performance of the tribal liaisons.

''(d) ENHANCED PROSECUTION OF MINOR CRIMES.—

''(1) IN GENERAL.—Each United States Attorney serving a district that includes Indian country is authorized and encouraged—

''(A) to appoint Special Assistant United States Attorneys pursuant to section 543(a) of title 28, United States Code, to prosecute crimes in Indian country as necessary to improve the administration of justice, and particularly when—

''(i) the crime rate exceeds the national average crime rate; or

''(ii) the rate at which criminal offenses are declined to be prosecuted exceeds the national average declination rate;

''(B) to coordinate with applicable United States magistrate and district courts—

''(i) to ensure the provision of docket time for prosecutions of Indian country crimes; and

''(ii) to hold trials and other proceedings in Indian country, as appropriate;

''(C) to provide to appointed Special Assistant United States Attorneys appropriate training, supervision, and staff support; and

''(D) if an agreement is entered into with a Federal court pursuant to paragraph (2), to provide technical and other assistance to tribal governments and tribal court systems to ensure the success of the program under this subsection.

''(2) SENSE OF CONGRESS REGARDING CONSULTATION.—It is the sense of Congress that, in appointing Special Assistant United States Attorneys under this subsection, a United States Attorney should consult with tribal justice officials of each Indian tribe that would be affected by the appointment.''.

SEC. 104. ADMINISTRATION.

(a) OFFICE OF TRIBAL JUSTICE.—

(1) DEFINITIONS.—Section 4 of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 (25 U.S.C. 3653) is amended—

(A) by redesignating paragraphs (2) through (7) as paragraphs (3) through (8), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) DIRECTOR.—The term 'Director' means the Director of the Office of Tribal Justice.''.

(2) STATUS.—Title I of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 is amended—

(A) by redesignating section 106 (25 U.S.C. 3666) as section 107; and

(B) by inserting after section 105 (25 U.S.C. 3665) the following:

''SEC. 106. OFFICE OF TRIBAL JUSTICE.

''(a) IN GENERAL.—Not later than 90 days after the date of enactment of the Tribal Law and Order Act of 2009, the Attorney General shall modify the status of the Office of Tribal Justice as the Attorney General determines to be necessary to establish the Office of Tribal Justice as a permanent division of the Department.

''(b) PERSONNEL AND FUNDING.—The Attorney General shall provide to the Office of Tribal Justice such personnel and funds as are necessary to establish the Office of Tribal Justice as a division of the Department under subsection (a).

''(c) ADDITIONAL DUTIES.—In addition to the duties of the Office of Tribal Justice in effect on the day before the date of enactment of the Tribal Law and Order Act of 2009, the Office of Tribal Justice shall—

''(1) serve as the program and legal policy advisor to the Attorney General with respect to the treaty and trust relationship between the United States and Indian tribes;

''(2) serve as the point of contact for federally recognized tribal governments and tribal organizations with respect to questions and comments regarding policies and programs of the Department and issues relating to public safety and justice in Indian country; and

''(3) coordinate with other bureaus, agencies, offices, and divisions within the Department of Justice to ensure that each component has an accountable process to ensure meaningful and timely consultation with tribal leaders in the development of regulatory policies and other actions that affect—

''(A) the trust responsibility of the United States to Indian tribes;

''(B) any tribal treaty provision;

''(C) the status of Indian tribes as a sovereign governments; or

''(D) any other tribal interest.''.

(b) OFFICE OF INDIAN COUNTRY CRIME.—The Indian Law Enforcement Reform Act (25 U.S.C. 2801 et seq.) (as amended by section 103(b)) is amended by adding at the end the following:

''SEC. 12. OFFICE OF INDIAN COUNTRY CRIME.

''(a) ESTABLISHMENT.—There is established in the criminal division of the Department of Justice an office, to be known as the 'Office of Indian Country Crime'.

''(b) DUTIES.—The Office of Indian Country Crime shall—

''(1) develop, enforce, and administer the application of Federal criminal laws applicable in Indian country;

''(2) coordinate with the United States Attorneys that have authority to prosecute crimes in Indian country;

''(3) coordinate prosecutions of crimes of national significance in Indian country, as determined by the Attorney General;

''(4) develop and implement criminal enforcement policies for United States Attorneys and investigators of Federal crimes regarding cases arising in Indian country; and

''(5) submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives annual reports describing the prosecution and declination rates of cases involving alleged crimes in Indian country referred to United States Attorneys.

''(c) DEPUTY ASSISTANT ATTORNEY GENERAL.—

''(1) APPOINTMENT.—The Attorney General shall appoint a Deputy Assistant Attorney General for Indian Country Crime.

''(2) DUTIES.—The Deputy Assistant Attorney General for Indian Country Crime shall—

''(A) serve as the head of the Office of Indian Country Crime;

''(B) serve as a point of contact to United State Attorneys serving districts including Indian country, tribal liaisons, tribal governments, and other Federal, State, and local law enforcement agencies regarding issues affecting the prosecution of crime in Indian country; and

''(C) carry out such other duties as the Attorney General may prescribe.''.

TITLE II—STATE ACCOUNTABILITY AND COORDINATION

SEC. 201. STATE CRIMINAL JURISDICTION AND RESOURCES.

(a) CONCURRENT AUTHORITY OF UNITED STATES.—Section 401(a) of Public Law 90–284 (25 U.S.C. 1321(a)) is amended—

(1) by striking the section designation and heading and all that follows through ''The consent of the United States'' and inserting the following:

''SEC. 401. ASSUMPTION BY STATE OF CRIMINAL JURISDICTION.

''(a) CONSENT OF UNITED STATES.—

''(1) IN GENERAL.—The consent of the United States''; and

(2) by adding at the end the following:

''(2) CONCURRENT JURISDICTION.—At the request of an Indian tribe, and after consultation with the Attorney General, the United States shall maintain concurrent jurisdiction to prosecute violations of sections 1152 and 1153 of title 18, United States Code, within the Indian country of the Indian tribe.''.

(b) APPLICABLE LAW.—Section 1162 of title 18, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) APPLICABLE LAW.—At the request of an Indian tribe, and after consultation with the Attorney General—

''(1) sections 1152 and 1153 of this title shall remain in effect in the areas of the Indian country of the Indian tribe; and

''(2) jurisdiction over those areas shall be concurrent among the Federal Government and State and tribal governments.''.

SEC. 202. INCENTIVES FOR STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT COOPERATION.

(a) ESTABLISHMENT OF COOPERATIVE ASSISTANCE PROGRAM.—The Attorney General may provide grants, technical assistance, and other assistance to State, tribal, and local governments that enter into cooperative agreements, including agreements relating to mutual aid, hot pursuit of suspects, and cross-deputization for the purposes of—

(1) improving law enforcement effectiveness; and

(2) reducing crime in Indian country and nearby communities.

(b) PROGRAM PLANS.—

(1) IN GENERAL.—To be eligible to receive assistance under this section, a group composed of not less than 1 of each of a tribal government and a State or local government shall jointly develop and submit to the Attorney General a plan for a program to achieve the purpose described in subsection (a).

(2) PLAN REQUIREMENTS.—A joint program plan under paragraph (1) shall include a description of—

(A) the proposed cooperative tribal and State or local law enforcement program for which funding is sought, including information on the population and each geographic area to be served by the program;

(B) the need of the proposed program for funding under this section, the amount of funding requested, and the proposed use of funds, subject to the requirements listed in subsection (c);

(C) the unit of government that will administer any assistance received under this section, and the method by which the assistance will be distributed;

(D) the types of law enforcement services to be performed on each applicable Indian reservation and the individuals and entities that will perform those services;

(E) the individual or group of individuals who will exercise daily supervision and control over law enforcement officers participating in the program;

(F) the method by which local and tribal government input with respect to the planning and implementation of the program will be ensured;

(G) the policies of the program regarding mutual aid, hot pursuit of suspects, deputization, training, and insurance of applicable law enforcement officers;

(H) the recordkeeping procedures and types of data to be collected pursuant to the program; and

(I) other information that the Attorney General determines to be relevant.

(c) PERMISSIBLE USES OF FUNDS.—An eligible entity that receives a grant under this section may use the grant, in accordance with the program plan described in subsection (b)—

(1) to hire and train new career tribal, State, or local law enforcement officers, or to make overtime payments for current law enforcement officers, that are or will be dedicated to—

(A) policing tribal land and nearby lands; and

(B) investigating alleged crimes on those lands;

(2) procure equipment, technology, or support systems to be used to investigate crimes and share information between tribal, State, and local law enforcement agencies; or

(3) for any other uses that the Attorney General determines will meet the purposes described in subsection (a).

(d) FACTORS FOR CONSIDERATION.—In determining whether to approve a joint program plan submitted under subsection (b) and, on approval, the amount of assistance to provide to the program, the Attorney General shall take into consideration the following factors:

(1) The size and population of each Indian reservation and nearby community proposed to be served by the program.

(2) The complexity of the law enforcement problems proposed to be addressed by the program.

(3) The range of services proposed to be provided by the program.

(4) The proposed improvements the program will make regarding law enforcement cooperation beyond existing levels of cooperation.

(5) The crime rates of the tribal and nearby communities.

(6) The available resources of each entity applying for a grant under this section for dedication to public safety in the respective jurisdictions of the entities.

(e) ANNUAL REPORTS.—To be eligible to renew or extend a grant under this section, a group described in subsection (b)(1) shall submit to the Attorney General, together with the joint program plan under subsection (b), a report describing the law enforcement activities carried out pursuant to the program during the preceding fiscal year, including the success of the activities, including any increase in arrests or prosecutions.

(f) REPORTS BY ATTORNEY GENERAL.—Not later than January 15 of each applicable fiscal year, the Attorney General shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the law enforcement programs carried out using assistance provided under this section during the preceding fiscal year, including the success of the programs.

(g) TECHNICAL ASSISTANCE.—On receipt of a request from a group composed of not less than 1 tribal government and 1 State or local government, the Attorney General shall provide technical assistance to the group to develop successful cooperative relationships that effectively combat crime in Indian country and nearby communities.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2010 through 2014.

TITLE III—EMPOWERING TRIBAL LAW ENFORCEMENT AGENCIES AND TRIBAL GOVERNMENTS

SEC. 301. TRIBAL POLICE OFFICERS.

(a) FLEXIBILITY IN TRAINING LAW ENFORCEMENT OFFICERS SERVING INDIAN COUNTRY.—Section 3(e) of the Indian Law Enforcement Reform Act (25 U.S.C. 2802(e)) (as amended by section 101(b)(4)) is amended—

(1) in paragraph (1)—

(A) by striking ''(e)(1) The Secretary'' and inserting the following:

''(e) STANDARDS OF EDUCATION AND EXPERIENCE AND CLASSIFICATION OF POSITIONS.—

''(1) STANDARDS OF EDUCATION AND EXPERIENCE.—

''(A) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(B) TRAINING.—The training standards established under subparagraph (A) shall permit law enforcement personnel of the Office of Justice Services or an Indian tribe to obtain training at a State or tribal police academy, a local or tribal community college, or another training academy that meets the relevant Peace Officer Standards and Training.'';

(2) in paragraph (3), by striking ''Agencies'' and inserting ''agencies''; and

(3) by adding at the end the following:

''(4) BACKGROUND CHECKS FOR OFFICERS.—The Office of Justice Services shall develop standards and deadlines for the provision of background checks for tribal law enforcement and corrections officials that ensure that a response to a request by an Indian tribe for such a background check shall be provided by not later than 60 days after the date of receipt of the request, unless an adequate reason for failure to respond by that date is provided to the Indian tribe.''.

(b) SPECIAL LAW ENFORCEMENT COMMISSIONS.—Section 5(a) of the Indian Law Enforcement Reform Act (25 U.S.C. 2804(a)) is amended—

(1) by striking ''(a) The Secretary may enter into an agreement'' and inserting the following:

''(a) AGREEMENTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Tribal Law and Order Act of 2009, the Secretary shall establish procedures to enter into memoranda of agreement'';

(2) in the second sentence, by striking ''The Secretary'' and inserting the following:

''(2) CERTAIN ACTIVITIES.—The Secretary''; and

(3) by adding at the end the following:

''(3) PROGRAM ENHANCEMENT.—

''(A) TRAINING SESSIONS IN INDIAN COUNTRY.—

''(i) IN GENERAL.—The procedures described in paragraph (1) shall include the development of a plan to enhance the certification and provision of special law enforcement commissions to tribal law enforcement officials, and, subject to subsection (d), State and local law enforcement officials, pursuant to this section.

''(ii) INCLUSIONS.—The plan under clause (i) shall include the hosting of regional training sessions in Indian country, not less frequently than biannually, to educate and certify candidates for the special law enforcement commissions.

''(B) MEMORANDA OF AGREEMENT.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Tribal Law and Order Act of 2009, the Secretary, in consultation with Indian tribes and tribal law enforcement agencies, shall develop minimum requirements to be included in special law enforcement commission agreements pursuant to this section.

''(ii) AGREEMENT.—Not later than 60 days after the date on which the Secretary determines that all applicable requirements under clause (i) are met, the Secretary shall offer to enter into a special law enforcement commission agreement with the applicable Indian tribe.''.

(c) INDIAN LAW ENFORCEMENT FOUNDATION.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) is amended by adding at the end the following:

''TITLE VII—INDIAN LAW ENFORCEMENT FOUNDATION

''SEC. 701. INDIAN LAW ENFORCEMENT FOUNDATION.

''(a) ESTABLISHMENT.—As soon as practicable after the date of enactment of this title, the Secretary shall establish, under the laws of the District of Columbia and in accordance with this title, a foundation, to be known as the 'Indian Law Enforcement Foundation' (referred to in this section as the 'Foundation').

''(b) DUTIES.—The Foundation shall—

''(1) encourage, accept, and administer, in accordance with the terms of each donation, private gifts of real and personal property, and any income from or interest in such gifts, for the benefit of, or in support of, public safety and justice services in American Indian and Alaska Native communities; and

''(2) assist the Office of Justice Services of the Bureau of Indian Affairs and Indian tribal governments in funding and conducting activities and providing education to advance and support the provision of public safety and justice services in American Indian and Alaska Native communities.''.

(d) ACCEPTANCE AND ASSISTANCE.—Section 5 of the Indian Law Enforcement Reform Act (25 U.S.C. 2804) is amended by adding at the end the following:

''(g) ACCEPTANCE OF ASSISTANCE.—The Bureau may accept reimbursement, resources, assistance, or funding from—

''(1) a Federal, tribal, State, or other government agency; or

''(2) the Indian Law Enforcement Foundation established under section 701(a) of the Indian Self-Determination and Education Assistance Act.''.

SEC. 302. DRUG ENFORCEMENT IN INDIAN COUNTRY.

(a) EDUCATION AND RESEARCH PROGRAMS.—Section 502 of the Controlled Substances Act (21 U.S.C. 872) is amended in subsections (a)(1) and (c), by inserting '' tribal,'' after ''State,'' each place it appears.

(b) PUBLIC-PRIVATE EDUCATION PROGRAM.—Section 503 of the Comprehensive Methamphetamine Control Act of 1996 (21 U.S.C. 872a) is amended—

(1) in subsection (a), by inserting ''tribal,'' after ''State,''; and

(2) in subsection (b)(2), by inserting '', tribal,'' after ''State''.

(c) COOPERATIVE ARRANGEMENTS.—Section 503 of the Controlled Substances Act (21 U.S.C. 873) is amended—

(1) in subsection (a)—

(A) by inserting ''tribal,'' after ''State,'' each place it appears; and

(B) in paragraphs (6) and (7), by inserting '', tribal,'' after ''State'' each place it appears; and

(2) in subsection (d)(1), by inserting '', tribal,'' after ''State''.

(d) POWERS OF ENFORCEMENT PERSONNEL.—Section 508(a) of the Controlled Substances Act (21 U.S.C. 878(a)) is amended in the matter preceding paragraph (1) by inserting '', tribal,'' after ''State''.

SEC. 303. ACCESS TO NATIONAL CRIMINAL INFORMATION DATABASES.

(a) ACCESS TO NATIONAL CRIMINAL INFORMATION DATABASES.—Section 534 of title 28, United States Code, is amended—

(1) in subsection (a)(4), by inserting ''Indian tribes,'' after ''the States,'';

(2) by striking subsection (d) and inserting the following:

''(d) INDIAN LAW ENFORCEMENT AGENCIES.—The Attorney General shall permit tribal and Bureau of Indian Affairs law enforcement agencies—

''(1) to directly access and enter information into Federal criminal information databases; and

''(2) to directly obtain information from the databases.'';

(3) by redesignating the second subsection (e) as subsection (f); and

(4) in paragraph (2) of subsection (f) (as redesignated by paragraph (3)), in the matter preceding subparagraph (A), by inserting '', tribal,'' after ''Federal''.

(b) REQUIREMENT.—

(1) IN GENERAL.—The Attorney General shall ensure that tribal law enforcement officials that meet applicable Federal or State

requirements have access to national crime information databases.

(2) SANCTIONS.—For purpose of sanctions for noncompliance with requirements of, or misuse of, national crime information databases and information obtained from those databases, a tribal law enforcement agency or official shall be treated as Federal law enforcement agency or official.

(3) NCIC.—Each tribal justice official serving an Indian tribe with criminal jurisdiction over Indian country shall be considered to be an authorized law enforcement official for purposes of access to the National Crime Information Center of the Federal Bureau of Investigation.

SEC. 304. TRIBAL COURT SENTENCING AUTHORITY.

(a) CONSTITUTIONAL RIGHTS.—Section 202 of Public Law 90–284 (25 U.S.C. 1302) is amended—

(1) in the matter preceding paragraph (1), by striking ''No Indian tribe'' and inserting the following:

''(a) IN GENERAL.—No Indian tribe'';

(2) in paragraph (7) of subsection (a) (as designated by paragraph (1)), by striking ''and a fine'' and inserting ''or a fine''; and

(3) by adding at the end the following:

''(b) TRIBAL COURTS AND PRISONERS.—

''(1) IN GENERAL.—Notwithstanding paragraph (7) of subsection (a) and in addition to the limitations described in the other paragraphs of that subsection, no Indian tribe, in exercising any power of self-government involving a criminal trial that subjects a defendant to more than 1 year imprisonment for any single offense, may—

''(A) deny any person in such a criminal proceeding the assistance of a defense attorney licensed to practice law in any jurisdiction in the United States;

''(B) require excessive bail, impose an excessive fine, inflict a cruel or unusual punishment, or impose for conviction of a single offense any penalty or punishment greater than imprisonment for a term of 3 years or a fine of $15,000, or both; or

''(C) deny any person in such a criminal proceeding the due process of law.

''(2) AUTHORITY.—An Indian tribe exercising authority pursuant to this subsection shall—

''(A) require that each judge presiding over an applicable criminal case is licensed to practice law in any jurisdiction in the United States; and

''(B) make publicly available the criminal laws (including regulations and interpretive documents) of the Indian tribe.

''(3) SENTENCES.—A tribal court acting pursuant to paragraph (1) may require a convicted offender—

''(A) to serve the sentence—

''(i) in a tribal correctional center that has been approved by the Bureau of Indian Affairs for long-term incarceration, in accordance with guidelines developed by the Bureau of Indian Affairs, in consultation with Indian tribes;

''(ii) in the nearest appropriate Federal facility, at the expense of the United States pursuant to a memorandum of agreement with Bureau of Prisons in accordance with paragraph (4);

''(iii) in a State or local government-approved detention or correctional center pursuant to an agreement between the Indian tribe and the State or local government; or

''(iv) subject to paragraph (1), in an alternative rehabilitation center of an Indian tribe; or

''(B) to serve another alternative form of punishment, as determined by the tribal court judge pursuant to tribal law.

''(4) MEMORANDA OF AGREEMENT.—A memorandum of agreement between an Indian tribe and the Bureau of Prisons under paragraph (2)(A)(ii)—

''(A) shall acknowledge that the United States will incur all costs involved, including the costs of transfer, housing, medical care, rehabilitation, and reentry of transferred prisoners;

''(B) shall limit the transfer of prisoners to prisoners convicted in tribal court of violent crimes, crimes involving sexual abuse, and serious drug offenses, as determined by the Bureau of Prisons, in consultation with tribal governments, by regulation;

''(C) shall not affect the jurisdiction, power of self-government, or any other authority of an Indian tribe over the territory or members of the Indian tribe;

''(D) shall contain such other requirements as the Bureau of Prisons, in consultation with the Bureau of Indian Affairs and tribal governments, may determine, by regulation; and

''(E) shall be executed and carried out not later than 180 days after the date on which the applicable Indian tribe first contacts the Bureau of Prisons to accept a transfer of a tribal court offender pursuant to this subsection.

''(c) EFFECT OF SECTION.—Nothing in this section affects the obligation of the United States, or any State government that has been delegated authority by the United States, to investigate and prosecute any criminal violation in Indian country.''.

(b) GRANTS AND CONTRACTS.—Section 1007(b) of the Economic Opportunity Act of 1964 (42 U.S.C. 2996f(b)) is amended by striking paragraph (2) and inserting the following:

''(2) to provide legal assistance with respect to any criminal proceeding, except to provide assistance to a person charged with an offense in an Indian tribal court;''.

SEC. 305. INDIAN LAW AND ORDER COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Indian Law and Order Commission (referred to in this section as the ''Commission'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 9 members, of whom—

(A) 3 shall be appointed by the President, in consultation with—

(i) the Attorney General; and

(ii) the Secretary of the Interior;

(B) 2 shall be appointed by the Majority Leader of the Senate, in consultation with the Chairperson of the Committee on Indian Affairs of the Senate;

(C) 1 shall be appointed by the Minority Leader of the Senate, in consultation with the Vice Chairperson of the Committee on Indian Affairs of the Senate;

(D) 2 shall be appointed by the Speaker of the House of Representatives, in consultation with the Chairperson of the Committee on Natural Resources of the House of Representatives; and

(E) 1 shall be appointed by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Natural Resources of the House of Representatives.

(2) REQUIREMENTS FOR ELIGIBILITY.—Each member of the Commission shall have significant experience and expertise in—

(A) the Indian country criminal justice system; and

(B) matters to be studied by the Commission.

(3) CONSULTATION REQUIRED.—The President, the Speaker and Minority Leader of the House of Representatives, and the Majority Leader and Minority Leader of the Senate shall consult before the appointment of members of the Commission under paragraph (1) to achieve, to the maximum extent practicable, fair and equitable representation of various points of view with respect to the matters to be studied by the Commission.

(4) TERM.—Each member shall be appointed for the life of the Commission.

(5) TIME FOR INITIAL APPOINTMENTS.—The appointment of the members of the Commission shall be made not later than 60 days after the date of enactment of this Act.

(6) VACANCIES.—A vacancy in the Commission shall be filled—

(A) in the same manner in which the original appointment was made; and

(B) not later than 60 days after the date on which the vacancy occurred.

(c) OPERATION.—

(1) CHAIRPERSON.—Not later than 15 days after the date on which all members of the Commission have been appointed, the Commission shall select 1 member to serve as Chairperson of the Commission.

(2) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet at the call of the Chairperson.

(B) INITIAL MEETING.—The initial meeting shall take place not later than 30 days after the date described in paragraph (1).

(3) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(4) RULES.—The Commission may establish, by majority vote, any rules for the conduct of Commission business, in accordance with this Act and other applicable law.

(d) COMPREHENSIVE STUDY OF CRIMINAL JUSTICE SYSTEM RELATING TO INDIAN COUNTRY.—The Commission shall conduct a comprehensive study of law enforcement and criminal justice in tribal communities, including —

(1) jurisdiction over crimes committed in Indian country and the impact of that jurisdiction on—

(A) the investigation and prosecution of Indian country crimes; and

(B) residents of Indian land;

(2) the tribal jail and Federal prisons systems and the effect of those systems with respect to—

(A) reducing Indian country crime; and

(B) rehabilitation of offenders;

(3)(A) tribal juvenile justice systems and the Federal juvenile justice system as relating to Indian country; and

(B) the effect of those systems and related programs in preventing juvenile crime, rehabilitating Indian youth in custody, and reducing recidivism among Indian youth;

(4) the impact of the Indian Civil Rights Act of 1968 (25 U.S.C. 1301 et seq.) on—

(A) the authority of Indian tribes; and

(B) the rights of defendants subject to tribal government authority; and

(5) studies of such other subjects as the Commission determines relevant to achieve the purposes of the Tribal Law and Order Act of 2009.

(e) RECOMMENDATIONS.—Taking into consideration the results of the study under paragraph (1), the Commission shall develop recommendations on necessary modifications and improvements to justice systems at the tribal, Federal, and State levels, including consideration of—

(1) simplifying jurisdiction in Indian country;

(2) improving services and programs—

(A) to prevent juvenile crime on Indian land;

(B) to rehabilitate Indian youth in custody; and

(C) to reduce recidivism among Indian youth;

(3) enhancing the penal authority of tribal courts and exploring alternatives to incarceration;

(4) the establishment of satellite United States magistrate or district courts in Indian country;

(5) changes to the tribal jails and Federal prison systems; and

(6) other issues that, as determined by the Commission, would reduce violent crime in Indian country.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to the President and Congress a report that contains—

(1) a detailed statement of the findings and conclusions of the Commission; and

(2) the recommendations of the Commission for such legislative and administrative actions as the Commission considers to be appropriate.

(g) POWERS.—

(1) HEARINGS.—

(A) IN GENERAL.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers to be advisable to carry out the duties of the Commission under this section.

(B) PUBLIC REQUIREMENT.—The hearings of the Commission under this paragraph shall be open to the public.

(2) WITNESS EXPENSES.—

(A) IN GENERAL.—A witness requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code.

(B) PER DIEM AND MILEAGE.—The per diem and mileage allowance for a witness shall be paid from funds made available to the Commission.

(3) INFORMATION FROM FEDERAL, TRIBAL, AND STATE AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from a Federal agency such information as the Commission considers to be necessary to carry out this section.

(B) TRIBAL AND STATE AGENCIES.—The Commission may request the head of any tribal or State agency to provide to the Commission such information as the Commission considers to be necessary to carry out this section.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(5) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(h) COMMISSION PERSONNEL MATTERS.—

(1) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) DETAIL OF FEDERAL EMPLOYEES.—On the affirmative vote of ⅔ of the members of the Commission and the approval of the appropriate Federal agency head, an employee of the Federal Government may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privileges.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—On request of the Commission, the Attorney General and Secretary shall provide to the Commission reasonable and appropriate office space, supplies, and administrative assistance.

(i) CONTRACTS FOR RESEARCH.—

(1) RESEARCHERS AND EXPERTS.—

(A) IN GENERAL.—On an affirmative vote of ⅔ of the members of the Commission, the Commission may select nongovernmental researchers and experts to assist the Commission in carrying out the duties of the Commission under this section.

(B) NATIONAL INSTITUTE OF JUSTICE.—The National Institute of Justice may enter into a contract with the researchers and experts selected by the Commission under subparagraph (A) to provide funding in exchange for the services of the researchers and experts.

(2) OTHER ORGANIZATIONS.—Nothing in this subsection limits the ability of the Commission to enter into contracts with any other entity or organization to carry out research necessary to carry out the duties of the Commission under this section.

(j) TRIBAL ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Commission shall establish a committee, to be known as the ''Tribal Advisory Committee''.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Tribal Advisory Committee shall consist of 2 representatives of Indian tribes from each region of the Bureau of Indian Affairs.

(B) QUALIFICATIONS.—Each member of the Tribal Advisory Committee shall have experience relating to—

(i) justice systems;

(ii) crime prevention; or

(iii) victim services.

(3) DUTIES.—The Tribal Advisory Committee shall—

(A) serve as an advisory body to the Commission; and

(B) provide to the Commission advice and recommendations, submit materials, documents, testimony, and such other information as the Commission determines to be necessary to carry out the duties of the Commission under this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.

(l) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the date on which the Commission submits the report of the Commission under subsection (c)(3).

(m) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

TITLE IV—TRIBAL JUSTICE SYSTEMS

SEC. 401. INDIAN ALCOHOL AND SUBSTANCE ABUSE.

(a) CORRECTION OF REFERENCES.—

(1) INTER-DEPARTMENTAL MEMORANDUM OF AGREEMENT.—Section 4205 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2411) is amended—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1)—

(I) by striking ''the date of enactment of this subtitle'' and inserting ''the date of enactment of the Tribal Law and Order Act of 2009''; and

(II) by inserting '', the Attorney General,'' after ''Secretary of the Interior'';

(ii) in paragraph (2)(A), by inserting '', Bureau of Justice Assistance, Substance Abuse and Mental Health Services Administration,'' after ''Bureau of Indian Affairs,'';

(iii) in paragraph (4), by inserting '', Department of Justice, Substance Abuse and Mental Health Services Administration,'' after ''Bureau of Indian Affairs'';

(iv) in paragraph (5), by inserting '', Department of Justice, Substance Abuse and Mental Health Services Administration,'' after ''Bureau of Indian Affairs'';

(v) in paragraph (7), by inserting '', the Attorney General,'' after ''Secretary of the Interior'';

(B) in subsection (c), by inserting '', the Attorney General,'' after ''Secretary of the Interior''; and

(C) in subsection (d), by striking ''the date of enactment of this subtitle'' and inserting ''the date of enactment of the Tribal Law and Order Act of 2009''.

(2) TRIBAL ACTION PLANS.—Section 4206 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2412) is amended—

(A) in subsection (b), in the first sentence, by inserting '', the Bureau of Justice Assistance, the Substance Abuse and Mental Health Services Administration,'' before ''and the Indian Health Service service unit'';

(B) in subsection (c)(1)(A)(i), by inserting '', the Bureau of Justice Assistance, the Substance Abuse and Mental Health Services Administration,'' before ''and the Indian Health Service service unit'';

(C) in subsection (d)(2), by striking ''fiscal year 1993 and such sums as are necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''the period of fiscal years 2010 through 2014'';

(D) in subsection (e), in the first sentence, by inserting '', the Attorney General,'' after ''the Secretary of the Interior''; and

(E) in subsection (f)(3), by striking ''fiscal year 1993 and such sums as are necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''the period of fiscal years 2010 through 2014''.

(3) DEPARTMENTAL RESPONSIBILITY.—Section 4207 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2413) is amended—

(A) in subsection (a), by inserting '', the Attorney General'' after ''Bureau of Indian Affairs'';

(B) in subsection (b)—

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

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—To improve coordination among the Federal agencies and departments carrying out this subtitle, there is established within the Substance Abuse and Mental Health Services Administration an office, to be known as the 'Office of Indian Alcohol and Substance Abuse' (referred to in this section as the 'Office').

''(B) DIRECTOR.—The director of the Office shall be appointed by the Director of the Substance Abuse and Mental Health Services Administration—

''(i) on a permanent basis; and

''(ii) at a grade of not less than GS–15 of the General Schedule.'';

(ii) in paragraph (2)—

(I) by striking ''(2) In addition'' and inserting the following:

''(2) RESPONSIBILITIES OF OFFICE.—In addition'';

(II) by striking subparagraph (A) and inserting the following:

''(A) coordinating with other agencies to monitor the performance and compliance of the relevant Federal programs in achieving the goals and purposes of this subtitle and the Memorandum of Agreement entered into under section 4205;'';

(III) in subparagraph (B)—

(aa) by striking ''within the Bureau of Indian Affairs''; and

(bb) by striking the period at the end and inserting ''; and''; and

(IV) by adding at the end the following:

''(C) not later than 1 year after the date of enactment of the Tribal Law and Order Act of 2009, developing, in coordination and consultation with tribal governments, a framework for interagency and tribal coordination that—

''(i) establish the goals and other desired outcomes of this Act;

''(ii) prioritizes outcomes that are aligned with the purposes of affected agencies;

''(iii) provides guidelines for resource and information sharing;

''(iv) provides technical assistance to the affected agencies to establish effective and permanent interagency communication and coordination; and

''(v) determines whether collaboration is feasible, cost-effective, and within agency capability.''; and

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

''(3) APPOINTMENT OF EMPLOYEES.—The Director of the Substance Abuse and Mental Health Services Administration shall appoint such employees to work in the Office, and shall provide such funding, services, and equipment, as may be necessary to enable the Office to carry out the responsibilities under this subsection.''; and

(C) in subsection (c)—

(i) by striking ''of Alcohol and Substance Abuse'' each place it appears;

(ii) in paragraph (1), in the second sentence, by striking ''The Assistant Secretary of the Interior for Indian Affairs'' and inserting ''The Director of the Substance Abuse and Mental Health Services Administration''; and

(iii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by striking ''Youth'' and inserting ''youth''; and

(II) by striking ''programs of the Bureau of Indian Affairs'' and inserting ''the applicable Federal programs''.

(4) REVIEW OF PROGRAMS.—Section 4208a(a) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2414a(a)) is amended in the matter preceding paragraph (1) by inserting '', the Attorney General,'' after ''the Secretary of the Interior''.

(5) FEDERAL FACILITIES, PROPERTY, AND EQUIPMENT.—Section 4209 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2415) is amended—

(A) in subsection (a), by inserting '', the Attorney General,'' after ''the Secretary of the Interior'';

(B) in subsection (b)—

(i) in the first sentence, by inserting '', the Attorney General,'' after ''the Secretary of the Interior'';

(ii) in the second sentence, by inserting '', nor the Attorney General,'' after ''the Secretary of the Interior''; and

(iii) in the third sentence, by inserting '', the Department of Justice,'' after ''the Department of the Interior''; and

(C) in subsection (c)(1), by inserting '', the Attorney General,'' after ''the Secretary of the Interior''.

(6) NEWSLETTER.—Section 4210 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2416) is amended—

(A) in subsection (a), in the first sentence, by inserting '', the Attorney General,'' after ''the Secretary of the Interior''; and

(B) in subsection (b), by striking ''fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''the period of fiscal years 2010 through 2014''.

(7) REVIEW.—Section 4211(a) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2431(a)) is amended in the matter preceding paragraph (1) by inserting '', the Attorney General,'' after ''the Secretary of the Interior''.

(b) INDIAN EDUCATION PROGRAMS.—Section 4212 of the Indian Alcohol and Substance Abuse Prevention Act of 1986 (25 U.S.C. 2432) is amended by striking subsection (a) and inserting the following:

''(a) SUMMER YOUTH PROGRAMS.—

''(1) IN GENERAL.—The head of the Indian Alcohol and Substance Abuse Program, in coordination with the Assistant Secretary for Indian Affairs, shall develop and implement programs in tribal schools and schools funded by the Bureau of Indian Education (subject to the approval of the local school board or contract school board) to determine the effectiveness of summer youth programs in advancing the purposes and goals of this Act.

''(2) COSTS.—The head of the Indian Alcohol and Substance Abuse Program and the Assistant Secretary shall defray all costs associated with the actual operation and support of the summer youth programs in a school from funds appropriated to carry out this subsection.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the programs under this subsection such sums as are necessary for each of fiscal years 2010 through 2014.''.

(c) EMERGENCY SHELTERS.—Section 4213(e) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2433(e)) is amended—

(1) in paragraph (1), by striking ''as may be necessary'' and all that follows through the end of the paragraph and inserting ''as are necessary for each of fiscal years 2010 through 2014.'';

(2) in paragraph (2), by striking ''$7,000,000'' and all that follows through the end of the paragraph and inserting ''$10,000,000 for each of fiscal years 2010 through 2014.''; and

(3) by indenting paragraphs (4) and (5) appropriately.

(d) REVIEW OF PROGRAMS.—Section 4215(a) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2441(a)) is amended by inserting '', the Attorney General,'' after ''the Secretary of the Interior''.

(e) ILLEGAL NARCOTICS TRAFFICKING; SOURCE ERADICATION.—Section 4216 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2442) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (B), by striking '', and'' at the end and inserting a semicolon;

(iii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(D) the Blackfeet Nation of Montana for the investigation and control of illegal narcotics traffic on the Blackfeet Indian Reservation along the border with Canada.'';

(B) in paragraph (2), by striking ''United States Custom Service'' and inserting ''United States Customs and Border Protection''; and

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

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary for each of fiscal years 2010 through 2014.''; and

(2) in subsection (b)(2), by striking ''as may be necessary'' and all that follows through the end of the paragraph and inserting ''as are necessary for each of fiscal years 2010 through 2014.''.

(f) LAW ENFORCEMENT AND JUDICIAL TRAINING.—Section 4218 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2451) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) TRAINING PROGRAMS.—

''(1) IN GENERAL.—The Secretary of the Interior, in coordination with the Attorney General, the Administrator of the Drug Enforcement Administration, and the Director of the Federal Bureau of Investigation, shall ensure, through the establishment of a new training program or by supplementing existing training programs, that all Bureau of Indian Affairs and tribal law enforcement and judicial personnel have access to training regarding—

''(A) the investigation and prosecution of offenses relating to illegal narcotics; and

''(B) alcohol and substance abuse prevention and treatment.

''(2) YOUTH-RELATED TRAINING.—Any training provided to Bureau of Indian Affairs or tribal law enforcement or judicial personnel under paragraph (1) shall include training in issues relating to youth alcohol and substance abuse prevention and treatment.''; and

(2) in subsection (b), by striking ''as may be necessary'' and all that follows through the end of the subsection and inserting ''as are necessary for each of fiscal years 2010 through 2014.''.

(g) JUVENILE DETENTION CENTERS.—Section 4220 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2453) is amended—

(1) in subsection (a)—

(A) by striking ''The Secretary'' the first place it appears and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(B) in the second sentence, by striking ''The Secretary shall'' and inserting the following:

''(2) CONSTRUCTION AND OPERATION.—The Secretary shall''; and

(C) by adding at the end the following:

''(3) DEVELOPMENT OF PLAN.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary, the Director of the Substance Abuse and Mental Health Services Administration, the Director of the Indian Health Service, and the Attorney General, in consultation with tribal leaders and tribal justice officials, shall develop a long-term plan for the construction, renovation, and operation of Indian juvenile detention and treatment centers and alternatives to detention for juvenile offenders.

''(B) COORDINATION.—The plan under subparagraph (A) shall require the Bureau of Indian Education and the Indian Health Service to coordinate with tribal and Bureau of Indian Affairs juvenile detention centers to provide services to those centers.''; and

(2) in subsection (b)—

(A) by striking ''such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000'' each place it appears and inserting ''such sums as are necessary for each of fiscal years 2010 through 2014''; and

(B) by indenting paragraph (2) appropriately.

SEC. 402. INDIAN TRIBAL JUSTICE; TECHNICAL AND LEGAL ASSISTANCE.

(a) INDIAN TRIBAL JUSTICE.—

(1) BASE SUPPORT FUNDING.—Section 103(b) of the Indian Tribal Justice Act (25 U.S.C. 3613(b)) is amended by striking paragraph (2) and inserting the following:

''(2) the employment of tribal court personnel, including tribal court judges, prosecutors, public defenders, guardians ad litem, and court-appointed special advocates for children and juveniles;''.

(2) TRIBAL JUSTICE SYSTEMS.—Section 201 of the Indian Tribal Justice Act (25 U.S.C. 3621) is amended—

(A) in subsection (a)—

(i) by striking ''the provisions of sections 101 and 102 of this Act'' and inserting ''sections 101 and 102''; and

(ii) by striking ''the fiscal years 2000 through 2007'' and inserting ''fiscal years 2010 through 2014'';

(B) in subsection (b)—

(i) by striking ''the provisions of section 103 of this Act'' and inserting ''section 103''; and

(ii) by striking ''the fiscal years 2000 through 2007'' and inserting ''fiscal years 2010 through 2014'';

(C) in subsection (c), by striking ''the fiscal years 2000 through 2007'' and inserting ''fiscal years 2010 through 2014''; and

(D) in subsection (d), by striking ''the fiscal years 2000 through 2007'' and inserting ''fiscal years 2010 through 2014''.

(b) TECHNICAL AND LEGAL ASSISTANCE.—

(1) TRIBAL CIVIL LEGAL ASSISTANCE GRANTS.—Section 102 of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 (25 U.S.C. 3662) is amended by inserting ''(including guardians ad litem and court-appointed special advocates for children and juveniles)'' after ''civil legal assistance''.

(2) TRIBAL CRIMINAL LEGAL ASSISTANCE GRANTS.—Section 103 of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 (25 U.S.C. 3663) is amended by striking ''criminal legal assistance to members of Indian tribes and tribal justice systems'' and inserting ''criminal legal assistance services to all defendants subject to tribal court jurisdiction and judicial services for tribal courts''.

(3) FUNDING.—The Indian Tribal Justice Technical and Legal Assistance Act of 2000 is amended—

(A) in section 106 (25 U.S.C. 3666), by striking ''2000 through 2004'' and inserting ''2010 through 2014''; and

(B) in section 201(d) (25 U.S.C. 3681(d)), by striking ''2000 through 2004'' and inserting ''2010 through 2014''.

SEC. 403. TRIBAL RESOURCES GRANT PROGRAM.

Section 1701 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended—

(1) in subsection (b)—

(A) in each of paragraphs (1) through (4) and (6) through (17), by inserting ''to'' after the paragraph designation;

(B) in paragraph (1), by striking ''State and'' and inserting ''State, tribal, or'';

(C) in paragraphs (9) and (10), by inserting '', tribal,'' after ''State'' each place it appears;

(D) in paragraph (15)—

(i) by striking ''a State in'' and inserting ''a State or Indian tribe in'';

(ii) by striking ''the State which'' and inserting ''the State or tribal community that''; and

(iii) by striking ''a State or'' and inserting ''a State, tribal, or'';

(E) in paragraph (16), by striking ''and'' at the end

(F) in paragraph (17), by striking the period at the end and inserting ''; and'';

(G) by redesignating paragraphs (6) through (17) as paragraphs (5) through (16), respectively; and

(H) by adding at the end the following:

''(17) to permit tribal governments receiving direct law enforcement services from the Bureau of Indian Affairs to access the program under this section on behalf of the Bureau for use in accordance with paragraphs (1) through (16).''.

(2) in subsection (i), by striking ''The authority'' and inserting ''Except as provided in subsection (j), the authority''; and

(3) by adding at the end the following:

''(j) GRANTS TO INDIAN TRIBES.—

''(1) IN GENERAL.—Notwithstanding subsection (i) and section 1703, and in acknowledgment of the Federal nexus and distinct Federal responsibility to address and prevent crime in Indian country, the Attorney General shall provide grants under this section to Indian tribal governments, for fiscal year 2010 and any fiscal year thereafter, for such period as the Attorney General determines to be appropriate to assist the Indian tribal governments in carrying out the purposes described in subsection (b).

''(2) PRIORITY OF FUNDING.—In providing grants to Indian tribal governments under this subsection, the Attorney General shall take into consideration reservation crime rates and tribal law enforcement staffing needs of each Indian tribal government.

''(3) FEDERAL SHARE.—Because of the Federal nature and responsibility for providing public safety on Indian land, the Federal share of the cost of any activity carried out using a grant under this subsection shall be 100 percent.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection for each of fiscal years 2010 through 2014.

''(k) REPORT.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall submit to Congress a report describing the extent and effectiveness of the Community Oriented Policing (COPS) initiative as applied in Indian country, including particular references to—

''(1) the problem of intermittent funding;

''(2) the integration of COPS personnel with existing law enforcement authorities; and

''(3) an explanation of how the practice of community policing and the broken windows theory can most effectively be applied in remote tribal locations.''.

SEC. 404. TRIBAL JAILS PROGRAM.

(a) IN GENERAL.—Section 20109 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709) is amended by striking subsection (a) and inserting the following:

''(a) RESERVATION OF FUNDS.—Notwithstanding any other provision of this part, of amounts made available to the Attorney General to carry out programs relating to offender incarceration, the Attorney General shall reserve $35,000,000 for each of fiscal years 2010 through 2014 to carry out this section.''.

(b) REGIONAL DETENTION CENTERS.—

(1) IN GENERAL.—Section 20109 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709) is amended by striking subsection (b) and inserting the following:

''(b) GRANTS TO INDIAN TRIBES.—

''(1) IN GENERAL.—From the amounts reserved under subsection (a), the Attorney General shall provide grants—

''(A) to Indian tribes for purposes of—

''(i) construction and maintenance of jails on Indian land for the incarceration of offenders subject to tribal jurisdiction;

''(ii) entering into contracts with private entities to increase the efficiency of the construction of tribal jails; and

''(iii) developing and implementing alternatives to incarceration in tribal jails;

''(B) to Indian tribes for the construction of tribal justice centers that combine tribal police, courts, and corrections services to address violations of tribal civil and criminal laws;

''(C) to consortia of Indian tribes for purposes of constructing and operating regional detention centers on Indian land for long-term incarceration of offenders subject to tribal jurisdiction, as the applicable consortium determines to be appropriate.

''(2) PRIORITY OF FUNDING.—in providing grants under this subsection, the Attorney General shall take into consideration applicable—

''(A) reservation crime rates;

''(B) annual tribal court convictions; and

''(C) bed space needs.

''(3) FEDERAL SHARE.—Because of the Federal nature and responsibility for providing public safety on Indian land, the Federal share of the cost of any activity carried out using a grant under this subsection shall be 100 percent.''.

(2) CONFORMING AMENDMENT.—Section 20109(c) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(c)) is amended by inserting ''or consortium of Indian tribes, as applicable,'' after ''Indian tribe''.

(3) LONG-TERM PLAN.—Section 20109 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709) is amended by adding at the end the following:

''(d) LONG-TERM PLAN.—Not later than 1 year after the date of enactment of this subsection, the Attorney General, in coordination with the Bureau of Indian Affairs and in consultation with tribal leaders, tribal law enforcement officers, and tribal corrections officials, shall submit to Congress a long-term plan to address incarceration in Indian country, including a description of—

''(1) proposed activities for construction of detention facilities (including regional facilities) on Indian land;

''(2) proposed activities for construction of additional Federal detention facilities on Indian land;

''(3) proposed activities for contracting with State and local detention centers, with tribal government approval;

''(4) proposed alternatives to incarceration, developed in cooperation with tribal court systems; and

''(5) such other alternatives as the Attorney General, in coordination with the Bureau of Indian Affairs and in consultation with Indian tribes, determines to be necessary.''.

SEC. 405. TRIBAL PROBATION OFFICE LIAISON PROGRAM.

Title II of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 (25 U.S.C. 3681 et seq.) is amended by adding at the end the following:

''SEC. 203. ASSISTANT PAROLE AND PROBATION OFFICERS.

''To the maximum extent practicable, the Director of the Administrative Office of the United States Courts, in coordination with the Office of Tribal Justice and the Director of the Office of Justice Services, shall—

''(1) appoint individuals residing in Indian country to serve as assistant parole or probation officers for purposes of monitoring and providing service to Federal prisoners residing in Indian country; and

''(2) provide substance abuse, mental health, and other related treatment services to offenders residing on Indian land.''.

SEC. 406. TRIBAL YOUTH PROGRAM.

(a) INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS.—

(1) IN GENERAL.—Section 504 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5783) is amended—

(A) in subsection (a), by inserting '', or to Indian tribes under subsection (d)'' after ''subsection (b)''; and

(B) by adding at the end the following:

''(d) GRANTS FOR TRIBAL DELINQUENCY PREVENTION AND RESPONSE PROGRAMS.—

''(1) IN GENERAL.—The Administrator shall make grants under this section, on a competitive basis, to eligible Indian tribes or consortia of Indian tribes, as described in paragraph (2)—

''(A) to support and enhance—

''(i) tribal juvenile delinquency prevention services; and

''(ii) the ability of Indian tribes to respond to, and care for, juvenile offenders; and

''(B) to encourage accountability of Indian tribal governments with respect to preventing juvenile delinquency and responding to, and caring for, juvenile offenders.

''(2) ELIGIBLE INDIAN TRIBES.—To be eligible to receive a grant under this subsection, an Indian tribe or consortium of Indian tribes shall submit to the Administrator an application in such form and containing such information as the Administrator may require.

''(3) PRIORITY OF FUNDING.—In providing grants under this subsection, the Administrator shall take into consideration, with respect to the reservation communities to be served—

''(A) juvenile crime rates;

''(B) dropout rates; and

''(C) percentage of at-risk youth.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 505 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5784) is amended by striking ''fiscal years 2004, 2005, 2006, 2007, and 2008'' and inserting ''each of fiscal years 2010 through 2014''.

(b) COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.—Section 206(a)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a)(2)) is amended—

(1) in subparagraph (A), by striking ''Nine'' and inserting ''Ten''; and

(2) in subparagraph (B), by adding at the end the following:

''(iv) One member shall be appointed by the Chairman of the Committee on Indian Affairs of the Senate, in consultation with the Vice Chairman of that Committee.''.

TITLE V—INDIAN COUNTRY CRIME DATA COLLECTION AND INFORMATION SHARING

SEC. 501. TRACKING OF CRIMES COMMITTED IN INDIAN COUNTRY.

(a) GANG VIOLENCE.—Section 1107 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note; Public Law 109–162) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (8) through (12) as paragraphs (9) through (13), respectively;

(B) by inserting after paragraph (7) the following:

''(8) the Office of Justice Services of the Bureau of Indian Affairs;'';

(C) in paragraph (9) (as redesignated by subparagraph (A)), by striking ''State'' and inserting ''tribal, State,''; and

(D) in paragraphs (10) through (12) (as redesignated by subparagraph (A)), by inserting ''tribal,'' before ''State,'' each place it appears; and

(2) in subsection (b), by inserting ''tribal,'' before ''State,'' each place it appears.

(b) BUREAU OF JUSTICE STATISTICS.—Section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by inserting '', Indian tribes,'' after ''contracts with'';

(B) in each of paragraphs (3) through (6), by inserting ''tribal,'' after ''State,'' each place it appears;

(C) in paragraph (7), by inserting ''and in Indian country'' after ''States'';

(D) in paragraph (9), by striking ''Federal and State Governments'' and inserting ''Federal Government and State and tribal governments'';

(E) in each of paragraphs (10) and (11), by inserting '', tribal,'' after ''State'' each place it appears;

(F) in paragraph (13), by inserting '', Indian tribes,'' after ''States'';

(G) in paragraph (17)—

(i) by striking ''State and local'' and inserting ''State, tribal, and local''; and

(ii) by striking ''State, and local'' and inserting ''State, tribal, and local'';

(H) in paragraph (18), by striking ''State and local'' and inserting ''State, tribal, and local'';

(I) in paragraph (19), by inserting ''and tribal'' after ''State'' each place it appears;

(J) in paragraph (20), by inserting '', tribal,'' after ''State''; and

(K) in paragraph (22), by inserting '', tribal,'' after ''Federal'';

(2) in subsection (d)—

(A) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively, and indenting the subparagraphs appropriately;

(B) by striking ''To insure'' and inserting the following:

''(1) IN GENERAL.—To ensure''; and

(C) by adding at the end the following:

''(2) CONSULTATION WITH INDIAN TRIBES.—The Director, acting jointly with the Assistant Secretary for Indian Affairs (acting through the Director of the Office of Law Enforcement Services) and the Director of the Federal Bureau of Investigation, shall work with Indian tribes and tribal law enforcement agencies to establish and implement such tribal data collection systems as the Director determines to be necessary to achieve the purposes of this section.'';

(3) in subsection (e), by striking ''subsection (d)(3)'' and inserting ''subsection (d)(1)(C)'';

(4) in subsection (f)—

(A) in the subsection heading, by inserting '', Tribal,'' after ''State''; and

(B) by inserting '', tribal,'' after ''State''; and

(5) by adding at the end the following:

''(g) REPORT TO CONGRESS ON CRIMES IN INDIAN COUNTRY.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Director shall submit to Congress a report describing the data collected and analyzed under this section relating to crimes in Indian country.''.

SEC. 502. GRANTS TO IMPROVE TRIBAL DATA COLLECTION SYSTEMS.

Section 3 of the Indian Law Enforcement Reform Act (25 U.S.C. 2802) is amended by adding at the end the following:

''(f) GRANTS TO IMPROVE TRIBAL DATA COLLECTION SYSTEMS.—

''(1) GRANT PROGRAM.—The Secretary, acting through the Director of the Office of Justice Services of the Bureau and in coordination with the Attorney General, shall establish a program under which the Secretary shall provide grants to Indian tribes for activities to ensure uniformity in the collection and analysis of data relating to crime in Indian country.

''(2) REGULATIONS.—The Secretary, acting through the Director of the Office of Justice Services of the Bureau, in consultation with tribal governments and tribal justice officials, shall promulgate such regulations as are necessary to carry out the grant program under this subsection.''.

SEC. 503. CRIMINAL HISTORY RECORD IMPROVEMENT PROGRAM.

Section 1301(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h(a)) is amended by inserting '', tribal,'' after ''State''.

TITLE VI—DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROSECUTION AND PREVENTION

SEC. 601. PRISONER RELEASE AND REENTRY.

Section 4042 of title 18, United States Code, is amended—

(1) in subsection (a)(4), by inserting '', tribal,'' after ''State'';

(2) in subsection (b)(1), in the first sentence, by striking ''officer of the State and of the local jurisdiction'' and inserting ''officers of each State, tribal, and local jurisdiction''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''officer of the State and of the local jurisdiction'' and inserting ''officers of each State, tribal, and local jurisdiction''; and

(ii) in subparagraph (B), by inserting '', tribal,'' after ''State'' each place it appears; and

(B) in paragraph (2)—

(i) by striking ''(2) Notice'' and inserting the following:

''(2) REQUIREMENTS.—

''(A) IN GENERAL.—A notice'';

(ii) in the second sentence, by striking ''For a person who is released'' and inserting the following:

''(B) RELEASED PERSONS.—For a person who is released'';

(iii) in the third sentence, by striking ''For a person who is sentenced'' and inserting the following:

''(C) PERSONS ON PROBATION.—For a person who is sentenced'';

(iv) in the fourth sentence, by striking ''Notice concerning'' and inserting the following:

''(D) RELEASED PERSONS REQUIRED TO REGISTER.—

''(i) IN GENERAL.—A notice concerning''; and

(v) in subparagraph (D) (as designated by clause (iv)), by adding at the end the following:

''(ii) PERSONS RESIDING IN INDIAN COUNTRY.—For a person described in paragraph (3) the expected place of residence of whom is potentially located in Indian country, the Director of the Bureau of Prisons or the Director of the Administrative Office of the United States Courts, as appropriate, shall—

''(I) make all reasonable and necessary efforts to determine whether the residence of the person is located in Indian country; and

''(II) ensure that the person is registered with the law enforcement office of each appropriate jurisdiction before release from Federal custody.''.

SEC. 602. DOMESTIC AND SEXUAL VIOLENT OFFENSE TRAINING.

Section 3(c)(9) of the Indian Law Enforcement Reform Act (25 U.S.C. 2802(c)(9)) (as amended by section 101(a)(2)) is amended by inserting before the semicolon at the end the following: '', including training to properly interview victims of domestic and sexual violence and to collect, preserve, and present evidence to Federal and tribal prosecutors to increase the conviction rate for domestic and sexual violence offenses for purposes of addressing and preventing domestic and sexual violent offenses''.

SEC. 603. TESTIMONY BY FEDERAL EMPLOYEES IN CASES OF RAPE AND SEXUAL ASSAULT.

The Indian Law Enforcement Reform Act (25 U.S.C. 2801 et seq.) is amended by adding at the end the following:

''SEC. 11. TESTIMONY BY FEDERAL EMPLOYEES IN CASES OF RAPE AND SEXUAL ASSAULT.

''(a) APPROVAL OF EMPLOYEE TESTIMONY.—The Director of the Office of Justice Services or the Director of the Indian Health Service, as appropriate (referred to in this section as the 'Director concerned'), shall approve or disapprove, in writing, any request or subpoena for a law enforcement officer, sexual assault nurse examiner, or other employee under the supervision of the Director concerned to provide testimony in a deposition, trial, or other similar proceeding regarding information obtained in carrying out the official duties of the employee.

''(b) REQUIREMENT.—The Director concerned shall approve a request or subpoena

under subsection (a) if the request or subpoena does not violate the policy of the Department of the Interior to maintain strict impartiality with respect to private causes of action.

''(c) TREATMENT.—If the Director concerned fails to approve or disapprove a request or subpoena by the date that is 30 days after the date of receipt of the request or subpoena, the request or subpoena shall be considered to be approved for purposes of this section.''.

SEC. 604. COORDINATION OF FEDERAL AGENCIES.

The Indian Law Enforcement Reform Act (25 U.S.C. 2801 et seq.) (as amended by section 603) is amended by adding at the end the following:

''SEC. 12. COORDINATION OF FEDERAL AGENCIES.

''(a) IN GENERAL.—The Secretary, in coordination with the Attorney General, Federal and tribal law enforcement agencies, the Indian Health Service, and domestic violence or sexual assault victim organizations, shall develop appropriate victim services and victim advocate training programs—

''(1) to improve domestic violence or sexual abuse responses;

''(2) to improve forensic examinations and collection;

''(3) to identify problems or obstacles in the prosecution of domestic violence or sexual abuse; and

''(4) to meet other needs or carry out other activities required to prevent, treat, and improve prosecutions of domestic violence and sexual abuse.

''(b) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes, with respect to the matters described in subsection (a), the improvements made and needed, problems or obstacles identified, and costs necessary to address the problems or obstacles, and any other recommendations that the Secretary determines to be appropriate.''.

SEC. 605. SEXUAL ASSAULT PROTOCOL.

Title VIII of the Indian Health Care Improvement Act is amended by inserting after section 802 (25 U.S.C. 1672) the following:

''SEC. 803. POLICIES AND PROTOCOL.

''The Director of Service, in coordination with the Director of the Office on Violence Against Women of the Department of Justice, in consultation with Indian Tribes and Tribal Organizations, and in conference with Urban Indian Organizations, shall develop standardized sexual assault policies and protocol for the facilities of the Service, based on similar protocol that has been established by the Department of Justice.''.

Mr. BARRASSO. Mr. President, I rise to join my colleague, Mr. DORGAN, in introducing the Tribal Law and Order Act of 2009. This bill represents a bipartisan effort and crucial step in addressing a serious public safety crisis in many Indian communities throughout our Nation.

During the 110th Congress, the Committee on Indian Affairs held no less than seven hearings on the issue of law and order on Indian reservations. The committee found recurring themes of insufficient resources for law enforcement agencies, inadequate responses to criminal activity, and ineffective communication and coordination.

Criminal elements are well aware of the conditions of near lawlessness in some reservation areas. With great regret, I point to the Wind River Indian Reservation of the Eastern Shoshone and Northern Arapaho peoples in my home state of Wyoming as an example. The Wind River Indian Reservation consists of approximately 2.2 million acres and has a tribal population of over 11,000.

During fiscal year 2008, the Wind River Indian Reservation had a violent crime rate that was 3.58 times the national crime rate, according to the crime reports published by the Bureau of Indian Affairs within the Department of the Interior. Between 2007 and 2008, the crime rate on the Wind River Indian Reservation escalated from 677 to 748 incidents per 100,000 inhabitants.

Yet despite these troubling statistics, the Wind River Indian Reservation has only 9 law enforcement officers to cover all shifts. According to the Bureau of Indian Affairs' fiscal year 2008 crime report, an additional 22 police officers would be necessary to meet the minimum safety needs of this community. This situation would never be tolerated in other communities. We must address the needs for public safety, law enforcement and justice on Indian reservations head on.

Senator DORGAN and I have worked together to ensure that this bill will assist in increasing the number of police officers on the ground. Through this bill we are sending a strong message that Indian reservations will not be a haven for criminal activity, drug trafficking, gangs, or abuse.

We have set important goals for this legislation. To achieve them, we are proposing some significant changes to the status quo. As we move forward, I intend to solicit more input from stakeholders. The bill will inevitably require some modifications, and I look forward to that process. I consider the introduced legislation to be the beginning of a dialogue that will hopefully lead to refinement and improvement.

By Mr. DURBIN (for himself, Mrs. BOXER, Ms. CANTWELL, Mr. CARDIN, Mr. FEINGOLD, Mr. HARKIN, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. REED, Mr. SANDERS, Ms. STABENOW, and Mr. WHITEHOUSE):

S. 799. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I rise today to introduce America's Red Rock Wilderness Act of 2009. This legislation continues our commitment to preserve natural resources in this country.

America's Red Rock Wilderness Act will designate as wilderness some of our nation's most remarkable, but currently unprotected public lands. Bureau of Land Management, BLM, lands in Utah harbor some of the largest and most remarkable roadless desert areas anywhere in the world. Included in the 9.4 million acres I seek to protect are well known landscapes, such as the Grand Staircase-Escalante National Monument, and lesser known areas just outside Zion National Park, Canyonlands National Park, and Arches National Park. Together this wild landscape offers spectacular vistas of rare rock formations, canyons and desert lands, important archaeological sites, and habitat for rare plant and animal species.

I have visited many of the areas this act would designate as wilderness. I can tell you that the natural beauty of these landscapes is a compelling reason for Congress to grant these lands wilderness protection. I have the honor of introducing legislation on the 20th anniversary of the year it was first introduced by my friend and former colleague in the House of Representatives, Wayne Owens. As a member of the Utah delegation, Congressman Owens pioneered the Congressional effort to protect Utah's red rock wilderness. He did this with broad public support, which still exists not only in Utah, but in all corners of Nation.

The wilderness designated in this bill was chosen based on more than 20 years of meticulous research and surveying. Volunteers have taken inventories of thousands of square miles of BLM land in Utah to help determine which lands should be protected. These volunteers provided extensive documentation to ensure that these areas meet Federal wilderness criteria. The BLM also completed an inventory of approximately 7.5 million acres of the land that would be protected by America's Red Rock Wilderness Act and agreed that the vast majority qualify for wilderness designation.

For more than 20 years, Utah conservationists have been working to add the last great blocks of undeveloped BLM-administered land in Utah to the National Wilderness Preservation System. Together, we celebrate the recent passage of a national public lands bill that protects over 180,000 acres of wilderness in Washington County, UT, for future generations. The more than 9 million acres of lands that would be protected by this legislation surround eleven of Utah's national park, monument and recreation areas. These proposed BLM wilderness areas easily equal their neighboring national parklands in scenic beauty, opportunities for recreation, and ecological importance. Yet, unlike the parks, most of these scenic treasures lack any form of long-term protection from commercial development, damaging off-road vehicle use, or oil and gas exploration.

Americans understand the need for wise stewardship of these wild landscapes. This legislation represents a realistic balance between the need to

protect our natural heritage and demand for energy. While wilderness designation has been portrayed as a barrier to energy independence, it is important to note that within the entire 9.4 million acres of America's Red Rock Wilderness Act the amount of ''technically recoverable'' undiscovered natural gas and oil resources amounts to less than four days of oil and four weeks of natural gas at current consumption levels. In fact, protecting these lands benefits local economies because of the recreational opportunities they provide.

Unfortunately, scientists have already begun to see the impacts of global warming on public lands throughout the West. Hotter and drier conditions, larger wildfires, shrinking water resources, the spread of invasive species, soil erosion, and dust storms are all expected to increase over the next century. These threats make the need to protect the remaining undisturbed landscapes and wildlife habitats in Utah's red rock wilderness even more urgent.

America's Red Rock Wilderness Act is a lasting gift to the American public. By protecting this serene yet wild land we are giving future generations the opportunity to enjoy the same untrammeled landscape that so many now cherish.

I would like to thank my colleagues who are original cosponsors of this measure. Origin cosponsors are Senators Boxer, Cantwell, Cardin, Feingold, Harkin, Kennedy, Kerry, Lautenberg, Leahy, Lieberman, Menendez, Reed, Sanders, Stabenow, and Whitehouse. Additionally, I would like to thank the Utah Wilderness Coalition, which includes The Wilderness Society, the Sierra Club, the Natural Resources Defense Council, Earthjustice, and the Wasatch Mountain Club; the Southern Utah Wilderness Alliance; and all of the other national, regional and local, hard-working groups who, for years, have championed this legislation.

Theodore Roosevelt once stated:

> The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased and not impaired in value.

Enactment of this legislation will help us realize Roosevelt's vision. To protect these precious resources in Utah for future generations, I urge my colleagues to support America's Red Rock Wilderness Act.

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. 799

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 ''America's Red Rock Wilderness Act of 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—DESIGNATION OF WILDERNESS AREAS

Sec. 101. Great Basin Wilderness Areas.
Sec. 102. Zion and Mojave Desert Wilderness Areas.
Sec. 103. Grand Staircase-Escalante Wilderness Areas.
Sec. 104. Moab-La Sal Canyons Wilderness Areas.
Sec. 105. Henry Mountains Wilderness Areas.
Sec. 106. Glen Canyon Wilderness Areas.
Sec. 107. San Juan-Anasazi Wilderness Areas.
Sec. 108. Canyonlands Basin Wilderness Areas.
Sec. 109. San Rafael Swell Wilderness Areas.
Sec. 110. Book Cliffs and Uinta Basin Wilderness Areas.

TITLE II—ADMINISTRATIVE PROVISIONS

Sec. 201. General provisions.
Sec. 202. Administration.
Sec. 203. State school trust land within wilderness areas.
Sec. 204. Water.
Sec. 205. Roads.
Sec. 206. Livestock.
Sec. 207. Fish and wildlife.
Sec. 208. Management of newly acquired land.
Sec. 209. Withdrawal.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Land Management.

(2) STATE.—The term ''State'' means the State of Utah.

TITLE I—DESIGNATION OF WILDERNESS AREAS

SEC. 101. GREAT BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the Great Basin region of western Utah is comprised of starkly beautiful mountain ranges that rise as islands from the desert floor;

(2) the Wah Wah Mountains in the Great Basin region are arid and austere, with massive cliff faces and leathery slopes speckled with piñon and juniper;

(3) the Pilot Range and Stansbury Mountains in the Great Basin region are high enough to draw moisture from passing clouds and support ecosystems found nowhere else on earth;

(4) from bristlecone pine, the world's oldest living organism, to newly-flowered mountain meadows, mountains of the Great Basin region are islands of nature that—

(A) support remarkable biological diversity; and

(B) provide opportunities to experience the colossal silence of the Great Basin; and

(5) the Great Basin region of western Utah should be protected and managed to ensure the preservation of the natural conditions of the region.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Antelope Range (approximately 17,000 acres).

(2) Barn Hills (approximately 20,000 acres).

(3) Black Hills (approximately 9,000 acres).

(4) Bullgrass Knoll (approximately 15,000 acres).

(5) Burbank Hills/Tunnel Spring (approximately 92,000 acres).

(6) Conger Mountains (approximately 21,000 acres).

(7) Crater Bench (approximately 35,000 acres).

(8) Crater and Silver Island Mountains (approximately 121,000 acres).

(9) Cricket Mountains Cluster (approximately 62,000 acres).

(10) Deep Creek Mountains (approximately 126,000 acres).

(11) Drum Mountains (approximately 39,000 acres).

(12) Dugway Mountains (approximately 24,000 acres).

(13) Essex Canyon (approximately 1,300 acres).

(14) Fish Springs Range (approximately 64,000 acres).

(15) Granite Peak (approximately 19,000 acres).

(16) Grassy Mountains (approximately 23,000 acres).

(17) Grouse Creek Mountains (approximately 15,000 acres).

(18) House Range (approximately 201,000 acres).

(19) Keg Mountains (approximately 38,000 acres).

(20) Kern Mountains (approximately 15,000 acres).

(21) King Top (approximately 110,000 acres).

(22) Ledger Canyon (approximately 9,000 acres).

(23) Little Goose Creek (approximately 1,200 acres).

(24) Middle/Granite Mountains (approximately 80,000 acres).

(25) Mountain Home Range (approximately 90,000 acres).

(26) Newfoundland Mountains (approximately 22,000 acres).

(27) Ochre Mountain (approximately 13,000 acres).

(28) Oquirrh Mountains (approximately 9,000 acres).

(29) Painted Rock Mountain (approximately 26,000 acres).

(30) Paradise/Steamboat Mountains (approximately 144,000 acres).

(31) Pilot Range (approximately 45,000 acres).

(32) Red Tops (approximately 28,000 acres).

(33) Rockwell-Little Sahara (approximately 21,000 acres).

(34) San Francisco Mountains (approximately 39,000 acres).

(35) Sand Ridge (approximately 73,000 acres).

(36) Simpson Mountains (approximately 42,000 acres).

(37) Snake Valley (approximately 100,000 acres).

(38) Stansbury Island (approximately 10,000 acres).

(39) Stansbury Mountains (approximately 24,000 acres).

(40) Thomas Range (approximately 36,000 acres).

(41) Tule Valley (approximately 159,000 acres).

(42) Wah Wah Mountains (approximately 167,000 acres).

(43) Wasatch/Sevier Plateaus (approximately 29,000 acres).

(44) White Rock Range (approximately 5,200 acres).

SEC. 102. ZION AND MOJAVE DESERT WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the renowned landscape of Zion National Park, including soaring cliff walls, forested plateaus, and deep narrow gorges, extends beyond the boundaries of the Park onto surrounding public land managed by the Secretary;

(2) from the pink sand dunes of Moquith Mountain to the golden pools of Beaver Dam Wash, the Zion and Mojave Desert areas encompass 3 major provinces of the Southwest that include—

(A) the sculpted canyon country of the Colorado Plateau;

(B) the Mojave Desert; and

(C) portions of the Great Basin;

(3) the Zion and Mojave Desert areas display a rich mosaic of biological, archaeological, and scenic diversity;

(4) 1 of the last remaining populations of threatened desert tortoise is found within this region; and

(5) the Zion and Mojave Desert areas in Utah should be protected and managed as wilderness areas.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Beaver Dam Mountains (approximately 30,000 acres).

(2) Beaver Dam Wash (approximately 23,000 acres).

(3) Beaver Dam Wilderness Expansion (approximately 8,000 acres).

(4) Canaan Mountain (approximately 67,000 acres).

(5) Cottonwood Canyon (approximately 12,000 acres).

(6) Cougar Canyon/Docs Pass (approximately 41,000 acres).

(7) Joshua Tree (approximately 12,000 acres).

(8) Mount Escalante (approximately 17,000 acres).

(9) Parunuweap Canyon (approximately 43,000 acres).

(10) Red Butte (approximately 4,500 acres).

(11) Red Mountain (approximately 21,000 acres).

(12) Scarecrow Peak (approximately 16,000 acres).

(13) Square Top Mountain (approximately 23,000 acres).

(14) Zion Adjacent (approximately 58,000 acres).

SEC. 103. GRAND STAIRCASE-ESCALANTE WILDERNESS AREAS.

(a) GRAND STAIRCASE AREA.—

(1) FINDINGS.—Congress finds that—

(A) the area known as the Grand Staircase rises more than 6,000 feet in a series of great cliffs and plateaus from the depths of the Grand Canyon to the forested rim of Bryce Canyon;

(B) the Grand Staircase—

(i) spans 6 major life zones, from the lower Sonoran Desert to the alpine forest; and

(ii) encompasses geologic formations that display 3,000,000,000 years of Earth's history;

(C) land managed by the Secretary lines the intricate canyon system of the Paria River and forms a vital natural corridor connection to the deserts and forests of those national parks;

(D) land described in paragraph (2) (other than East of Bryce, Upper Kanab Creek, Moquith Mountain, Bunting Point, and Vermillion Cliffs) is located within the Grand Staircase-Escalante National Monument; and

(E) the Grand Staircase in Utah should be protected and managed as a wilderness area.

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) Bryce View (approximately 4,500 acres).

(B) Bunting Point (approximately 11,000 acres).

(C) Canaan Peak Slopes (approximately 2,300 acres).

(D) East of Bryce (approximately 750 acres).

(E) Glass Eye Canyon (approximately 24,000 acres).

(F) Ladder Canyon (approximately 14,000 acres).

(G) Moquith Mountain (approximately 16,000 acres).

(H) Nephi Point (approximately 14,000 acres).

(I) Paria-Hackberry (approximately 188,000 acres).

(J) Paria Wilderness Expansion (approximately 3,300 acres).

(K) Pine Hollow (approximately 11,000 acres).

(L) Slopes of Bryce (approximately 2,600 acres).

(M) Timber Mountain (approximately 51,000 acres).

(N) Upper Kanab Creek (approximately 49,000 acres).

(O) Vermillion Cliffs (approximately 26,000 acres).

(P) Willis Creek (approximately 21,000 acres).

(b) KAIPAROWITS PLATEAU.—

(1) FINDINGS.—Congress finds that—

(A) the Kaiparowits Plateau east of the Paria River is 1 of the most rugged and isolated wilderness regions in the United States;

(B) the Kaiparowits Plateau, a windswept land of harsh beauty, contains distant vistas and a remarkable variety of plant and animal species;

(C) ancient forests, an abundance of big game animals, and 22 species of raptors thrive undisturbed on the grassland mesa tops of the Kaiparowits Plateau;

(D) each of the areas described in paragraph (2) (other than Heaps Canyon, Little Valley, and Wide Hollow) is located within the Grand Staircase-Escalante National Monument; and

(E) the Kaiparowits Plateau should be protected and managed as a wilderness area.

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) Andalex Not (approximately 18,000 acres).

(B) The Blues (approximately 21,000 acres).

(C) Box Canyon (approximately 2,800 acres).

(D) Burning Hills (approximately 80,000 acres).

(E) Carcass Canyon (approximately 83,000 acres).

(F) The Cockscomb (approximately 11,000 acres).

(G) Fiftymile Bench (approximately 12,000 acres).

(H) Fiftymile Mountain (approximately 203,000 acres).

(I) Heaps Canyon (approximately 4,000 acres).

(J) Horse Spring Canyon (approximately 31,000 acres).

(K) Kodachrome Headlands (approximately 10,000 acres).

(L) Little Valley Canyon (approximately 4,000 acres).

(M) Mud Spring Canyon (approximately 65,000 acres).

(N) Nipple Bench (approximately 32,000 acres).

(O) Paradise Canyon-Wahweap (approximately 262,000 acres).

(P) Rock Cove (approximately 16,000 acres).

(Q) Warm Creek (approximately 23,000 acres).

(R) Wide Hollow (approximately 6,800 acres).

(c) ESCALANTE CANYONS.—

(1) FINDINGS.—Congress finds that—

(A) glens and coves carved in massive sandstone cliffs, spring-watered hanging gardens, and the silence of ancient Anasazi ruins are examples of the unique features that entice hikers, campers, and sightseers from around the world to Escalante Canyon;

(B) Escalante Canyon links the spruce fir forests of the 11,000-foot Aquarius Plateau with winding slickrock canyons that flow into Glen Canyon;

(C) Escalante Canyon, 1 of Utah's most popular natural areas, contains critical habitat for deer, elk, and wild bighorn sheep that also enhances the scenic integrity of the area;

(D) each of the areas described in paragraph (2) is located within the Grand Staircase-Escalante National Monument; and

(E) Escalante Canyon should be protected and managed as a wilderness area.

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) Brinkerhof Flats (approximately 3,000 acres).

(B) Colt Mesa (approximately 28,000 acres).

(C) Death Hollow (approximately 49,000 acres).

(D) Forty Mile Gulch (approximately 6,600 acres).

(E) Hurricane Wash (approximately 9,000 acres).

(F) Lampstand (approximately 7,900 acres).

(G) Muley Twist Flank (approximately 3,600 acres).

(H) North Escalante Canyons (approximately 176,000 acres).

(I) Pioneer Mesa (approximately 11,000 acres).

(J) Scorpion (approximately 53,000 acres).

(K) Sooner Bench (approximately 390 acres).

(L) Steep Creek (approximately 35,000 acres).

(M) Studhorse Peaks (approximately 24,000 acres).

SEC. 104. MOAB-LA SAL CANYONS WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the canyons surrounding the La Sal Mountains and the town of Moab offer a variety of extraordinary landscapes;

(2) outstanding examples of natural formations and landscapes in the Moab-La Sal area include the huge sandstone fins of Behind the Rocks, the mysterious Fisher Towers, and the whitewater rapids of Westwater Canyon; and

(3) the Moab-La Sal area should be protected and managed as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Arches Adjacent (approximately 12,000 acres).

(2) Beaver Creek (approximately 41,000 acres).

(3) Behind the Rocks and Hunters Canyon (approximately 22,000 acres).

(4) Big Triangle (approximately 20,000 acres).

(5) Coyote Wash (approximately 28,000 acres).

(6) Dome Plateau-Professor Valley (approximately 35,000 acres).

(7) Fisher Towers (approximately 18,000 acres).

(8) Goldbar Canyon (approximately 9,000 acres).

(9) Granite Creek (approximately 5,000 acres).

(10) Mary Jane Canyon (approximately 25,000 acres).

(11) Mill Creek (approximately 14,000 acres).

(12) Porcupine Rim and Morning Glory (approximately 20,000 acres).

(13) Renegade Point (approximately 6,600 acres).

(14) Westwater Canyon (approximately 37,000 acres).

(15) Yellow Bird (approximately 4,200 acres).

SEC. 105. HENRY MOUNTAINS WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the Henry Mountain Range, the last mountain range to be discovered and named by early explorers in the contiguous United States, still retains a wild and undiscovered quality;

(2) fluted badlands that surround the flanks of 11,000-foot Mounts Ellen and Pennell contain areas of critical habitat for mule deer and for the largest herd of free-roaming buffalo in the United States;

(3) despite their relative accessibility, the Henry Mountain Range remains 1 of the wildest, least-known ranges in the United States; and

(4) the Henry Mountain range should be protected and managed to ensure the preservation of the range as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System.

(1) Bull Mountain (approximately 16,000 acres).

(2) Bullfrog Creek (approximately 35,000 acres).

(3) Dogwater Creek (approximately 3,400 acres).

(4) Fremont Gorge (approximately 20,000 acres).

(5) Long Canyon (approximately 16,000 acres).

(6) Mount Ellen-Blue Hills (approximately 140,000 acres).

(7) Mount Hillers (approximately 21,000 acres).

(8) Mount Pennell (approximately 147,000 acres).

(9) Notom Bench (approximately 6,200 acres).

(10) Oak Creek (approximately 1,700 acres).

(11) Ragged Mountain (approximately 28,000 acres).

SEC. 106. GLEN CANYON WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the side canyons of Glen Canyon, including the Dirty Devil River and the Red, White and Blue Canyons, contain some of the most remote and outstanding landscapes in southern Utah;

(2) the Dirty Devil River, once the fortress hideout of outlaw Butch Cassidy's Wild Bunch, has sculpted a maze of slickrock canyons through an imposing landscape of monoliths and inaccessible mesas;

(3) the Red and Blue Canyons contain colorful Chinle/Moenkopi badlands found nowhere else in the region; and

(4) the canyons of Glen Canyon in the State should be protected and managed as wilderness areas.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Cane Spring Desert (approximately 18,000 acres).

(2) Dark Canyon (approximately 134,000 acres).

(3) Dirty Devil (approximately 242,000 acres).

(4) Fiddler Butte (approximately 92,000 acres).

(5) Flat Tops (approximately 30,000 acres).

(6) Little Rockies (approximately 64,000 acres).

(7) The Needle (approximately 11,000 acres).

(8) Red Rock Plateau (approximately 213,000 acres).

(9) White Canyon (approximately 98,000 acres).

SEC. 107. SAN JUAN-ANASAZI WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) more than 1,000 years ago, the Anasazi Indian culture flourished in the slickrock canyons and on the piñon-covered mesas of southeastern Utah;

(2) evidence of the ancient presence of the Anasazi pervades the Cedar Mesa area of the San Juan-Anasazi area where cliff dwellings, rock art, and ceremonial kivas embellish sandstone overhangs and isolated benchlands;

(3) the Cedar Mesa area is in need of protection from the vandalism and theft of its unique cultural resources;

(4) the Cedar Mesa wilderness areas should be created to protect both the archaeological heritage and the extraordinary wilderness, scenic, and ecological values of the United States; and

(5) the San Juan-Anasazi area should be protected and managed as a wilderness area to ensure the preservation of the unique and valuable resources of that area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Allen Canyon (approximately 5,900 acres).

(2) Arch Canyon (approximately 30,000 acres).

(3) Comb Ridge (approximately 15,000 acres).

(4) East Montezuma (approximately 45,000 acres).

(5) Fish and Owl Creek Canyons (approximately 73,000 acres).

(6) Grand Gulch (approximately 159,000 acres).

(7) Hammond Canyon (approximately 4,400 acres).

(8) Nokai Dome (approximately 93,000 acres).

(9) Road Canyon (approximately 63,000 acres).

(10) San Juan River (Sugarloaf) (approximately 15,000 acres).

(11) The Tabernacle (approximately 7,000 acres).

(12) Valley of the Gods (approximately 21,000 acres).

SEC. 108. CANYONLANDS BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) Canyonlands National Park safeguards only a small portion of the extraordinary red-hued, cliff-walled canyonland region of the Colorado Plateau;

(2) areas near Arches National Park and Canyonlands National Park contain canyons with rushing perennial streams, natural arches, bridges, and towers;

(3) the gorges of the Green and Colorado Rivers lie on adjacent land managed by the Secretary;

(4) popular overlooks in Canyonlands Nations Park and Dead Horse Point State Park have views directly into adjacent areas, including Lockhart Basin and Indian Creek; and

(5) designation of those areas as wilderness would ensure the protection of this erosional masterpiece of nature and of the rich pockets of wildlife found within its expanded boundaries.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Bridger Jack Mesa (approximately 33,000 acres).

(2) Butler Wash (approximately 27,000 acres).

(3) Dead Horse Cliffs (approximately 5,300 acres).

(4) Demon's Playground (approximately 3,700 acres).

(5) Duma Point (approximately 14,000 acres).

(6) Gooseneck (approximately 9,000 acres).

(7) Hatch Point Canyons/Lockhart Basin (approximately 149,000 acres).

(8) Horsethief Point (approximately 15,000 acres).

(9) Indian Creek (approximately 28,000 acres).

(10) Labyrinth Canyon (approximately 150,000 acres).

(11) San Rafael River (approximately 101,000 acres).

(12) Shay Mountain (approximately 14,000 acres).

(13) Sweetwater Reef (approximately 69,000 acres).

(14) Upper Horseshoe Canyon (approximately 60,000 acres).

SEC. 109. SAN RAFAEL SWELL WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the San Rafael Swell towers above the desert like a castle, ringed by 1,000-foot ramparts of Navajo Sandstone;

(2) the highlands of the San Rafael Swell have been fractured by uplift and rendered hollow by erosion over countless millennia, leaving a tremendous basin punctuated by mesas, buttes, and canyons and traversed by sediment-laden desert streams;

(3) among other places, the San Rafael wilderness offers exceptional back country opportunities in the colorful Wild Horse Badlands, the monoliths of North Caineville Mesa, the rock towers of Cliff Wash, and colorful cliffs of Humbug Canyon;

(4) the mountains within these areas are among Utah's most valuable habitat for desert bighorn sheep; and

(5) the San Rafael Swell area should be protected and managed to ensure its preservation as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Cedar Mountain (approximately 15,000 acres).

(2) Devils Canyon (approximately 23,000 acres).

(3) Eagle Canyon (approximately 38,000 acres).

(4) Factory Butte (approximately 22,000 acres).

(5) Hondu Country (approximately 20,000 acres).

(6) Jones Bench (approximately 2,800 acres).

(7) Limestone Cliffs (approximately 25,000 acres).

(8) Lost Spring Wash (approximately 37,000 acres).

(9) Mexican Mountain (approximately 100,000 acres).

(10) Molen Reef (approximately 33,000 acres).

(11) Muddy Creek (approximately 240,000 acres).

(12) Mussentuchit Badlands (approximately 25,000 acres).

(13) Pleasant Creek Bench (approximately 1,100 acres).

(14) Price River-Humbug (approximately 120,000 acres).

(15) Red Desert (approximately 40,000 acres).

(16) Rock Canyon (approximately 18,000 acres).

(17) San Rafael Knob (approximately 15,000 acres).

(18) San Rafael Reef (approximately 114,000 acres).

(19) Sids Mountain (approximately 107,000 acres).

(20) Upper Muddy Creek (approximately 19,000 acres).

(21) Wild Horse Mesa (approximately 92,000 acres).

SEC. 110. BOOK CLIFFS AND UINTA BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the Book Cliffs and Uinta Basin wilderness areas offer—

(A) unique big game hunting opportunities in verdant high-plateau forests;

(B) the opportunity for float trips of several days duration down the Green River in Desolation Canyon; and

(C) the opportunity for calm water canoe weekends on the White River;

(2) the long rampart of the Book Cliffs bounds the area on the south, while seldom-visited uplands, dissected by the rivers and streams, slope away to the north into the Uinta Basin;

(3) bears, Bighorn sheep, cougars, elk, and mule deer flourish in the back country of the Book Cliffs; and

(4) the Book Cliffs and Uinta Basin areas should be protected and managed to ensure the protection of the areas as wilderness.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System.

(1) Bourdette Draw (approximately 15,000 acres).

(2) Bull Canyon (approximately 2,800 acres).

(3) Chipeta (approximately 95,000 acres).

(4) Dead Horse Pass (approximately 8,000 acres).

(5) Desbrough Canyon (approximately 13,000 acres).

(6) Desolation Canyon (approximately 557,000 acres).

(7) Diamond Breaks (approximately 9,000 acres).

(8) Diamond Canyon (approximately 166,000 acres).

(9) Diamond Mountain (also known as ''Wild Mountain'') (approximately 27,000 acres).

(10) Dinosaur Adjacent (approximately 10,000 acres).

(11) Goslin Mountain (approximately 4,900 acres).

(12) Hideout Canyon (approximately 12,000 acres).

(13) Lower Bitter Creek (approximately 14,000 acres).

(14) Lower Flaming Gorge (approximately 21,000 acres).

(15) Mexico Point (approximately 15,000 acres).

(16) Moonshine Draw (also known as ''Daniels Canyon'') (approximately 10,000 acres).

(17) Mountain Home (approximately 9,000 acres).

(18) O-Wi-Yu-Kuts (approximately 13,000 acres).

(19) Red Creek Badlands (approximately 3,600 acres).

(20) Seep Canyon (approximately 21,000 acres).

(21) Sunday School Canyon (approximately 18,000 acres).

(22) Survey Point (approximately 8,000 acres).

(23) Turtle Canyon (approximately 39,000 acres).

(24) White River (approximately 24,500 acres).

(25) Winter Ridge (approximately 38,000 acres).

(26) Wolf Point (approximately 15,000 acres).

TITLE II—ADMINISTRATIVE PROVISIONS

SEC. 201. GENERAL PROVISIONS.

(a) NAMES OF WILDERNESS AREAS.—Each wilderness area named in title I shall—

(1) consist of the quantity of land referenced with respect to that named area, as generally depicted on the map entitled ''Utah BLM Wilderness Proposed by H.R. [_____], 111th Congress''; and

(2) be known by the name given to it in title I.

(b) MAP AND DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by this Act with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the Office of the Director of the Bureau of Land Management.

SEC. 202. ADMINISTRATION.

Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this Act shall be administered by the Secretary in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 203. STATE SCHOOL TRUST LAND WITHIN WILDERNESS AREAS.

(a) IN GENERAL.—Subject to subsection (b), if State-owned land is included in an area designated by this Act as a wilderness area, the Secretary shall offer to exchange land owned by the United States in the State of approximately equal value in accordance with section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) and section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)).

(b) MINERAL INTERESTS.—The Secretary shall not transfer any mineral interests under subsection (a) unless the State transfers to the Secretary any mineral interests in land designated by this Act as a wilderness area.

SEC. 204. WATER.

(a) RESERVATION.—

(1) WATER FOR WILDERNESS AREAS.—

(A) IN GENERAL.—With respect to each wilderness area designated by this Act, Congress reserves a quantity of water determined by the Secretary to be sufficient for the wilderness area.

(B) PRIORITY DATE.—The priority date of a right reserved under subparagraph (A) shall be the date of enactment of this Act.

(2) PROTECTION OF RIGHTS.—The Secretary and other officers and employees of the United States shall take any steps necessary to protect the rights reserved by paragraph (1)(A), including the filing of a claim for the quantification of the rights in any present or future appropriate stream adjudication in the courts of the State—

(A) in which the United States is or may be joined; and

(B) that is conducted in accordance with section 208 of the Department of Justice Appropriation Act, 1953 (66 Stat. 560, chapter 651).

(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in this Act relinquishes or reduces any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(c) ADMINISTRATION.—

(1) SPECIFICATION OF RIGHTS.—The Federal water rights reserved by this Act are specific to the wilderness areas designated by this Act.

(2) NO PRECEDENT ESTABLISHED.—Nothing in this Act related to reserved Federal water rights—

(A) shall establish a precedent with regard to any future designation of water rights; or

(B) shall affect the interpretation of any other Act or any designation made under any other Act.

SEC. 205. ROADS.

(a) SETBACKS.—

(1) MEASUREMENT IN GENERAL.—A setback under this section shall be measured from the center line of the road.

(2) WILDERNESS ON 1 SIDE OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on only 1 side shall be set at—

(A) 300 feet from a paved Federal or State highway;

(B) 100 feet from any other paved road or high standard dirt or gravel road; and

(C) 30 feet from any other road.

(3) WILDERNESS ON BOTH SIDES OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on both sides (including cherry-stems or roads separating 2 wilderness units) shall be set at—

(A) 200 feet from a paved Federal or State highway;

(B) 40 feet from any other paved road or high standard dirt or gravel road; and

(C) 10 feet from any other roads.

(b) SETBACK EXCEPTIONS.—

(1) WELL-DEFINED TOPOGRAPHICAL BARRIERS.—If, between the road and the boundary of a setback area described in paragraph (2) or (3) of subsection (a), there is a well-defined cliff edge, streambank, or other topographical barrier, the Secretary shall use the barrier as the wilderness boundary.

(2) FENCES.—If, between the road and the boundary of a setback area specified in paragraph (2) or (3) of subsection (a), there is a fence running parallel to a road, the Secretary shall use the fence as the wilderness boundary if, in the opinion of the Secretary, doing so would result in a more manageable boundary.

(3) DEVIATIONS FROM SETBACK AREAS.—

(A) EXCLUSION OF DISTURBANCES FROM WILDERNESS BOUNDARIES.—In cases where there is an existing livestock development, dispersed camping area, borrow pit, or similar disturbance within 100 feet of a road that forms part of a wilderness boundary, the Secretary may delineate the boundary so as to exclude the disturbance from the wilderness area.

(B) LIMITATION ON EXCLUSION OF DISTURBANCES.—The Secretary shall make a boundary adjustment under subparagraph (A) only if the Secretary determines that doing so is consistent with wilderness management goals.

(C) DEVIATIONS RESTRICTED TO MINIMUM NECESSARY.—Any deviation under this paragraph from the setbacks required under in paragraph (2) or (3) of subsection (a) shall be the minimum necessary to exclude the disturbance.

(c) DELINEATION WITHIN SETBACK AREA.—The Secretary may delineate a wilderness boundary at a location within a setback under paragraph (2) or (3) of subsection (a) if, as determined by the Secretary, the delineation would enhance wilderness management goals.

SEC. 206. LIVESTOCK.

Within the wilderness areas designated under title I, the grazing of livestock authorized on the date of enactment of this Act shall be permitted to continue subject to such reasonable regulations and procedures as the Secretary considers necessary, as long as the regulations and procedures are consistent with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) section 101(f) of the Arizona Desert Wilderness Act of 1990 (Public Law 101–628; 104 Stat. 4469).

SEC. 207. FISH AND WILDLIFE.

Nothing in this Act affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State.

SEC. 208. MANAGEMENT OF NEWLY ACQUIRED LAND.

Any land within the boundaries of a wilderness area designated under this Act that is acquired by the Federal Government shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with this Act and other laws applicable to wilderness areas.

SEC. 209. WITHDRAWAL.

Subject to valid rights existing on the date of enactment of this Act, the Federal land referred to in title I is withdrawn from all forms of—

(1) entry, appropriation, or disposal under public law;

(2) location, entry, and patent under mining law; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

Mr. FEINGOLD. Mr. President, I am very pleased to again join with the Senior Senator from Illinois, Mr. DURBIN, as an original cosponsor of legislation to designate areas of pristine Federal lands in Utah as wilderness.

I support this legislation, for a few reasons, but most of all because I have personally seen what is at stake, and I know the marvelous resources that Wisconsinites and all Americans own in the Bureau of Land Management, BLM, lands of Southern Utah.

I had an opportunity to travel twice to Utah and view firsthand some of the lands that would be designated for wilderness under Senator DURBIN's bill. I was able to view most of the proposed wilderness areas from the air, and was able to enhance my understanding through hikes outside of the Zion National Park on the Dry Creek Bench wilderness unit contained in this proposal and inside the Grand Staircase-Escalante National Monument to Upper Calf Creek Falls. I also viewed the lands proposed for designation in this bill from a river trip down the Colorado River, and in the San Rafael Swell with members of the Emery County government.

Second, I support this legislation because I believe it sets the appropriate benchmark for the lands that should be protected in Southern Utah. I believe that when the Senate considers wilderness legislation it ought to know, as a benchmark, the full measure of those lands which are deserving of wilderness protection. This bill encompasses all the BLM lands of wilderness quality in Utah.

Unfortunately, the Senate has not always had the benefit of considering wilderness designations for all of the deserving lands in Southern Utah. Last Congress, a provision was air-dropped into a bill considered by the Senate—without having been considered by the House or the Senate Energy and Natural Resources Committee—that designated less than 45 percent of the wilderness quality lands included in the America's Red Rock Wilderness Act for Washington County, Utah. Furthermore, the public lands package omitted a wilderness unit, Dry Creek, that Senator BENNETT has previously agreed to protect in his Washington County Growth and Conservation Act of 2008, S. 2834. During the 104th Congress, I joined with the former Senator from New Jersey, Mr. Bradley, in opposing omnibus parks legislation that contained provisions, which were eventually removed, that many in my home State of Wisconsin believed not only designated as wilderness too little of the Bureau of Land Management's holding in Utah deserving of such protection, but also substantively changed the protections afforded designated lands under the Wilderness Act of 1964.

The lands of Southern Utah are very special to the people of Wisconsin. In writing to me over the last few years, my constituents have described these lands as places of solitude, special family moments, and incredible beauty. In December 1997, Ron Raunikar of the Capital Times, a paper in Madison, WI, wrote: ''Other remaining wilderness in the U.S. is at first daunting, but then endearing and always a treasure for all Americans. The sensually sculpted slickrock of the Colorado Plateau and windswept crag lines of the Great Basin include some of the last of our country's wilderness, which is not fully protected. We must ask our elected officials to redress this circumstance, by enacting legislation which would protect those national lands within the boundaries of Utah. This wilderness is a treasure we can lose only once or a legacy we can be forever proud to bestow to our children.''

I believe that the measure being introduced today will accomplish that goal. The measure protects wild lands that really are not done justice by any description. In my trip I found widely varied and distinct terrain, remarkable American resources of red rock cliff walls, desert, canyons and gorges which encompass the canyon country of the Colorado Plateau, the Mojave Desert and portions of the Great Basin. The lands also include mountain ranges in western Utah, and stark areas like the Grand Staircase-Escalante National Monument. These regions appeal to all types of American outdoor interests from hiking and sightseeing to hunting.

Wisconsinites are watching this test case closely. I believe that Wisconsinites view the outcome of this fight to save Utah's lands as a sign of where the nation is headed with respect to its stewardship of natural resources. Legislation to protect existing wilderness ensures that future generations may have an experience on public lands equal to that which is available today. The action of Congress to preserve wild lands by extending the protections of the Wilderness Act of 1964 will publicly codify that expectation and promise.

Finally, this legislation has earned my support, and deserves the support of others in this body, because all of the acres that will be protected under this bill are already public lands held in trust by the Federal Government for the people of the U.S. Thus, while they are physically located in Utah, their preservation is important to the citizens of Wisconsin as it is for other Americans. I am eager to work with my colleague from Illinois, Mr. DURBIN, to protect these lands. I commend him for introducing this measure.

By Ms. SNOWE (for herself and Mr. CASEY):

S. 800. A bill to require the President to update and modify the website recovery.gov; to the Committee on Homeland Security and Governmental Affairs.

Ms. SNOWE. Mr. President, I rise to introduce legislation to enhance the availability of information to the public concerning the programs funded pursuant to the American Recovery and Reinvestment Act of 2009 enacted in February. I am pleased to be joined by Senator Casey in introducing this bill.

In a recent meeting that I had with constituents from the Maine Municipal Association, several questions arose regarding application deadlines and when funding will be distributed under the act. Additionally, because there is no centralized location listing the opportunities available, some Mayors and First Selectmen had little idea of all the programs for which they may be eligible. Indeed, the officials spoke of finding out about various programs either through meetings or colleagues, and they noted that a regularly updated online database of catalogued programs would be extremely useful.

This modest bill would require that the administration's recovery.gov website be expanded so that States and localities can easily ascertain stimulus funds for which they may be eligible. Cities and towns could benefit greatly if they could use Recovery.gov to quickly learn about funding for which they may be eligible, application deadlines, and who to contact for more information. An enhanced website or ''clearinghouse'' would facilitate the timely distribution of economic stimulus funds and ensure that they will be used as quickly and efficiently as possible to help restore economic growth throughout the country.

I urge prompt consideration of this bill.

By Mr. AKAKA (for himself, Mr. BURR, Mr. TESTER, Mr. BURRIS, and Mr. ROCKEFELLER):

S. 801. A bill to amend title 38, United States Code, to waive charges for humanitarian care provided by the Department of Veterans Affairs to family members accompanying veterans severely injured after September 11, 2001, as they receive medical care from the Department and to provide assistance to family caregivers, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I am introducing legislation to create a program within the Department of Veterans Affairs for family caregivers. I am pleased to be joined by my colleagues Senator BURR, the Ranking Member of the Veterans' Affairs Committee, Senator TESTER, Senator BURNS, and Senator ROCKEFELLER, former Chairman of the Committee.

Some veterans returning from the recent wars in Iraq and Afghanistan, as well as previous conflicts, suffer from disabilities that prevent them from being fully independent. This is a sad fact of war. The legislation I am introducing today is designed to provide for several improvements in health care for veterans by supporting the family members who care for them.

The challenges faced by family caregivers are well known to us. We have been working on this issue for nearly two years. Provisions that then-Senator Clinton included in a health care omnibus bill reported by the Committee last Congress would have provided for pilot programs to serve caregivers. We have since learned much more about the role family members play in caring for injured veterans, and the needs of family caregivers. I think we are now beyond the scope of that original pilot program and I believe that a full-fledged permanent program is needed in VA.

First, it is well known that the involvement of family members in the provision of health care dramatically improves speed and success of recovery. This bill will give family members the resources needed to be involved in the care for their loved one. Second, many disabled veterans are not able to complete some tasks of daily living on their own, but do not require care in an institution. Allowing a veteran to remain in the home, while having family members meet the veteran's needs, will vastly improve quality of life for the veteran.

Caregivers, who are members of a veteran's family, often put their lives on hold in order to provide care for the injured or disabled veteran at home. In some instances, these caregivers are unable to maintain regular jobs because of the time consumed in providing sufficient care to the veteran. This has the compound effect of decreasing household income, and possibly preventing the caregiver from keeping health insurance. This legislation would help alleviate these problems so as to allow the caregiver to focus entirely on caring for the veteran.

This bill includes provisions for training and certifying family caregivers or personal care attendants. It would provide for mental health counseling, health care eligibility, a living stipend, and other critical services to support these caregivers. Additionally, this bill would make improvements to the services VA provides to family members who must travel to take the veteran to a VA facility to receive treatment.

I look forward to working with all of our colleagues to pass this much needed legislation. I especially thank Senators BURR and ROCKEFELLER for cosponsoring this bill. I would also like to thank the dedicated members of the Wounded Warrior Project and Paralyzed Veterans of America for their tireless efforts in support of this legislation.

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. 801

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 ''Family Caregiver Program Act of 2009''.

SEC. 2. WAIVER OF CHARGES FOR HUMANITARIAN CARE PROVIDED TO FAMILY MEMBERS ACCOMPANYING CERTAIN SEVERELY INJURED VETERANS AS THEY RECEIVE MEDICAL CARE.

The text of section 1784 of title 38, United States Code, is amended to read as follows:

''(a) IN GENERAL.—The Secretary may furnish hospital care or medical services as a humanitarian service in emergency cases.

''(b) REIMBURSEMENT.—Except as provided in subsection (c), the Secretary shall charge for care and services provided under subsection (a) at rates prescribed by the Secretary.

''(c) WAIVER OF CHARGES.—(1) Except as provided in paragraph (2), the Secretary shall waive the charges required by subsection (b) for care or services provided under subsection (a) to an attendant of a covered veteran if such care or services are provided to such attendant for an emergency that occurs while such attendant is accompanying such veteran while such veteran is receiving approved inpatient or outpatient treatment at—

''(A) a Department facility; or

''(B) a non-Department facility—

''(i) that is under contract with the Department; or

''(ii) at which the veteran is receiving fee-basis care.

''(2) If an attendant is entitled to care or services under a health-plan contract (as that term is defined in section 1725(f) of this title) or other contractual or legal recourse against a third party that would, in part, extinguish liability by charges described by subsection (b), the amount of such charges waived under paragraph (1) shall be the amount by which such charges exceed the amount of such charges covered by the health-plan contract or other contractual or legal recourse against the third party.

''(d) DEFINITIONS.—In this section:

''(1) The term 'attendant' includes, with respect to a veteran, the following:

''(A) A family member of the veteran.

''(B) An individual eligible to receive ongoing family caregiver assistance under section 1717A(e)(1) of this title for the provision of personal care services to the veteran.

''(C) Any other individual whom the Secretary determines—

''(i) has a relationship with the veteran sufficient to demonstrate a close affinity with the veteran; and

''(ii) provides a significant portion of the veteran's care.

''(2) The term 'covered veteran' means any veteran with a severe injury incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001.

''(3) The term 'family member' with respect to a veteran, includes the following:

''(A) The spouse of the veteran.

''(B) The child of the veteran.

''(C) A parent of the veteran.

''(D) A sibling of the veteran.

''(E) A cousin of the veteran.

''(F) An aunt of the veteran.

''(G) An uncle of the veteran.

''(H) A grandparent of the veteran.

''(I) A grandchild of the veteran.

''(J) A stepparent of the veteran.

''(K) A stepchild of the veteran.

''(L) A stepsibling of the veteran.

''(M) A parent-in-law of the veteran.

''(N) A sister-in-law of the veteran.

''(O) A brother-in-law of the veteran.

''(P) A cousin of the spouse of the veteran.

''(Q) An aunt of the spouse of the veteran.

''(R) An uncle of the spouse of the veteran.

''(S) A grandparent of the spouse of the veteran.

''(T) A grandchild of the spouse of the veteran.

''(U) A stepparent of the spouse of the veteran.

''(V) A stepsibling of the spouse of the veteran.

''(W) Such other individuals as the Secretary shall specify in regulations for purposes of this section.

''(4) The term 'severe injury' means, in the case of a covered veteran, any injury as follows:

''(A) A physiological condition of the veteran if the condition is a permanent or temporary severely disabling disorder that compromises the ability of the veteran to carry out one or more independent activities of daily living.

''(B) A psychological condition of the veteran if the condition is rated at 30 or less on the Global Assessment of Functioning (GAF) scale, as set forth in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition Text Revision (DSM-IV-TR), or the most recent edition if different than the Fourth Edition Text Revision, of the American Psychiatric Association.

''(C) An injury for which the veteran needs supervision or protection based on symptoms or residuals of neurological or other impairment.

''(D) Any other injury of the veteran that is determined to be a severe injury in accordance with regulations prescribed by the Secretary for purposes of this section.''.

SEC. 3. FAMILY CAREGIVER ASSISTANCE.

(a) REQUIREMENT.—

(1) IN GENERAL.—Subchapter II of chapter 17 of title 38, United States Code, is amended by inserting after section 1717 the following new section:

''§ 1717A. Family caregiver assistance

''(a) IN GENERAL.—(1) As part of home health services provided under section 1717 of this title, the Secretary shall, upon the joint application of an eligible veteran and a family member of such veteran (or other individual designated by such veteran), furnish to such family member (or designee) family caregiver assistance in accordance with this section. The purpose of providing family caregiver assistance under this section is—

''(A) to reduce the number of veterans who are receiving institutional care, or who are in need of institutional care, whose personal care service needs could be substantially satisfied with the provision of such services by a family member (or designee); and

''(B) to provide eligible veterans with additional options so that they can choose the setting for the receipt of personal care services that best suits their needs.

''(2) The Secretary shall only furnish family caregiver assistance under this section to a family member of an eligible veteran (or other individual designated by such veteran) if the Secretary determines it is in the best interest of the eligible veteran to do so.

''(b) ELIGIBLE VETERANS.—(1) For purposes of this section, an eligible veteran is a veteran (or member of the Armed Forces undergoing medical discharge from the Armed Forces)—

''(A) who has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in line of duty in the active military, naval, or air service on or after the date described in paragraph (2); and

''(B) whom the Secretary determines, in consultation with the Secretary of Defense as necessary, is in need of personal care services because of—

''(i) an inability to perform one or more independent activities of daily living;

''(ii) a need for supervision or protection based on symptoms or residuals of neurological or other impairment or injury; or

''(iii) such other matters as the Secretary shall establish in consultation with the Secretary of Defense as appropriate.

''(2) The date described in this paragraph—

''(A) during the period beginning on the date of the enactment of the Family Caregiver Program Act of 2009 and ending two years after the date of the enactment of that Act, is September 11, 2001; and

''(B) beginning on the first day after the date that is two years after the date of the enactment of the Family Caregiver Program Act of 2009, is the earliest date the Secretary determines is appropriate to include the largest number of veterans possible under this section without reducing the quality of care provided to such veterans.

''(c) EVALUATION OF ELIGIBLE VETERANS AND FAMILY CAREGIVERS.—(1) The Secretary shall evaluate each eligible veteran who makes a joint application under subsection (a)(1)—

''(A) to identify the personal care services required by such veteran; and

''(B) to determine whether such requirements could be significantly or substantially satisfied with the provision of personal care services from a family member (or other individual designated by the veteran).

''(2) The Secretary shall evaluate each family member of an eligible veteran (or other individual designated by the veteran) who makes a joint application under subsection (a)(1) to determine—

''(A) the basic amount of instruction, preparation, and training such family member (or designee) requires, if any, to provide the personal care services required by such veteran; and

''(B) the amount of additional instruction, preparation, and training such family member (or designee) requires, if any, to be the primary personal care attendant designated for such veteran under subsection (e).

''(3) An evaluation carried out under paragraph (1) may be carried out—

''(A) at a Department facility;

''(B) at a non-Department facility determined appropriate by the Secretary for purposes of such evaluation; and

''(C) such other locations as the Secretary considers appropriate.

''(d) TRAINING AND CERTIFICATION.—(1) Except as provided in subsection (a)(2), the Secretary shall provide each family member of an eligible veteran (or other individual designated by the veteran) who makes a joint application under subsection (a)(1) the basic instruction, preparation, and training determined to be required by such family member (or designee) under subsection (c)(2)(A).

''(2) The Secretary may provide to a family member of an eligible veteran (or other individual designated by the veteran) the additional instruction, preparation, and training determined to be required by such family member (or designee) under subsection (c)(2)(B) if such family member (or designee)—

''(A) is certified as a personal care attendant for the veteran under paragraph (3); and

''(B) requests, with concurrence of the veteran, such additional instruction, preparation, and training.

''(3) Upon the successful completion by a family member of an eligible veteran (or other individual designated by the veteran) of basic instruction, preparation, and training provided under paragraph (1), the Secretary shall certify the family member as a personal care attendant for the veteran.

''(4) If the Secretary determines that a primary personal care attendant designated under subsection (e) requires additional training to maintain such designation, the Secretary shall make such training available to the primary personal care attendant.

''(5) The Secretary shall, subject to regulations the Secretary shall prescribe, provide for necessary travel, lodging, and per diem expenses incurred by a family member of an eligible veteran (or other individual designated by the veteran) in undergoing training under this subsection.

''(6) If the participation of a family member of an eligible veteran (or other individual designated by the veteran) in training under this subsection would interfere with the provision of personal care services to the veteran, the Secretary shall, subject to regulations as the Secretary shall prescribe and in consultation with the eligible veteran, provide respite care to the eligible veteran during the provision of such training to the family member so that such family caregiver (or designee) can participate in such training without interfering with the provision of such services.

''(e) DESIGNATION OF PRIMARY PERSONAL CARE ATTENDANT.—(1) For each eligible veteran with at least one family member (or other individual designated by the veteran) who is described by subparagraphs (A) through (E) of paragraph (2), the Secretary shall designate one family member of such veteran (or other individual designated by the veteran) as the primary personal care attendant for such veteran to be the primary provider of personal care services for such veteran.

''(2) A primary personal care attendant designated for an eligible veteran under paragraph (1) shall be selected from among family members of such veteran (or other individuals designated by such veteran) who—

''(A) are certified under subsection (d)(3) as a personal care attendant for such veteran;

''(B) complete all additional instruction, preparation, and training, if any, provided under subsection (d)(2);

''(C) elect to provide the personal care services to such veteran that the Secretary determines such veteran requires under subsection (c)(1);

''(D) has the consent of such veteran to be the primary provider of such services for such veteran; and

''(E) the Secretary considers competent to be the primary provider of such services for such veteran.

''(3) An eligible veteran receiving personal care services from a family member (or other individual designated by the veteran) designated as the primary personal care attendant for the veteran under paragraph (1) may revoke consent with respect to such family member (or designee) under paragraph (2)(D) at any time.

''(4) If an individual designated as the primary personal care attendant of an eligible veteran under paragraph (1) subsequently fails to meet the requirements set forth in paragraph (2), the Secretary—

''(A) shall immediately revoke the individual's designation under paragraph (1); and

''(B) may designate, in consultation with the eligible veteran or the eligible veteran's surrogate appointed under subsection (g), a new primary personal care attendant for the veteran under such paragraph.

''(5) The Secretary shall take such actions as may be necessary to ensure that the revocation of a designation under paragraph (1) does not interfere with the provision of personal care services required by a veteran.

''(f) ONGOING FAMILY CAREGIVER ASSISTANCE.—(1) Except as provided in subsection (a)(2) and subject to the provisions of this subsection, the Secretary shall provide ongoing family caregiver assistance to family members of eligible veterans (or other individuals designated by such veterans) as follows:

''(A) To each family member of an eligible veteran (or designee) who is certified under subsection (d)(3) as a personal care attendant for the veteran the following:

''(i) Direct technical support consisting of information and assistance to timely address routine, emergency, and specialized caregiving needs.

''(ii) Counseling.

''(iii) Access to an interactive Internet website on caregiver services that addresses all aspects of the provision of personal care services under this section.

''(B) To each family member of an eligible veteran (or designee) who is designated as the primary personal care attendant for the veteran under subsection (e) the following:

''(i) The ongoing family caregiver assistance described in subparagraph (A).

''(ii) Mental health services.

''(iii) Respite care of not less than 30 days annually, including 24-hour per day care of the veteran commensurate with the care provided by the family caregiver to permit extended respite.

''(iv) Medical care under section 1781 of this title.

''(v) A monthly personal caregiver stipend.

''(2)(A) The Secretary shall provide respite care under paragraph (1)(B)(iii), at the election of the Secretary—

''(i) through facilities of the Department that are appropriate for the veteran; or

''(ii) through contracts under section 1720B(c) of this title.

''(B) If the primary personal care attendant of an eligible veteran designated under subsection (e)(1) determines in consultation with the veteran or the veteran's surrogate appointed under subsection (g), and the Secretary concurs, that the needs of the veteran cannot be accommodated through the facilities and contracts described in subparagraph (A), the Secretary shall, in consultation with the primary personal care attendant and the veteran (or the veteran's surrogate), provide respite care through other facilities or arrangements that are medically and age appropriate.

''(3)(A) The Secretary shall provide monthly personal caregiver stipends under paragraph (1)(B)(v) in accordance with a schedule established by the Secretary that specifies stipends provided based upon the amount and degree of personal care services provided.

''(B) The Secretary shall ensure, to the extent practicable, that the schedule required by subparagraph (A) specifies that the amount of the personal caregiver stipend provided to a primary personal care attendant designated under subsection (e)(1) for the provision of personal care services to an eligible veteran is not less than the amount the Secretary would pay a commercial home health care entity in the geographic area of the veteran to provide equivalent personal care services to the veteran.

''(C) If personal care services are not available from a commercial provider in the geographic area of an eligible veteran, the Secretary may establish the schedule required by subparagraph (A) with respect to the veteran by considering the costs of commercial providers of personal care services in geographic areas other than the geographic area of the veteran with similar costs of living.

''(4) Provision of ongoing family caregiver assistance under this subsection for provision of personal care services to an eligible veteran shall terminate if the eligible veteran no longer requires the personal care services.

''(g) SURROGATES.—If an eligible veteran lacks the capacity to submit an application, provide consent, make a request, or concur with a request under this section, the Secretary may, in accordance with regulations and policies of the Department regarding the appointment of guardians or the use of powers of attorney, appoint a surrogate for the veteran who may submit applications, provide consent, make requests, or concur with requests on behalf of the veteran under this section.

''(h) OVERSIGHT.—(1) The Secretary shall enter into contracts with appropriate entities to provide oversight of the provision of personal care services by primary personal care attendants designated under subsection (e)(1) under this section.

''(2) The Secretary shall ensure that each eligible veteran receiving personal care services under this section from a primary personal care attendant designated under subsection (e)(1) is visited in the veteran's home by an entity providing oversight under paragraph (1) at such frequency as the Secretary shall determine under paragraph (3) to determine if the care received by the veteran under this section meets the needs of the veteran.

''(3)(A) Except as provided in subparagraph (B), the Secretary shall determine the manner of oversight provided under paragraph (1) and the frequency of visits under paragraph (2) for an eligible veteran as the Secretary considers commensurate with the needs of such eligible veteran.

''(B) The frequency of visits under paragraph (2) for an eligible veteran shall be not less frequent than once every six months.

''(4)(A) An entity visiting an eligible veteran under paragraph (2) shall submit to the Secretary the findings of the entity with respect to each visit, including whether the eligible veteran is receiving the care the eligible veteran requires.

''(B) If an entity finds under subparagraph (A) that an eligible veteran is not receiving the care the eligible veteran requires, the entity shall submit to the Secretary a recommendation on the corrective actions that should be taken to ensure that the eligible veterans receives the care the eligible veteran requires, including, if the entity considers appropriate, a recommendation for revocation of a caregiver's certification under subsection (d)(3) or revocation of the designation of an individual under subsection (e)(1).

''(5) After receiving findings and recommendations, if any, under paragraph (4) with respect to an eligible veteran, the Secretary may take such actions as the Secretary considers appropriate to ensure that the eligible veteran receives the care the eligible veteran requires, including the following:

''(A) Revocation of a caregiver's certification under subsection (d)(3).

''(B) Revocation of the designation of an individual under subsection (e)(1).

''(6) If the Secretary terminates the provision of ongoing family caregiver assistance under subsection (f) to a family member of an eligible veteran (or other individual designated by the veteran) because of findings of an entity submitted to the Secretary under paragraph (4) of this subsection, the Secretary may not provide compensation to such entity for the provision of personal care services to such veteran, unless the Secretary determines it would be in the best interest of the eligible veteran to provide compensation to such entity to provide such services.

''(i) OUTREACH.—The Secretary shall carry out a program of outreach to inform eligible veterans and their family members of the availability and nature of family caregiver assistance.

''(j) CONSTRUCTION.—A decision by the Secretary under this section affecting the furnishing of family caregiver assistance shall be considered a medical determination.

''(k) DEFINITIONS.—In this section:

''(1) The term 'family caregiver assistance' includes the instruction, preparation, training, and certification provided under subsection (d) and the ongoing family caregiver assistance provided under subsection (f).

''(2) The term 'family member' includes, with respect to a veteran, the following:

''(A) The spouse of the veteran.

''(B) The child of the veteran.

''(C) A parent of the veteran.

''(D) A sibling of the veteran.

''(E) A cousin of the veteran.

''(F) An aunt of the veteran.

''(G) An uncle of the veteran.

''(H) A grandparent of the veteran.

''(I) A grandchild of the veteran.

''(J) A stepparent of the veteran.

''(K) A stepchild of the veteran.

''(L) A stepsibling of the veteran.

''(M) A parent-in-law of the veteran.

''(N) A sister-in-law of the veteran.

''(O) A brother-in-law of the veteran.

''(P) A cousin of the spouse of the veteran.

''(Q) An aunt of the spouse of the veteran.

''(R) An uncle of the spouse of the veteran.

''(S) A grandparent of the spouse of the veteran.

''(T) A grandchild of the spouse of the veteran.

''(U) A stepparent of the spouse of the veteran.

''(V) A stepsibling of the spouse of the veteran.

''(W) Such other individuals as the Secretary shall specify in regulations for purposes of this section.

''(3) The term 'personal care services' includes the following:

''(A) Supervision.

''(B) Protection.

''(C) Services to assist a veteran with one or more independent activities of daily living.

''(D) Such other services as the Secretary considers appropriate.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1717 the following new item:

''1717A. Family caregiver assistance.''.

(3) AUTHORIZATION FOR PROVISION OF HEALTH CARE TO PERSONAL CARE ATTENDANTS.—Section 1781(a) of such title is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

''(2) a family member of a veteran (or other individual designated by the veteran) designated as the primary personal care attendant for such veteran under section 1717A(e) of this title,''.

(4) CONSTRUCTION.—The furnishing of family caregiver assistance under section 1717A of title 38, United States Code, as added by paragraph (1), shall be construed to supplement and not supplant the programs of the Department of Veterans Affairs in existence on the date of the enactment of this Act.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 270 days after the date of the enactment of this Act.

(b) IMPLEMENTATION PLAN AND REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) develop a plan for the implementation of section 1717A of title 38, United States Code, as added by subsection (a)(1); and

(B) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on such plan.

(2) CONSULTATION.—In developing the plan required by paragraph (1)(A), the Secretary shall consult with the following:

(A) Veterans described in section 1717A(b) of title 38, United States Code, as added by subsection (a)(1).

(B) Family members of veterans who provider personal care services to such veterans.

(C) Veterans service organizations, as recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(D) Relevant national organizations that specialize in the provision of assistance to individuals with the types of disabilities that personal care attendants will encounter while providing personal care services under section 1717A of title 38, United States Code, as so added.

(E) Such other organizations with an interest in the provision of care to veterans as the Secretary considers appropriate.

(F) The Secretary of Defense with respect to matters concerning personal care services for eligible veterans who are members of the Armed Forces undergoing medical discharge from the Armed Forces.

(3) REPORT CONTENTS.—The report required by paragraph (1)(B) shall contain the following:

(A) The plan required by paragraph (1)(A).

(B) A description of the veterans, caregivers, and organizations consulted by the Secretary under paragraph (2).

(C) A description of such consultations.

(D) The recommendations of such veterans, caregivers, and organizations, if any, that were not incorporated into the plan required by paragraph (1)(A).

(E) The reasons the Secretary did not incorporate such recommendations into such plan.

(c) ANNUAL EVALUATION REPORT.—

(1) IN GENERAL.—Not later than two years after the date described in subsection (a)(4) and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a comprehensive report on the implementation of section 1717A of title 38, United States Code, as added by subsection (a)(1).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) The number of family members of veterans (or other individuals designated by

veterans) that received family caregiver assistance under such section 1717A.

(B) A description of the outreach activities carried out by the Secretary in accordance with subsection (i) of such section 1717A.

(C) The resources expended by the Secretary under such section 1717A.

(D) An assessment of the manner in which resources are expended by the Secretary under such section 1717A, particularly with respect to the provision of monthly personal caregiver stipends under subsection (f) of such section.

(E) A description of the outcomes achieved by, and any measurable benefits of, carrying out the requirements of such section 1717A.

(F) A justification of any determination made under subsection (b)(2) of such section 1717A.

(G) An assessment of the effectiveness and the efficiency of the implementation of such section 1717A.

(H) An assessment of how the provision of family caregiver assistance fits into the continuum of home health care services and benefits provided to veterans in need of such services and benefits.

(I) Such recommendations, including recommendations for legislative or administrative action, as the Secretary considers appropriate in light of carrying out the requirements of such section 1717A.

SEC. 4. LODGING AND SUBSISTENCE FOR ATTENDANTS.

Section 111(e) of title 38, United States Code, is amended—

(1) by striking ''When any'' and inserting ''(1) When any'';

(2) in paragraph (1), as designated by paragraph (1) of this subsection—

(A) by inserting ''(including lodging and subsistence)'' after ''expenses of travel''; and

(B) by inserting before the period at the end the following: ''for the period consisting of travel to and from a treatment facility and the duration of the treatment episode''; and

(3) by adding at the end the following:

''(2) The Secretary may prescribe regulations to carry out this subsection. Such regulations may include provisions—

''(A) to limit the number of individuals that may receive expenses of travel under paragraph (1) for a single treatment episode of a person; and

''(B) to require attendants to use certain travel services.

''(3) In this subsection:

''(A) The term 'attendant' includes, with respect to a person described in paragraph (1), the following:

''(i) A family member of the person.

''(ii) An individual certified as a personal care attendant under section 1717A(d)(3) of this title.

''(iii) Any other individual whom the Secretary determines—

''(I) has a preexisting relationship with the person; and

''(II) provides a significant portion of the person's care.

''(B) The term 'family member' includes, with respect to a person described in paragraph (1), the following:

''(i) The spouse of the person.

''(ii) The child of the person.

''(iii) A parent of the person.

''(iv) A sibling of the person.

''(v) A cousin of the person.

''(vi) An aunt of the person.

''(vii) An uncle of the person.

''(viii) A grandparent of the person.

''(ix) A grandchild of the person.

''(x) A stepparent of the person.

''(xi) A stepchild of the person.

''(xii) A stepsibling of the person.

''(xiii) A parent-in-law of the person.

''(xiv) A sister-in-law of the person.

''(xv) A brother-in-law of the person.

''(xvi) A cousin of the spouse of the person.

''(xvii) An aunt of the spouse of the person.

''(xviii) An uncle of the spouse of the person.

''(xix) A grandparent of the spouse of the person.

''(xx) A grandchild of the spouse of the person.

''(xxi) A stepparent of the spouse of the person.

''(xxii) A stepsibling of the spouse of the person.

''(xxiii) Such other individuals as the Secretary shall specify in regulations for purposes of this subsection.''.

By Mr. BINGAMAN:

S. 804. A bill to amend subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 to establish incentives for States to extend the minimum length of the school year to 200 full days by 2014, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, I rise today to introduce the School Day Factor Act of 2009.

This bill would encourage States to provide students with the time they need to master knowledge and skills they will need to succeed in the 21st century, and to provide teachers with sufficient time to deliver effective instruction.

Twenty-first century learners, and their teachers, are faced with educational demands that simply did not exist decades ago. Right now, our economy is struggling. But we have a plan to get it back on track by investing aggressively in scientific R&D, and the deployment of new technologies. If we are to maintain and increase our Nation's competitiveness in the global economy for decades to come, we must allow every child the opportunity for a quality 21st century education. Today's students need to master mathematics, science, and technology, language arts and social studies, and they must also have opportunities to study foreign languages, the arts, and physical education. No one of these subject areas should be sacrificed at the expense of another. But that is the choices that teachers and students are faced with in schools across the United States. Teachers are being asked to cover more material than before, without being given more time. Students are expected to master more material than students of decades ago, without being given more time. Meanwhile, researchers have demonstrated that reducing instructional time hinders learning. As summarized by the National Research Council, in its report on How People Learn, ''. . . significant learning takes major investments of time.''

How can a quality, well rounded education be achieved when the average school year in this country includes only 180 days—less than half the number of days in a calendar year? Children today are spending only 20 percent to 30 percent of their waking hours in school, even if they have a record of perfect attendance. According to the American Academy of Child and Adolescent Psychiatry, by the time American students finish high school, they will have spent more time watching television than in the classroom.

In 1991, Congress established the National Education Commission on Time and Learning, an independent advisory group charged with studying the relationship between instructional time and student learning in American schools. Members of the commission visited schools in the U.S. and abroad, and interviewed teachers, administrators, parents, and students. The Commission concluded that students and teachers in American schools are ''prisoners of time,'' captives of an agrarian-based school calendar that robs them of the opportunity for a quality education. To quote from their report, ''we have been asking the impossible of our students—that they learn as much as their foreign peers while spending only half as much time in core academic subjects.'' I add that this means we have also been asking the impossible of our teachers—to deliver effective instruction, without sufficient time. Clearly, our school calendars have not moved forward along with our societal and technological advances.

The Commission's 1994 report was not the first to recommend lengthening the school year. In 1983, the Nation at Risk report recommended increasing the school day to 7 hours per day, and the school year to 200 to 220 days per year, as a means to strengthen our nation's grip on global competitiveness. Well, it has been 25 years since that report, and I believe the time has come to give students and teachers the time they need for a quality education.

The School Day Factor Act will support efforts to expand the school year, by coordinating school funding with the length of the school year, and by encouraging schools to add five days to their calendar each year, for the next 4 years. This bill introduces a variable, the ''School Day Factor,'' that will reflect the number of mandatory full days included in a state's school year, and it may be adjusted to reflect any increases in instructional hours per day. This variable will be added to existing Title I allocation formulas that determine education grants to States.

The existing funding allocation formulas would be essentially unchanged for States whose school calendars meet a base level number of days per school year. By raising the base level school year length by 5 school days per year, over a 4 year period, the average school year calendar would reach the target of 200 school days per year by 2014. Inclusion of the School Day Factor will result in higher grants to states with school years that exceed the base level number of school days per year, and smaller grants to states with school years that fall below the base level.

I believe that schools are not only ready for this change, but that they are setting the pace for this movement. Some States and school districts have

already taken the initiative to expand their school year by 20 days per year. In my own State of New Mexico, a State initiated pilot program to extend kindergarten by 20 to 25 days per year led to such positive outcomes that the program was recently extended to third grade. Requests to participate have increased, as more school districts understand the benefits afforded by expanding students' and teachers' educational time. The School Day Factor Act is an investment that will support the efforts to dramatically increase this participation rate such that the 200 day school year is the norm, not an expanded calendar.

Clearly, more time alone is not sufficient to insure quality learning. By including the School Day Factor Act in the reauthorization of ESEA, it will be paired with actions designed to enhance and support quality instruction delivered by highly qualified teachers. I hope that this legislation will be included in the reauthorization of the Elementary and Secondary Education Act of 1965, as amended, and I urge my colleagues to support it.

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. 804

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 ''School Day Factor Act of 2009''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the National Center for Education Statistics the length of the average school year steadily increased from 144 to 178 days between 1869 and 1949. In 2008, the average number of school days per year remains at 178.5.

(2) In 1983, a recommendation in the Nation at Risk report was to increase students' instructional time by lengthening the school day or the school year, as a means to strengthen our Nation's grip on global competitiveness. Since then, no systematic school day or school year increase has occurred.

(3) In 2008, 42 States mandate a school year of 180 or fewer days per year, or the equivalent thereof. Across States, the number of school days per year ranges from 173 to 182.

(4) Researchers have demonstrated that—

(A) when class material is covered in a streamlined, shortened unit, students' conceptual mastery of the content suffers; and

(B) significant learning requires investment of time.

(5) Research has demonstrated that all students are at risk for losing educational gains during extended summer breaks in the typical school calendar, particularly children from low income households. The continued lack of out-of-school learning opportunities contributes to a growing achievement gap. Even more so than achievement gaps present at kindergarten, differences in out-of-school learning opportunities experienced by economically advantaged versus disadvantaged youth contribute to the cumulative achievement difference registered by 9th grade, which affects high school placements, high school exit, and postsecondary school attendance.

(6) Since 1991, over 300 expanded learning initiatives have occurred, across 30 States, aimed primarily at schools with high-poverty and high-minority student populations. Outcomes of these initiatives include enhanced student achievement, lower student and teacher absenteeism, and satisfaction of parents, teachers, and students.

(7) Research demonstrates that the increased school time is beneficial not only for students, but also for teachers. Teachers gain planning time, more opportunities for cooperative planning, professional development opportunities, and additional time to individualize instruction. Teacher employment increases from part-year to up to full year, depending on the calendar conversion adopted.

(8) Regarding the costs of expanded learning initiatives, the cost per hour of instruction decreases with the addition of more learning time.

SEC. 3. PURPOSES.

The purposes of this Act are to ensure that all children have sufficient time to achieve in school, that all children have access to a high quality and well-rounded education, and that teachers have sufficient time to deliver quality instruction. Such purposes can be achieved by—

(1) encouraging States to expand the minimum number of days in their school year, to 200 full days, by 2014, without reducing the length of the school day;

(2) modifying the allocations under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) regarding basic, concentration, targeted, and education finance incentive grants, so that each of the formulas used to determine allocations includes a factor that reflects all of the following:

(A) the minimum number of school days in the State-mandated school year length;

(B) the most recent increase in the number of school days in the State-mandated academic year; and

(C) whether the number of school days in an academic year meets, exceeds, or falls short of the base level school year length described in the amendment made by this Act; and

(3) encouraging States to increase the length of the school day.

SEC. 4. SCHOOL DAY FACTOR.

(a) AMENDMENT.—Subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) is amended by adding at the end the following:

"SEC. 1128. SCHOOL DAY FACTOR.

''(a) DEFINITIONS.—In this section:

''(1) ACADEMIC YEAR.—The term 'academic year' means the period of time beginning with the first day of a school year and ending on the last day of a school year, which typically begins in the late summer and ends in the early summer.

''(2) BASE LEVEL SCHOOL YEAR LENGTH.—The term 'base level school year length' means—

''(A) 180 school days for the 2009–2010 academic year;

''(B) 185 school days for the 2010–2011 academic year;

''(C) 190 school days for the 2011–2012 academic year;

''(D) 195 school days for the 2012–2013 academic year; and

''(E) 200 school days for the 2013–2014 academic year and for each succeeding academic year.

''(3) INSTRUCTIONAL HOURS.—The term 'instructional hours' means the number of hours within the school day that are directly devoted to student learning in core academic subjects.

''(4) SCHOOL DAY.—

''(A) IN GENERAL.—The term 'school day' means a day for which attendance is mandatory for all students attending an elementary school or secondary school in a State, and in which a minimum of 5½ instructional hours are delivered to students.

''(B) PARTIAL DAYS.—Two days for which attendance is mandatory for all students attending an elementary school or secondary school in a State and in which less than 5½ instructional hours per day are delivered to students may be deemed to be 1 school day for purposes of this section, if the total instructional time for the 2 partial days meets or exceeds 5½ instructional hours.

''(5) STATE-MANDATED SCHOOL YEAR LENGTH.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the term 'State-mandated school year length' means the minimum number of school days an elementary school or secondary school student is required by the State to attend school in an academic year. In calculating the State-mandated school year length, days that the State permits to be waived due to teacher professional development, weather, or other reasons shall not be counted.

''(B) STATES THAT MANDATE MINIMUM NUMBER OF INSTRUCTIONAL HOURS.—In the case of a State that does not mandate a minimum number of school days for an academic year and does mandate a minimum number of instructional hours per academic year, the State-mandated school year length for such State shall be the quotient of—

''(i) the minimum number of mandated instructional hours per academic year, excluding hours that may be waived due to teacher professional development, weather, or other reasons; divided by

''(ii) the greater of—

''(I) the average number of instructional hours per school day in the State's public elementary schools and secondary schools; or

''(II) 6½ hours.

''(C) STATES THAT DO NOT MANDATE MINIMUM NUMBER OF DAYS OR HOURS.—In the case of a State that does not mandate a minimum number of school days or a minimum number of instructional hours per academic year, the State-mandated school year length for such State shall be the average number of school days that elementary school or secondary school students in the State attended school during—

''(i) the preceding school year; or

''(ii) in the case where the preceding school year was significantly shorter due to a natural disaster during such school year, the school year that is preceding the preceding school year.

''(b) SCHOOL DAY FACTOR.—

''(1) ADJUSTMENTS AUTHORIZED.—

''(A) IN GENERAL.—Notwithstanding any other provision of this part, the amount of a grant that a State or local educational agency is eligible to receive under section 1124(a), 1124A(a), 1125(b), or 1125A(b) shall be adjusted by multiplying such amount by the school day factor described in paragraph (2) that is applicable to such State or local educational agency, respectively, for such academic year.

''(B) TIMING OF ADJUSTMENT.—The Secretary shall make the adjustment described in subparagraph (A) to the amount of a grant that a State or local educational agency is eligible to receive under section 1124, 1124A, 1125, or 1125A before applying any hold-harmless requirement, minimum grant amount requirement, or ratable reduction requirement under this part.

''(2) SCHOOL DAY FACTOR.—

''(A) IN GENERAL.—The school day factor referred to in paragraph (1) that is applicable to each State and local educational agency

in the State for an academic year is a percentage calculated as the sum of the following:

''(i) ⅔ of such percentage shall be equal to—

''(I) the result of—

''(aa) the State-mandated school year length for the academic year preceding the academic year for which the calculation is made; divided by

''(bb) the base level school year length for the academic year preceding the academic year for which the calculation is made; multiplied by

''(II) 100.

''(ii) ⅓ of such percentage shall be equal to—

''(I) the result of—

''(aa) the State mandated minimum instructional hours per school day for the academic year preceding the academic year for which the calculation is made; divided by

''(bb) 5.5; multiplied by

''(II) 100.

''(B) SPECIAL CALCULATION RULE.—In making the calculation described in subparagraph (A) for a State, the value of subparagraph (A)(ii) shall be zero if the State mandated minimum instructional hours per school day for the academic year preceding the academic year for which the calculation is made is less than the number of such State mandated minimum instructional hours for the academic year that precedes by two years the academic year for which the calculation is made.''.

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 1127 the following:

''Sec. 1128. School day factor.''.

By Mr. VOINOVICH (for himself and Mr. AKAKA):

S. 806. A bill to provide for the establishment, administration, and funding of Federal Executive Boards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. VOINOVICH. Mr. President, I rise today with Senator AKAKA to introduce the Federal Executive Board Authorization Act of 2009 in order to provide for the establishment, administration and funding of Federal Executive Boards, FEBs.

As you may know, President Kennedy issued a ''Memorandum on the Need for Greater Coordination of Regional and Field Activities of the Government'' in 1961 that noted that more than 90 percent of Federal employees work outside of Washington, DC. President Kennedy wanted to strengthen the coordination of their activities, so he directed ''the establishment of a Board of Federal Executives'' to ''consider management matters and interdepartmental cooperation and establish liaison with State and local government officials in their regions.'' That Memorandum led to the creation of ten FEBs to ''increase the effectiveness and economy of Federal agencies.''

These FEBs proved their worth, because the number of FEBs across the Nation has increased to 28 FEBs total in Atlanta, Baltimore, Boston, Buffalo, Chicago, Cincinnati, Cleveland, Dallas-Fort Worth, Denver, Detroit, Honolulu, Houston, Kansas City, Los Angeles, Minnesota, Newark, New Mexico, New Orleans, New York City, Oklahoma, Oregon, Philadelphia, Pittsburgh, St. Louis, San Antonio, San Francisco, Seattle, and South Florida. Those FEBs serve an important role in coordinating Federal activities. For example, earlier this year a proactive FEB executive director sent an e-mail to her FEB colleagues in an effort to coordinate stimulus spending.

However, a 2007 Government Accountability Office, GAO, report, ''Additional Steps Needed to Take Advantage of Federal Executive Boards' Ability to Contribute to Emergency Operations,'' noted that FEBs have no congressional charter and rely on voluntary contributions from their member agencies for funding. Because such voluntary contributions result in financial uncertainty on the part of FEBs, GAO recommended that the Office of Personnel Management, OPM, develop a proposal to address the uncertainty of funding sources for FEBs. Based on that recommendation, the Federal Executive Board Authorization Act of 2009 provides for the establishment, administration and funding of FEBs.

The legislation is based in large part on Title 5 of the Code of Federal Regulations, where OPM has set forth regulations relating to the authority, location, and membership of FEBs. Similar to those provisions, this bill calls on the Director of OPM to determine where to establish FEBs and requires the Director to consult with agencies in making that determination. The bill also provides that FEBs shall consist of senior officials from appropriate agencies in those areas. Also similar to provisions in the Code of Federal Regulations, the bill authorizes the Director of OPM to establish staffing policies for FEBs, designate an agency to staff each FEB, establish communications policies, performance standards and accountability initiatives for FEBs, and administer FEB funding.

The Federal Executive Board Authorization Act of 2009 also requires each FEB to adopt bylaws or other rules for its internal governance, elect a chairman from among its members, provide a forum for the exchange of information, and develop coordinated approaches to the development and operation of programs that have common characteristics. Under the bill, FEBs would be required to communicate management initiatives and other concerns from Washington, DC to the field and develop relationships with State and local governments and private sector organizations to help coordinate emergency management and homeland security matters.

To address GAO's concern about the uncertainty of FEB funding, the legislation establishes a fund for FEB operations which would be administered by OPM. The fund would consist of contributions from OPM for administrative and oversight activities as well as contributions from each agency participating in FEBs for staffing and operations. Each agency's contribution would be determined by a formula established by the Director of OPM in consultation with agencies and the Office of Management and Budget, and that formula must take into account each agency's number of employees in areas served by FEBs.

President Kennedy showed great foresight when he called for the coordination of Federal agencies' activities in 1961, and FEBs have done a good job since then in coordinating their work. These FEBs need a congressional charter and a set source of funding, so I hope the Senate will act quickly to pass this legislation, which OPM and GAO were consulted in drafting.

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. 806

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 ''Federal Executive Board Authorization Act of 2009''.

SEC. 2. FEDERAL EXECUTIVE BOARDS.

(a) IN GENERAL.—Chapter 11 of title 5, United States Code, is amended by adding at the end the following:

''§ 1106. Federal Executive Boards

''(a) PURPOSES.—The purposes of this section are to—

''(1) strengthen the coordination of Government activities;

''(2) facilitate interagency collaboration to improve the efficiency and effectiveness of Federal programs;

''(3) facilitate communication and collaboration on Federal emergency preparedness and continuity of operations to address homeland security issues, including natural disasters, acts of terrorism, and other man-made disasters, outside the Washington, D.C. metropolitan area; and

''(4) provide stable funding for Federal Executive Boards.

''(b) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency'—

''(A) means an Executive agency as defined under section 105; and

''(B) shall not include the Government Accountability Office.

''(2) DIRECTOR.—The term 'Director' means the Director of the Office of Personnel Management.

''(3) FEDERAL EXECUTIVE BOARD.—The term 'Federal Executive Board' means an interagency entity established by the Director, in consultation with the headquarters of appropriate agencies, in a geographic area with a high concentration of Federal employees outside the Washington, D.C. metropolitan area to strengthen the management and administration of agency activities and coordination among local Federal officers to implement national initiatives in that geographic area.

''(c) ESTABLISHMENT.—

''(1) IN GENERAL.—The Director shall establish Federal Executive Boards in geographic areas outside the Washington, D.C. metropolitan area. Before establishing Federal Executive Boards that are not in existence on the date of enactment of this section, the Director shall consult with the headquarters of appropriate agencies to determine the number and location of the Federal Executive Boards.

''(2) MEMBERSHIP.—Each Federal Executive Board for a geographic area shall consist of an appropriate senior officer for each agency in that geographic area. The appropriate senior officer may designate, by title of office, an alternate representative who shall attend meetings and otherwise represent the agency on the Federal Executive Board in the absence of the appropriate senior officer. An alternate representative shall be a senior officer in the agency.

''(3) LOCATION OF FEDERAL EXECUTIVE BOARDS.—In determining the location for the establishment of Federal Executive Boards, the Director shall consider—

''(A) whether a Federal Executive Board exists in a geographic area on the date of enactment of this section;

''(B) whether a geographic area has a strong, viable, and active Federal Executive Association;

''(C) whether the Federal Executive Association of a geographic area petitions the Director to become a Federal Executive Board; and

''(D) such other factors as the Director and the headquarters of appropriate agencies consider relevant.

''(d) ADMINISTRATION AND OVERSIGHT.—

''(1) IN GENERAL.—The Director shall provide for the administration and oversight of Federal Executive Boards, including—

''(A) establishing staffing policies in consultation with the headquarters of agencies participating in Federal Executive Boards;

''(B) designating an agency to staff each Federal Executive Board based on recommendations from that Federal Executive Board;

''(C) establishing communications policies for the dissemination of information to agencies;

''(D) in consultation with the headquarters of appropriate agencies, establishing performance standards for the Federal Executive Board staff;

''(E) developing accountability initiatives to ensure Federal Executive Boards are meeting performance standards; and

''(F) administering Federal Executive Board funding through the fund established in subsection (f).

''(2) STAFFING.—In making designations under paragraph (1)(B), the Director shall give preference to agencies staffing Federal Executive Boards.

''(e) GOVERNANCE AND ACTIVITIES.—Each Federal Executive Board shall—

''(1) subject to the approval of the Director, adopt by-laws or other rules for the internal governance of the Federal Executive Board;

''(2) elect a Chairperson from among the members of the Federal Executive Board, who shall serve for a set term;

''(3) serve as an instrument of outreach for the national headquarters of agencies relating to agency activities in the geographic area;

''(4) provide a forum for the exchange of information relating to programs and management methods and problems—

''(A) between Federal officers and employees in the Washington, D.C. area and Federal officers and employees in the geographic area; and

''(B) among field elements in the geographic area;

''(5) develop local coordinated approaches to the development and operation of programs that have common characteristics;

''(6) communicate management initiatives and other concerns from Federal officers and employees in the Washington, D.C. area to Federal officers and employees in the geographic area to achieve better mutual understanding and support;

''(7) develop relationships with State and local governments and nongovernmental organizations to help in coordinating emergency management and homeland security issues; and

''(8) take other actions as agreed to by the Federal Executive Board and the Director.

''(f) FUNDING.—

''(1) ESTABLISHMENT OF FUND.—The Director shall establish a fund within the Office of Personnel Management for financing essential Federal Executive Board functions, including basic staffing and operating expenses.

''(2) DEPOSITS.—There shall be deposited in the fund established under paragraph (1)—

''(A) contributions from the Office of Personnel Management to fund administrative and oversight activities conducted under subsection (d);

''(B) contributions from the headquarters of each agency participating in Federal Executive Boards, in an amount determined by a formula established by the Director, in consultation with the headquarters of such agencies and the Office of Management and Budget.

''(3) CONTRIBUTIONS.—

''(A) FORMULA.—The formula for contributions established by the Director shall consider the number of employees in each agency in each geographic area served by a Federal Executive Board. The contribution of the headquarters of each agency to the fund shall be recalculated at least every 2 years.

''(B) IN-KIND CONTRIBUTIONS.—At the sole discretion of the Director, the headquarters of an agency may provide in-kind contributions instead of providing monetary contributions to the fund.

''(4) USE OF EXCESS AMOUNTS.—Any unobligated and unexpended balances in the fund which the Director determines to be in excess of amounts needed for essential Federal Executive Board functions shall be allocated by the Director, in consultation with the headquarters of agencies participating in Federal Executive Boards, among the Federal Executive Boards for the activities under subsection (e) and other priorities, such as conducting emergency preparedness training.

''(g) REPORTS.—The Director shall submit annual reports to Congress and agencies on Federal Executive Board program outcomes and budget matters.

''(h) REGULATIONS.—The Director shall prescribe regulations necessary to carry out this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 11 of title 5, United States Code, is amended by inserting after the item relating to section 1105 the following:

''1106. Federal Executive Boards.''.

Mr. AKAKA. Mr. President, I am pleased to join my good friend Senator VOINOVICH as we introduce the Federal Executive Board Authorization Act of 2009 to formalize Federal Executive Boards, FEBs, in the Executive Branch of the Federal Government.

President Kennedy issued a Directive in 1961 creating FEBs to allow the heads of Federal agencies outside of Washington, DC to come together to address local issues in their Federal communities. There are now 28 Boards in 20 States, including Hawaii. Because they have never been authorized in legislation, FEBs have no institutionalized structure; each has its own operating structure. Some have an executive director, while some have no permanent staff at all. They also do not receive specific appropriations. As a result, FEBs must cobble together voluntary funding from participating agencies.

The Office of Personnel Management oversees the mission and activities of FEBs. Part of FEBs' mission is to offer agencies outside of Washington, DC an opportunity to share information, collaborate to address shared concerns, discuss management and administrative challenges, and come together as a Federal community. Each Board sets its own specific priorities and activities based on local concerns and the leadership in a given area.

Additionally, FEBs' mission is to play a critical support role in coordinating emergency preparedness and response efforts for a given area. The Honolulu-Pacific Federal Executive Board regularly hosts and participates in preparedness exercises in Hawaii and the Pacific Rim. When the Interstate 35 West Bridge collapsed over the Mississippi River in Minneapolis, Minnesota on August 1, 2007, the Executive Director of the Minnesota FEB helped disseminate critical information to over 100 Federal agencies and coordinate with the State and local emergency response network. FEBs have shared information with each other to assist in preparing for large events as well. For example, the Boston FEB used their experience with the Democratic National Convention in 2004 to help the Denver and Minnesota FEBs prepare for the National Party Conventions in 2008.

At a hearing of the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia on September 28, 2007, which I chaired, it was clear that FEBs lack of formal structure hinders their critical support role in emergency preparedness and response. At that hearing, the Government Accountability Office, GAO, testified that FEBs have no clear role in national emergency planning, no framework to operate, no accountability in performing their duties, and no funding to carry out their missions. Additionally, FEB Executive Directors from around the country testified about the frustrations of operating without stable funding or a clear structure.

Since the hearing, FEBs have been included in FEMA's National Response Framework, and OPM and FEMA have signed a memorandum of understanding, MOU, giving FEBs a formal role in emergency preparedness and response. The Federal Executive Board Authorization Act of 2009 would implement other recommendations made by GAO and the representatives from FEBs at the 2007 hearing. More specifically, the bill would formalize the role of Federal Executive Boards, which would include interagency collaboration and Federal agency emergency preparedness and response outside of Washington, DC; establish a process for establishing new FEBs; require OPM to establish performance standards for

FEBs; specify a funding formula, which OPM will administer, for FEBs based on the number of employees in a Federal agency in a given area; and authorize staffing levels for each FEB to have at least an Executive Director and one support staff member.

Eighty-five percent of the Federal workforce is employed outside of the Washington, DC area. We spend billions of dollars preparing the National Capital Region for emergencies, but we must focus more on Federal Government agency emergency preparedness and response outside of the Washington area. This legislation will address that pressing need. I urge my colleagues to support this important bill.

By Mr. REED (for himself, Mr. BOND, Mr. AKAKA, Mrs. BOXER, Ms. COLLINS, Mr. DURBIN, Mr. KERRY, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. SCHUMER, and Mr. WHITEHOUSE):

S. 808. A bill to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, I rise to introduce, along with Senators BOND, AKAKA, BOXER, COLLINS, DURBIN, KERRY, KLOBUCHAR, LANDRIEU, LAUTENBERG, LIEBERMAN, SCHUMER, and WHITEHOUSE, the Homeless Emergency Assistance and Rapid Transition to Housing Act, HEARTH Act. Representative GWEN MOORE is introducing a bipartisan companion bill today as well. This legislation would reauthorize and amend the housing titles of the McKinney-Vento Homeless Assistance Act of 1987. Specifically, our bill would consolidate and improve the homeless assistance programs at the Department of Housing and Urban Development to better accomplish the goals of preventing and ending homelessness.

According to the Homelessness Research Institute at the National Alliance to End Homelessness, 2.5 to 3.5 million Americans experience homelessness each year. On any one night, approximately 672,000 men, women, and children are without homes. While strides have been made to reduce homelessness over the last couple of years, the current economic decline has halted such progress. We have already seen tent cities forming, shelters turning away people, and cities reporting increased numbers of homeless people. As unemployment continues to rise, more and more people cannot afford to pay their mortgages or rent, and nonprofits and local governments are unable to keep up.

As a result of the recession, 1.5 million additional Americans are likely to experience homelessness over the next two years according to estimates by the National Alliance to End Homelessness. This means more trauma for children and adults, more dislocation from schools and communities, and more of a drain on local community services.

Sadly, many of those who are homeless have served our country in uniform. Their numbers range between 150,000 and 200,000 on any given night. Three times that many veterans are housed, but are struggling with excessive rent burdens and an increased risk of homelessness. Different sources estimate that between 23 and 40 percent of homeless adults are veterans.

Statistics regarding the number of children who experience homelessness are especially troubling. Each year, it is estimated that at least 1.35 million children experience homelessness. According to HUD's 3rd Annual Homeless Assessment Report to Congress, on any given night, 248,500 persons in families are homeless. Each year, over 800,000 homeless children and youth are identified and enrolled in public schools. However, this count does not include preschool children, and at least half of all homeless children are under the age of five. Whatever their age, we know that children who are homeless are in poorer health, have developmental delays, and suffer academically.

In addition, many of those who are homeless have a disability. According to the Homelessness Research Institute, about 23 percent of homeless people were found to be ''chronically homeless,'' which according to the current HUD definition means that they are homeless for long periods of time or homeless repeatedly, and they have a disability. For many of these individuals and families, housing alone, without some supportive services, may not be enough.

Finally, as rents have soared and affordable housing units have disappeared from the market during the past several years, even more working Americans have been left unable to afford housing. According to the National Low Income Housing Coalition's most recent ''Out of Reach'' report, nowhere in the country can a minimum wage earner afford to rent a one-bedroom home. Low income renters who live paycheck to paycheck are in precarious circumstances and sometimes must make tough choices between paying rent and buying food, prescription drugs, or other necessities. If one unforeseen event occurs in their lives, they can end up homeless.

There is also a great societal cost to homelessness, including expenses for emergency rooms, jails, shelters, foster care, detoxification, and emergency mental health treatment. Indeed, studies have shown it costs just as much, if not more in overall expenditures, to allow men, women, and children to remain homeless as it does to provide them with assistance and get them back on the road to self-sufficiency.

It has been 22 years since the enactment of the Steward B. McKinney Homeless Assistance Act, and we have learned a lot about the problem of homelessness since then. At the time of its adoption in 1987, this law was viewed as an emergency response to a national crisis, and was to be followed by measures to prevent homelessness and to create more systemic solutions to the problem. It is now time to take what we have learned during the past 22 years, and put those best practices and proposals into action.

First and foremost, the HEARTH Act focuses federal funding on prevention. It allows up to 20 percent of funds to be used to serve people who are at risk of homelessness under a new ''Emergency Solutions Grants'' program. At the same time, it expands the definition of homelessness, which determines eligibility for much of the homeless assistance funding, to include people who will lose their housing in 14 days; any family or individual fleeing or attempting to flee domestic violence, or other dangerous or life threatening situations; and families with children and unaccompanied youth who have experienced a long term period without living independently, have experienced persistent housing instability, and can be expected to continue in such status for an extended period due to a number of enumerated factors, such as a disability. It also allows grantees to use up to an additional 10 percent of competitive funds to serve families defined as homeless under the Education Department homeless definition, but not so defined under the HUD definition. For areas with low levels of homelessness, up to 100 percent of funds may be used for such purposes.

The HEARTH Act also provides communities with greater flexibility in using funds to prevent and end homelessness. Rural communities can participate in a new Rural Housing Stability Assistance Program that would grant rural communities greater discretion in addressing the needs of homeless people or those in the worst housing situations in their communities.

The HEARTH Act would also increase the focus on practices and programs that have demonstrated results. For example, the bill would require that HUD provide incentives for rapid rehousing programs for homeless families. Rapid rehousing programs have been successfully used in numerous communities to significantly reduce family homelessness. By dramatically reducing the length of time families are homeless, rapid rehousing programs ensure a quicker return to stability and self sufficiency.

The HEARTH Act would continue HUD's existing initiative to house people who experience chronic homelessness, but would add families with children to the initiative. It also would designate 30 percent of total funds for new permanent housing for families and individuals with a disability.

Finally, the HEARTH Act would increase the emphasis on performance by measuring applicants' progress at reducing homelessness. It would also allow communities with low levels of homelessness or that are reducing homelessness to focus more on prevention and serving people who are at risk of homelessness.

There is a growing consensus on ways to help communities break the cycle of repeated and prolonged homelessness. If we combine federal dollars with the right incentives to local communities, we can prevent and end long-term homelessness.

The bipartisan HEARTH Act will set us on the path to meeting this important national goal. I hope my colleagues will join us in supporting this bill and other homelessness prevention efforts.

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. 808

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009''.

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

Sec. 1. Short title and table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definition of homelessness.
Sec. 4. United States Interagency Council on Homelessness.

TITLE I—HOUSING ASSISTANCE GENERAL PROVISIONS

Sec. 101. Definitions.
Sec. 102. Community homeless assistance planning boards.
Sec. 103. General provisions.
Sec. 104. Protection of personally identifying information by victim service providers.
Sec. 105. Authorization of appropriations.

TITLE II—EMERGENCY SOLUTIONS GRANTS PROGRAM

Sec. 201. Grant assistance.
Sec. 202. Eligible activities.
Sec. 203. Participation in Homeless Management Information System.
Sec. 204. Administrative provision.
Sec. 205. GAO study of administrative fees.

TITLE III—CONTINUUM OF CARE PROGRAM

Sec. 301. Continuum of care.
Sec. 302. Eligible activities.
Sec. 303. High performing communities.
Sec. 304. Program requirements.
Sec. 305. Selection criteria, allocation amounts, and funding.
Sec. 306. Research.

TITLE IV—RURAL HOUSING STABILITY ASSISTANCE PROGRAM

Sec. 401. Rural housing stability assistance.
Sec. 402. GAO study of homelessness and homeless assistance in rural areas.

TITLE V—REPEALS AND CONFORMING AMENDMENTS

Sec. 501. Repeals.
Sec. 502. Conforming amendments.
Sec. 503. Effective date.
Sec. 504. Regulations.
Sec. 505. Amendment to table of contents.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) a lack of affordable housing and limited scale of housing assistance programs are the primary causes of homelessness; and

(2) homelessness affects all types of communities in the United States, including rural, urban, and suburban areas.

(b) PURPOSES.—The purposes of this Act are—

(1) to consolidate the separate homeless assistance programs carried out under title IV of the McKinney-Vento Homeless Assistance Act (consisting of the supportive housing program and related innovative programs, the safe havens program, the section 8 assistance program for single-room occupancy dwellings, and the shelter plus care program) into a single program with specific eligible activities;

(2) to codify in Federal law the continuum of care planning process as a required and integral local function necessary to generate the local strategies for ending homelessness; and

(3) to establish a Federal goal of ensuring that individuals and families who become homeless return to permanent housing within 30 days.

SEC. 3. DEFINITION OF HOMELESSNESS.

(a) IN GENERAL.—Section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d); and

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—For purposes of this Act, the terms 'homeless', 'homeless individual', and 'homeless person' means—

''(1) an individual or family who lacks a fixed, regular, and adequate nighttime residence;

''(2) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

''(3) an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);

''(4) an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;

''(5) an individual or family who—

''(A) will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by—

''(i) a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days;

''(ii) the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or

''(iii) credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause;

''(B) has no subsequent residence identified; and

''(C) lacks the resources or support networks needed to obtain other permanent housing; and

''(6) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who—

''(A) have experienced a long term period without living independently in permanent housing,

''(B) have experienced persistent instability as measured by frequent moves over such period, and

''(C) can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

''(b) DOMESTIC VIOLENCE AND OTHER DANGEROUS OR LIFE-THREATENING CONDITIONS.—Notwithstanding any other provision of this section, the Secretary shall consider to be homeless any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing.''.

(b) REGULATIONS.—Not later than the expiration of the 6-month period beginning upon the date of the enactment of this Act, the Secretary of Housing and Urban Development shall issue regulations that provide sufficient guidance to recipients of funds under title IV of the McKinney-Vento Homeless Assistance Act to allow uniform and consistent implementation of the requirements of section 103 of such Act, as amended by subsection (a) of this section. This subsection shall take effect on the date of the enactment of this Act.

(c) CLARIFICATION OF EFFECT ON OTHER LAWS.—This section and the amendments made by this section to section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) may not be construed to affect, alter, limit, annul, or supersede any other provision of Federal law providing a definition of ''homeless'', ''homeless individual'', or ''homeless person'' for purposes other than such Act, except to the extent that such provision refers to such section 103 or the definition provided in such section 103.

SEC. 4. UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS.

(a) IN GENERAL.—Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) is amended—

(1) in section 201 (42 U.S.C. 11311), by inserting before the period at the end the following ''whose mission shall be to coordinate the Federal response to homelessness and to create a national partnership at every level of government and with the private sector to reduce and end homelessness in the nation while maximizing the effectiveness of the Federal Government in contributing to the end of homelessness'';

(2) in section 202 (42 U.S.C. 11312)—

(A) in subsection (a)—

(i) by redesignating paragraph (16) as paragraph (22); and

(ii) by inserting after paragraph (15) the following:

''(16) The Commissioner of Social Security, or the designee of the Commissioner.

''(17) The Attorney General of the United States, or the designee of the Attorney General.

''(18) The Director of the Office of Management and Budget, or the designee of the Director.

''(19) The Director of the Office of Faith-Based and Community Initiatives, or the designee of the Director.

''(20) The Director of USA FreedomCorps, or the designee of the Director.'';

(B) in subsection (c), by striking ''annually'' and inserting ''four times each year,

and the rotation of the positions of Chairperson and Vice Chairperson required under subsection (b) shall occur at the first meeting of each year''; and

(C) by adding at the end the following:

''(e) ADMINISTRATION.—The Executive Director of the Council shall report to the Chairman of the Council.'';

(3) in section 203(a) (42 U.S.C. 11313(a))—

(A) by redesignating paragraphs (1), (2), (3), (4), (5), (6), and (7) as paragraphs (2), (3), (4), (5), (9), (10), and (11), respectively;

(B) by inserting before paragraph (2), as so redesignated by subparagraph (A), the following:

''(1) not later than 12 months after the date of the enactment of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, develop, make available for public comment, and submit to the President and to Congress a National Strategic Plan to End Homelessness, and shall update such plan annually;'';

(C) in paragraph (5), as redesignated by subparagraph (A), by striking ''at least 2, but in no case more than 5'' and inserting ''not less than 5, but in no case more than 10'';

(D) by inserting after paragraph (5), as so redesignated by subparagraph (A), the following:

''(6) encourage the creation of State Interagency Councils on Homelessness and the formulation of jurisdictional 10-year plans to end homelessness at State, city, and county levels;

''(7) annually obtain from Federal agencies their identification of consumer-oriented entitlement and other resources for which persons experiencing homelessness may be eligible and the agencies' identification of improvements to ensure access; develop mechanisms to ensure access by persons experiencing homelessness to all Federal, State, and local programs for which the persons are eligible, and to verify collaboration among entities within a community that receive Federal funding under programs targeted for persons experiencing homelessness, and other programs for which persons experiencing homelessness are eligible, including mainstream programs identified by the Government Accountability Office in the reports entitled 'Homelessness: Coordination and Evaluation of Programs Are Essential', issued February 26, 1999, and 'Homelessness: Barriers to Using Mainstream Programs', issued July 6, 2000;

''(8) conduct research and evaluation related to its functions as defined in this section;

''(9) develop joint Federal agency and other initiatives to fulfill the goals of the agency;'';

(E) in paragraph (10), as so redesignated by subparagraph (A), by striking ''and'' at the end;

(F) in paragraph (11), as so redesignated by subparagraph (A), by striking the period at the end and inserting a semicolon;

(G) by adding at the end the following new paragraphs:

''(12) develop constructive alternatives to criminalizing homelessness and eliminate laws and policies that prohibit sleeping, feeding, sitting, resting, or lying in public spaces when there are no suitable alternatives, result in the destruction of a homeless person's property without due process, or are selectively enforced against homeless persons; and

''(13) not later than the expiration of the 6-month period beginning upon completion of the study requested in a letter to the Acting Comptroller General from the Chair and Ranking Member of the House Financial Services Committee and several other members regarding various definitions of homelessness in Federal statutes, convene a meeting of representatives of all Federal agencies and committees of the House of Representatives and the Senate having jurisdiction over any Federal program to assist homeless individuals or families, local and State governments, academic researchers who specialize in homelessness, nonprofit housing and service providers that receive funding under any Federal program to assist homeless individuals or families, organizations advocating on behalf of such nonprofit providers and homeless persons receiving housing or services under any such Federal program, and homeless persons receiving housing or services under any such Federal program, at which meeting such representatives shall discuss all issues relevant to whether the definitions of 'homeless' under paragraphs (1) through (4) of section 103(a) of the McKinney-Vento Homeless Assistance Act, as amended by section 3 of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, should be modified by the Congress, including whether there is a compelling need for a uniform definition of homelessness under Federal law, the extent to which the differences in such definitions create barriers for individuals to accessing services and to collaboration between agencies, and the relative availability, and barriers to access by persons defined as homeless, of mainstream programs identified by the Government Accountability Office in the two reports identified in paragraph (7) of this subsection; and shall submit transcripts of such meeting, and any majority and dissenting recommendations from such meetings, to each committee of the House of Representatives and the Senate having jurisdiction over any Federal program to assist homeless individuals or families not later than the expiration of the 60-day period beginning upon conclusion of such meeting.''.

(4) in section 203(b)(1) (42 U.S.C. 11313(b))—

(A) by striking ''Federal'' and inserting ''national'';

(B) by striking ''; and'' and inserting ''and pay for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made;'';

(5) in section 205(d) (42 U.S.C. 11315(d)), by striking ''property.'' and inserting ''property, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Council.''; and

(6) by striking section 208 (42 U.S.C. 11318) and inserting the following:

''SEC. 208. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title $3,000,000 for fiscal year 2010 and such sums as may be necessary for fiscal years 2011. Any amounts appropriated to carry out this title shall remain available until expended.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on, and shall apply beginning on, the date of the enactment of this Act .

TITLE I—HOUSING ASSISTANCE GENERAL PROVISIONS

SEC. 101. DEFINITIONS.

Subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361 et seq.) is amended—

(1) by striking the subtitle heading and inserting the following:

''Subtitle A—General Provisions'';

(2) by redesignating sections 401 and 402 (42 U.S.C. 11361, 11362) as sections 403 and 406, respectively; and

(3) by inserting before section 403 (as so redesignated by paragraph (2) of this section) the following new section:

''SEC. 401. DEFINITIONS.

''For purposes of this title:

''(1) AT RISK OF HOMELESSNESS.—The term 'at risk of homelessness' means, with respect to an individual or family, that the individual or family—

''(A) has income below 30 percent of median income for the geographic area;

''(B) has insufficient resources immediately available to attain housing stability; and

''(C)(i) has moved frequently because of economic reasons;

''(ii) is living in the home of another because of economic hardship;

''(iii) has been notified that their right to occupy their current housing or living situation will be terminated;

''(iv) lives in a hotel or motel;

''(v) lives in severely overcrowded housing;

''(vi) is exiting an institution; or

''(vii) otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness.

Such term includes all families with children and youth defined as homeless under other Federal statutes.

''(2) CHRONICALLY HOMELESS.—

''(A) IN GENERAL.—The term 'chronically homeless' means, with respect to an individual or family, that the individual or family—

''(i) is homeless and lives or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter;

''(ii) has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least 1 year or on at least 4 separate occasions in the last 3 years; and

''(iii) has an adult head of household (or a minor head of household if no adult is present in the household) with a diagnosable substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)), post traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of 2 or more of those conditions.

''(B) RULE OF CONSTRUCTION.—A person who currently lives or resides in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital or other similar facility, and has resided there for fewer than 90 days shall be considered chronically homeless if such person met all of the requirements described in subparagraph (A) prior to entering that facility.

''(3) COLLABORATIVE APPLICANT.—The term 'collaborative applicant' means an entity that—

''(A) carries out the duties specified in section 402;

''(B) serves as the applicant for project sponsors who jointly submit a single application for a grant under subtitle C in accordance with a collaborative process; and

''(C) if the entity is a legal entity and is awarded such grant, receives such grant directly from the Secretary.

''(4) COLLABORATIVE APPLICATION.—The term 'collaborative application' means an application for a grant under subtitle C that—

''(A) satisfies section 422; and

''(B) is submitted to the Secretary by a collaborative applicant.

''(5) CONSOLIDATED PLAN.—The term 'Consolidated Plan' means a comprehensive housing affordability strategy and community development plan required in part 91 of title 24, Code of Federal Regulations.

''(6) ELIGIBLE ENTITY.—The term 'eligible entity' means, with respect to a subtitle, a public entity, a private entity, or an entity

that is a combination of public and private entities, that is eligible to directly receive grant amounts under such subtitle.

''(7) FAMILIES WITH CHILDREN AND YOUTH DEFINED AS HOMELESS UNDER OTHER FEDERAL STATUTES.—The term 'families with children and youth defined as homeless under other Federal statutes' means any children or youth that are defined as 'homeless' under any Federal statute other than this subtitle, but are not defined as homeless under section 103, and shall also include the parent, parents, or guardian of such children or youth under subtitle B of title VII this Act (42 U.S.C. 11431 et seq.).

''(8) GEOGRAPHIC AREA.—The term 'geographic area' means a State, metropolitan city, urban county, town, village, or other nonentitlement area, or a combination or consortia of such, in the United States, as described in section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306).

''(9) HOMELESS INDIVIDUAL WITH A DISABILITY.—

''(A) IN GENERAL.—The term 'homeless individual with a disability' means an individual who is homeless, as defined in section 103, and has a disability that—

''(i)(I) is expected to be long-continuing or of indefinite duration;

''(II) substantially impedes the individual's ability to live independently;

''(III) could be improved by the provision of more suitable housing conditions; and

''(IV) is a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post traumatic stress disorder, or brain injury;

''(ii) is a developmental disability, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002); or

''(iii) is the disease of acquired immunodeficiency syndrome or any condition arising from the etiologic agency for acquired immunodeficiency syndrome.

''(B) RULE.—Nothing in clause (iii) of subparagraph (A) shall be construed to limit eligibility under clause (i) or (ii) of subparagraph (A).

''(10) LEGAL ENTITY.—The term 'legal entity' means—

''(A) an entity described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from tax under section 501(a) of such Code;

''(B) an instrumentality of State or local government; or

''(C) a consortium of instrumentalities of State or local governments that has constituted itself as an entity.

''(11) METROPOLITAN CITY; URBAN COUNTY; NONENTITLEMENT AREA.—The terms 'metropolitan city', 'urban county', and 'nonentitlement area' have the meanings given such terms in section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)).

''(12) NEW.—The term 'new' means, with respect to housing, that no assistance has been provided under this title for the housing.

''(13) OPERATING COSTS.—The term 'operating costs' means expenses incurred by a project sponsor operating transitional housing or permanent housing under this title with respect to—

''(A) the administration, maintenance, repair, and security of such housing;

''(B) utilities, fuel, furnishings, and equipment for such housing; or

''(C) coordination of services as needed to ensure long-term housing stability.

''(14) OUTPATIENT HEALTH SERVICES.—The term 'outpatient health services' means outpatient health care services, mental health services, and outpatient substance abuse services.

''(15) PERMANENT HOUSING.—The term 'permanent housing' means community-based housing without a designated length of stay, and includes both permanent supportive housing and permanent housing without supportive services.

''(16) PERSONALLY IDENTIFYING INFORMATION.—The term 'personally identifying information' means individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any other non-personally identifying information, would serve to identify any individual.

''(17) PRIVATE NONPROFIT ORGANIZATION.—The term 'private nonprofit organization' means an organization—

''(A) no part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual;

''(B) that has a voluntary board;

''(C) that has an accounting system, or has designated a fiscal agent in accordance with requirements established by the Secretary; and

''(D) that practices nondiscrimination in the provision of assistance.

''(18) PROJECT.—The term 'project' means, with respect to activities carried out under subtitle C, eligible activities described in section 423(a), undertaken pursuant to a specific endeavor, such as serving a particular population or providing a particular resource.

''(19) PROJECT-BASED.—The term 'project-based' means, with respect to rental assistance, that the assistance is provided pursuant to a contract that—

''(A) is between—

''(i) the recipient or a project sponsor; and

''(ii) an owner of a structure that exists as of the date the contract is entered into; and

''(B) provides that rental assistance payments shall be made to the owner and that the units in the structure shall be occupied by eligible persons for not less than the term of the contract.

''(20) PROJECT SPONSOR.—The term 'project sponsor' means, with respect to proposed eligible activities, the organization directly responsible for carrying out the proposed eligible activities.

''(21) RECIPIENT.—Except as used in subtitle B, the term 'recipient' means an eligible entity who—

''(A) submits an application for a grant under section 422 that is approved by the Secretary;

''(B) receives the grant directly from the Secretary to support approved projects described in the application; and

''(C)(i) serves as a project sponsor for the projects; or

''(ii) awards the funds to project sponsors to carry out the projects.

''(22) SECRETARY.—The term 'Secretary' means the Secretary of Housing and Urban Development.

''(23) SERIOUS MENTAL ILLNESS.—The term 'serious mental illness' means a severe and persistent mental illness or emotional impairment that seriously limits a person's ability to live independently.

''(24) SOLO APPLICANT.—The term 'solo applicant' means an entity that is an eligible entity, directly submits an application for a grant under subtitle C to the Secretary, and, if awarded such grant, receives such grant directly from the Secretary.

''(25) SPONSOR-BASED.—The term 'sponsor-based' means, with respect to rental assistance, that the assistance is provided pursuant to a contract that—

''(A) is between—

''(i) the recipient or a project sponsor; and

''(ii) an independent entity that—

''(I) is a private organization; and

''(II) owns or leases dwelling units; and

''(B) provides that rental assistance payments shall be made to the independent entity and that eligible persons shall occupy such assisted units.

''(26) STATE.—Except as used in subtitle B, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.

''(27) SUPPORTIVE SERVICES.—The term 'supportive services' means services that address the special needs of people served by a project, including—

''(A) the establishment and operation of a child care services program for families experiencing homelessness;

''(B) the establishment and operation of an employment assistance program, including providing job training;

''(C) the provision of outpatient health services, food, and case management;

''(D) the provision of assistance in obtaining permanent housing, employment counseling, and nutritional counseling;

''(E) the provision of outreach services, advocacy, life skills training, and housing search and counseling services;

''(F) the provision of mental health services, trauma counseling, and victim services;

''(G) the provision of assistance in obtaining other Federal, State, and local assistance available for residents of supportive housing (including mental health benefits, employment counseling, and medical assistance, but not including major medical equipment);

''(H) the provision of legal services for purposes including requesting reconsiderations and appeals of veterans and public benefit claim denials and resolving outstanding warrants that interfere with an individual's ability to obtain and retain housing;

''(I) the provision of—

''(i) transportation services that facilitate an individual's ability to obtain and maintain employment; and

''(ii) health care; and

''(J) other supportive services necessary to obtain and maintain housing.

''(28) TENANT-BASED.—The term 'tenant-based' means, with respect to rental assistance, assistance that—

''(A) allows an eligible person to select a housing unit in which such person will live using rental assistance provided under subtitle C, except that if necessary to assure that the provision of supportive services to a person participating in a program is feasible, a recipient or project sponsor may require that the person live—

''(i) in a particular structure or unit for not more than the first year of the participation;

''(ii) within a particular geographic area for the full period of the participation, or the period remaining after the period referred to in subparagraph (A); and

''(B) provides that a person may receive such assistance and move to another structure, unit, or geographic area if the person has complied with all other obligations of the program and has moved out of the assisted dwelling unit in order to protect the

health or safety of an individual who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

''(29) TRANSITIONAL HOUSING.—The term 'transitional housing' means housing the purpose of which is to facilitate the movement of individuals and families experiencing homelessness to permanent housing within 24 months or such longer period as the Secretary determines necessary.

''(30) UNIFIED FUNDING AGENCY.—The term 'unified funding agency' means a collaborative applicant that performs the duties described in section 402(g).

''(31) UNDERSERVED POPULATIONS.—The term 'underserved populations' includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Secretary, as appropriate.

''(32) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. Such term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.

''(33) VICTIM SERVICES.—The term 'victim services' means services that assist domestic violence, dating violence, sexual assault, or stalking victims, including services offered by rape crisis centers and domestic violence shelters, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.''.

SEC. 102. COMMUNITY HOMELESS ASSISTANCE PLANNING BOARDS.

Subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361 et seq.) is amended by inserting after section 401 (as added by section 101(3) of this Act) the following new section:

''SEC. 402. COLLABORATIVE APPLICANTS.

''(a) ESTABLISHMENT AND DESIGNATION.—A collaborative applicant shall be established for a geographic area by the relevant parties in that geographic area to—

''(1) submit an application for amounts under this subtitle; and

''(2) perform the duties specified in subsection (f) and, if applicable, subsection (g).

''(b) NO REQUIREMENT TO BE A LEGAL ENTITY.—An entity may be established to serve as a collaborative applicant under this section without being a legal entity.

''(c) REMEDIAL ACTION.—If the Secretary finds that a collaborative applicant for a geographic area does not meet the requirements of this section, or if there is no collaborative applicant for a geographic area, the Secretary may take remedial action to ensure fair distribution of grant amounts under subtitle C to eligible entities within that area. Such measures may include designating another body as a collaborative applicant, or permitting other eligible entities to apply directly for grants.

''(d) CONSTRUCTION.—Nothing in this section shall be construed to displace conflict of interest or government fair practices laws, or their equivalent, that govern applicants for grant amounts under subtitles B and C.

''(e) APPOINTMENT OF AGENT.—

''(1) IN GENERAL.—Subject to paragraph (2), a collaborative applicant may designate an agent to—

''(A) apply for a grant under section 422(c);

''(B) receive and distribute grant funds awarded under subtitle C; and

''(C) perform other administrative duties.

''(2) RETENTION OF DUTIES.—Any collaborative applicant that designates an agent pursuant to paragraph (1) shall regardless of such designation retain all of its duties and responsibilities under this title.

''(f) DUTIES.—A collaborative applicant shall—

''(1) design a collaborative process for the development of an application under subtitle C, and for evaluating the outcomes of projects for which funds are awarded under subtitle B, in such a manner as to provide information necessary for the Secretary—

''(A) to determine compliance with—

''(i) the program requirements under section 426; and

''(ii) the selection criteria described under section 427; and

''(B) to establish priorities for funding projects in the geographic area involved;

''(2) participate in the Consolidated Plan for the geographic area served by the collaborative applicant; and

''(3) ensure operation of, and consistent participation by, project sponsors in a community-wide homeless management information system (in this subsection referred to as 'HMIS') that—

''(A) collects unduplicated counts of individuals and families experiencing homelessness;

''(B) analyzes patterns of use of assistance provided under subtitles B and C for the geographic area involved;

''(C) provides information to project sponsors and applicants for needs analyses and funding priorities; and

''(D) is developed in accordance with standards established by the Secretary, including standards that provide for—

''(i) encryption of data collected for purposes of HMIS;

''(ii) documentation, including keeping an accurate accounting, proper usage, and disclosure, of HMIS data;

''(iii) access to HMIS data by staff, contractors, law enforcement, and academic researchers;

''(iv) rights of persons receiving services under this title;

''(v) criminal and civil penalties for unlawful disclosure of data; and

''(vi) such other standards as may be determined necessary by the Secretary.

''(g) UNIFIED FUNDING.—

''(1) IN GENERAL.—In addition to the duties described in subsection (f), a collaborative applicant shall receive from the Secretary and distribute to other project sponsors in the applicable geographic area funds for projects to be carried out by such other project sponsors, if—

''(A) the collaborative applicant—

''(i) applies to undertake such collection and distribution responsibilities in an application submitted under this subtitle; and

''(ii) is selected to perform such responsibilities by the Secretary; or

''(B) the Secretary designates the collaborative applicant as the unified funding agency in the geographic area, after—

''(i) a finding by the Secretary that the applicant—

''(I) has the capacity to perform such responsibilities; and

''(II) would serve the purposes of this Act as they apply to the geographic area; and

''(ii) the Secretary provides the collaborative applicant with the technical assistance necessary to perform such responsibilities as such assistance is agreed to by the collaborative applicant.

''(2) REQUIRED ACTIONS BY A UNIFIED FUNDING AGENCY.—A collaborative applicant that is either selected or designated as a unified funding agency for a geographic area under paragraph (1) shall—

''(A) require each project sponsor who is funded by a grant received under subtitle C to establish such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursal of, and accounting for, Federal funds awarded to the project sponsor under subtitle C in order to ensure that all financial transactions carried out under subtitle C are conducted, and records maintained, in accordance with generally accepted accounting principles; and

''(B) arrange for an annual survey, audit, or evaluation of the financial records of each project carried out by a project sponsor funded by a grant received under subtitle C.

''(h) CONFLICT OF INTEREST.—No board member of a collaborative applicant may participate in decisions of the collaborative applicant concerning the award of a grant, or provision of other financial benefits, to such member or the organization that such member represents.''.

SEC. 103. GENERAL PROVISIONS.

Subtitle A of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361 et seq.) is amended by inserting after section 403 (as so redesignated by section 101(2) of this Act) the following new sections:

''SEC. 404. PREVENTING INVOLUNTARY FAMILY SEPARATION.

''(a) IN GENERAL.—After the expiration of the 2-year period that begins upon the date of the enactment of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, and except as provided in subsection (b), any project sponsor receiving funds under this title to provide emergency shelter, transitional housing, or permanent housing to families with children under age 18 shall not deny admission to any family based on the age of any child under age 18.

''(b) EXCEPTION.—Notwithstanding the requirement under subsection (a), project sponsors of transitional housing receiving funds under this title may target transitional housing resources to families with children of a specific age only if the project sponsor—

''(1) operates a transitional housing program that has a primary purpose of implementing an evidence-based practice that requires that housing units be targeted to families with children in a specific age group; and

''(2) provides such assurances, as the Secretary shall require, that an equivalent appropriate alternative living arrangement for the whole family or household unit has been secured.

''SEC. 405. TECHNICAL ASSISTANCE.

''(a) IN GENERAL.—The Secretary shall make available technical assistance to private nonprofit organizations and other nongovernmental entities, States, metropolitan cities, urban counties, and counties that are not urban counties, to implement effective planning processes for preventing and ending homelessness, to improve their capacity to prepare collaborative applications, to prevent the separation of families in emergency shelter or other housing programs, and to adopt and provide best practices in housing and services for persons experiencing homeless.

''(b) RESERVATION.—The Secretary shall reserve not more than 1 percent of the funds made available for any fiscal year for carrying out subtitles B and C, to provide technical assistance under subsection (a).''.

SEC. 104. PROTECTION OF PERSONALLY IDENTIFYING INFORMATION BY VICTIM SERVICE PROVIDERS.

Subtitle A of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361 et seq.), as amended by the preceding provisions of

this title, is further amended by adding at the end the following new section:

"SEC. 407. PROTECTION OF PERSONALLY IDENTIFYING INFORMATION BY VICTIM SERVICE PROVIDERS.

''In the course of awarding grants or implementing programs under this title, the Secretary shall instruct any victim service provider that is a recipient or subgrantee not to disclose for purposes of the Homeless Management Information System any personally identifying information about any client. The Secretary may, after public notice and comment, require or ask such recipients and subgrantees to disclose for purposes of the Homeless Management Information System non-personally identifying information that has been de-identified, encrypted, or otherwise encoded. Nothing in this section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.''.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

Subtitle A of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361 et seq.), as amended by the preceding provisions of this title, is further amended by adding at the end the following new section:

"SEC. 408. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title $2,200,000,000 for fiscal year 2010 and such sums as may be necessary for fiscal year 2011.''.

TITLE II—EMERGENCY SOLUTIONS GRANTS PROGRAM

SEC. 201. GRANT ASSISTANCE.

Subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.) is amended—

(1) by striking the subtitle heading and inserting the following:

"Subtitle B—Emergency Solutions Grants Program";

(2) by striking section 417 (42 U.S.C. 11377);

(3) by redesignating sections 413 through 416 (42 U.S.C. 11373–6) as sections 414 through 417, respectively; and

(4) by striking section 412 (42 U.S.C. 11372) and inserting the following:

"SEC. 412. GRANT ASSISTANCE.

''The Secretary shall make grants to States and local governments (and to private nonprofit organizations providing assistance to persons experiencing homelessness or at risk of homelessness, in the case of grants made with reallocated amounts) for the purpose of carrying out activities described in section 415.

"SEC. 413. AMOUNT AND ALLOCATION OF ASSISTANCE.

''(a) IN GENERAL.—Of the amount made available to carry out this subtitle and subtitle C for a fiscal year, the Secretary shall allocate nationally 20 percent of such amount for activities described in section 415. The Secretary shall be required to certify that such allocation will not adversely affect the renewal of existing projects under this subtitle and subtitle C for those individuals or families who are homeless.

''(b) ALLOCATION.—An entity that receives a grant under section 412, and serves an area that includes 1 or more geographic areas (or portions of such areas) served by collaborative applicants that submit applications under subtitle C, shall allocate the funds made available through the grant to carry out activities described in section 415, in consultation with the collaborative applicants.''; and

(5) in section 414(b) (42 U.S.C. 11373(b)), as so redesignated by paragraph (3) of this section, by striking ''amounts appropriated'' and all that follows through ''for any'' and inserting ''amounts appropriated under section 408 and made available to carry out this subtitle for any''.

SEC. 202. ELIGIBLE ACTIVITIES.

The McKinney-Vento Homeless Assistance Act is amended by striking section 415 (42 U.S.C. 11374), as so redesignated by section 201(3) of this Act, and inserting the following new section:

"SEC. 415. ELIGIBLE ACTIVITIES.

''(a) IN GENERAL.—Assistance provided under section 412 may be used for the following activities:

''(1) The renovation, major rehabilitation, or conversion of buildings to be used as emergency shelters.

''(2) The provision of essential services related to emergency shelter or street outreach, including services concerned with employment, health, education, family support services for homeless youth, substance abuse services, victim services, or mental health services, if—

''(A) such essential services have not been provided by the local government during any part of the immediately preceding 12-month period or the Secretary determines that the local government is in a severe financial deficit; or

''(B) the use of assistance under this subtitle would complement the provision of those essential services.

''(3) Maintenance, operation, insurance, provision of utilities, and provision of furnishings related to emergency shelter.

''(4) Provision of rental assistance to provide short-term or medium-term housing to homeless individuals or families or individuals or families at risk of homelessness. Such rental assistance may include tenant-based or project-based rental assistance.

''(5) Housing relocation or stabilization services for homeless individuals or families or individuals or families at risk of homelessness, including housing search, mediation or outreach to property owners, legal services, credit repair, providing security or utility deposits, utility payments, rental assistance for a final month at a location, assistance with moving costs, or other activities that are effective at—

''(A) stabilizing individuals and families in their current housing; or

''(B) quickly moving such individuals and families to other permanent housing.

''(b) MAXIMUM ALLOCATION FOR EMERGENCY SHELTER ACTIVITIES.—A grantee of assistance provided under section 412 for any fiscal year may not use an amount of such assistance for activities described in paragraphs (1) through (3) of subsection (a) that exceeds the greater of—

''(1) 60 percent of the aggregate amount of such assistance provided for the grantee for such fiscal year; or

''(2) the amount expended by such grantee for such activities during fiscal year most recently completed before the effective date under section 503 of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009.''.

SEC. 203. PARTICIPATION IN HOMELESS MANAGEMENT INFORMATION SYSTEM.

Section 416 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11375), as so redesignated by section 201(3) of this Act, is amended by adding at the end the following new subsection:

''(f) PARTICIPATION IN HMIS.—The Secretary shall ensure that recipients of funds under this subtitle ensure the consistent participation by emergency shelters and homelessness prevention and rehousing programs in any applicable community-wide homeless management information system.''.

SEC. 204. ADMINISTRATIVE PROVISION.

Section 418 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11378) is amended by striking ''5 percent'' and inserting ''7.5 percent''.

SEC. 205. GAO STUDY OF ADMINISTRATIVE FEES.

Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study to examine the appropriate administrative costs for administering the program authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.); and

(2) submit to Congress a report on the findings of the study required under paragraph (1).

TITLE III—CONTINUUM OF CARE PROGRAM

SEC. 301. CONTINUUM OF CARE.

The McKinney-Vento Homeless Assistance Act is amended—

(1) by striking the subtitle heading for subtitle C of title IV (42 U.S.C. 11381 et seq.) and inserting the following:

"Subtitle C—Continuum of Care Program"; and

(2) by striking sections 421 and 422 (42 U.S.C. 11381 and 11382) and inserting the following new sections:

"SEC. 421. PURPOSES.

''The purposes of this subtitle are—

''(1) to promote community-wide commitment to the goal of ending homelessness;

''(2) to provide funding for efforts by nonprofit providers and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to individuals, families, and communities by homelessness;

''(3) to promote access to, and effective utilization of, mainstream programs described in section 203(a)(7) and programs funded with State or local resources; and

''(4) to optimize self-sufficiency among individuals and families experiencing homelessness.

"SEC. 422. CONTINUUM OF CARE APPLICATIONS AND GRANTS.

''(a) PROJECTS.—The Secretary shall award grants, on a competitive basis, and using the selection criteria described in section 427, to carry out eligible activities under this subtitle for projects that meet the program requirements under section 426, either by directly awarding funds to project sponsors or by awarding funds to unified funding agencies.

''(b) NOTIFICATION OF FUNDING AVAILABILITY.—The Secretary shall release a notification of funding availability for grants awarded under this subtitle for a fiscal year not later than 3 months after the date of the enactment of the appropriate Act making appropriations for the Department of Housing and Urban Development for such fiscal year.

''(c) APPLICATIONS.—

''(1) SUBMISSION TO THE SECRETARY.—To be eligible to receive a grant under subsection (a), a project sponsor or unified funding agency in a geographic area shall submit an application to the Secretary at such time and in such manner as the Secretary may require, and containing such information as the Secretary determines necessary—

''(A) to determine compliance with the program requirements and selection criteria under this subtitle; and

''(B) to establish priorities for funding projects in the geographic area.

''(2) ANNOUNCEMENT OF AWARDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall announce, within 5 months after the last date for the submission of applications described in this subsection for a fiscal year, the

grants conditionally awarded under subsection (a) for that fiscal year.

''(B) TRANSITION.—For a period of up to 2 years beginning after the effective date under section 503 of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, the Secretary shall announce, within 6 months after the last date for the submission of applications described in this subsection for a fiscal year, the grants conditionally awarded under subsection (a) for that fiscal year.

''(d) OBLIGATION, DISTRIBUTION, AND UTILIZATION OF FUNDS.—

''(1) REQUIREMENTS FOR OBLIGATION.—

''(A) IN GENERAL.—Not later than 9 months after the announcement referred to in subsection (c)(2), each recipient or project sponsor shall meet all requirements for the obligation of those funds, including site control, matching funds, and environmental review requirements, except as provided in subparagraphs (B) and (C).

''(B) ACQUISITION, REHABILITATION, OR CONSTRUCTION.—Not later than 24 months after the announcement referred to in subsection (c)(2), each recipient or project sponsor seeking the obligation of funds for acquisition of housing, rehabilitation of housing, or construction of new housing for a grant announced under subsection (c)(2) shall meet all requirements for the obligation of those funds, including site control, matching funds, and environmental review requirements.

''(C) EXTENSIONS.—At the discretion of the Secretary, and in compelling circumstances, the Secretary may extend the date by which a recipient or project sponsor shall meet the requirements described in subparagraphs (A) and (B) if the Secretary determines that compliance with the requirements was delayed due to factors beyond the reasonable control of the recipient or project sponsor. Such factors may include difficulties in obtaining site control for a proposed project, completing the process of obtaining secure financing for the project, obtaining approvals from State or local governments, or completing the technical submission requirements for the project.

''(2) OBLIGATION.—Not later than 45 days after a recipient or project sponsor meets the requirements described in paragraph (1), the Secretary shall obligate the funds for the grant involved.

''(3) DISTRIBUTION.—A recipient that receives funds through such a grant—

''(A) shall distribute the funds to project sponsors (in advance of expenditures by the project sponsors); and

''(B) shall distribute the appropriate portion of the funds to a project sponsor not later than 45 days after receiving a request for such distribution from the project sponsor.

''(4) EXPENDITURE OF FUNDS.—The Secretary may establish a date by which funds made available through a grant announced under subsection (c)(2) for a homeless assistance project shall be entirely expended by the recipient or project sponsors involved. The date established under this paragraph shall not occur before the expiration of the 24-month period beginning on the date that funds are obligated for activities described under paragraphs (1) or (2) of section 423(a). The Secretary shall recapture the funds not expended by such date. The Secretary shall reallocate the funds for another homeless assistance and prevention project that meets the requirements of this subtitle to be carried out, if possible and appropriate, in the same geographic area as the area served through the original grant.

''(e) RENEWAL FUNDING FOR UNSUCCESSFUL APPLICANTS.—The Secretary may renew funding for a specific project previously funded under this subtitle that the Secretary determines meets the purposes of this subtitle, and was included as part of a total application that met the criteria of subsection (c), even if the application was not selected to receive grant assistance. The Secretary may renew the funding for a period of not more than 1 year, and under such conditions as the Secretary determines to be appropriate.

''(f) CONSIDERATIONS IN DETERMINING RENEWAL FUNDING.—When providing renewal funding for leasing, operating costs, or rental assistance for permanent housing, the Secretary shall make adjustments proportional to increases in the fair market rents in the geographic area.

''(g) MORE THAN 1 APPLICATION FOR A GEOGRAPHIC AREA.—If more than 1 collaborative applicant applies for funds for a geographic area, the Secretary shall award funds to the collaborative applicant with the highest score based on the selection criteria set forth in section 427.

''(h) APPEALS.—

''(1) IN GENERAL.—The Secretary shall establish a timely appeal procedure for grant amounts awarded or denied under this subtitle pursuant to a collaborative application or solo application for funding.

''(2) PROCESS.—The Secretary shall ensure that the procedure permits appeals submitted by entities carrying out homeless housing and services projects (including emergency shelters and homelessness prevention programs), and all other applicants under this subtitle.

''(i) SOLO APPLICANTS.—A solo applicant may submit an application to the Secretary for a grant under subsection (a) and be awarded such grant on the same basis as such grants are awarded to other applicants based on the criteria described in section 427, but only if the Secretary determines that the solo applicant has attempted to participate in the continuum of care process but was not permitted to participate in a reasonable manner. The Secretary may award such grants directly to such applicants in a manner determined to be appropriate by the Secretary.

''(j) FLEXIBILITY TO SERVE PERSONS DEFINED AS HOMELESS UNDER OTHER FEDERAL LAWS.—

''(1) IN GENERAL.—A collaborative applicant may use not more than 10 percent of funds awarded under this subtitle (continuum of care funding) for any of the types of eligible activities specified in paragraphs (1) through (7) of section 423(a) to serve families with children and youth defined as homeless under other Federal statutes, or homeless families with children and youth defined as homeless under section 103(a)(6), but only if the applicant demonstrates that the use of such funds is of an equal or greater priority or is equally or more cost effective in meeting the overall goals and objectives of the plan submitted under section 427(b)(1)(B), especially with respect to children and unaccompanied youth.

''(2) LIMITATIONS.—The 10 percent limitation under paragraph (1) shall not apply to collaborative applicants in which the rate of homelessness, as calculated in the most recent point in time count, is less than one-tenth of 1 percent of total population.

''(3) TREATMENT OF CERTAIN POPULATIONS.—

''(A) IN GENERAL.—Notwithstanding section 103(a) and subject to subparagraph (B), funds awarded under this subtitle may be used for eligible activities to serve unaccompanied youth and homeless families and children defined as homeless under section 103(a)(6) only pursuant to paragraph (1) of this subsection and such families and children shall not otherwise be considered as homeless for purposes of this subtitle.

''(B) AT RISK OF HOMELESSNESS.—Subparagraph (A) may not be construed to prevent any unaccompanied youth and homeless families and children defined as homeless under section 103(a)(6) from qualifying for, and being treated for purposes of this subtitle as, at risk of homelessness or from eligibility for any projects, activities, or services carried out using amounts provided under this subtitle for which individuals or families that are at risk of homelessness are eligible.''.

SEC. 302. ELIGIBLE ACTIVITIES.

The McKinney-Vento Homeless Assistance Act is amended by striking section 423 (42 U.S.C. 11383) and inserting the following new section:

''SEC. 423. ELIGIBLE ACTIVITIES.

''(a) IN GENERAL.—Grants awarded under section 422 to qualified applicants shall be used to carry out projects that serve homeless individuals or families that consist of one or more of the following eligible activities:

''(1) Construction of new housing units to provide transitional or permanent housing.

''(2) Acquisition or rehabilitation of a structure to provide transitional or permanent housing, other than emergency shelter, or to provide supportive services.

''(3) Leasing of property, or portions of property, not owned by the recipient or project sponsor involved, for use in providing transitional or permanent housing, or providing supportive services.

''(4) Provision of rental assistance to provide transitional or permanent housing to eligible persons. The rental assistance may include tenant-based, project-based, or sponsor-based rental assistance. Project-based rental assistance, sponsor-based rental assistance, and operating cost assistance contracts carried out by project sponsors receiving grants under this section may, at the discretion of the applicant and the project sponsor, have an initial term of 15 years, with assistance for the first 5 years paid with funds authorized for appropriation under this Act, and assistance for the remainder of the term treated as a renewal of an expiring contract as provided in section 429. Project-based rental assistance may include rental assistance to preserve existing permanent supportive housing for homeless individuals and families.

''(5) Payment of operating costs for housing units assisted under this subtitle or for the preservation of housing that will serve homeless individuals and families and for which another form of assistance is expiring or otherwise no longer available.

''(6) Supportive services for individuals and families who are currently homeless, who have been homeless in the prior six months but are currently residing in permanent housing, or who were previously homeless and are currently residing in permanent supportive housing.

''(7) Provision of rehousing services, including housing search, mediation or outreach to property owners, credit repair, providing security or utility deposits, rental assistance for a final month at a location, assistance with moving costs, or other activities that—

''(A) are effective at moving homeless individuals and families immediately into housing; or

''(B) may benefit individuals and families who in the prior 6 months have been homeless, but are currently residing in permanent housing.

''(8) In the case of a collaborative applicant that is a legal entity, performance of the duties described under section 402(f)(3).

''(9) Operation of, participation in, and ensuring consistent participation by project

sponsors in, a community-wide homeless management information system.

''(10) In the case of a collaborative applicant that is a legal entity, payment of administrative costs related to meeting the requirements described in paragraphs (1) and (2) of section 402(f), for which the collaborative applicant may use not more than 3 percent of the total funds made available in the geographic area under this subtitle for such costs.

''(11) In the case of a collaborative applicant that is a unified funding agency under section 402(g), payment of administrative costs related to meeting the requirements of that section, for which the unified funding agency may use not more than 3 percent of the total funds made available in the geographic area under this subtitle for such costs, in addition to funds used under paragraph (10).

''(12) Payment of administrative costs to project sponsors, for which each project sponsor may use not more than 10 percent of the total funds made available to that project sponsor through this subtitle for such costs.

''(b) MINIMUM GRANT TERMS.—The Secretary may impose minimum grant terms of up to 5 years for new projects providing permanent housing.

''(c) USE RESTRICTIONS.—

''(1) ACQUISITION, REHABILITATION, AND NEW CONSTRUCTION.—A project that consists of activities described in paragraph (1) or (2) of subsection (a) shall be operated for the purpose specified in the application submitted for the project under section 422 for not less than 15 years.

''(2) OTHER ACTIVITIES.—A project that consists of activities described in any of paragraphs (3) through (12) of subsection (a) shall be operated for the purpose specified in the application submitted for the project under section 422 for the duration of the grant period involved.

''(3) CONVERSION.—If the recipient or project sponsor carrying out a project that provides transitional or permanent housing submits a request to the Secretary to carry out instead a project for the direct benefit of low-income persons, and the Secretary determines that the initial project is no longer needed to provide transitional or permanent housing, the Secretary may approve the project described in the request and authorize the recipient or project sponsor to carry out that project.

''(d) REPAYMENT OF ASSISTANCE AND PREVENTION OF UNDUE BENEFITS.—

''(1) REPAYMENT.—If a recipient or project sponsor receives assistance under section 422 to carry out a project that consists of activities described in paragraph (1) or (2) of subsection (a) and the project ceases to provide transitional or permanent housing—

''(A) earlier than 10 years after operation of the project begins, the Secretary shall require the recipient or project sponsor to repay 100 percent of the assistance; or

''(B) not earlier than 10 years, but earlier than 15 years, after operation of the project begins, the Secretary shall require the recipient or project sponsor to repay 20 percent of the assistance for each of the years in the 15-year period for which the project fails to provide that housing.

''(2) PREVENTION OF UNDUE BENEFITS.—Except as provided in paragraph (3), if any property is used for a project that receives assistance under subsection (a) and consists of activities described in paragraph (1) or (2) of subsection (a), and the sale or other disposition of the property occurs before the expiration of the 15-year period beginning on the date that operation of the project begins, the recipient or project sponsor who received the assistance shall comply with such terms and conditions as the Secretary may prescribe to prevent the recipient or project sponsor from unduly benefitting from such sale or disposition.

''(3) EXCEPTION.—A recipient or project sponsor shall not be required to make the repayments, and comply with the terms and conditions, required under paragraph (1) or (2) if—

''(A) the sale or disposition of the property used for the project results in the use of the property for the direct benefit of very low-income persons;

''(B) all of the proceeds of the sale or disposition are used to provide transitional or permanent housing meeting the requirements of this subtitle;

''(C) project-based rental assistance or operating cost assistance from any Federal program or an equivalent State or local program is no longer made available and the project is meeting applicable performance standards, provided that the portion of the project that had benefitted from such assistance continues to meet the tenant income and rent restrictions for low-income units under section 42(g) of the Internal Revenue Code of 1986; or

''(D) there are no individuals and families in the geographic area who are homeless, in which case the project may serve individuals and families at risk of homelessness.

''(e) STAFF TRAINING.—The Secretary may allow reasonable costs associated with staff training to be included as part of the activities described in subsection (a).

''(f) ELIGIBILITY FOR PERMANENT HOUSING.—Any project that receives assistance under subsection (a) and that provides project-based or sponsor-based permanent housing for homeless individuals or families with a disability, including projects that meet the requirements of subsection (a) and subsection (d)(2)(A) of section 428 may also serve individuals who had previously met the requirements for such project prior to moving into a different permanent housing project.

''(g) ADMINISTRATION OF RENTAL ASSISTANCE.—Provision of permanent housing rental assistance shall be administered by a State, unit of general local government, or public housing agency.''.

SEC. 303. HIGH PERFORMING COMMUNITIES.

The McKinney-Vento Homeless Assistance Act is amended by striking section 424 (42 U.S.C. 11384) and inserting the following:

''SEC. 424. INCENTIVES FOR HIGH-PERFORMING COMMUNITIES.

''(a) DESIGNATION AS A HIGH-PERFORMING COMMUNITY.—

''(1) IN GENERAL.—The Secretary shall designate, on an annual basis, which collaborative applicants represent high-performing communities.

''(2) CONSIDERATION.—In determining whether to designate a collaborative applicant as a high-performing community under paragraph (1), the Secretary shall establish criteria to ensure that the requirements described under paragraphs (1)(B) and (2)(B) of subsection (d) are measured by comparing homeless individuals and families under similar circumstances, in order to encourage projects in the geographic area to serve homeless individuals and families with more severe barriers to housing stability.

''(3) 2-YEAR PHASE IN.—In each of the first 2 years after the effective date under section 503 of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, the Secretary shall designate not more than 10 collaborative applicants as high-performing communities.

''(4) EXCESS OF QUALIFIED APPLICANTS.—If, during the 2-year period described under paragraph (2), more than 10 collaborative applicants could qualify to be designated as high-performing communities, the Secretary shall designate the 10 that have, in the discretion of the Secretary, the best performance based on the criteria described under subsection (d).

''(5) TIME LIMIT ON DESIGNATION.—The designation of any collaborative applicant as a high-performing community under this subsection shall be effective only for the year in which such designation is made. The Secretary, on an annual basis, may renew any such designation.

''(b) APPLICATION.—

''(1) IN GENERAL.—A collaborative applicant seeking designation as a high-performing community under subsection (a) shall submit an application to the Secretary at such time, and in such manner as the Secretary may require.

''(2) CONTENT OF APPLICATION.—In any application submitted under paragraph (1), a collaborative applicant shall include in such application—

''(A) a report showing how any money received under this subtitle in the preceding year was expended; and

''(B) information that such applicant can meet the requirements described under subsection (d).

''(3) PUBLICATION OF APPLICATION.—The Secretary shall—

''(A) publish any report or information submitted in an application under this section in the geographic area represented by the collaborative applicant; and

''(B) seek comments from the public as to whether the collaborative applicant seeking designation as a high-performing community meets the requirements described under subsection (d).

''(c) USE OF FUNDS.—Funds awarded under section 422(a) to a project sponsor who is located in a high-performing community may be used—

''(1) for any of the eligible activities described in section 423; or

''(2) for any of the eligible activities described in paragraphs (4) and (5) of section 415(a).

''(d) DEFINITION OF HIGH-PERFORMING COMMUNITY.—For purposes of this section, the term 'high-performing community' means a geographic area that demonstrates through reliable data that all five of the following requirements are met for that geographic area:

''(1) TERM OF HOMELESSNESS.—The mean length of episodes of homelessness for that geographic area—

''(A) is less than 20 days; or

''(B) for individuals and families in similar circumstances in the preceding year was at least 10 percent less than in the year before.

''(2) FAMILIES LEAVING HOMELESSNESS.—Of individuals and families—

''(A) who leave homelessness, fewer than 5 percent of such individuals and families become homeless again at any time within the next 2 years; or

''(B) in similar circumstances who leave homelessness, the percentage of such individuals and families who become homeless again within the next 2 years has decreased by at least 20 percent from the preceding year.

''(3) COMMUNITY ACTION.—The communities that compose the geographic area have—

''(A) actively encouraged homeless individuals and families to participate in homeless assistance services available in that geographic area; and

''(B) included each homeless individual or family who sought homeless assistance services in the data system used by that community for determining compliance with this subsection.

''(4) EFFECTIVENESS OF PREVIOUS ACTIVITIES.—If recipients in the geographic area have used funding awarded under section

422(a) for eligible activities described under section 415(a) in previous years based on the authority granted under subsection (c), that such activities were effective at reducing the number of individuals and families who became homeless in that community.

''(5) FLEXIBILITY TO SERVE PERSONS DEFINED AS HOMELESS UNDER OTHER FEDERAL LAWS.—With respect to collaborative applicants exercising the authority under section 422(j) to serve homeless families with children and youth defined as homeless under other Federal statutes, effectiveness in achieving the goals and outcomes identified in subsection 427(b)(1)(F) according to such standards as the Secretary shall promulgate.

''(e) COOPERATION AMONG ENTITIES.—A collaborative applicant designated as a high-performing community under this section shall cooperate with the Secretary in distributing information about successful efforts within the geographic area represented by the collaborative applicant to reduce homelessness.''.

SEC. 304. PROGRAM REQUIREMENTS.

Section 426 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11386) is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

''(a) SITE CONTROL.—The Secretary shall require that each application include reasonable assurances that the applicant will own or have control of a site for the proposed project not later than the expiration of the 12-month period beginning upon notification of an award for grant assistance, unless the application proposes providing supportive housing assistance under section 423(a)(3) or housing that will eventually be owned or controlled by the families and individuals served. An applicant may obtain ownership or control of a suitable site different from the site specified in the application. If any recipient or project sponsor fails to obtain ownership or control of the site within 12 months after notification of an award for grant assistance, the grant shall be recaptured and reallocated under this subtitle.

''(b) REQUIRED AGREEMENTS.—The Secretary may not provide assistance for a proposed project under this subtitle unless the collaborative applicant involved agrees—

''(1) to ensure the operation of the project in accordance with the provisions of this subtitle;

''(2) to monitor and report to the Secretary the progress of the project;

''(3) to ensure, to the maximum extent practicable, that individuals and families experiencing homelessness are involved, through employment, provision of volunteer services, or otherwise, in constructing, rehabilitating, maintaining, and operating facilities for the project and in providing supportive services for the project;

''(4) to require certification from all project sponsors that—

''(A) they will maintain the confidentiality of records pertaining to any individual or family provided family violence prevention or treatment services through the project;

''(B) that the address or location of any family violence shelter project assisted under this subtitle will not be made public, except with written authorization of the person responsible for the operation of such project;

''(C) they will establish policies and practices that are consistent with, and do not restrict the exercise of rights provided by, subtitle B of title VII, and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness;

''(D) in the case of programs that provide housing or services to families, they will designate a staff person to be responsible for ensuring that children being served in the program are enrolled in school and connected to appropriate services in the community, including early childhood programs such as Head Start, part C of the Individuals with Disabilities Education Act, and programs authorized under subtitle B of title VII of this Act(42 U.S.C. 11431 et seq.); and

''(E) they will provide data and reports as required by the Secretary pursuant to the Act;

''(5) if a collaborative applicant is a unified funding agency under section 402(g) and receives funds under subtitle C to carry out the payment of administrative costs described in section 423(a)(11), to establish such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursal of, and accounting for, such funds in order to ensure that all financial transactions carried out with such funds are conducted, and records maintained, in accordance with generally accepted accounting principles;

''(6) to monitor and report to the Secretary the provision of matching funds as required by section 430;

''(7) to take the educational needs of children into account when families are placed in emergency or transitional shelter and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education; and

''(8) to comply with such other terms and conditions as the Secretary may establish to carry out this subtitle in an effective and efficient manner.'';

(2) by redesignating subsection (d) as subsection (c);

(3) in the first sentence of subsection (c) (as so redesignated by paragraph (2) of this subsection), by striking ''recipient'' and inserting ''recipient or project sponsor'';

(4) by striking subsection (e);

(5) by redesignating subsections (f), (g), and (h), as subsections (d), (e), and (f), respectively;

(6) in the first sentence of subsection (e) (as so redesignated by paragraph (5) of this section), by striking ''recipient'' each place it appears and inserting ''recipient or project sponsor'';

(7) by striking subsection (i); and

(8) by redesignating subsection (j) as subsection (g).

SEC. 305. SELECTION CRITERIA, ALLOCATION AMOUNTS, AND FUNDING.

The McKinney-Vento Homeless Assistance Act is amended—

(1) by repealing section 429 (42 U.S.C. 11389); and

(2) by redesignating sections 427 and 428 (42 U.S.C. 11387, 11388) as sections 432 and 433, respectively; and

(3) by inserting after section 426 the following new sections:

''SEC. 427. SELECTION CRITERIA.

''(a) IN GENERAL.—The Secretary shall award funds to recipients through a national competition between geographic areas based on criteria established by the Secretary.

''(b) REQUIRED CRITERIA.—

''(1) IN GENERAL.—The criteria established under subsection (a) shall include—

''(A) the previous performance of the recipient regarding homelessness, including performance related to funds provided under section 412 (except that recipients applying from geographic areas where no funds have been awarded under this subtitle, or under subtitles C, D, E, or F of title IV of this Act, as in effect prior to the date of the enactment of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, shall receive full credit for performance under this subparagraph), measured by criteria that shall be announced by the Secretary, that shall take into account barriers faced by individual homeless people, and that shall include—

''(i) the length of time individuals and families remain homeless;

''(ii) the extent to which individuals and families who leave homelessness experience additional spells of homelessness;

''(iii) the thoroughness of grantees in the geographic area in reaching homeless individuals and families;

''(iv) overall reduction in the number of homeless individuals and families;

''(v) jobs and income growth for homeless individuals and families;

''(vi) success at reducing the number of individuals and families who become homeless;

''(vii) other accomplishments by the recipient related to reducing homelessness; and

''(viii) for collaborative applicants that have exercised the authority under section 422(j) to serve families with children and youth defined as homeless under other Federal statutes, success in achieving the goals and outcomes identified in section 427(b)(1)(F);

''(B) the plan of the recipient, which shall describe—

''(i) how the number of individuals and families who become homeless will be reduced in the community;

''(ii) how the length of time that individuals and families remain homeless will be reduced;

''(iii) how the recipient will collaborate with local education authorities to assist in the identification of individuals and families who become or remain homeless and are informed of their eligibility for services under subtitle B of title VII of this Act (42 U.S.C. 11431 et seq.);

''(iv) the extent to which the recipient will—

''(I) address the needs of all relevant subpopulations;

''(II) incorporate comprehensive strategies for reducing homelessness, including the interventions referred to in section 428(d);

''(III) set quantifiable performance measures;

''(IV) set timelines for completion of specific tasks;

''(V) identify specific funding sources for planned activities; and

''(VI) identify an individual or body responsible for overseeing implementation of specific strategies; and

''(v) whether the recipient proposes to exercise authority to use funds under section 422(j), and if so, how the recipient will achieve the goals and outcomes identified in section 427(b)(1)(F);

''(C) the methodology of the recipient used to determine the priority for funding local projects under section 422(c)(1), including the extent to which the priority-setting process—

''(i) uses periodically collected information and analysis to determine the extent to which each project has resulted in rapid return to permanent housing for those served by the project, taking into account the severity of barriers faced by the people the project serves;

''(ii) considers the full range of opinions from individuals or entities with knowledge of homelessness in the geographic area or an interest in preventing or ending homelessness in the geographic area;

''(iii) is based on objective criteria that have been publicly announced by the recipient; and

''(iv) is open to proposals from entities that have not previously received funds under this subtitle;

''(D) the extent to which the amount of assistance to be provided under this subtitle to the recipient will be supplemented with resources from other public and private sources, including mainstream programs identified by the Government Accountability Office in the two reports described in section 203(a)(7);

''(E) demonstrated coordination by the recipient with the other Federal, State, local, private, and other entities serving individuals and families experiencing homelessness and at risk of homelessness in the planning and operation of projects;

''(F) for collaborative applicants exercising the authority under section 422(j) to serve homeless families with children and youth defined as homeless under other Federal statutes, program goals and outcomes, which shall include—

''(i) preventing homelessness among the subset of such families with children and youth who are at highest risk of becoming homeless, as such term is defined for purposes of this title; or

''(ii) achieving independent living in permanent housing among such families with children and youth, especially those who have a history of doubled-up and other temporary housing situations or are living in a temporary housing situation due to lack of available and appropriate emergency shelter, through the provision of eligible assistance that directly contributes to achieving such results including assistance to address chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, or multiple barriers to employment; and

''(G) such other factors as the Secretary determines to be appropriate to carry out this subtitle in an effective and efficient manner.

''(2) ADDITIONAL CRITERIA.—In addition to the criteria required under paragraph (1), the criteria established under paragraph (1) shall also include the need within the geographic area for homeless services, determined as follows and under the following conditions:

''(A) NOTICE.—The Secretary shall inform each collaborative applicant, at a time concurrent with the release of the notice of funding availability for the grants, of the pro rata estimated grant amount under this subtitle for the geographic area represented by the collaborative applicant.

''(B) AMOUNT.—

''(i) FORMULA.—Such estimated grant amounts shall be determined by a formula, which shall be developed by the Secretary, by regulation, not later than the expiration of the 2-year period beginning upon the date of the enactment of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, that is based upon factors that are appropriate to allocate funds to meet the goals and objectives of this subtitle.

''(ii) COMBINATIONS OR CONSORTIA.—For a collaborative applicant that represents a combination or consortium of cities or counties, the estimated need amount shall be the sum of the estimated need amounts for the cities or counties represented by the collaborative applicant.

''(iii) AUTHORITY OF SECRETARY.—Subject to the availability of appropriations, the Secretary shall increase the estimated need amount for a geographic area if necessary to provide 1 year of renewal funding for all expiring contracts entered into under this subtitle for the geographic area.

''(3) HOMELESSNESS COUNTS.—The Secretary shall not require that communities conduct an actual count of homeless people other than those described in paragraphs (1) through (4) of section 103(a) of this Act (42 U.S.C. 11302(a)).

''(c) ADJUSTMENTS.—The Secretary may adjust the formula described in subsection (b)(2) as necessary—

''(1) to ensure that each collaborative applicant has sufficient funding to renew all qualified projects for at least one year; and

''(2) to ensure that collaborative applicants are not discouraged from replacing renewal projects with new projects that the collaborative applicant determines will better be able to meet the purposes of this Act.

''SEC. 428. ALLOCATION OF AMOUNTS AND INCENTIVES FOR SPECIFIC ELIGIBLE ACTIVITIES.

''(a) MINIMUM ALLOCATION FOR PERMANENT HOUSING FOR HOMELESS INDIVIDUALS AND FAMILIES WITH DISABILITIES.—

''(1) IN GENERAL.—From the amounts made available to carry out this subtitle for a fiscal year, a portion equal to not less than 30 percent of the sums made available to carry out subtitle B and this subtitle, shall be used for permanent housing for homeless individuals with disabilities and homeless families that include such an individual who is an adult or a minor head of household if no adult is present in the household.

''(2) CALCULATION.—In calculating the portion of the amount described in paragraph (1) that is used for activities that are described in paragraph (1), the Secretary shall not count funds made available to renew contracts for existing projects under section 429.

''(3) ADJUSTMENT.—The 30 percent figure in paragraph (1) shall be reduced proportionately based on need under section 427(b)(2) in geographic areas for which subsection (e) applies in regard to subsection (d)(2)(A).

''(4) SUSPENSION.—The requirement established in paragraph (1) shall be suspended for any year in which funding available for grants under this subtitle after making the allocation established in paragraph (1) would not be sufficient to renew for 1 year all existing grants that would otherwise be fully funded under this subtitle.

''(5) TERMINATION.—The requirement established in paragraph (1) shall terminate upon a finding by the Secretary that since the beginning of 2001 at least 150,000 new units of permanent housing for homeless individuals and families with disabilities have been funded under this subtitle.

''(b) SET-ASIDE FOR PERMANENT HOUSING FOR HOMELESS FAMILIES WITH CHILDREN.—From the amounts made available to carry out this subtitle for a fiscal year, a portion equal to not less than 10 percent of the sums made available to carry out subtitle B and this subtitle for that fiscal year shall be used to provide or secure permanent housing for homeless families with children.

''(c) TREATMENT OF AMOUNTS FOR PERMANENT OR TRANSITIONAL HOUSING.—Nothing in this Act may be construed to establish a limit on the amount of funding that an applicant may request under this subtitle for acquisition, construction, or rehabilitation activities for the development of permanent housing or transitional housing.

''(d) INCENTIVES FOR PROVEN STRATEGIES.—

''(1) IN GENERAL.—The Secretary shall provide bonuses or other incentives to geographic areas for using funding under this subtitle for activities that have been proven to be effective at reducing homelessness generally, reducing homelessness for a specific subpopulation, or achieving homeless prevention and independent living goals as set forth in section 427(b)(1)(F).

''(2) RULE OF CONSTRUCTION.—For purposes of this subsection, activities that have been proven to be effective at reducing homelessness generally or reducing homelessness for a specific subpopulation includes—

''(A) permanent supportive housing for chronically homeless individuals and families;

''(B) for homeless families, rapid rehousing services, short-term flexible subsidies to overcome barriers to rehousing, support services concentrating on improving incomes to pay rent, coupled with performance measures emphasizing rapid and permanent rehousing and with leveraging funding from mainstream family service systems such as Temporary Assistance for Needy Families and Child Welfare services; and

''(C) any other activity determined by the Secretary, based on research and after notice and comment to the public, to have been proven effective at reducing homelessness generally, reducing homelessness for a specific subpopulation, or achieving homeless prevention and independent living goals as set forth in section 427(b)(1)(F).

''(3) BALANCE OF INCENTIVES FOR PROVEN STRATEGIES.—To the extent practicable, in providing bonuses or incentives for proven strategies, the Secretary shall seek to maintain a balance among strategies targeting homeless individuals, families, and other subpopulations. The Secretary shall not implement bonuses or incentives that specifically discourage collaborative applicants from exercising their flexibility to serve families with children and youth defined as homeless under other Federal statutes.

''(e) INCENTIVES FOR SUCCESSFUL IMPLEMENTATION OF PROVEN STRATEGIES.—If any geographic area demonstrates that it has fully implemented any of the activities described in subsection (d) for all homeless individuals and families or for all members of subpopulations for whom such activities are targeted, that geographic area shall receive the bonus or incentive provided under subsection (d), but may use such bonus or incentive for any eligible activity under either section 423 or paragraphs (4) and (5) of section 415(a) for homeless people generally or for the relevant subpopulation.

''SEC. 429. RENEWAL FUNDING AND TERMS OF ASSISTANCE FOR PERMANENT HOUSING.

''(a) IN GENERAL.—Renewal of expiring contracts for leasing, rental assistance, or operating costs for permanent housing contracts may be funded either—

''(1) under the appropriations account for this title; or

''(2) the section 8 project-based rental assistance account.

''(b) RENEWALS.—The sums made available under subsection (a) shall be available for the renewal of contracts in the case of tenant-based assistance, successive 1-year terms, and in the case of project-based assistance, successive terms of up to 15 years at the discretion of the applicant or project sponsor and subject to the availability of annual appropriations, for rental assistance and housing operation costs associated with permanent housing projects funded under this subtitle, or under subtitle C or F (as in effect on the day before the effective date of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009). The Secretary shall determine whether to renew a contract for such a permanent housing project on the basis of certification by the collaborative applicant for the geographic area that—

''(1) there is a demonstrated need for the project; and

''(2) the project complies with program requirements and appropriate standards of housing quality and habitability, as determined by the Secretary.

''(c) CONSTRUCTION.—Nothing in this section shall be construed as prohibiting the Secretary from renewing contracts under this subtitle in accordance with criteria set forth in a provision of this subtitle other than this section.

"SEC. 430. MATCHING FUNDING.

''(a) IN GENERAL.—A collaborative applicant in a geographic area in which funds are awarded under this subtitle shall specify contributions from any source other than a grant awarded under this subtitle, including renewal funding of projects assisted under subtitles C, D, and F of this title as in effect before the effective date under section 503 of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, that shall be made available in the geographic area in an amount equal to not less than 25 percent of the funds provided to recipients in the geographic area, except that grants for leasing shall not be subject to any match requirement.

''(b) LIMITATIONS ON IN-KIND MATCH.—The cash value of services provided to the residents or clients of a project sponsor by an entity other than the project sponsor may count toward the contributions in subsection (a) only when documented by a memorandum of understanding between the project sponsor and the other entity that such services will be provided.

''(c) COUNTABLE ACTIVITIES.—The contributions required under subsection (a) may consist of—

''(1) funding for any eligible activity described under section 423; and

''(2) subject to subsection (b), in-kind provision of services of any eligible activity described under section 423.

"SEC. 431. APPEAL PROCEDURE.

''(a) IN GENERAL.—With respect to funding under this subtitle, if certification of consistency with the consolidated plan pursuant to section 403 is withheld from an applicant who has submitted an application for that certification, such applicant may appeal such decision to the Secretary.

''(b) PROCEDURE.—The Secretary shall establish a procedure to process the appeals described in subsection (a).

''(c) DETERMINATION.—Not later than 45 days after the date of receipt of an appeal described in subsection (a), the Secretary shall determine if certification was unreasonably withheld. If such certification was unreasonably withheld, the Secretary shall review such application and determine if such applicant shall receive funding under this subtitle.''.

SEC. 306. RESEARCH.

There is authorized to be appropriated $8,000,000, for each of fiscal years 2010 and 2011, for research into the efficacy of interventions for homeless families, to be expended by the Secretary of Housing and Urban Development over the 2 years at 3 different sites to provide services for homeless families and evaluate the effectiveness of such services.

TITLE IV—RURAL HOUSING STABILITY ASSISTANCE PROGRAM

SEC. 401. RURAL HOUSING STABILITY ASSISTANCE.

Subtitle G of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11408 et seq.) is amended—

(1) by striking the subtitle heading and inserting the following:

"Subtitle G—Rural Housing Stability Assistance Program"; and

(2) in section 491—

(A) by striking the section heading and inserting ''rural housing stability grant program.'';

(B) in subsection (a)—

(i) by striking ''rural homelessness grant program'' and inserting ''rural housing stability grant program'';

(ii) by inserting ''in lieu of grants under subtitle C'' after ''eligible organizations''; and

(iii) by striking paragraphs (1), (2), and (3), and inserting the following:

''(1) rehousing or improving the housing situations of individuals and families who are homeless or in the worst housing situations in the geographic area;

''(2) stabilizing the housing of individuals and families who are in imminent danger of losing housing; and

''(3) improving the ability of the lowest-income residents of the community to afford stable housing.'';

(C) in subsection (b)(1)—

(i) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (I), (J), and (K), respectively; and

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

''(D) construction of new housing units to provide transitional or permanent housing to homeless individuals and families and individuals and families at risk of homelessness;

''(E) acquisition or rehabilitation of a structure to provide supportive services or to provide transitional or permanent housing, other than emergency shelter, to homeless individuals and families and individuals and families at risk of homelessness;

''(F) leasing of property, or portions of property, not owned by the recipient or project sponsor involved, for use in providing transitional or permanent housing to homeless individuals and families and individuals and families at risk of homelessness, or providing supportive services to such homeless and at-risk individuals and families;

''(G) provision of rental assistance to provide transitional or permanent housing to homeless individuals and families and individuals and families at risk of homelessness, such rental assistance may include tenant-based or project-based rental assistance;

''(H) payment of operating costs for housing units assisted under this title;'';

(D) in subsection (b)(2), by striking ''appropriated'' and inserting ''transferred'';

(E) in subsection (c)—

(i) in paragraph (1)(A), by striking ''appropriated'' and inserting ''transferred''; and

(ii) in paragraph (3), by striking ''appropriated'' and inserting ''transferred'';

(F) in subsection (d)—

(i) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(ii) in paragraph (6)—

(I) by striking ''an agreement'' and all that follows through ''families'' and inserting the following: ''a description of how individuals and families who are homeless or who have the lowest incomes in the community will be involved by the organization''; and

(II) by striking the period at the end, and inserting a semicolon; and

(iii) by adding at the end the following:

''(7) a description of consultations that took place within the community to ascertain the most important uses for funding under this section, including the involvement of potential beneficiaries of the project; and

''(8) a description of the extent and nature of homelessness and of the worst housing situations in the community.'';

(G) by striking subsections (f) and (g) and inserting the following:

''(f) MATCHING FUNDING.—

''(1) IN GENERAL.—An organization eligible to receive a grant under subsection (a) shall specify matching contributions from any source other than a grant awarded under this subtitle, that shall be made available in the geographic area in an amount equal to not less than 25 percent of the funds provided for the project or activity, except that grants for leasing shall not be subject to any match requirement.

''(2) LIMITATIONS ON IN-KIND MATCH.—The cash value of services provided to the beneficiaries or clients of an eligible organization by an entity other than the organization may count toward the contributions in paragraph (1) only when documented by a memorandum of understanding between the organization and the other entity that such services will be provided.

''(3) COUNTABLE ACTIVITIES.—The contributions required under paragraph (1) may consist of—

''(A) funding for any eligible activity described under subsection (b); and

''(B) subject to paragraph (2), in-kind provision of services of any eligible activity described under subsection (b).

''(g) SELECTION CRITERIA.—The Secretary shall establish criteria for selecting recipients of grants under subsection (a), including—

''(1) the participation of potential beneficiaries of the project in assessing the need for, and importance of, the project in the community;

''(2) the degree to which the project addresses the most harmful housing situations present in the community;

''(3) the degree of collaboration with others in the community to meet the goals described in subsection (a);

''(4) the performance of the organization in improving housing situations, taking account of the severity of barriers of individuals and families served by the organization;

''(5) for organizations that have previously received funding under this section, the extent of improvement in homelessness and the worst housing situations in the community since such funding began;

''(6) the need for such funds, as determined by the formula established under section 427(b)(2); and

''(7) any other relevant criteria as determined by the Secretary.'';

(H) in subsection (h)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''The'' and inserting ''Not later than 18 months after funding is first made available pursuant to the amendments made by title IV of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, the''; and

(ii) in paragraph (1)(A), by striking ''providing housing and other assistance to homeless persons'' and inserting ''meeting the goals described in subsection (a)'';

(iii) in paragraph (1)(B), by striking ''address homelessness in rural areas'' and inserting ''meet the goals described in subsection (a) in rural areas''; and

(iv) in paragraph (2)—

(I) by striking ''The'' and inserting ''Not later than 24 months after funding is first made available pursuant to the amendment made by title IV of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, the'';

(II) by striking '', not later than 18 months after the date on which the Secretary first makes grants under the program,''; and

(III) by striking ''prevent and respond to homelessness'' and inserting ''meet the goals described in subsection (a)'';

(I) in subsection (k)—

(i) in paragraph (1), by striking ''rural homelessness grant program'' and inserting ''rural housing stability grant program''; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(II) in subparagraph (B)(ii), by striking ''rural census tract.'' and inserting ''county where at least 75 percent of the population is rural; or''; and

(III) by adding at the end the following:

''(C) any area or community, respectively, located in a State that has population density of less than 30 persons per square mile (as reported in the most recent decennial census), and of which at least 1.25 percent of

the total acreage of such State is under Federal jurisdiction, provided that no metropolitan city (as such term is defined in section 102 of the Housing and Community Development Act of 1974) in such State is the sole beneficiary of the grant amounts awarded under this section.'';

(J) in subsection (l)—

(i) by striking the subsection heading and inserting ''PROGRAM FUNDING.—''; and

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

''(1) IN GENERAL.—The Secretary shall determine the total amount of funding attributable under section 427(b)(2) to meet the needs of any geographic area in the Nation that applies for funding under this section. The Secretary shall transfer any amounts determined under this subsection from the Community Homeless Assistance Program and consolidate such transferred amounts for grants under this section, except that the Secretary shall transfer an amount not less than 5 percent of the amount available under subtitle C for grants under this section. Any amounts so transferred and not used for grants under this section due to an insufficient number of applications shall be transferred to be used for grants under subtitle C.''; and

(K) by adding at the end the following:

''(m) DETERMINATION OF FUNDING SOURCE.—For any fiscal year, in addition to funds awarded under subtitle B, funds under this title to be used in a city or county shall only be awarded under either subtitle C or subtitle D.''.

SEC. 402. GAO STUDY OF HOMELESSNESS AND HOMELESS ASSISTANCE IN RURAL AREAS.

(a) STUDY AND REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study to examine homelessness and homeless assistance in rural areas and rural communities and submit a report to the Congress on the findings and conclusion of the study. The report shall contain the following matters:

(1) A general description of homelessness, including the range of living situations among homeless individuals and homeless families, in rural areas and rural communities of the United States, including tribal lands and colonias.

(2) An estimate of the incidence and prevalence of homelessness among individuals and families in rural areas and rural communities of the United States.

(3) An estimate of the number of individuals and families from rural areas and rural communities who migrate annually to non-rural areas and non-rural communities for homeless assistance.

(4) A description of barriers that individuals and families in and from rural areas and rural communities encounter when seeking to access homeless assistance programs, and recommendations for removing such barriers.

(5) A comparison of the rate of homelessness among individuals and families in and from rural areas and rural communities compared to the rate of homelessness among individuals and families in and from non-rural areas and non-rural communities.

(6) A general description of homeless assistance for individuals and families in rural areas and rural communities of the United States.

(7) A description of barriers that homeless assistance providers serving rural areas and rural communities encounter when seeking to access Federal homeless assistance programs, and recommendations for removing such barriers.

(8) An assessment of the type and amount of Federal homeless assistance funds awarded to organizations serving rural areas and rural communities and a determination as to whether such amount is proportional to the distribution of homeless individuals and families in and from rural areas and rural communities compared to homeless individuals and families in non-rural areas and non-rural communities.

(9) An assessment of the current roles of the Department of Housing and Urban Development, the Department of Agriculture, and other Federal departments and agencies in administering homeless assistance programs in rural areas and rural communities and recommendations for distributing Federal responsibilities, including homeless assistance program administration and grantmaking, among the departments and agencies so that service organizations in rural areas and rural communities are most effectively reached and supported.

(b) ACQUISITION OF SUPPORTING INFORMATION.—In carrying out the study under this section, the Comptroller General shall seek to obtain views from the following persons:

(1) The Secretary of Agriculture.

(2) The Secretary of Housing and Urban Development.

(3) The Secretary of Health and Human Services.

(4) The Secretary of Education.

(5) The Secretary of Labor.

(6) The Secretary of Veterans Affairs.

(7) The Executive Director of the United States Interagency Council on Homelessness.

(8) Project sponsors and recipients of homeless assistance grants serving rural areas and rural communities.

(9) Individuals and families in or from rural areas and rural communities who have sought or are seeking Federal homeless assistance services.

(10) National advocacy organizations concerned with homelessness, rural housing, and rural community development.

(c) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

TITLE V—REPEALS AND CONFORMING AMENDMENTS

SEC. 501. REPEALS.

Subtitles D, E, and F of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11391 et seq., 11401 et seq., and 11403 et seq.) are hereby repealed.

SEC. 502. CONFORMING AMENDMENTS.

(a) CONSOLIDATED PLAN.—Section 403(1) of the McKinney-Vento Homeless Assistance Act (as so redesignated by section 101(2) of this Act), is amended—

(1) by striking ''current housing affordability strategy'' and inserting ''consolidated plan''; and

(2) by inserting before the comma the following: ''(referred to in such section as a 'comprehensive housing affordability strategy')''.

(b) PERSONS EXPERIENCING HOMELESSNESS.—Section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(e) PERSONS EXPERIENCING HOMELESSNESS.—Any references in this Act to homeless individuals (including homeless persons) or homeless groups (including homeless persons) shall be considered to include, and to refer to, individuals experiencing homelessness or groups experiencing homelessness, respectively.''.

(c) RURAL HOUSING STABILITY ASSISTANCE.—Title IV of the McKinney-Vento Homeless Assistance Act is amended by redesignating subtitle G (42 U.S.C. 11408 et seq.), as amended by the preceding provisions of this Act, as subtitle D.

SEC. 503. EFFECTIVE DATE.

Except as specifically provided otherwise in this Act, this Act and the amendments made by this Act shall take effect on, and shall apply beginning on—

(1) the expiration of the 18-month period beginning on the date of the enactment of this Act, or

(2) the expiration of the 3-month period beginning upon publication by the Secretary of Housing and Urban Development of final regulations pursuant to section 504,

whichever occurs first.

SEC. 504. REGULATIONS.

(a) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall promulgate regulations governing the operation of the programs that are created or modified by this Act.

(b) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

SEC. 505. AMENDMENT TO TABLE OF CONTENTS.

The table of contents in section 101(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 note) is amended by striking the item relating to the heading for title IV and all that follows through the item relating to section 492 and inserting the following new items:

''TITLE IV—HOUSING ASSISTANCE

''Subtitle A—General Provisions

''Sec. 401. Definitions.
''Sec. 402. Collaborative applicants.
''Sec. 403. Housing affordability strategy.
''Sec. 404. Preventing involuntary family separation
''Sec. 405. Technical assistance.
''Sec. 406. Discharge coordination policy.
''Sec. 407. Protection of personally identifying information by victim service providers.
''Sec. 408. Authorization of appropriations.

''Subtitle B—Emergency Solutions Grants Program

''Sec. 411. Definitions.
''Sec. 412. Grant assistance.
''Sec. 413. Amount and allocation of assistance.
''Sec. 414. Allocation and distribution of assistance.
''Sec. 415. Eligible activities.
''Sec. 416. Responsibilities of recipients.
''Sec. 417. Administrative provisions.
''Sec. 418. Administrative costs.

''Subtitle C—Continuum of Care Program

''Sec. 421. Purposes.
''Sec. 422. Continuum of care applications and grants.
''Sec. 423. Eligible activities.
''Sec. 424. Incentives for high-performing communities.
''Sec. 425. Supportive services.
''Sec. 426. Program requirements.
''Sec. 427. Selection criteria.
''Sec. 428. Allocation of amounts and incentives for specific eligible activities.
''Sec. 429. Renewal funding and terms of assistance for permanent housing.
''Sec. 430. Matching funding.
''Sec. 431. Appeal procedure.
''Sec. 432. Regulations.
''Sec. 433. Reports to Congress.

''Subtitle D—Rural Housing Stability Assistance Program

''Sec. 491. Rural housing stability assistance.
''Sec. 492. Use of FHMA inventory for transitional housing for homeless persons and for turnkey housing.''.

By Mr. BAUCUS (for himself and Mr. GRASSLEY):

S. 812. 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 Finance.

Mr. BAUCUS. Mr. President, I rise today to introduce the Rural Heritage Conservation Extension Act of 2009, along with my good friend, Senator GRASSLEY from Iowa.

As we all know, the country, including my home State of Montana, is losing precious agricultural and ranch lands at a record pace. While providing Montana and the Nation with the highest quality food and fiber, these farms and ranches also provide habitat for wildlife and the open spaces, land that many of us take for granted and assume will always be there. Conservation easements have been tremendously successful in preserving open space and wildlife habitat. Montana has begun to recognize the importance of using conservation easements to preserve these lands. We currently have more than 1.5 million acres covered by conservation easements. To some, that may seem like a large amount, but this is Montana, a State that covers 93,583,532 acres.

To assure that open space and habitat will be there for future generations, we must help our hardworking farmers and ranchers preserve this precious heritage and their way-of-life. The Congress recognized this by providing targeted income tax relief to small farmers and ranchers who wish to make a charitable contribution of a qualified conservation easement. The provision allows eligible farmers and ranchers to increase the amounts of deduction that may be taken currently for charitable contributions of qualified conservation easements by raising the Adjusted Gross Income, AGI, limitations to 100 percent and extending the carryover period from 5 years to 15 years. In the case of all landowners, the AGI limitation was raised from 30 percent to 50 percent. This provision will expire at the end of this year.

The number of acres protected and easements held by state and local land trusts has grown as a result of this incentive. According to the Land Trust Alliance, America's Land Trusts protected 535,000 more acres with conservation easements in the first two years with the new tax incentive than in the previous two years, a 36 percent increase. In 2006 and 2007, land trusts added over 6,000 easements, about 2,000 more than the 2 years before the incentive.

The Rural Heritage Conservation Extension Act of 2009 would make this allowable deduction permanent, building on the success of conservation easements. Our farmers and ranchers will be able to preserve their important agricultural and ranching lands for future generations, while continuing to operate their businesses. Landowners, conservationists, the Federal Government, and local communities are working together to preserve our precious natural resources.

This legislation is vitally important to Montana, and to every other State in the Nation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 812

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 ''Rural Heritage Conservation Extension Act of 2009''.

SEC. 2. SPECIAL RULE FOR CONTRIBUTIONS OF QUALIFIED CONSERVATION CONTRIBUTIONS MADE PERMANENT.

(a) IN GENERAL.—

(1) INDIVIDUALS.—Subparagraph (E) of section 170(b)(1) of the Internal Revenue Code of 1986 (relating to contributions of qualified conservation contributions) is amended by striking clause (vi).

(2) CORPORATIONS.—Subparagraph (B) of section 170(b)(2) of such Code (relating to qualified conservation contributions) is amended by striking clause (iii).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after the date of the enactment of this Act.

By Mr. NELSON of Florida (for himself, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. KERRY, and Mr. MENENDEZ):

S. 815. A bill to amend the Immigration and Nationality Act to exempt surviving spouses of United States citizens from the numerical limitations described in section 201 of such Act; to the Committee on the Judiciary.

Mr. NELSON of Florida. Mr. President, the Immigration and Nationality Act, INA, imposes what has become known as the ''widow penalty,'' requiring the deportation of individuals whose pending applications for green cards are rejected because their citizen spouse died within the first two years of marriage. Today, joined by Senators DURBIN, FEINSTEIN, KENNEDY, KERRY AND MENENDEZ, I am introducing the Fairness to Surviving Spouses Act of 2009. My bill will amend the INA to remedy this unintended and unjustified administrative procedure.

This legislation is needed because, under current law, when a US citizen marries a non-citizen, the non-citizen is eligible to become a legal permanent resident and receive a green card. During the first two years of marriage, the only way this can be accomplished is through a petition that the citizen files on the non-citizen spouse's behalf. The non-citizen cannot self-petition for legal permanent resident status during this time.

If, however, the citizen spouse dies while the petition, through no fault of the couple, remains pending—and delays in the process are often caused due to bureaucratic delay—the petition automatically is denied, and the non-citizen is immediately deemed ineligible for legal permanent residence and therefore becomes deportable. This is the case even if ample evidence of a bona fide marriage, such as cohabitation, and shared finances, exists. It is even the case if a couple had a U.S. born child.

Because of the widow penalty, law-abiding and well-intentioned widows who have played by the rules face immediate deportation. During the 110th Congress, efforts to persuade the US Citizenship and Immigration Services, CIS, to address the issue administratively were unsuccessful. In the current administration, Secretary of Homeland Security Janet Napolitano has directed that the Department of Homeland Security review a number of immigration issues, including the widow penalty. Although this review is welcome, there is some question regarding the Secretary's authority to end the penalty administratively. That is why a clean legislative fix is needed, as scores of women and children face immediate deportation today.

There have been more than 200 widow penalty victims throughout the country, including a woman whose husband died while serving overseas as a contractor in Iraq; a woman whose husband died trying to rescue people who were drowning in the San Francisco Bay; a woman whose husband was killed while on duty with the U.S. Border Patrol; and a woman who was apprehended by Federal agents when she went to meet with immigration authorities to plead her case, placed in shackles, and sent to a detention facility.

The widow penalty has received national extensive national media attention, including from 60 Minutes, which profiled Raquel Williams, a widow who lives with her in-laws in Orlando, in a segment entitled, ''For Better or For Worse—A Loss of Love and Country.'' After she was deemed deportable following the sudden death of her husband from sleep apnea and heart problems, Ms. Williams and her in-laws have been telling their story to raise awareness about this issue.

The harsh and unfair widow penalty can be eliminated by allowing the petition to be adjudicated even though the citizen spouse has died. The proposed legislation affects only a small group of individuals who still would be required to demonstrate that they had a bona fide marriage before receiving a green card. Thus, USCIS would retain the discretion to deny petitions, but they would no longer deny them automatically in response to the death of the citizen spouse.

Today, Rep. JIM MCGOVERN is introducing identical legislation in the House. His bill passed out of the House Judiciary Committee during the 110th Congress with bipartisan support, including from Republicans who led the charge against comprehensive immigration reform. The widows who face deportation today should not be forced

to wait for the Congress to take up comprehensive immigration reform. This legislation is needed now because it simply corrects an arbitrary and unjust sanction, one which would never have occurred but for the Government's failure to act more in a more timely manner and the unfortunate fact that the citizen spouse died before the couple's second anniversary.

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. 815

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

SECTION 1. RELIEF FOR SURVIVING SPOUSES.

(a) IN GENERAL.—The second sentence of section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)) is amended by inserting ''(or, if married to such citizen for less than 2 years at the time of the citizen's death, an alien who proves by a preponderance of the evidence that the marriage was entered into in good faith and not solely for the purpose of obtaining an immigration benefit)'' after ''for at least 2 years at the time of the citizen's death''.

(b) APPLICABILITY.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to all applications and petitions relating to immediate relative status under section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)) pending on or after the date of the enactment of this Act.

(2) TRANSITION CASES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, an alien described in subparagraph (B) who seeks immediate relative status pursuant to the amendment made by subsection (a) shall file a petition under section 204(a)(1)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)(ii)) not later than the date that is 2 years after the date of the enactment of this Act.

(B) ALIENS DESCRIBED.—An alien is described in this subparagraph if—

(i) the alien's United States citizen spouse died before the date of the enactment of this Act;

(ii) the alien and the citizen spouse were married for less than 2 years at the time of the citizen spouse's death; and

(iii) the alien has not remarried.

By Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mrs. MURRAY, Mrs. FEINSTEIN, Mrs. BOXER, Mr. WYDEN, Mr. MERKLEY, and Mr. BEGICH):

S. 817. A bill to establish a Salmon Stronghold Partnership program to conserve wild Pacific salmon and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. CANTWELL. Mr. President, I rise today to introduce the Pacific Salmon Stronghold Conservation Act of 2009, together with my colleague from Alaska Senator Murkowski. I am grateful for all the input and collaboration from key stakeholders in Washington State that I have received on this legislation. I am especially grateful for the input from the Quileute Tribe, the Wild Salmon Center, and Bill Ruckelshaus.

Wild Pacific salmon are central to the culture, economy, and environment of western North America. While current Federal, State, and local salmon recovery efforts are focused on recovering salmon listed under the Endangered Species Act, ESA, seeking to restore what we've lost—the Salmon Stronghold Act seeks to protect what we have. Current efforts to recover threatened or endangered salmon stocks are vital. This is why I have consistently fought for increased funding for the Pacific Coast Salmon Recovery Fund, PCSRF, and will continue to proudly do so.

The PCSRF, since its inception in 2000, has allowed my home State of Washington to focus the efforts of counties and conservation districts, on average, to remove 300 barriers to fish passage and to open 300 miles of habitat each year. That's 2,400 barriers removed and 2,400 miles of habitat restored. In 2008, for every Federal dollar spent on this program it leveraged about $2 local and State dollars.

I will continue the fight to protect this salmon recovery funding. But more must be done. A key purpose of this act is to complement existing Federal, State and local salmon recovery efforts by directing new Federal resources to conserve healthy salmon populations. This legislation will utilize sound science to identify and sustain core centers of salmon abundance, productivity, and diversity in the healthiest remaining salmon ecosystems throughout the Pacific States.

This bill establishes a new regional Salmon Stronghold Partnership program that provides federal support and resources to protect a network of the healthiest remaining wild Pacific salmon ecosystems in North America. The bill promotes enhanced coordination and cooperation of Federal, tribal, State and local governments, public and private land managers, fisheries managers, power authorities, and nongovernmental organizations in efforts to protect salmon strongholds.

It is time to increase funding for recovery efforts, but also focus on prevention. It is time to adopt the kind of comprehensive solution that can solidify the place wild Pacific salmon hold in American culture for generations to come.

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. 817

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 ''Pacific Salmon Stronghold Conservation Act of 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purposes.
Sec. 3. Definitions.
Sec. 4. Salmon Stronghold Partnership.
Sec. 5. Information and assessment.
Sec. 6. Salmon stronghold watershed grants and technical assistance program.
Sec. 7. Interagency cooperation.
Sec. 8. International cooperation.
Sec. 9. Acquisition and transfer of real property interests.
Sec. 10. Administrative provisions.
Sec. 11. Limitations.
Sec. 12. Reports to Congress.
Sec. 13. Authorization of appropriations.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) Several species of salmon native to the rivers of the United States are highly migratory, interacting with salmon originating from Canada, Japan, Russia, and South Korea and spending portions of their life history outside of the territorial waters of the United States. Recognition of the migratory and transboundary nature of salmon species has led countries of the North Pacific to seek enhanced coordination and cooperation through multilateral and bi-lateral agreements.

(2) Salmon are a keystone species, sustaining more than 180 other species in freshwater and marine ecosystems. They are also an indicator of ecosystem health and potential impacts of climate change.

(3) Salmon are a central part of the culture, economy, and environment of Western North America.

(4) Economic activities relating to salmon generate billions of dollars of economic activity and provide thousands of jobs.

(5) During the anticipated rapid environmental change during the period beginning on the date of the enactment of this Act, maintaining key ecosystem processes and functions, population abundance, and genetic integrity will be vital to ensuring the health of salmon populations.

(6) Salmon strongholds provide critical production zones for commercial, recreational, and subsistence fisheries.

(7) Taking into consideration the frequency with which fisheries have collapsed during the period preceding the date of the enactment of this Act, using scientific research to correctly identify and conserve core centers of abundance, productivity, and diversity is vital to sustain salmon populations and fisheries in the future.

(8) Measures being undertaken as of the date of the enactment of this Act to recover threatened or endangered salmon stocks, including Federal, State, and local programs to restore salmon habitat, are vital. These measures will be complemented and enhanced by identifying and sustaining core centers of abundance, productivity, and diversity in the healthiest remaining salmon ecosystems throughout the range of salmon species.

(9) The effects of climate change are affecting salmon habitat at all life history stages and future habitat conservation must consider climate change projections to safeguard natural systems under future climate conditions.

(10) Greater coordination between public and private entities can assist salmon strongholds by marshaling and focusing resources on scientifically-supported, high priority conservation actions.

(b) PURPOSES.—The purposes of this Act are—

(1) to expand Federal support and resources for the protection and restoration of the healthiest remaining salmon strongholds in

North America to sustain core centers of salmon abundance, productivity, and diversity in order to ensure the long-term viability of salmon populations—

(A) in the States of California, Idaho, Oregon, and Washington, by focusing resources on cooperative, incentive-based efforts to conserve the roughly 20 percent of salmon habitat that supports approximately two-thirds of salmon abundance; and

(B) in the State of Alaska, a regional stronghold that produces more than one-third of all salmon, by increasing resources available to public and private organizations working cooperatively to conserve regional core centers of salmon abundance and diversity;

(2) to maintain and enhance economic benefits related to fishing or associated with healthy salmon stronghold habitats, including flood protection, recreation, water quantity and quality, carbon sequestration, climate change mitigation and adaptation, and other ecosystem services; and

(3) to complement and add to existing Federal, State, and local salmon recovery efforts by using sound science to identify and sustain core centers of salmon abundance, productivity, and diversity in the healthiest remaining salmon ecosystems throughout their range.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Assistant Administrator for the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration.

(2) BOARD.—The term ''Board'' means the Salmon Stronghold Partnership Board established under section 4.

(3) CHARTER.—The term ''charter'' means the charter of the Board developed under section 4(g).

(4) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(5) ECOSYSTEM SERVICES.—The term ''ecosystem services'' means an ecological benefit generated from a healthy, functioning ecosystem, including clean water, pollutant filtration, regulation of river flow, prevention of soil erosion, regulation of climate, and fish production.

(6) PROGRAM.—Except as otherwise provided, the term ''program'' means the salmon stronghold watershed grants and technical assistance program established under section 6(a).

(7) SALMON.—The term ''salmon'' means any of the wild anadromous Oncorhynchus species that occur in the Western United States, including—

(A) chum salmon (Oncorhynchus keta);

(B) pink salmon (Oncorhynchus gorbuscha);

(C) sockeye salmon (Oncorhynchus nerka);

(D) chinook salmon (Oncorhynchus tshawytscha);

(E) coho salmon (Oncorhynchus kisutch); and

(F) steelhead trout (Oncorhynchus mykiss).

(8) SALMON STRONGHOLD.—The term ''salmon stronghold'' means all or part of a watershed or that meets biological criteria for abundance, productivity, diversity (life history and run timing), habitat quality, or other biological attributes important to sustaining viable populations of salmon throughout their range, as defined by the Board.

(9) SALMON STRONGHOLD PARTNERSHIP.—The term ''Salmon Stronghold Partnership'' means the Salmon Stronghold Partnership established under section 4(a)(1).

(10) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of Commerce.

SEC. 4. SALMON STRONGHOLD PARTNERSHIP.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—The Secretary shall establish a Salmon Stronghold Partnership that is a cooperative, incentive-based, public-private partnership among appropriate Federal, State, tribal, and local governments, private landowners, and nongovernmental organizations working across political boundaries, government jurisdictions, and land ownerships to identify and conserve salmon strongholds.

(2) MEMBERSHIP.—To the extent possible, the membership of the Salmon Stronghold Partnership shall include each entity described under subsection (b).

(3) LEADERSHIP.—The Salmon Stronghold Partnership shall be managed by a Board established by the Secretary to be known as the Salmon Stronghold Partnership Board.

(b) SALMON STRONGHOLD PARTNERSHIP BOARD.—

(1) IN GENERAL.—The Board shall consist of representatives with strong scientific or technical credentials and expertise as follows:

(A) 1 representative from each of—

(i) the National Marine Fisheries Service, as appointed by the Administrator;

(ii) the United States Fish and Wildlife Service, as appointed by the Director;

(iii) the Forest Service, as appointed by the Chief of the Forest Service;

(iv) the Environmental Protection Agency, as appointed by the Administrator of the Environmental Protection Agency;

(v) the Bonneville Power Administration, as appointed by the Administrator of the Bonneville Power Administration;

(vi) the Bureau of Land Management, as appointed by the Director of the Bureau of Land Management; and

(vii) the Northwest Power and Conservation Council, as appointed by the Northwest Power and Conservation Council.

(B) 1 representative from the natural resources staff of the office of the Governor or of an appropriate natural resource agency of a State, as appointed by the Governor, from each of the States of—

(i) Alaska;

(ii) California;

(iii) Idaho;

(iv) Oregon; and

(v) Washington.

(C) Not less than 3 and not more than 5 representatives from Indian tribes or tribal commissions located within the range of a salmon species, as appointed by such Indian tribes or tribal commissions, in consultation with the Board.

(D) 1 representative from each of 3 nongovernmental organizations with salmon conservation and management expertise, as selected by the Board.

(E) 1 national or regional representative from an association of counties, as selected by the Board.

(F) Representatives of other entities with significant resources regionally dedicated to the protection of salmon ecosystems that the Board determines are appropriate, as selected by the Board.

(2) FAILURE TO APPOINT.—If a representative described in subparagraph (B), (C), (D), (E), or (F) of paragraph (1) is not appointed to the Board or otherwise fails to participate in the Board, the Board shall carry out its functions until such representative is appointed or joins in such participation.

(c) MEETINGS.—

(1) FREQUENCY.—Not less frequently than 3 times each year, the Board shall meet to provide opportunities for input from a broader set of stakeholders.

(2) NOTICE.—Prior to each meeting, the Board shall give timely notice of the meeting to the public, the government of each county, and tribal government in which a salmon stronghold is identified by the Board.

(d) BOARD CONSULTATION.—The Board shall seek expertise from fisheries experts from agencies, colleges, or universities, as appropriate.

(e) CHAIRPERSON.—The Board shall nominate and select a Chairperson from among the members of the Board.

(f) COMMITTEES.—The Board—

(1) shall establish a standing science advisory committee to assist the Board in the development, collection, evaluation, and peer review of statistical, biological, economic, social, and other scientific information; and

(2) may establish additional standing or ad hoc committees as the Board determines are necessary.

(g) CHARTER.—The Board shall develop a written charter that—

(1) provides for the members of the Board described in subsection (b);

(2) may be signed by a broad range of partners, to reflect a shared understanding of the purposes, intent, and governance framework of the Salmon Stronghold Partnership; and

(3) includes—

(A) the defining criteria for a salmon stronghold;

(B) the process for identifying salmon strongholds; and

(C) the process for reviewing and awarding grants under the program, including—

(i) the number of years for which such a grant may be awarded;

(ii) the process for renewing such a grant;

(iii) the eligibility requirements for such a grant;

(iv) the reporting requirements for projects awarded such a grant; and

(v) the criteria for evaluating the success of a project carried out with such a grant.

(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

SEC. 5. INFORMATION AND ASSESSMENT.

The Administrator shall carry out specific information and assessment functions associated with salmon strongholds, in coordination with other regional salmon efforts, including—

(1) triennial assessment of status and trends in salmon strongholds;

(2) geographic information system and mapping support to facilitate conservation planning;

(3) projections of climate change impacts on all habitats and life history stages of salmon;

(4) development and application of models and other tools to identify salmon conservation actions projected to have the greatest positive impacts on salmon abundance, productivity, or diversity within salmon strongholds; and

(5) measurement of the effectiveness of the Salmon Stronghold Partnership activities.

SEC. 6. SALMON STRONGHOLD WATERSHED GRANTS AND TECHNICAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Administrator, in consultation with the Director, shall establish a salmon stronghold watershed grants and technical assistance program, as described in this section.

(b) PURPOSE.—The purpose of the program shall be to support salmon stronghold protection and restoration activities, including—

(1) to fund the administration of the Salmon Stronghold Partnership in carrying out the charter;

(2) to encourage cooperation among the entities represented on the Board, local authorities, and private entities to establish a

network of salmon strongholds, and assist locally in specific actions that support the Salmon Stronghold Partnership;

(3) to support entities represented on the Board—

(A) to develop strategies focusing on salmon conservation actions projected to have the greatest positive impacts on abundance, productivity, or diversity in salmon strongholds; and

(B) to provide financial assistance to the Salmon Stronghold Partnership to increase local economic opportunities and resources for actions or practices that provide long-term or permanent conservation and that maintain key ecosystem services in salmon strongholds, including—

(i) payments for ecosystem services; and

(ii) demonstration projects designed for specific salmon strongholds;

(4) to maintain a forum to share best practices and approaches, employ consistent and comparable metrics, forecast and address climate impacts, and monitor, evaluate, and report regional status and trends of salmon ecosystems in coordination with related regional and State efforts;

(5) to carry out activities and existing conservation programs in, and across, salmon strongholds on a regional scale to achieve the goals of the Salmon Stronghold Partnership;

(6) to accelerate the implementation of recovery plans in salmon strongholds that have salmon populations listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(7) to develop and make information available to the public pertaining to the Salmon Stronghold Partnership; and

(8) to conduct education outreach to the public, in coordination with other programs, to encourage increased stewardship of salmon strongholds.

(c) SELECTION.—Projects that will be carried out with assistance from the program shall be selected and administered as follows:

(1) SITE-BASED PROJECTS.—A project that will be carried out with assistance from the program within 1 State shall be selected as follows:

(A) STATE SELECTION.—If a State has a competitive grant process relating to salmon conservation in effect as of the date of enactment of this Act and has a proven record of implementing an efficient, cost-effective, and competitive grant program for salmon conservation or has a viable plan to provide accountability under the program—

(i) the National Fish and Wildlife Foundation, in consultation with the Board, shall provide program funds to the State; and

(ii) the State shall select and administer projects to be carried out in such State, in accordance with subsection (d).

(B) NATIONAL FISH AND WILDLIFE FOUNDATION SELECTION.—If a State does not meet the criteria described in subparagraph (A)—

(i) the Administrator, in consultation with the Director, shall provide funds to the National Fish and Wildlife Foundation; and

(ii) the National Fish and Wildlife Foundation, in consultation with the Board, shall select and administer projects to be carried out in such State, in accordance with subsection (d).

(2) MULTISITE AND PROGRAMMATIC INITIATIVES.—For a project that will be carried out with assistance from the program in more than 1 State or that is a programmatic initiative that affect more than 1 State—

(A) the Administrator, in consultation with the Director, shall provide funds to the National Fish and Wildlife Foundation; and

(B) the National Fish and Wildlife Foundation, in consultation with the Board, shall select and administer such projects to be carried out, in accordance with subsection (d).

(d) CRITERIA FOR APPROVAL.—

(1) CRITERIA DEVELOPED BY THE BOARD.—

(A) REQUIREMENT TO DEVELOP.—The Board shall develop and provide criteria for the prioritization of projects funded under the program in a manner that enables projects to be individually ranked in sequential order by the magnitude of the project's positive impacts on salmon abundance, productivity, or diversity.

(B) SPECIFIC REQUIREMENTS.—The criteria required by subparagraph (A) shall require that a project that receives assistance under the program—

(i) contributes to the conservation of salmon;

(ii) meets the criteria for eligibility established in the charter;

(iii)(I) addresses a factor limiting or threatening to limit abundance, productivity, diversity, habitat quality, or other biological attributes important to sustaining viable salmon populations within a salmon stronghold; or

(II) is a programmatic action that supports the Salmon Stronghold Partnership;

(iv) addresses limiting factors to healthy ecosystem processes or sustainable fisheries management;

(v) has the potential for conservation benefits and broadly applicable results; and

(vi) meets the requirements for—

(I) cost sharing described in subsection (e); and

(II) the limitation on administrative expenses described in subsection (f).

(C) SCHEDULE FOR DEVELOPMENT.—The Board shall—

(i) develop and provide the criteria required by subparagraph (A) prior to the initial solicitation of projects under the program; and

(ii) revise such criteria not less often than once each year.

(e) COST SHARING.—

(1) FEDERAL SHARE.—

(A) NON-FEDERAL LAND.—For any fiscal year, the Federal share of the cost of a project that receives assistance under the program and that is carried out on land that is not owned by the United States shall not exceed 50 percent of the total cost of the project.

(B) FEDERAL LAND.—For any fiscal year, the Federal share of the cost of a project that receives assistance under the program and that is carried out on land that is owned by the United States, including the acquisition of inholdings, may be up to 100 percent of the total cost of the project.

(2) NON-FEDERAL SHARE.—

(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the cost of a project that receives assistance under the program may not be derived from Federal grant programs, but may include in-kind contributions.

(B) BONNEVILLE POWER ADMINISTRATION.—Any amounts provided by the Bonneville Power Administration directly or through a grant to another entity used to carry out a project that receives assistance under the program shall be credited toward the non-Federal share of the cost of the project.

(f) ADMINISTRATIVE EXPENSES.—Of the amount available to a State or the National Fish and Wildlife Foundation under the program for each fiscal year, such State and the National Fish and Wildlife Foundation shall not expend more than 5 percent of such amount for administrative and reporting expenses necessary to carry out this section.

(g) REPORTS.—

(1) REPORTS TO STATES OR NFWF.—Each person who receives assistance through a State or the National Fish and Wildlife Foundation under the program for a project shall provide periodic reports to the State or the National Fish and Wildlife Foundation, as appropriate, that includes the information required by the State or the National Fish and Wildlife Foundation to evaluate the progress and success of the project.

(2) REPORTS TO THE ADMINISTRATION.—Not less frequently than once every 3 years, each State that is provided program funds under subsection (c)(1)(A) and the National Fish and Wildlife Foundation shall provide reports to the Administrator that include the information required by the Administrator to evaluate the implementation of the program.

SEC. 7. INTERAGENCY COOPERATION.

The head of each Federal agency or department responsible for acquiring, managing, or disposing of Federal land that is within a salmon stronghold shall, to the extent consistent with the mission of the agency or department and existing law, cooperate with the Administrator and the Director—

(1) to conserve the salmon strongholds; and

(2) to effectively coordinate and streamline Salmon Stronghold Partnership activities and delivery of overlapping, incentive-based programs that affect the salmon stronghold.

SEC. 8. INTERNATIONAL COOPERATION.

(a) AUTHORITY TO COOPERATE.—The Administrator and the Board may share status and trends data, innovative conservation strategies, conservation planning methodologies, and other information with North Pacific countries, including Canada, Japan, Russia, and South Korea, and appropriate international entities to promote conservation of salmon and salmon habitat.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator and the Board, or entities that are members of the Board, should and are encouraged to provide information to North Pacific countries, including Canada, Japan, Russia, and South Korea, and appropriate international entities to support the development of a network of salmon strongholds across the nations of the North Pacific.

SEC. 9. ACQUISITION AND TRANSFER OF REAL PROPERTY INTERESTS.

(a) USE OF REAL PROPERTY.—No project that will result in the acquisition by the Secretary or the Secretary of the Interior of any land or interest in land, in whole or in part, may receive funds under this Act unless the project is consistent with the purposes of this Act.

(b) PRIVATE PROPERTY PROTECTION.—No Federal funds made available to carry out this Act may be used to acquire any real property or any interest in any real property without the written consent of the 1 or more owners of the property or interest in property.

(c) TRANSFER OF REAL PROPERTY.—No land or interest in land, acquired in whole or in part by the Secretary of the Interior with Federal funds made available under this Act to carry out a salmon stronghold conservation project may be transferred to a State, other public agency, or other entity unless—

(1) the Secretary of the Interior determines that the State, agency, or entity is committed to manage, in accordance with this Act and the purposes of this Act, the property being transferred; and

(2) the deed or other instrument of transfer contains provisions for the reversion of the title to the property to the United States if the State, agency, or entity fails to manage the property in accordance with this Act and the purposes of this Act.

(d) REQUIREMENT.—Any real property interest conveyed under subsection (c) shall be subject to such terms and conditions as will ensure, to the maximum extent practicable,

that the interest will be administered in accordance with this Act and the purposes of this Act.

SEC. 10. ADMINISTRATIVE PROVISIONS.

(a) CONTRACTS, GRANTS, AND TRANSFERS OF FUNDS.—In carrying out this Act, the Secretary may—

(1) consistent with a recommendation of the Board and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106–107), enter into cooperative agreements, contracts, and grants;

(2) notwithstanding any other provision of law, apply for, accept, and use grants from any person to carry out the purposes of this Act; and

(3) make funds available to any Federal agency or department to be used by the agency or department to award financial assistance for any salmon stronghold protection, restoration, or enhancement project that the Secretary determines to be consistent with this Act.

(b) DONATIONS.—

(1) IN GENERAL.—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 to authorize the organization to carry out activities under this Act; and

(B) accept donations of funds or services for use in carrying out this Act.

(2) PROPERTY.—The Secretary of the Interior may accept donations of property for use in carrying out this Act.

(3) USE OF DONATIONS.—Donations accepted under this section—

(A) shall be considered to be gifts or bequests to, or for the use of, the United States; and

(B) may be used directly by the Secretary (or, in the case of donated property under paragraph (2), the Secretary of the Interior) or provided to other Federal agencies or departments through interagency agreements.

(c) INTERAGENCY FINANCING.—The Secretary may participate in interagency financing, including receiving appropriated funds from other agencies or departments to carry out this Act.

(d) STAFF.—Subject to the availability of appropriations, the Administrator may hire such additional full-time employees as are necessary to carry out this Act.

SEC. 11. LIMITATIONS.

Nothing in this Act may be construed—

(1) to create a reserved water right, express or implied, in the United States for any purpose, or affect the management or priority of water rights under State law;

(2) to affect existing water rights under Federal or State law;

(3) to affect any Federal or State law in existence on the date of enactment of this Act regarding water quality or water quantity;

(4) to affect the authority, jurisdiction, or responsibility of any agency or department of the United States or of a State to manage, control, or regulate fish and resident wildlife under a Federal or State law or regulation;

(5) to authorize the Secretary or the Secretary of the Interior to control or regulate hunting or fishing under State law;

(6) to abrogate, abridge, affect, modify, supersede, or otherwise alter any right of a federally recognized Indian tribe under any applicable Federal or tribal law or regulation; or

(7) to diminish or affect the ability of the Secretary or the Secretary of the Interior to join the adjudication of rights to the use of water pursuant to subsections (a), (b), or (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666).

SEC. 12. REPORTS TO CONGRESS.

Not less frequently than once every 3 years, the Administrator, in consultation with the Director, shall submit to Congress a report describing the activities carried out under this Act, including the recommendations of the Administrator, if any, for legislation relating to the Salmon Stronghold Partnership.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

(a) GRANTS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Administrator, to be distributed by the National Fish and Wildlife Foundation as a fiscal agent, to provide grants under the program, $30,000,000 for each of fiscal years 2009 through 2013.

(2) BOARD.—The National Fish and Wildlife Foundation shall, from the amount appropriated pursuant to the authorization of appropriations in paragraph (1), make available sufficient funds to the Board to carry out its duties under this Act.

(b) TECHNICAL ASSISTANCE.—For each of fiscal years 2009 through 2013, there is authorized to be appropriated to the Administrator $300,000 to provide technical assistance under the program and to carry out section 5.

(c) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to an authorization of appropriations in this section are authorized to remain available until expended.

By Mr. BINGAMAN (for himself, Mr. BURR, Mr. KENNEDY, Mr. HATCH, and Mrs. MURRAY):

S. 818. A bill to reauthorize the Enhancing Education Through Technology Act of 2001, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr BINGAMAN. Mr. President, I rise today with my colleagues Senators BURR, KENNEDY, HATCH and MURRAY to introduce the Achievement Through Technology and Innovation, ATTAIN, Act of 2009.

This bill would amend title II of the Elementary and Secondary Education Act of 1965 to rename part D, Achievement through Technology and Innovation, and reauthorize it through FY2014. I am very pleased that ATTAIN is supported by the Consortium for School Networking, International Society for Technology and Education, Software and Information Industry Association, State Educational Technology Directors Association, and many other education groups.

In 2002, Congress enacted the No Child Left Behind Act to close the achievement gap between low-income, underperforming students and their more affluent peers. Without a renewed dedication to the quality of programs used in our schools, this goal, as well as providing an excellent education for students, will be difficult to achieve. While there is no question that we have made progress in recent years in advancing educational opportunity, I remain concerned about the number of schools that are failing to meet the performance criteria set out in the No Child Left Behind Act.

The bill I am introducing represents a critical step forward in advancing learning technologies for millions of students across the country. Many schools lack the resources necessary for the 21st century classroom and to meet the needs and expectations of today's students. Furthermore, technology and e-learning in our schools are a must if we are to meet our Nation's science, technology, engineering, and mathematics education needs and to provide students with the skills necessary to succeed in the 21st century knowledge-based, global economy.

By authorizing the Enhancing Education Through Technology Act, EETT, as part of NCLB, Congress recognized that Federal leadership and investment is needed to serve as a catalyst for State and local education initiatives aimed at school innovation and improved student achievement. EETT has shown to be effective, particularly in my home State of New Mexico. As you know, many schools often do not have access to learning resources that enable their students to gain an academic background with the technological skills and knowledge necessary to succeed in college or the modern workplace. Through EETT, programs such as the Online Teaching and Learning Opportunities Year 2, have become bright spots of opportunity in some of our Nation's most isolated communities and have brought technical training, professional development and advanced technology resources to teachers and students. Notwithstanding this record of success, it is critical that states such as New Mexico have the opportunity to further advance the use of learning technologies to deliver innovative instruction and curriculum.

To this end, the ATTAIN Act has three main objectives. First, to ensure that through technology every student has access to individualized, rigorous, and relevant learning to meet the goals of NCLB and to prepare all students for the 21st century. Second, to build upon and increase the use of evidence-based and innovative systemic school redesign that centers around technology. And finally, to provide meaningful professional development around technology that leads to changes in teaching and curriculum and improves student technology literacy.

The future of our students' success depends on the quality of their educational experience. I want to thank Senators BURR, KENNEDY, HATCH, and MURRAY for their leadership and commitment to improving education in this country. They remain tireless advocates for our Nation's students, and I am pleased to be working with them on this legislation as we begin reauthorizing the No Child Left Behind Act.

This legislation is an integral step in advancing State and local learning technologies for millions of students across the country, and I urge my colleagues to support this legislation.

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. 818

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

SECTION 1. ACHIEVEMENT THROUGH TECHNOLOGY AND INNOVATION.

Part D of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6751 et seq.) is amended to read as follows:

"PART D—ACHIEVEMENT THROUGH TECHNOLOGY AND INNOVATION

"SEC. 2401. SHORT TITLE.

''This part may be cited as the 'Achievement Through Technology and Innovation Act of 2009' or the 'ATTAIN Act'.

"SEC. 2402. FINDINGS, PURPOSES, AND GOALS.

''(a) FINDINGS.—Congress makes the following findings:

''(1) Learning technologies in our Nation's schools are critical—

''(A) to meet the goals of the No Child Left Behind Act of 2001 of raising student achievement, closing the achievement gap, and ensuring high-quality teaching; and

''(B) to ensure that our Nation's students are prepared to compete in the 21st century knowledge-based global economy.

''(2) Increased professional development opportunities are needed if teachers are to be highly qualified and effective in a 21st century classroom with today's digital native students, including professional development opportunities—

''(A) in the use of learning technologies to deliver innovative instruction and curriculum; and

''(B) to use data to inform instruction.

''(3) Scientifically based research, conducted with Federal funding, demonstrates that systemic redesign initiatives centered around technology have shown great promise in improving teaching and learning, including the following:

''(A) In Utah, Missouri, and Maine, the eMINTS program provides schools and teachers with educational technology tools, curriculum, and more than 200 hours of professional development to change how teachers teach and students learn. In classrooms in the same school (1 with eMINTS and 1 without), the student achievement of students in the eMINTS classroom was repeatedly over 10 percent higher than the control classroom.

''(B) In West Virginia, students receiving access to online foreign language courses performed at least as well as students in face-to-face versions of the classes, providing comparable high-quality instruction for students in rural areas who otherwise would not have access to such courses.

''(C) In Michigan's Freedom to Learn technology program, proficiency on Michigan Education Assessment Program (MEAP) tests of 8th grade mathematics increased from 31 percent in 2004 to 63 percent in 2005 in 1 middle school, and science achievement increased from 68 percent of students proficient in 2003 to 80 percent in 2004.

''(D) In Texas, the Technology Immersion Pilot (TIP), implemented in middle schools, demonstrated that discipline referrals went down by more than ½ with the changes in teaching and learning; while in 1 school, the percentage of 6th graders who passed the reading portion of the 2006 State assessment (TAKS) test was up 17 points from 2004, and the percentage of 7th graders who passed the mathematics portion of the TAKS rose 13 points. The students participating in the Technology Immersion Pilot have become more responsible for their learning, more engaged in the classroom, and much more knowledgeable about the role of technology in problem solving and learning.

''(E) In Iowa, after connecting teachers with sustainable professional development and technology-based curriculum interventions, students taught by such teachers had scores that increased by 14 points in 8th grade mathematics, 16 points in 4th grade mathematics, and 13 points in 4th grade reading compared with control groups.

''(4) Technology and e-learning in our Nation's schools are necessary to meet our Nation's science, technology, engineering, and mathematics (STEM) education needs and to provide students with 21st century skills, including technology literacy, information literacy, communication skills, problem solving skills, and the ability for self-directed life-long learning.

''(5) A 2003 Department of Commerce report credits United States industry's investments in information technology between 1989 and 2001 with 'producing positive and probably lasting changes in the Nation's economic potential', but finds United States education last in intensity of information technology in 55 industry sectors.

''(6) Many of our Nation's schools lack the resources necessary for the 21st century classroom and to meet the needs and expectations of today's digital native students, including—

''(A) software, digital content, and broadband resources; and

''(B) other technologies.

''(7) According to the Department of Education's National Educational Technology Trends Study (NETTS 2007), insufficient or outdated technology presented a substantial barrier to technology use for teaching and learning for more than 40 percent of students, while the lack of support specialists was a barrier to technology use for more than 50 percent of students.

''(8) Federal leadership and investment is needed to serve as a catalyst for State and local education initiatives aimed at school innovation and improved student achievement through leveraging educational technologies. According to the Department of Education's National Educational Technology Trends Study (NETTS 2007), 'Because funds generated locally through bonds or taxes frequently have legal restrictions requiring them to be spent on hardware and connectivity purchases only, Federal and State funds supporting the use of technology resources fill a critical gap.'.

''(b) PURPOSES.—The purposes of this part are the following:

''(1) To ensure that through technology every student has access to individualized, rigorous, and relevant learning to meet the goals of this part, and to prepare all students and the United States for the 21st century.

''(2) To evaluate, build upon, and increase the use of evidence-based and innovative systemic school redesigns that center on the use of technology that leads to school improvement and increased student achievement.

''(3) To increase ongoing, meaningful professional development around technology that—

''(A) leads to changes in teaching and curriculum;

''(B) improves student achievement, including in core academic subjects;

''(C) improves student technology literacy; and

''(D) is aligned with professional development activities supported under section 2123.

''(c) GOALS.—The goals of this part are the following:

''(1) To improve student academic achievement with respect to State academic standards through the use of professional development and systemic school redesigns that center on the use of technology and the applications of technology.

''(2) To improve professional development to ensure every school administrator—

''(A) possesses the leadership skills necessary for effective technology integration and every teacher possesses the knowledge and skills to use technology across the curriculum;

''(B) uses technology and curriculum redesign as key components of changing teaching and learning and improving student achievement;

''(C) uses technology for data analysis to enable individualized instruction; and

''(D) uses technology to improve student technology literacy.

''(3) To ensure that every student is technologically literate by the end of 8th grade, regardless of the student's race, ethnicity, gender, family income, geographic location, or disability.

''(4) To improve student engagement, opportunity, attendance, graduation rates, and technology access through enhanced or redesigned curriculum or instruction.

''(5) To more effectively use data to inform instruction, address individualized student needs, and support school decisionmaking.

"SEC. 2403. DEFINITION OF STUDENT TECHNOLOGY LITERACY.

''In this part:

''(1) LOCAL EDUCATIONAL AGENCY.—

''(A) IN GENERAL.—The term 'local educational agency' includes a consortium of local educational agencies.

''(B) IMPLEMENTING REGULATIONS.—The Secretary shall promulgate regulations implementing subparagraph (A).

''(2) STUDENT TECHNOLOGY LITERACY.—The term 'student technology literacy' means student knowledge and skills in using contemporary information, communication, and learning technologies in a manner necessary for successful employment, life-long learning, and citizenship in the knowledge-based, digital, and global 21st century, which includes, at a minimum, the ability—

''(A) to effectively communicate and collaborate;

''(B) to analyze and solve problems;

''(C) to access, evaluate, manage, and create information and otherwise gain information literacy;

''(D) to demonstrate creative thinking, construct knowledge, and develop innovative products and processes; and

''(E) to do so in a safe and ethical manner.

"SEC. 2404. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this part, $1,000,000,000 for fiscal year 2010, and such sums as may be necessary for each of the 5 succeeding fiscal years.

''(b) ALLOCATION OF FUNDS BETWEEN STATE AND LOCAL AND NATIONAL INITIATIVES.—Of the funds made available under subsection (a) for a fiscal year—

''(1) 3 percent or $10,000,000, whichever amount is less, shall be available to carry out subpart 2, of which—

''(A) $2,000,000 shall be available to carry out section 2411(1); and

''(B) 1.5 percent or $4,000,000, whichever amount is less, shall be available to carry out section 2412; and

''(2) the remainder of the funds made available under subsection (a) shall be available to carry out subpart 1.

''(c) LIMITATION.—

''(1) LOCAL ADMINISTRATIVE COSTS.—Of the funds made available to a local educational agency under this part for a fiscal year, not more than 3 percent may be used by the local educational agency for administrative costs.

''(2) STATE ADMINISTRATIVE COSTS.—Of the funds made available to a State educational agency under section 2406(a)(1), not more than 60 percent may be used by the State educational agency for administrative costs.

"Subpart 1—State and Local Grants

"SEC. 2405. ALLOTMENT AND REALLOTMENT.

''(a) RESERVATIONS AND ALLOTMENT.—From the amount made available to carry out this subpart under section 2404(b)(2) for a fiscal year—

''(1) the Secretary shall reserve—

''(A) ¾ of 1 percent for the Secretary of the Interior for programs under this subpart for schools operated or funded by the Bureau of Indian Affairs; and

''(B) ½ of 1 percent to provide assistance under this subpart to the outlying areas; and

''(2) subject to subsection (b), the Secretary shall use the remainder to award grants by allotting to each State educational agency an amount that bears the same relationship to such remainder for such year as the amount received under part A of title I for such year by such State educational agency bears to the amount received under such part for such year by all State educational agencies.

''(b) MINIMUM ALLOTMENT.—The amount of any State educational agency's allotment under subsection (a)(2) for any fiscal year shall not be less than ½ of 1 percent of the amount made available for allotments to State educational agencies under this part for such year.

''(c) REALLOTMENT OF UNUSED FUNDS.—If any State educational agency does not apply for an allotment under this subpart for a fiscal year, or does not use the State educational agency's entire allotment under this subpart for that fiscal year, the Secretary shall reallot the amount of the State educational agency's allotment, or the unused portion of the allotment, to the remaining State educational agencies that use their entire allotments under this subpart in accordance with this section.

''(d) STATE EDUCATIONAL AGENCY DEFINED.—In this section, the term 'State educational agency' does not include an agency of an outlying area or the Bureau of Indian Affairs.

"SEC. 2406. USE OF ALLOTMENT BY STATE.

''(a) IN GENERAL.—Of the amount provided to a State educational agency under section 2405(a)(2) for a fiscal year—

''(1) the State educational agency may use not more than 5 percent of such amount or $100,000, whichever amount is greater, to carry out activities under section 2408(a);

''(2) the State educational agency shall use 2.5 percent of such amount or $50,000, whichever amount is greater, to carry out activities under section 2408(b); and

''(3) the State educational agency shall distribute the remainder as follows:

''(A) The State educational agency shall use 60 percent of the remainder to award Improving Teaching and Learning through Technology subgrants to local educational agencies having applications approved under section 2409(c) for the activities described in section 2410(b) by allotting to each such local educational agency an amount that bears the same relationship to 60 percent of the remainder for such year as the amount received under part A of title I for such year by such local educational agency bears to the amount received under such part for such year by all local educational agencies within the State, subject to subsection (b)(2).

''(B) The State educational agency shall use 40 percent of the remainder to award Systemic School Redesign through Technology Integration subgrants, through a State-determined competitive process, to local educational agencies having applications approved under section 2409(b) for the activities described in section 2410(a).

''(b) SUFFICIENT AMOUNTS.—

''(1) SPECIAL RULE.—In awarding subgrants under subsection (a)(3)(B), the State educational agency shall—

''(A) ensure the subgrants are of sufficient size and scope to be effective, consistent with the purposes of this part;

''(B) ensure subgrants are of sufficient duration to be effective, consistent with the purposes of this part, including by awarding subgrants for a period of not less than 2 years that may be renewed for not more than an additional 3 years;

''(C) give preference in the awarding of subgrants to local educational agencies that serve schools in need of improvement, as identified under section 1116, including those schools with high populations of—

''(i) students with limited English proficiency;

''(ii) students with disabilities; or

''(iii) other subgroups of students who have not met the State's student academic achievement standards; and

''(D) ensure an equitable distribution of subgrants under subsection (a)(3)(B) among urban and rural areas of the State, according to the demonstrated need for assistance under this subpart of the local educational agencies serving the areas.

''(2) MINIMUM SUBGRANT.—The amount of any local educational agency's subgrant under subsection (a)(3)(A) for any fiscal year shall be not less than $3,000.

''(c) REALLOTMENT OF UNUSED FUNDS.—If any local educational agency does not apply for a subgrant under subsection (a)(3)(A) for a fiscal year, or does not use the local educational agency's entire allotment under this subpart for that fiscal year, the State shall reallot the amount of the local educational agency's allotment, or the unused portion of the allotment, to the remaining local educational agencies that use their entire allotments under this subpart in accordance with this section.

"SEC. 2407. STATE APPLICATIONS.

''(a) IN GENERAL.—To be eligible to receive a grant under this subpart, a State educational agency shall submit to the Secretary, at such time and in such manner as the Secretary may specify, an application containing the contents described in subsection (b) and such other information as the Secretary may reasonably require.

''(b) CONTENTS.—Each State educational agency application submitted under subsection (a) shall include each of the following:

''(1) A description of how the State educational agency will support local educational agencies that receive subgrants under this subpart in meeting, and help improve the local educational agencies' capacity to meet, the purposes and goals of this part and the requirements of this subpart, including through technical assistance.

''(2) A description of the State educational agency's long-term goals and strategies for improving student academic achievement, including in core academic subjects and in student technology literacy, through the effective use of technology in classrooms and schools throughout the State.

''(3) A description of the priority area upon which the State educational agency will focus the State educational agency's guidance, technical assistance, and other assistance under this subpart, and other local support under this subpart, such that the priority area shall be identified by the State educational agency from among the core academic subjects, grade levels, and student subgroup populations that may be causing the most number of local educational agencies in the State to not make adequate yearly progress, as defined in section 1111(b)(2)(C).

''(4) A description of how the State educational agency will support local educational agencies that receive subgrants under this subpart in implementing, and will help improve the local educational agency's capacity to implement, professional development programs pursuant to section 2410(b)(1)(A).

''(5) A description of how the State educational agency will ensure that teachers, paraprofessionals, library and media personnel, and administrators served by the State educational agency possess the knowledge and skills—

''(A) to use technology across the curriculum;

''(B) to use technology and curriculum redesign as key components of changing teaching and learning and improving student achievement;

''(C) to use technology for data analysis to enable individualized instruction; and

''(D) to use technology to improve student technology literacy.

''(6) A description of the process, activities, and performance measures that the State educational agency will use to evaluate the impact and effectiveness of activities described in section 2408(b).

''(7) Identification of the State challenging academic content standards and challenging student academic achievement standards that the State educational agency will use to ensure that each student is technology literate by the end of the 8th grade consistent with the definition of student technology literacy, and a description of how the State educational agency will assess, not less than once by the end of 8th grade, student performance in gaining technology literacy only for the purpose of tracking progress towards achieving the 8th grade technology literacy goal but not for meeting adequate yearly progress goals, including through embedding such assessment items in other State tests or performance-based assessments portfolios, or through other valid and reliable means, except that nothing in this subpart shall be construed to require States to develop a separate test to assess student technology literacy.

''(8) An assurance that financial assistance provided under this subpart will supplement, and not supplant, State and local funds.

''(9) A description of how the State educational agency will, in providing technical and other assistance to local educational agencies, give priority to those local educational agencies identified by the State educational agency as having the highest need for assistance under this subpart, including those local educational agencies with the highest percentage or number—

''(A) of students from families with incomes below the poverty line;

''(B) of students not achieving at the State proficiency level;

''(C) of student populations identified under section 2406(b)(1)(C); or

''(D) of schools identified as in need of improvement under section 1116.

''(10) A description of how the State educational agency will ensure that each subgrant awarded under section 2406(a)(3)(B) is of sufficient size, scope, and duration to be effective as required under section 2406(b), and that such subgrants are appropriately targeted and equitably distributed as required under section 2406(b) to carry out the purposes of this part effectively.

''(11) A description of how the State educational agency consulted with local educational agencies in the development of the State application.

"SEC. 2408. STATE ACTIVITIES.

''(a) MANDATORY AND PERMISSIVE ACTIVITIES.—

''(1) MANDATORY ACTIVITIES.—From funds made available under section 2406(a)(1), a State educational agency shall carry out each of the following activities:

''(A) Identify the State challenging academic content standards and challenging student academic achievement standards that the State educational agency will use to ensure that each student is technology literate by the end of the 8th grade consistent with the definition of student technology literacy.

''(B) Assess not less than once by the end of the 8th grade student performance in gaining technology literacy consistent with subparagraph (A), including through embedding such assessment items in other State tests, performance-based assessments, or portfolios, or through other means, except that such assessments shall be used only to track student technology literacy and shall not be used to determine adequate yearly progress.

''(C) Publish the results of the State educational agency's technology literacy assessment administered under subparagraph (B) not less than 3 months after the assessment is administered such that the results are made widely available to local educational agencies, parents, and citizens, including through presentation on the Internet, and transmit such results to the Secretary.

''(D) Provide guidance, technical assistance, and other assistance in the priority area identified by the State pursuant to section 2407(b)(3) to local educational agencies receiving subgrants of less than $10,000 under section 2406(a)(3)(A) with a priority given to those local educational agencies with the highest need for assistance described in section 2407(b)(9).

''(E) Provide technical assistance to local educational agencies, with a priority given to those local educational agencies identified by the State as having the highest need for assistance under this subpart, including those local educational agencies with the highest percentage or number of (i) students from families with incomes below the poverty line, (ii) students not achieving at the State proficiency level, (iii) student populations described in section 2406(b)(1)(C), and (iv) schools identified as in need of improvement under section 1116, in the following ways:

''(i) Submitting applications for funding under this part.

''(ii) Carrying out activities authorized under section 2410, including implementation of systemic school redesigns as described in section 2409(b).

''(iii) Developing local educational technology plans and integrating such plans with the local educational agency's plans for improving student achievement under sections 1111 and 1112, and, if applicable, section 1116.

''(F) Provide guidance, technical assistance, and other assistance to local educational agencies regarding the local educational agency's plans to assess, and, as needed, update the computers, software, servers, and other technologies throughout the local educational agency in terms of the functional capabilities, age, and other specifications of the technology, including to ensure such technologies can process, at scale, new applications and online services such as video conferencing, video streaming, virtual simulations, and distance learning.

''(2) PERMISSIVE ACTIVITIES.—From funds made available under section 2406(a)(1), a State educational agency may carry out 1 or more of the following activities:

''(A) State leadership activities and technical assistance that assist local educational agencies that receive subgrants under this subpart in achieving the purposes and goals of this part.

''(B) Assist local educational agencies that receive subgrants under this subpart in the development and utilization of research-based or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including distance learning technologies.

''(C) Assisting local educational agencies that receive subgrants under this subpart in providing sustained and intensive, high-quality professional development pursuant to section 2410(b)(1)(A), including through assistance in a review of relevant research.

''(b) ACTIVITIES RELATING TO RESEARCH.—From funds made available under section 2406(a)(2), a State educational agency shall carry out 1 or more of the following activities:

''(1) Conduct scientifically based or other rigorous research to evaluate the impact of 1 or more programs or activities carried out under subsection (a) in meeting the purposes and goals of this part.

''(2) Provide technical assistance to local educational agencies in carrying out evaluation research activities as required under section 2410(a)(1).

''(3) Create 1 or more evaluation research protocols, designs, performance measurement systems, or other tools to assist local educational agencies in carrying out evaluation activities as required under section 2410(a)(1).

''(4) Collect and disseminate the findings of the evaluation research activities carried out by local educational agencies under paragraphs (1), (2), and (3).

''SEC. 2409. LOCAL APPLICATIONS.

''(a) IN GENERAL.—Each local educational agency desiring a subgrant from a State educational agency under this subpart shall submit to the State educational agency an application containing a new or updated local long-range strategic educational technology plan, and such other information as the State educational agency may reasonably require, at such time and in such manner as the State educational agency may require. The application shall contain each of the following:

''(1) A description of how the local educational agency will align and coordinate the local educational agency's use of funds under this subpart with—

''(A) the school district technology plan;

''(B) the school district plans and activities for improving student achievement, including plans and activities under sections 1111 and 1112, and sections 1116 and 2123, as applicable; and

''(C) funds available from other Federal, State, and local sources.

''(2) An assurance that financial assistance provided under this subpart will supplement, and not supplant other funds available to carry out activities assisted under this section.

''(3) A description of the process used to assess and, as needed, update the computers, software, servers, and other technologies throughout the local educational agency in terms of their functional capabilities, age, and other specifications, in order to ensure technologies can process, at scale, new applications and online services, such as video conferencing, video streaming, virtual simulations, and distance learning courses.

''(4) Such other information as the State educational agency may reasonably require.

''(b) COMPETITIVE GRANTS; SYSTEMIC SCHOOL REDESIGN THROUGH TECHNOLOGY INTEGRATION.—In addition to components included in subsection (a), a local educational agency submitting an application for a subgrant under section 2406(a)(3)(B) shall submit to the State educational agency an application containing each of the following:

''(1) A description of how the local educational agency will use the subgrant funds to implement systemic school redesign, which is a comprehensive set of programs, practices, and technologies that—

''(A) collectively lead to school or school district change and improvement, including in the use of technology and in improved student achievement; and

''(B) incorporate all of the following elements:

''(i) Reform or redesign of curriculum, instruction, assessment, use of data, or other standards-based school or classroom practices through the use of technology in order to increase student learning opportunity, student technology literacy, student access to technology, and student engagement in learning.

''(ii) Improvement of educator quality, knowledge and skills through ongoing, sustainable, timely, and contextual professional development described in section 2410(b)(1)(A).

''(iii) Development of student technology literacy and other skills necessary for 21st century learning and success.

''(iv) Ongoing use of formative assessments and other timely data sources and data systems to more effectively identify individual student learning needs and guide personalized instruction, learning, and appropriate interventions that address individual student learning needs.

''(v) Engagement of school district leaders, school leaders, and classroom educators.

''(vi) Programs, practices, and technologies that are research-based or innovative, such that research-based systemic redesigns are based on a review of the best available research evidence, and innovative systemic redesigns are based on development and use of new redesigns, programs, practices, and technologies.

''(2) An assurance that the local educational agency will use not less than 25 percent of the subgrant funds to implement a program of professional development described in section 2410(b)(1)(A).

''(3) A description of how the local educational agency will evaluate the impact of 1 or more programs or activities carried out under this subpart in meeting 1 or more of the purposes or goals of this part.

''(c) FORMULA GRANTS; IMPROVING TEACHING AND LEARNING THROUGH TECHNOLOGY.—In addition to components included in subsection (a), a local educational agency that submits an application for a subgrant under section 2406(a)(3)(A) shall submit to the State educational agency an application containing each of the following:

''(1) An assurance that the local educational agency will use not less than 40 percent of the subgrant funds for—

''(A) professional development described in section 2410(b)(1)(A); and

''(B) technology tools, applications, and other resources related specifically to such professional development activities.

''(2) A description of how the local educational agency will implement a program of professional development required under paragraph (1)(A).

''(3) A description of how the local educational agency will employ technology tools, applications, and other resources in professional development and to improve student learning and achievement in the area of priority identified by the local educational agency pursuant to paragraph (4).

''(4) A description of the priority area upon which the local educational agency will focus the subgrant funds provided under this subpart, such that such priority area shall be identified from among the core academic subjects, grade levels, and student subgroup populations in which the most number of students served by the local educational agency are not proficient.

''(d) COMBINED APPLICATIONS.—A local educational agency that submits an application to the State educational agency for subgrant

funds awarded under section 2406(a)(3)(B) may, upon notice to the State educational agency, submit a single application that will also be considered by the State educational agency as an application for subgrant funds awarded under section 2406(a)(3)(A), if the application addresses each application requirement under subsections (a), (b), and (c).

''(e) CONSORTIUM APPLICATIONS.—For any fiscal year, a local educational agency applying for a subgrant described in section 2406(a)(3) may apply as part of a consortium in which more than 1 local educational agency jointly submits a subgrant application under this subpart, except that no local educational agency may receive more than 1 subgrant under this subpart.

''SEC. 2410. LOCAL ACTIVITIES.

''(a) COMPETITIVE GRANTS; SYSTEMIC SCHOOL REDESIGN THROUGH TECHNOLOGY INTEGRATION.—From subgrant funds made available to a local educational agency under section 2406(a)(3)(B), the local educational agency—

''(1) shall use not less than 5 percent of such subgrant funds to evaluate the impact of 1 or more programs or activities carried out under the subgrant in meeting 1 or more of the purposes or goals of this part as approved by the State educational agency as part of the local application described in section 2409(b)(3); and

''(2) shall use the remaining funds to implement a plan for systemic school redesign, which may take place in 1 or more schools served by the local educational agency or across all schools served by the local educational agency, in accordance with section 2409(b)(1), including each of the following:

''(A) Using not less than 25 percent of subgrant funds to improve teacher quality and skills through support for the following:

''(i) Professional development activities, as described in subsection (b)(1)(A).

''(ii) The acquisition and implementation of technology tools, applications, and other resources to be employed in the professional development activities described in clause (i).

''(B) Acquiring and effectively implementing technology tools, applications, and other resources in conjunction with enhancing or redesigning the curriculum or instruction in order to—

''(i) increase student learning opportunity or access, student engagement in learning, or student attendance or graduation rates;

''(ii) improve student achievement in 1 or more of the core academic subjects; and

''(iii) improve student technology literacy.

''(C) Acquiring and effectively implementing technology tools, applications, and other resources to—

''(i) conduct ongoing formative assessments and use other timely data sources and data systems to more effectively identify individual student learning needs and guide personalized instruction, learning, and appropriate interventions that address those individualized student learning needs;

''(ii) support individualized student learning, including through instructional software and digital content that supports the learning needs of each student, or through providing access to high-quality courses and instructors, including mathematics, science, and foreign language courses, often not available except through technology and online learning, especially in rural and high-poverty schools; and

''(iii) conduct such other activities as appropriate consistent with the goals and purposes of research-based and innovative systemic school redesign, including activities that increase parental involvement through improved communication with teachers and access to student assignments and grades.

''(b) FORMULA GRANTS; IMPROVING TEACHING AND LEARNING THROUGH TECHNOLOGY.—From funds made available to a local educational agency under section 2406(a)(3)(A), the local educational agency shall carry out activities to improve student learning, student technology literacy, and achievement in the area of priority identified by the local educational agency under section 2409(c)(4), including each of the following:

''(1) The local educational agency shall use not less than 40 percent of subgrant funds for professional development activities that are aligned with activities supported under section 2123 to improve teacher quality and skills through support for the following:

''(A) Training of teachers, paraprofessionals, library and media personnel, and administrators, which—

''(i) shall include the development, acquisition, or delivery of—

''(I) training that is ongoing, sustainable, timely, and directly related to up-to-date teaching content areas;

''(II) training in strategies and pedagogy in the core academic subjects that involve use of technology and curriculum redesign as key components of changing teaching and learning and improving student achievement;

''(III) training in the use of technology to ensure every educator is technologically literate, including possessing the knowledge and skills—

''(aa) to use technology across the curriculum;

''(bb) to use technology and curriculum redesign as key components of innovating teaching and learning and improving student achievement;

''(cc) to use technology for data analysis to enable individualized instruction; and

''(dd) to use technology to improve student technology literacy; and

''(IV) training that includes ongoing communication and follow-up with instructors, facilitators, and peers; and

''(ii) may include—

''(I) the use of instructional technology specialists, mentors, or coaches to work directly with teachers, including through the preparation of 1 or more teachers as technology leaders or master teachers who are provided with the means to serve as experts and train other teachers in the effective use of technology; and

''(II) the use of technology, such as distance learning and online virtual educator-to-educator peer communities, as a means for delivering professional development.

''(B) The acquisition and implementation of technology tools, applications, and other resources to be employed in the professional development activities described in subparagraph (A).

''(2) The local educational agency shall use the funds that remain after application of paragraph (1) to acquire or implement technology tools, applications, and other resources to improve student learning, student technology literacy, and student achievement in the area of priority identified by the local educational agency, including through 1 or more of the following:

''(A) Conducting ongoing formative assessment and using other timely data sources and data systems to more effectively identify individual student learning needs and guide personalized instruction, learning, and appropriate interventions that address those individualized student learning needs.

''(B) Supporting individualized student learning, including through instructional software and digital content that supports the learning needs of each student served by the local educational agency under the subgrant, or through providing access to high-quality courses and instructors, including mathematics, science, and foreign language courses, often not available except through technology such as online learning, especially in rural and high-poverty schools.

''(C) Increasing parental involvement through improved communication with teachers and access to student assignments and grades.

''(D) Enhancing accountability, instruction, and data-driven decisionmaking through data systems that allow for management, analysis, and disaggregating of student, teacher, and school data.

''(E) Such other activities as are appropriate and consistent with the goals and purposes of this part.

''(c) MULTIPLE GRANTS.—A local educational agency that receives a grant under subparagraph (A) and subparagraph (B) of section 2406(a)(3) may use all such grant funds for activities authorized under subsection (a).

''Subpart 2—National Activities

''SEC. 2411. NATIONAL ACTIVITIES.

''From the amount made available to carry out national activities under section 2404(b)(1) (other than the amounts made available to carry out subparagraphs (A) and (B) of section 2404(b)(1)), the Secretary, working through and in coordination with the Director of the Office of Educational Technology and collaborating, as appropriate, with the National Center for Achievement Through Technology authorized under section 2412, shall carry out the following activities:

''(1) NATIONAL REPORT.—The Secretary shall annually conduct and publish a national report on student technology literacy to determine the extent to which students have gained student technology literacy by the end of the 8th grade. In conducting the study, the Secretary shall—

''(A) consult first with experts and stakeholders, including educators and education leaders, education technology experts from education and industry, and the business and higher education communities seeking secondary school graduates with student technology literacy; and

''(B) employ a random stratified sample methodology of student technology literacy performance using a cost-effective assessment that is a readily available, valid, and reliable assessment instrument.

''(2) STUDENT TECHNOLOGY LITERACY.—The Secretary shall publish each year the results of the State technology literacy assessments carried out under section 2408(a)(1)(C).

''(3) NATIONAL EDUCATION TECHNOLOGY PLAN.—Based on the Nation's progress and an assessment by the Secretary of the continuing and future needs of the Nation's schools in effectively using technology to provide all students the opportunity to meet challenging State academic content and student academic achievement standards, the Secretary shall update and publish, in a form readily accessible to the public, a national long-range technology plan not less often than once every 5 years, and shall implement such plan.

''(4) OTHER NATIONAL ACTIVITIES.—From the funds remaining after carrying out paragraphs (1), (2), and (3), the Secretary shall carry out 1 or more of the following activities:

''(A) Support efforts to increase student technology literacy, including through outreach to education, business, and elected leaders aimed at building understanding of the knowledge and skills students need to succeed in the 21st century through the use of technology for life-long learning, citizenship, and workplace success.

''(B) Support the work of the National Center for Achievement Through Technology in

serving as a national resource for the improvement of technology implementation in education through identification and dissemination of promising practices and exemplary programs that effectively use educational technologies.

''(C) Support efforts to increase the capacity of State and local education officials to budget for technology acquisition and implementation, including taking into account the long-term costs of such acquisition and implementation, how technology investments may increase effectiveness and efficiencies that ultimately save other educational costs or provide improved outcomes, and how spending for technology in education shall be considered in a comprehensive cost-benefit analysis and not simply as a supplemental expense.

''(D) Support staff at the Department and other Federal agencies in their understanding of education technology, the role of technology in Federal education programs, and how Federal grantees can be supported in integrating education technologies into the grantees' programs as appropriate.

''(E) Convene stakeholders in an effort to outline and support a national research and development agenda aimed at supporting public-private partnerships to leverage evolving technologies to meet evolving educational needs.

''(F) Convene practitioners and leaders from local and State education, business and industry, higher education, or other stakeholder communities—

''(i) to carry out the activities under this paragraph, including convening an annual forum on leadership and classroom technology best practices;

''(ii) to otherwise address challenges and opportunities in the use of technology to improve teaching, learning, teacher quality, student achievement, student technology literacy, and the efficiency and productivity of the education enterprise; and

''(iii) to otherwise support school innovation and our Nation's competitiveness.

''(G) Support efforts to ensure teachers and other educators have the knowledge and skills to teach in the 21st century through the use of technology, including by providing assistance to and sharing information with State accrediting agencies, colleges of teacher education, and other educational institutions and government entities involved in the preparation and certification of teachers, to ensure such teachers possess the knowledge and skills prior to entering the teaching force.

''(H) Support efforts to assist principals, superintendents, and other senior school and school district administrators in adapting to, and leading their schools with, 21st century technology tools and 21st century knowledge and skills, including the following:

''(i) Developing a blueprint for the job skills required and the coursework and experience necessary to be prepared for school leadership.

''(ii) Supporting the development of professional development and training programs that help education leaders obtain the knowledge and skills, including through collaborative efforts with up-to-date programs and institutions.

''(iii) Developing materials, resources, self-assessments, and other tools to meet the activities described in clauses (i) and (ii).

''(I) Undertake other activities that—

''(i) lead to the improvement of—

''(I) our Nation's educational system in using educational technologies to improve teaching, learning, and student achievement; and

''(II) student technology literacy and related 21st century college preparedness and workforce competitiveness; and

''(ii) complement other such efforts undertaken by public and private agencies and organizations.

"SEC. 2412. NATIONAL CENTER FOR ACHIEVEMENT THROUGH TECHNOLOGY.

''(a) PURPOSE.—The purpose of this section is to establish a National Center for Achievement Through Technology that—

''(1) provides national leadership regarding improvement in the use of technology in education, with a focus on elementary and secondary education, including technology's role in improving—

''(A) student achievement;

''(B) student technology literacy; and

''(C) teacher quality;

''(2) serves as a national resource for the improvement of technology implementation in education through identification and dissemination of promising practices and exemplary programs that effectively use educational technologies to improve teaching and learning, teacher quality, student engagement and opportunity, student achievement and technology literacy, and the efficiency and productivity of the education enterprise, including serving as a national resource for the related research and research on the conditions and practices that support the effective use of technology in education; and

''(3) provides an annual report to Congress that—

''(A) synthesizes the promising practices and exemplary programs that effectively use educational technologies to improve the teaching and learning described in paragraph (2); and

''(B) includes the related research and research on the conditions and practices that support the effective use of technology in education described in paragraph (2).

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—From amounts made available under section 2404(b)(1)(B), the Director of the Office of Educational Technology shall award a grant, on a competitive basis, to an eligible entity to enable the eligible entity to establish a National Center for Achievement Through Technology (in this section referred to as the 'Center').

''(2) COORDINATION WITH THE INSTITUTE.—The Director of the Office of Educational Technology shall award the grant under paragraph (1) in coordination with the Director of the Institute of Education Sciences, but the Director of the Office of Educational Technology shall administer the grant program under this section.

''(3) DEFINITION OF ELIGIBLE ENTITY.—In this section the term 'eligible entity' means an entity that is—

''(A) a research organization or research institution with education technology as one of the organization or institution's primary areas of focus; or

''(B) a partnership that consists of a research organization or research institution described in subparagraph (A) and 1 or more education institutions or agencies, nonprofit organizations, or research organizations or institutions.

''(4) DURATION.—The grant awarded under this section shall be not less than 2 years in duration, and shall be renewable at the discretion of the Director of the Office of Educational Technology for not more than an additional 3 years.

''(5) PEER REVIEW.—In awarding the grant under this section, the Director of the Office of Educational Technology shall consider the recommendations of a peer review panel, which shall be composed of representatives of the following stakeholder communities:

''(A) Teachers and other educators who use technologies.

''(B) Local and State education leaders who administer programs employing technologies.

''(C) Businesses that develop educational technologies.

''(D) Researchers who study educational technologies.

''(E) Related education, educational technology, and business organizations.

''(c) NATIONAL CENTER FOR ACHIEVEMENT THROUGH TECHNOLOGY ACTIVITIES.—The Center shall carry out the following activities:

''(1) PROMISING PRACTICES, EXEMPLARY PROGRAMS AND RESEARCH.—The Center shall identify and compile promising practices, exemplary programs, quantitative and qualitative research, and other information and evidence demonstrating—

''(A) the broad uses and positive impacts of technology in elementary and secondary education; and

''(B) the factors and steps important to technology's improvement and to the effective use of technology with students so that specific technologies are considered in the context of the comprehensive educational program or practice in which the technologies are used—

''(i) across a curriculum to improve teaching, learning, and student achievement, including in the core academic subjects;

''(ii) to support the teaching and learning of student technology literacy;

''(iii) for formative and summative assessment, including to inform instruction and data-driven decisionmaking, to individualize instruction, and for accountability purposes;

''(iv) to improve student learning and achievement, including through—

''(I) improving student interest and engagement;

''(II) increasing student access to courses and instructors through distance learning and expanded student learning time; and

''(III) individualizing curriculum and instruction to meet unique student learning needs, learning styles, and pace;

''(v) to improve teacher quality, including through professional development and timely and ongoing training and support; and

''(vi) to improve the efficiency and productivity of the classroom and school enterprise, including through data management and analysis, resource management, and communications; and

''(C) the policies, budgeting, technology infrastructure, conditions, practices, teacher training, school leadership, and other implementation factors important to improving the effectiveness of technology in elementary and secondary education as outlined in subparagraph (B), including in—

''(i) the knowledge and skills teachers and other educators need to teach in the 21st century through the use of technology, including knowledge and skills necessary—

''(I) to use technology and curriculum redesign as key components of changing teaching and learning;

''(II) to use technology for data analysis to enable individualized instruction; and

''(III) to use technology to improve student technology literacy;

''(ii) the knowledge and skills principals, superintendents, and other senior school and school district administrators need to effectively lead in 21st century schools using technology, including the job skills required and the coursework and experience necessary to be prepared for school leadership; and

''(iii) the budgeting for technology acquisition and implementation, including taking into account the long-term costs of such acquisition and implementation, how technology investments may increase effectiveness and efficiencies that ultimately save

other educational costs or provide improved outcomes, and how spending for technology in education shall be considered in a comprehensive cost-benefit analysis and not simply as a supplemental expense.

''(2) ORIGINAL RESEARCH.—The Center may conduct, directly or through grants, contracts, or cooperative agreements, original research as necessary to fill important gaps in research necessary to address the areas described in paragraph (1) with a focus on the policies, budgeting, technology infrastructure, conditions, practices, teacher training, school leadership, and other implementation factors important to improving the effectiveness of technology in elementary and secondary education.

''(3) OUTREACH.—The Center shall consult with appropriate stakeholders, including at least the stakeholders described in subsection (b)(5), in determining priorities for the activities described in paragraph (1), in gathering information pursuant to paragraph (1), and in determining the need for original research pursuant to paragraph (2). The Center shall establish 1 or more informal advisory groups to provide the consultation.

''(4) DISSEMINATION.—The Center shall disseminate widely the information identified and compiled pursuant to paragraph (1) to teachers and other educators, local, regional, State, and Federal education leaders, public and elected officials, the network of federally funded educational resource centers and labs, businesses that develop educational technologies, colleges of teacher education and teacher accrediting agencies, researchers who study educational technologies, other interested stakeholders, and related educator, education leader, and business organizations, including through—

''(A) development and ongoing update of a database accessed through the Internet;

''(B) development, distribution, and delivery of reports, tools, best practices, conference presentations, and other publications; and

''(C) partnerships with organizations representing stakeholders, including educators, education leaders, and technology providers.

''(d) CENTER OPERATIONS.—

''(1) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—As appropriate, the Center shall award grants to, or enter into contracts or cooperative agreements with, individuals, public or private institutions, agencies, organizations, or consortia of such institutions, agencies, or organizations to carry out the activities of the Center, including awarding a grant or entering into a contract or cooperative agreement to disseminate the Center's findings pursuant to subsection (c)(4).

''(2) REPORT.—The Center shall submit an annual report on March 1 to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives that provides a summary synthesis of promising and exemplary practices and programs, and related research, that effectively use educational technologies to improve teaching and learning as described in subsection (c)(1), including the conditions and practices that support the effective use of technology in education, in order to inform Federal education policymaking and oversight.''.

By Mr. DURBIN (for himself, Mr. CASEY, and Mr. MENENDEZ):

S. 819. A bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families; to the Committee on Health, Education, Labor, and Pensions.

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 printed in the RECORD, as follows:

S. 819

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 ''Autism Treatment Acceleration Act of 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Parental rights rule of construction.
Sec. 4. Definitions; technical amendment to the Public Health Service Act.
Sec. 5. Autism Care Centers Demonstration Project.
Sec. 6. Planning and demonstration grants for services for adults.
Sec. 7. National Registry.
Sec. 8. Multimedia campaign.
Sec. 9. Interdepartmental Autism Coordinating Committee.
Sec. 10. National Network for Autism Spectrum Disorders Research and Services.
Sec. 11. National training initiatives on autism spectrum disorders.
Sec. 12. Amendments relating to health insurance.
Sec. 13. Authorization of appropriations.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Autism (sometimes called ''classical autism'') is the most common condition in a group of developmental disorders known as autism spectrum disorders.

(2) Autism spectrum disorders include autism as well as Asperger syndrome, Retts syndrome, childhood disintegrative disorder, and pervasive developmental disorder not otherwise specified (usually referred to as PDD-NOS), as well as other related developmental disorders.

(3) Individuals with autism spectrum disorders have the same rights as other individuals to exert control and choice over their own lives, to live independently, and to participate fully in, and contribute to, their communities and society through full integration and inclusion in the economic, political, social, cultural, and educational mainstream of society. Individuals with autism spectrum disorders have the right to a life with dignity and purpose.

(4) While there is no uniform prevalence or severity of symptoms associated with autism spectrum disorders, the National Institutes of Health has determined that autism spectrum disorders are characterized by 3 distinctive behaviors: impaired social interaction, problems with verbal and nonverbal communication, and unusual, repetitive, or severely limited activities and interests.

(5) Both children and adults with autism spectrum disorders can show difficulties in verbal and nonverbal communication, social interactions, and sensory processing. Individuals with autism spectrum disorders exhibit different symptoms or behaviors, which may range from mild to significant, and require varying degrees of support from friends, families, service providers, and communities.

(6) Individuals with autism spectrum disorders often need assistance in the areas of comprehensive early intervention, health, recreation, job training, employment, housing, transportation, and early, primary, and secondary education. With access to, and assistance with, these types of services and supports, individuals with autism spectrum disorders can live rich, full, and productive lives. Greater coordination and streamlining within the service delivery system will enable individuals with autism spectrum disorders and their families to access assistance from all sectors throughout an individual's lifespan.

(7) A 2007 report from the Centers for Disease Control and Prevention found that the prevalence of autism spectrum disorders is estimated to be 1 in 150 people in the United States.

(8) The Harvard School of Public Health reported that the cost of caring for and treating individuals with autism spectrum disorders in the United States is more than $35,000,000,000 annually (an estimated $3,200,000 over an individual's lifetime).

(9) Although the overall incidence of autism is consistent around the globe, researchers with the Journal of Paediatrics and Child Health have found that males are 4 times more likely to develop an autism spectrum disorder than females. Autism spectrum disorders know no racial, ethnic, or social boundaries, nor differences in family income, lifestyle, or educational levels, and can affect any child.

(10) Individuals with autism spectrum disorders from low-income, rural, and minority communities often face significant obstacles to accurate diagnosis and necessary specialized services, supports, and education.

(11) There is strong consensus within the research community that intensive treatment as soon as possible following diagnosis not only can reduce the cost of lifelong care by two-thirds, but also yields the most positive life outcomes for children with autism spectrum disorders.

(12) Individuals with autism spectrum disorders and their families experience a wide range of medical issues. Few common standards exist for the diagnosis and management of many aspects of clinical care. Behavioral difficulties may be attributed to the overarching disorder rather than to the pain and discomfort of a medical condition, which may go undetected and untreated. The health care and other treatments available in different communities can vary widely. Many families, lacking access to comprehensive and coordinated health care, must fend for themselves to find the best health care, treatments, and services in a complex clinical world.

(13) Effective health care, treatment, and services for individuals with autism spectrum disorders depends upon a continuous exchange among researchers and caregivers. Evidence-based and promising autism practices should move quickly into communities, allowing individuals with autism spectrum disorders and their families to benefit from the newest research and enabling researchers to learn from the life experiences of the people whom their work most directly affects.

(14) There is a critical shortage of appropriately trained personnel across numerous important disciplines who can assess, diagnose, treat, and support children and adults with autism spectrum disorders and their families. Practicing professionals, as well as those in training to become professionals, need the most up-to-date practices informed by the most current research findings.

(15) The appropriate goals of the Nation regarding individuals with autism spectrum disorder are the same as the appropriate goals of the Nation regarding individuals with disabilities in general, as established in the Americans with Disabilities Act of 1990

(42 U.S.C. 12101 et seq.): to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals.

(16) Finally, individuals with autism spectrum disorders are often denied health care benefits solely because of their diagnosis, even though proven, effective treatments for autism spectrum disorders do exist.

SEC. 3. PARENTAL RIGHTS RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to modify the legal rights of parents or legal guardians under Federal, State, or local law regarding the care of their children.

SEC. 4. DEFINITIONS; TECHNICAL AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i et seq.) is amended—

(1) by inserting after the header for part R the following:

"Subpart 1—Surveillance and Research Program; Education, Early Detection, and Intervention; and Reporting";

(2) in section 399AA(d), by striking ''part'' and inserting ''subpart''; and

(3) by adding at the end the following:

"Subpart 2—Care for People With Autism Spectrum Disorders, Registry, and Public Education

"SEC. 399GG. DEFINITIONS.

''Except as otherwise provided, in this subpart:

''(1) AUTISM SPECTRUM DISORDER.—The term 'autism spectrum disorder' means a developmental disability that causes substantial impairments in the areas of social interaction, emotional regulation, communication, and the integration of higher-order cognitive processes and which may be characterized by the presence of unusual behaviors and interests. Such term includes autistic disorder, pervasive developmental disorder (not otherwise specified), Asperger syndrome, Retts disorder, childhood disintegrative disorder, and other related developmental disorders.

''(2) ADULT WITH AUTISM SPECTRUM DISORDER.—The term 'adult with autism spectrum disorder' means an individual with an autism spectrum disorder who has attained 22 years of age.

''(3) AFFECTED INDIVIDUAL.—The term 'affected individual' means an individual with an autism spectrum disorder.

''(4) AUTISM.—The term 'autism' means an autism spectrum disorder or a related developmental disability.

''(5) AUTISM MANAGEMENT TEAM.—The term 'autism management team' means a group of autism care providers, including behavioral specialists, physicians, psychologists, social workers, family therapists, nurse practitioners, nurses, educators, other appropriate personnel, and family members who work in a coordinated manner to treat individuals with autism spectrum disorders and their families. Such team shall determine the specific structure and operational model of its specific autism care center, taking into consideration cultural, regional, and geographical factors.

''(6) CARE MANAGEMENT MODEL.—The term 'care management model' means a model of care that with respect to autism—

''(A) is centered on the relationship between an individual with an autism spectrum disorder and his or her family and their personal autism care coordinator;

''(B) provides services to individuals with autism spectrum disorders to improve the management and coordination of care provided to patients and their families; and

''(C) has established, where practicable, effective referral relationships between the autism care coordinator and the major medical, educational, and behavioral specialties and ancillary services in the region.

''(7) CHILD WITH AUTISM SPECTRUM DISORDER.—The term 'child with autism spectrum disorder' means an individual with an autism spectrum disorder who has not attained 22 years of age.

''(8) INTERVENTIONS.—The term 'interventions' means the educational methods and positive behavioral support strategies designed to improve or ameliorate symptoms associated with autism spectrum disorders.

''(9) NETWORK.—The term 'Network' means the Network for Autism Spectrum Disorders Research and Services described in section 10 of the Autism Treatment Acceleration Act of 2009.

''(10) PERSONAL PRIMARY CARE COORDINATOR.—The term 'personal primary care coordinator' means a physician, nurse, nurse practitioner, psychologist, social worker, family therapist, educator, or other appropriate personnel (as determined by the Secretary) who has extensive expertise in treatment and services for individuals with autism spectrum disorders, who—

''(A) practices in an autism care center; and

''(B) has been trained to coordinate and manage comprehensive autism care for the whole person.

''(11) PROJECT.—The term 'project' means the autism care center demonstration project established under section 399HH.

''(12) SERVICES.—The term 'services' means services to assist individuals with autism spectrum disorders to live more independently in their communities and to improve their quality of life.

''(13) TREATMENTS.—The term 'treatments' means the health services, including mental health and behavioral therapy services, designed to improve or ameliorate symptoms associated with autism spectrum disorders.

''(14) AUTISM CARE CENTER.—In this subpart, the term 'autism care center' means a center that is directed by a primary care coordinator who is an expert in autism spectrum disorder treatment and practice and provides an array of medical, psychological, behavioral, educational, and family services to individuals with autism and their families. Such a center shall—

''(A) incorporate the attributes of the care management model;

''(B) offer, through on-site service provision or through detailed referral and coordinated care arrangements, an autism management team of appropriate providers, including behavioral specialists, physicians, psychologists, social workers, family therapists, nurse practitioners, nurses, educators, and other appropriate personnel; and

''(C) have the capability to achieve improvements in the management and coordination of care for targeted beneficiaries.''.

SEC. 5. AUTISM CARE CENTERS DEMONSTRATION PROJECT.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by section 4, is further amended by adding at the end the following:

"SEC. 399HH. AUTISM CARE CENTER DEMONSTRATION PROJECT.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Autism Treatment Acceleration Act of 2009, the Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a demonstration project for the implementation of an Autism Care Center Program (referred to in this section as the 'Program') to provide grants and other assistance to improve the effectiveness and efficiency in providing comprehensive care to individuals diagnosed with autism spectrum disorders and their families.

''(b) GOALS.—The Program shall be designed—

''(1) to increase—

''(A) comprehensive autism spectrum disorder care delivery;

''(B) access to appropriate health care services, especially wellness and prevention care, at times convenient for patients;

''(C) patient satisfaction;

''(D) communication among autism spectrum disorder health care providers, behaviorists, educators, specialists, hospitals, and other autism spectrum disorder care providers;

''(E) school placement and attendance;

''(F) successful transition to postsecondary education, vocational or job training and placement, and comprehensive adult services for individuals with autism spectrum disorders, focusing in particular upon the transitional period for individuals between the ages of 18 and 25;

''(G) the quality of health care services, taking into account nationally-developed standards and measures;

''(H) development, review, and promulgation of common clinical standards and guidelines for medical care to individuals with autism spectrum disorders;

''(I) development of clinical research projects to support clinical findings in a search for recommended practices; and

''(J) the quality of life of individuals with autism spectrum disorders, including communication abilities, social skills, community integration, and employment and other related services; and

''(2) to decrease—

''(A) inappropriate emergency room utilization, which can be accomplished through initiatives such as expanded hours of care;

''(B) avoidable hospitalizations;

''(C) the duplication of health care services;

''(D) the inconvenience of multiple provider locations;

''(E) health disparities and inequalities that individuals with autism spectrum disorders face; and

''(F) preventable and inappropriate involvement with the juvenile and criminal justice systems.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive assistance under the Program, an entity shall—

''(1) be a State or a public or private nonprofit entity;

''(2) agree to establish and implement an autism care center that—

''(A) enables targeted beneficiaries to designate a personal primary care coordinator in such center to be their source of first contact and to recommend comprehensive and coordinated care for the whole of the individual;

''(B) provides for the establishment of a coordination of care committee that is composed of clinicians and practitioners trained in and working in autism spectrum disorder intervention;

''(C) establishes a network of physicians, psychologists, family therapists, behavioral specialists, social workers, educators, and health centers that have volunteered to participate as consultants to patient-centered autism care centers to provide high-quality care, focusing on autism spectrum disorder care, at the appropriate times and places and in a cost-effective manner;

''(D) works in cooperation with hospitals, local public health departments, and the network of patient-centered autism care centers, to coordinate and provide health care;

''(E) utilizes health information technology to facilitate the provision and coordination of health care by network participants; and

''(F) collaborates with other entities to further the goals of the program, particularly by collaborating with entities that provide transitional adult services to individuals between the ages of 18 and 25 with autism spectrum disorder, to ensure successful transition of such individuals to adulthood; and

''(3) submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require, including—

''(A) a description of the treatments, interventions, or services that the eligible entity proposes to provide under the Program;

''(B) a demonstration of the capacity of the eligible entity to provide or establish such treatments, interventions, and services within such entity;

''(C) a demonstration of the capacity of the eligible entity to monitor and evaluate the outcomes of the treatments, interventions, and services described in subparagraph (A);

''(D) estimates of the number of individuals and families who will be served by the eligible entity under the Program, including an estimate of the number of such individuals and families in medically underserved areas;

''(E) a description of the ability of the eligible entity to enter into partnerships with community-based or nonprofit providers of treatments, interventions, and services, which may include providers that act as advocates for individuals with autism spectrum disorders and local governments that provide services for individuals with autism spectrum disorders at the community level;

''(F) a description of the ways in which access to such treatments and services may be sustained following the Program period;

''(G) a description of the ways in which the eligible entity plans to collaborate with other entities to develop and sustain an effective protocol for successful transition from children's services to adult services for individuals with autism spectrum disorder, particularly for individuals between the ages of 18 and 25; and

''(H) a description of the compliance of the eligible entity with the integration requirement provided under section 302 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12182).

''(d) GRANTS.—The Secretary shall award 3-year grants to eligible entities whose applications are approved under subsection (c). Such grants shall be used to—

''(1) carry out a program designed to meet the goals described in subsection (b) and the requirements described in subsection (c); and

''(2) facilitate coordination with local communities to be better prepared and positioned to understand and meet the needs of the communities served by autism care centers.

''(e) ADVISORY COUNCILS.—

''(1) IN GENERAL.—Each recipient of a grant under this section shall establish an autism care center advisory council, which shall advise the autism care center regarding policies, priorities, and services.

''(2) MEMBERSHIP.—Each recipient of a grant shall appoint members of the recipient's advisory council, which shall include a variety of autism care center service providers, individuals from the public who are knowledgeable about autism spectrum disorders, individuals receiving services through the Program, and family members of such individuals. At least 60 percent of the membership shall be comprised of individuals who have received, or are receiving, services through the Program or who are family members of such individuals.

''(3) CHAIRPERSON.—The recipient of a grant shall appoint a chairperson to the advisory council of the recipient's autism care center who shall be—

''(A) an individual with autism spectrum disorder who has received, or is receiving, services through the Program; or

''(B) a family member of such an individual.

''(f) EVALUATION.—The Secretary shall enter into a contract with an independent third-party organization with expertise in evaluation activities to conduct an evaluation and, not later than 180 days after the conclusion of the 3-year grant program under this section, submit a report to the Secretary, which may include measures such as whether and to what degree the treatments, interventions, and services provided through the Program have resulted in improved health, educational, employment, and community integration outcomes for individuals with autism spectrum disorders, or other measures, as the Secretary determines appropriate.

''(g) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated to carry out this section, the Secretary shall allocate not more than 7 percent for administrative expenses, including the expenses related to carrying out the evaluation described in subsection (f).

''(h) SUPPLEMENT NOT SUPPLANT.—Amounts provided to an entity under this section shall be used to supplement, not supplant, amounts otherwise expended for existing treatments, interventions, and services for individuals with autism spectrum disorders.''.

SEC. 6. PLANNING AND DEMONSTRATION GRANTS FOR SERVICES FOR ADULTS.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by section 5, is further amended by adding at the end the following:

''SEC. 399II. PLANNING AND DEMONSTRATION GRANT FOR SERVICES FOR ADULTS.

''(a) IN GENERAL.—In order to enable selected eligible entities to provide appropriate services to adults with autism spectrum disorders, to enable such adults to be as independent as possible, the Secretary shall establish—

''(1) a one-time, single-year planning grant program for eligible entities; and

''(2) a multiyear service provision demonstration grant program for selected eligible entities.

''(b) PURPOSE OF GRANTS.—Grants shall be awarded to eligible entities to provide all or part of the funding needed to carry out programs that focus on critical aspects of adult life, such as—

''(1) postsecondary education, vocational training, self-advocacy skills, and employment;

''(2) residential services and supports, housing, and transportation;

''(3) nutrition, health and wellness, recreational and social activities; and

''(4) personal safety and the needs of individuals with autism spectrum disorders who become involved with the criminal justice system.

''(c) ELIGIBLE ENTITY.—An eligible entity desiring to receive a grant under this section shall be a State or other public or private nonprofit organization, including an autism care center.

''(d) PLANNING GRANTS.—

''(1) IN GENERAL.—The Secretary shall award one-time grants to eligible entities to support the planning and development of initiatives that will expand and enhance service delivery systems for adults with autism spectrum disorders.

''(2) APPLICATION.—In order to receive such a grant, an eligible entity shall—

''(A) submit an application at such time and containing such information as the Secretary may require; and

''(B) demonstrate the ability to carry out such planning grant in coordination with the State Developmental Disabilities Council and organizations representing or serving individuals with autism spectrum disorders and their families.

''(e) IMPLEMENTATION GRANTS.—

''(1) IN GENERAL.—The Secretary shall award grants to eligible entities that have received a planning grant under subsection (d) to enable such entities to provide appropriate services to adults with autism spectrum disorders.

''(2) APPLICATION.—In order to receive a grant under paragraph (1), the eligible entity shall submit an application at such time and containing such information as the Secretary may require, including—

''(A) the services that the eligible entity proposes to provide and the expected outcomes for adults with autism spectrum disorders who receive such services;

''(B) the number of adults and families who will be served by such grant, including an estimate of the adults and families in underserved areas who will be served by such grant;

''(C) the ways in which services will be coordinated among both public and nonprofit providers of services for adults with disabilities, including community-based services;

''(D) where applicable, the process through which the eligible entity will distribute funds to a range of community-based or nonprofit providers of services, including local governments, and such entity's capacity to provide such services;

''(E) the process through which the eligible entity will monitor and evaluate the outcome of activities funded through the grant, including the effect of the activities upon adults with autism spectrum disorders who receive such services;

''(F) the plans of the eligible entity to coordinate and streamline transitions from youth to adult services;

''(G) the process by which the eligible entity will ensure compliance with the integration requirement provided under section 302 of the Americans With Disabilities Act of 1990 (42 U.S.C. 12182); and

''(H) a description of how such services may be sustained following the grant period.

''(f) EVALUATION.—The Secretary shall contract with a third-party organization with expertise in evaluation to evaluate such demonstration grant program and, not later than 180 days after the conclusion of the grant program under subsection (e), submit a report to the Secretary. The evaluation and report may include an analysis of whether and to what extent the services provided through the grant program described in this section resulted in improved health, education, employment, and community integration outcomes for adults with autism spectrum disorders, or other measures, as the Secretary determines appropriate.

''(g) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated to carry out this section, the Secretary shall set aside not more than 7 percent for administrative expenses, including the expenses related to carrying out the evaluation described in subsection (f).

''(h) SUPPLEMENT, NOT SUPPLANT.—Demonstration grant funds provided under this section shall supplement, not supplant, existing treatments, interventions, and services for individuals with autism spectrum disorders.''.

SEC. 7. NATIONAL REGISTRY.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by

section 6, is further amended by adding at the end the following:

"SEC. 399JJ. NATIONAL REGISTRY FOR AUTISM SPECTRUM DISORDERS.

''(a) ESTABLISHMENT.—The Secretary, in consultation with national health organizations and professional societies with experience and expertise relating to autism spectrum disorders, shall establish a voluntary population-based registry of cases of autism spectrum disorders. Such registry shall be known as the 'National Registry for Autism Spectrum Disorders' (referred to in this section as the 'Registry'). The Secretary shall ensure that the Registry maintains the privacy of individuals and the highest level of medical and scientific research ethics.

''(b) PURPOSE.—The purpose of the Registry is to facilitate the collection, analysis, and dissemination of data related to autism spectrum disorders that can increase understanding of causal factors, rates, and trends of autism spectrum disorders.

''(c) ACTIVITIES.—In carrying out the Registry, the Secretary may—

''(1) implement a surveillance and monitoring system that is based on thorough and complete medical diagnosis data, clinical history, and medical findings;

''(2) collect standardized information concerning the environmental, medical, social, and genetic circumstances that may correlate with diagnosis of autism spectrum disorders;

''(3) promote the use of standardized autism spectrum disorder investigation and reporting tools of the Centers for Disease Control and Prevention, as well as standardized autism spectrum disorder protocols;

''(4) establish a standardized classification system for defining subcategories of autism spectrum disorders for surveillance research activities; and

''(5) support multidisciplinary reviews of autism spectrum disorders.''.

SEC. 8. MULTIMEDIA CAMPAIGN.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by section 7, is further amended by adding at the end the following:

"SEC. 399KK. MULTIMEDIA CAMPAIGN.

''(a) IN GENERAL.—The Secretary, in order to enhance existing awareness campaigns and provide for the implementation of new campaigns, shall award grants to public and nonprofit private entities for the purpose of carrying out multimedia campaigns to increase public education and awareness and reduce stigma concerning—

''(1) healthy developmental milestones for infants and children that may assist in the early identification of the signs and symptoms of autism spectrum disorders; and

''(2) autism spectrum disorders through the lifespan and the challenges that individuals with autism spectrum disorders face, which may include transitioning into adulthood, securing appropriate job training or postsecondary education, securing and holding jobs, finding suitable housing, interacting with the correctional system, increasing independence, and attaining a good quality of life.

''(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), an entity shall—

''(1) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

''(2) provide assurance that the multimedia campaign implemented under such grant will provide information that is tailored to the intended audience, which may be a diverse public audience or a specific audience, such as health professionals, criminal justice professionals, or emergency response professionals.''.

SEC. 9. INTERDEPARTMENTAL AUTISM COORDINATING COMMITTEE.

(a) ESTABLISHMENT.—There is established a committee, to be known as the ''Interdepartmental Autism Coordinating Committee,'' (referred to in this section as the ''Committee'') to coordinate all Federal efforts concerning autism spectrum disorders.

(b) RESPONSIBILITIES.—In carrying out its duties under this section, the Committee shall—

(1) develop and annually update a summary of developments in research on autism spectrum disorders, services for people on the autism spectrum and their families, and programs that focus on people on the autism spectrum;

(2) monitor governmental and nongovernmental activities with respect to autism spectrum disorders;

(3) make recommendations to the Secretary of Health and Human Services and other relevant heads of agencies (referred to in this subsection as the ''agency heads'') regarding any appropriate changes to such activities and any ethical considerations relating to those activities;

(4) make recommendations to the agency heads regarding public participation in decisions relating to autism spectrum disorders;

(5) develop and annually update a strategic plan, including proposed budgetary requirements, for conducting and supporting research related to autism spectrum disorders, services for individuals on the autism spectrum and their families, and programs that focus on such individuals and their families; and

(6) annually submit to Congress and the President such strategic plan and any updates to such plan.

(c) MEMBERSHIP.—

(1) FEDERAL MEMBERS.—The Committee shall be composed of—

(A) the Director of the National Institutes of Health, and the directors of such national research institutes of the National Institutes of Health as the Director determines appropriate;

(B) the heads of other agencies within the Department of Health and Human Services, as the Secretary determines appropriate; and

(C) representatives of the Department of Education, the Department of Defense, and other Federal agencies that provide services to individuals with autism spectrum disorders and their families or that have programs that affect individuals with autism spectrum disorders, as the Secretary determines appropriate.

(2) NON-FEDERAL MEMBERS.—Not less than 2/5 of the total membership of the Committee shall be composed of public members to be appointed by the Secretary, of which—

(A) at least one such member shall be an individual with an autism spectrum disorder;

(B) at least one such member shall be a parent or legal guardian of an individual with an autism spectrum disorder;

(C) at least one such member shall be a representative of a nongovernmental organization that provides services to individuals with autism spectrum disorders or their families; and

(D) at least one such member shall be a representative of a leading research, advocacy, and service organization for individuals with autism spectrum disorders and their families.

(d) ADMINISTRATIVE SUPPORT; TERMS OF SERVICE; OTHER PROVISIONS.—The following provisions shall apply with respect to the Committee:

(1) The Committee shall receive necessary and appropriate administrative support from the Secretary.

(2) Members of the Committee appointed under subsection (c)(2) shall serve for a term of 4 years and may be reappointed for one or more additional 4-year terms. The term of any member appointed under subsection (c)(2)(C) or subsection (c)(2)(D) shall expire if the member no longer represents the organization described in such subsections. Any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of such term. A member may serve after the expiration of the member's term until a successor has taken office.

(3) The Committee shall be chaired by the Secretary or the Secretary's designee. The Committee shall meet at the call of the chairperson and not fewer than 2 times each year.

(4) All meetings of the Committee or its subcommittees shall be public and shall include appropriate time periods for questions and presentations by the public.

(5) The Committee may convene workshops and conferences.

(e) SUBCOMMITTEES: ESTABLISHMENT AND MEMBERSHIP.—

(1) ESTABLISHMENT OF SUBCOMMITTEES.—In carrying out its functions, the Committee may establish—

(A) a subcommittee on research on autism spectrum disorders;

(B) a subcommittee on services for individuals with autism spectrum disorders and their families and programs that focus on individuals with autism spectrum disorders; and

(C) such other subcommittees as the Committee determines appropriate.

(2) MEMBERSHIP.—Subcommittees may include as members individuals who are not members of the Committee.

(3) MEETINGS.—Subcommittees may hold such meetings as are necessary.

(f) INTERAGENCY AUTISM COORDINATING COMMITTEE.—Part R of title III of the Public Health Service Act (42 U.S.C. 280i) is amended by striking section 399CC (42 U.S.C. 284i-2).

SEC. 10. NATIONAL NETWORK FOR AUTISM SPECTRUM DISORDERS RESEARCH AND SERVICES.

(a) DEFINITIONS.—In this section:

(1) SERVICES.—The term ''services'' means services to assist individuals with autism spectrum disorders to live more independently in their communities and improve the quality of life of such individuals.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(3) TREATMENTS.—The term ''treatments'' means the health services, including mental health and behavioral therapy services, designed to improve or ameliorate symptoms associated with autism spectrum disorders.

(4) AUTISM CARE CENTER.—In this subpart, the term ''autism care center'' means a center that is directed by a primary care coordinator who is an expert in autism spectrum disorder treatment and practice and provides an array of medical, psychological, behavioral, educational, and family services to individuals with autism and their families. Such a center shall—

(A) incorporate the attributes of the care management model;

(B) offer, through on-site service provision or through detailed referral and coordinated care arrangements, an autism management team of appropriate providers, including behavioral specialists, physicians, psychologists, social workers, family therapists, nurse practitioners, nurses, educators, and other appropriate personnel; and

(C) have the capability to achieve improvements in the management and coordination of care for targeted beneficiaries.

(b) ESTABLISHMENT OF THE NATIONAL NETWORK FOR AUTISM SPECTRUM DISORDERS RESEARCH AND SERVICES.—Not later than 1 year

after the date of enactment of this Act, the Secretary shall establish the National Network for Autism Spectrum Disorders Research and Services (referred to in this section as the ''National Network''). The National Network shall provide resources for, and facilitate communication between, autism spectrum disorder researchers and service providers for individuals with autism spectrum disorders and their families.

(c) PURPOSES.—The purposes of the National Network are to—

(1) build upon the infrastructure relating to autism spectrum disorders that exists on the date of enactment of this Act;

(2) strengthen linkages between autism spectrum disorders research and service initiatives at the Federal, regional, State, and local levels;

(3) facilitate the translation of research on autism spectrum disorders into services and treatments to improve the quality of life for individuals with autism and their families; and

(4) ensure the rapid dissemination of evidence-based or promising autism spectrum disorder practices through the National Data Repository for Autism Spectrum Disorders Research and Services described in subsection (e).

(d) ORGANIZATION AND ACTIVITIES OF THE NATIONAL NETWORK.—

(1) IN GENERAL.—In establishing the National Network, the Secretary, acting through Administrator of the Health Resources and Services Administration, shall ensure that the National Network is composed of entities at the Federal, regional, State, and local levels.

(2) REGIONAL LEADERSHIP AND ORGANIZATION.—In establishing the National Network, the Secretary shall establish a Committee of Regional Leaders, which shall ensure that regional participation is provided through the appointment of regional leaders such as university- and community-based partnerships that represent the needs and interests of regional stakeholders (including individuals with autism spectrum disorders and their families, providers, and researchers). The Committee of Regional Leaders shall be responsible for monitoring, reporting, analyzing, and disseminating information in the Data Repository described in subsection (e) to other stakeholders to ensure that the information contained in such Data Repository is widely available to policymakers and service providers at the State and local levels, and to facilitate communication between various members of the National Network.

(3) STATE AND COMMUNITY LEVEL LEADERSHIP AND ORGANIZATION.—

(A) STATE DIRECTORS.—The regional leaders appointed under paragraph (2) shall appoint State directors who shall coordinate the activities of the National Network at the State and community levels.

(B) STATE AND COMMUNITY SUBNETWORKS.—The Secretary shall ensure that the State directors establish State and community autism subnetworks, which shall engage in a variety of frontline autism activities and provide services, including comprehensive diagnostics, treatment, resource and referral, and support programs, for individuals with autism spectrum disorders.

(e) NATIONAL DATA REPOSITORY FOR AUTISM SPECTRUM DISORDERS RESEARCH AND SERVICES.—

(1) IN GENERAL.—The Secretary shall establish a National Data Repository for Autism Spectrum Disorders Research and Services (referred to in this section as the ''Data Repository'') and shall contract with one eligible third-party entity to develop and administer such repository (referred to in this section as the ''Data Repository Administrator''). The Data Repository shall be used to collect, store, and disseminate information regarding research, data, findings, models of treatment, training modules, and technical assistance materials related to autism spectrum disorders in order to facilitate the development and rapid dissemination of research into best practices that improve care.

(2) ELIGIBILITY.—To be eligible to receive the contract described in paragraph (1), an entity shall—

(A) be a public or private nonprofit entity; and

(B) have experience—

(i) collecting data;

(ii) developing systems to store data in a secure manner that does not personally identify individuals;

(iii) developing internet web portals and other means of communicating with a wide audience; and

(iv) making information available to the public.

(3) CONTENTS.—The Data Repository shall include—

(A) emerging research, data, and findings regarding autism spectrum disorders from basic and applied researchers and service providers;

(B) emerging or promising models of treatment, service provision, and training related to autism spectrum disorders that are developed in individual care centers or programs; and

(C) training modules and technical assistance materials.

(4) DUTIES OF THE ADMINISTRATOR.—The Data Repository Administrator shall—

(A) collect information from autism spectrum disorders research and service provision agencies and organizations including—

(i) Centers of Excellence in Autism Spectrum Disorder Epidemiology under section 399AA(b) of the Public Health Service Act (42 U.S.C. 280i(b));

(ii) autism care centers;

(iii) recipients of grants through the grant program for adult services under section 399II of the Public Health Service Act, as added by section 6 of this Act;

(iv) members and recipients of the national training initiatives on autism spectrum disorders under section 399LL of the Public Health Service Act, as added by section 11 of this Act; and

(v) the Committee of Regional Leaders, regional leaders, State directors, members of State and community autism subnetworks, and other entities, as determined by the Secretary;

(B) securely store and maintain information in the Data Repository in a manner that does not personally identify individuals;

(C) make information in the Data Repository accessible through an Internet web portal or other appropriate means of sharing information;

(D) ensure that the information contained in the Data Repository is accessible to the National Network, including health care providers, educators, and other autism spectrum disorders service providers at the national, State, and local levels; and

(E) provide a means through the Internet web portal, or through other means, for members of the National Network to share information, research, and best practices on autism spectrum disorders.

(f) SUPPLEMENT NOT SUPPLANT.—Amounts provided under this section shall be used to supplement, not supplant, amounts otherwise expended for existing network or organizational structures relating to autism spectrum disorders.

SEC. 11. NATIONAL TRAINING INITIATIVES ON AUTISM SPECTRUM DISORDERS.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by section 8, is further amended by adding at the end the following:

''SEC. 399LL. NATIONAL TRAINING INITIATIVES ON AUTISM SPECTRUM DISORDERS.

''(a) NATIONAL TRAINING INITIATIVE SUPPLEMENTAL GRANTS.—

''(1) IN GENERAL.—The Secretary shall award multiyear national training initiative supplemental grants to eligible entities so that such entities may provide training and technical assistance and to disseminate information, in order to enable such entities to address the unmet needs of individuals with autism spectrum disorders and their families.

''(2) ELIGIBLE ENTITY.—To be eligible to receive assistance under this section an entity shall—

''(A) be a public or private nonprofit entity, including University Centers for Excellence in Developmental Disabilities and other service, training, and academic entities; and

''(B) submit an application as described in paragraph (3).

''(3) REQUIREMENTS.—An eligible entity that desires to receive a grant under this paragraph shall submit to the Secretary an application containing such agreements and information as the Secretary may require, including agreements that the training program shall—

''(A) provide trainees with an appropriate balance of interdisciplinary academic and community-based experiences;

''(B) have a demonstrated capacity to include individuals with autism spectrum disorders, parents, and family members as part of the training program to ensure that a person and family-centered approach is used;

''(C) provide to the Secretary, in the manner prescribed by the Secretary, data regarding the outcomes of the provision of training and technical assistance;

''(D) demonstrate a capacity to share and disseminate materials and practices that are developed and evaluated to be effective in the provision of training and technical assistance; and

''(E) provide assurances that training, technical assistance, and information dissemination performed under grants made pursuant to this paragraph shall be consistent with the goals established under already existing disability programs authorized under Federal law and conducted in coordination with other relevant State agencies and service providers.

''(4) ACTIVITIES.—An entity that receives a grant under this section shall expand and develop interdisciplinary training and continuing education initiatives for health, allied health, and educational professionals by engaging in the following activities:

''(A) Promoting and engaging in training for health, allied health, and educational professionals to identify, diagnose, and develop interventions for individuals with, or at risk of developing, autism spectrum disorders.

''(B) Working to expand the availability of training and information regarding effective, lifelong interventions, educational services, and community supports, including specific training for criminal justice system, emergency health care, legal, and other mainstream first responder professionals, to identify characteristics of individuals with autism spectrum disorders and to develop appropriate responses and interventions.

''(C) Providing technical assistance in collaboration with relevant State, regional, or national agencies, institutions of higher education, advocacy groups for individuals with autism spectrum disorders and their families, or community-based service providers.

''(D) Developing mechanisms to provide training and technical assistance, including

for-credit courses, intensive summer institutes, continuing education programs, distance-based programs, and web-based information dissemination strategies.

''(E) Collecting data on the outcomes of training and technical assistance programs to meet statewide needs for the expansion of services to children with autism spectrum disorders and adults with autism spectrum disorders.

''(b) TECHNICAL ASSISTANCE.—The Secretary shall reserve 2 percent of the appropriated funds to make a grant to a national organization with demonstrated capacity for providing training and technical assistance to the entities receiving grants under subsection (a) to enable such entities to—

''(1) assist in national dissemination of specific information, including evidence-based and promising best practices, from interdisciplinary training programs, and when appropriate, other entities whose findings would inform the work performed by entities awarded grants;

''(2) compile and disseminate strategies and materials that prove to be effective in the provision of training and technical assistance so that the entire network can benefit from the models, materials, and practices developed in individual centers;

''(3) assist in the coordination of activities of grantees under this section;

''(4) develop an Internet web portal that will provide linkages to each of the individual training initiatives and provide access to training modules, promising training, and technical assistance practices and other materials developed by grantees;

''(5) convene experts from multiple interdisciplinary training programs and individuals with autism spectrum disorders and their families to discuss and make recommendations with regard to training issues related to the assessment, diagnosis of, treatment, interventions and services for, children with autism spectrum disorders and adults with autism spectrum disorders; and

''(6) undertake any other functions that the Secretary determines to be appropriate.

''(c) SUPPLEMENT NOT SUPPLANT.—Amounts provided under this section shall be used to supplement, not supplant, amounts otherwise expended for existing network or organizational structures.''.

SEC. 12. AMENDMENTS RELATING TO HEALTH INSURANCE.

(a) ERISA.—

(1) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following:

''SEC. 715. REQUIRED COVERAGE FOR AUTISM SPECTRUM DISORDERS.

''(a) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, shall provide coverage for the diagnosis of autism spectrum disorders and the treatment of autism spectrum disorders.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

''(1) as preventing a group health plan or health insurance issuer from imposing financial requirements or limits in relation to benefits for the diagnosis and treatment of autism spectrum disorders, except that such financial requirements or limits for any such benefits may not be less favorable to the individual than such financial requirements or limits for substantially all other medical and surgical benefits covered by the plan, and there shall be no separate financial requirements or limits that are applicable only with respect to benefits for the diagnosis or treatment of autism spectrum disorders; and

''(2) to prevent a group health plan or a health insurance issuer from negotiating the level and type of reimbursement with a provider for care provided in accordance with this section.

''(c) NOTICE UNDER GROUP HEALTH PLAN.—The imposition of the requirements of this section shall be treated as a material modification in the terms of the plan described in section 102(a)(1), for purposes of assuring notice of such requirements under the plan, except that the summary description required to be provided under the last sentence of section 104(b)(1) with respect to such modification shall be provided not later than the earlier of—

''(1) 60 days after the first day of the first plan year in which such requirements apply; or

''(2) in the first mailing after the date of enactment of the Autism Treatment Acceleration Act of 2009 made by the plan or issuer to the participant or beneficiary.

''(d) PROHIBITIONS.—A group health plan, and a health insurance issuer offering group health insurance coverage in connection with a group health plan, shall not—

''(1) deny to an individual eligibility, or continued eligibility, to enroll or to renew coverage under the terms of the plan, solely for the purpose of avoiding the requirements of this section; or

''(2) deny coverage otherwise available under this section on the basis that such coverage will not—

''(A) develop skills or functioning;

''(B) maintain skills or functioning;

''(C) restore skills or functioning; or

''(D) prevent the loss of skills or functioning.

''(e) PREEMPTION; RELATION TO STATE LAW.—

''(1) IN GENERAL.—Nothing in this section shall be construed to preempt any State law (or cost sharing requirements under State law) with respect to health insurance coverage that requires coverage of at least the coverage for autism spectrum disorders otherwise required under this section.

''(2) EFFECT ON OTHER LAWS.—Nothing in this section shall be construed to affect or modify the provisions of section 514 with respect to group health plans.

''(f) DEFINITIONS.—In this section:

''(1) AUTISM SPECTRUM DISORDERS.—The term 'autism spectrum disorders' means developmental disabilities that cause substantial impairments in the areas of social interaction, emotional regulation, communication, and the integration of higher-order cognitive processes and which may be characterized by the presence of unusual behaviors and interests. Such term includes autistic disorder, pervasive developmental disorder (not otherwise specified), Asperger syndrome, Retts disorder, and childhood disintegrative disorder.

''(2) DIAGNOSIS OF AUTISM SPECTRUM DISORDERS.—The term 'diagnosis of autism spectrum disorders' means medically necessary assessments, evaluations, or tests to diagnose whether an individual has an autism spectrum disorder.

''(3) TREATMENT OF AUTISM SPECTRUM DISORDERS.—The term 'treatment of autism spectrum disorders' means the following care prescribed, provided, or ordered for an individual diagnosed with an autism spectrum disorder by a physician, psychologist, or other qualified professional who determines the care to be medically necessary:

''(A) Medications prescribed by a physician and any health-related services necessary to determine the need or effectiveness of the medications.

''(B) Occupational therapy, physical therapy, and speech therapy.

''(C) Direct or consultative services provided by a psychiatrist or psychologist.

''(D) Professional, counseling, and guidance services and treatment programs, including applied behavior analysis and other structured behavioral programs. In this subparagraph, the term 'applied behavior analysis' means the design, implementation and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior.

''(E) Augmentative communication devices and other assistive technology devices.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 note) is amended by inserting after the item relating to section 714 the following:

''Sec. 715. Required coverage for autism spectrum disorders.''.

(b) PUBLIC HEALTH SERVICE ACT.—

(1) GROUP MARKET.—Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-4 et seq.) is amended by adding at the end the following:

''SEC. 2708. REQUIRED COVERAGE FOR AUTISM SPECTRUM DISORDERS.

''(a) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, shall provide coverage for the diagnosis of autism spectrum disorders and the treatment of autism spectrum disorders.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

''(1) as preventing a group health plan or health insurance issuer from imposing financial requirements or limits in relation to benefits for the diagnosis and treatment of autism spectrum disorders, except that such financial requirements or limits for any such benefits may not be less favorable to the individual than such financial requirements or limits for substantially all other medical and surgical benefits covered by the plan, and there shall be no separate financial requirements or limits that are applicable only with respect to benefits for the diagnosis or treatment of autism spectrum disorders; or

''(2) to prevent a group health plan or a health insurance issuer from negotiating the level and type of reimbursement with a provider for care provided in accordance with this section.

''(c) NOTICE UNDER GROUP HEALTH PLAN.—The imposition of the requirements of this section shall be treated as a material modification in the terms of the plan described in section 102(a)(1), for purposes of assuring notice of such requirements under the plan, except that the summary description required to be provided under the last sentence of section 104(b)(1) with respect to such modification shall be provided not later than the earlier of—

''(1) 60 days after the first day of the first plan year in which such requirements apply; or

''(2) in the first mailing after the date of enactment of the Autism Treatment Acceleration Act of 2009 made by the plan or issuer to the enrollee.

''(d) PROHIBITIONS.—A group health plan, and a health insurance issuer offering group health insurance coverage in connection with a group health plan, shall not—

''(1) deny to an individual eligibility, or continued eligibility, to enroll or to renew coverage under the terms of the plan, solely for the purpose of avoiding the requirements of this section; or

''(2) deny coverage otherwise available under this section on the basis that such coverage will not—

''(A) develop skills or functioning;

''(B) maintain skills or functioning;

''(C) restore skills or functioning; or

''(D) prevent the loss of skills or functioning.

''(e) PREEMPTION; RELATION TO STATE LAW.—

''(1) IN GENERAL.—Nothing in this section shall be construed to preempt any State law (or cost sharing requirements under State law) with respect to health insurance coverage that requires coverage of at least the coverage for autism spectrum disorders otherwise required under this section.

''(2) ERISA.—Nothing in this section shall be construed to affect or modify the provisions of section 514 of the Employee Income Retirement Security Act of 1974 with respect to group health plans.

''(f) DEFINITIONS.—In this section:

''(1) AUTISM SPECTRUM DISORDERS.—The term 'autism spectrum disorders' means developmental disabilities that cause substantial impairments in the areas of social interaction, emotional regulation, communication, and the integration of higher-order cognitive processes and which may be characterized by the presence of unusual behaviors and interests. Such term includes autistic disorder, pervasive developmental disorder (not otherwise specified), and Asperger syndrome.

''(2) DIAGNOSIS OF AUTISM SPECTRUM DISORDERS.—The term 'diagnosis of autism spectrum disorders' means medically necessary assessments, evaluations, or tests to diagnose whether an individual has an autism spectrum disorder.

''(3) TREATMENT OF AUTISM SPECTRUM DISORDERS.—The term 'treatment of autism spectrum disorders' means the following care prescribed, provided, or ordered for an individual diagnosed with an autism spectrum disorder by a physician, psychologist, or other qualified professional who determines the care to be medically necessary:

''(A) Medications prescribed by a physician and any health-related services necessary to determine the need or effectiveness of the medications.

''(B) Occupational therapy, physical therapy, and speech therapy.

''(C) Direct or consultative services provided by a psychiatrist or psychologist.

''(D) Professional, counseling, and guidance services and treatment programs, including applied behavior analysis and other structured behavioral programs. In this subparagraph, the term 'applied behavior analysis' means the design, implementation and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior.

''(E) Augmentative communication devices and other assistive technology devices.''.

(2) INDIVIDUAL MARKET.—Subpart 3 of part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-51 et seq.) is amended by adding at the end the following:

''SEC. 2754. REQUIRED COVERAGE FOR AUTISM SPECTRUM DISORDERS.

''The provisions of section 2708 shall apply to health insurance coverage offered by a health insurance issuer in the individual market in the same manner as they apply to health insurance coverage offered by a health insurance issuer in connection with a group health plan in the small or large group market.''.

(c) EFFECTIVE DATES.—

(1) GROUP HEALTH PLANS.—

(A) IN GENERAL.—The amendment made by subsection (a) shall apply to group health plans for plan years beginning on or after the date of enactment of this Act.

(B) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers, any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by the amendment made by subsections (a) and (b)(1) shall not be treated as a termination of such collective bargaining agreement.

(2) INDIVIDUAL PLANS.—The amendment made by subsection (b)(2) shall apply with respect to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market on or after the date of enactment of this Act.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal years 2010 through 2014 such sums as may be necessary to carry out this Act.

By Ms. SNOWE (for herself, Mr. BAUCUS, Mr. HATCH, Ms. STABENOW, Mr. ENSIGN, Mrs. LINCOLN, Ms. CANTWELL, and Mr. NELSON of Florida):

S. 823. A bill to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of operating losses, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, America's economy is continuing in recession. Companies that have been profitable for years are finding their balance sheets awash in red ink. The economic stimulus bill, the American Recover and Reinvestment Act or ''ARRA,'' helped some small companies with a provision that allows them to take losses from 2008 and carry them back for up to five years rather than carry them forward for up to 20 or back only two. This net operating loss, NOL, carryback provision gives formerly profitable companies the ability to get a quick infusion of cash by recouping taxes paid when they were profitable in the recent past.

The cash from a 5 year carryback of NOLs allows companies to keep employees on payroll, and stabilize operations during the most trying time businesses have faced in at least a generation. The House and Senate and the Obama Administration all acknowledged the importance of permitting NOL carrybacks during the debate on the economic stimulus with provisions that generally allowed any company to carryback losses incurred in 2008 and 2009. Unfortunately, the final agreement on that law did not contain the sweeping provision that is necessary to help as many companies as are in need of this tax relief.

Companies are permitted to take these losses against future income, for up to 20 years from now. However, that carryforward of losses does nothing to help companies weather the current recession in fact some of these companies might never be able to take these losses because they'll go out of business as a result of this recession. Permitting carryback of losses will help to prevent employees from being laid off today as a result of the credit crunch that continues to exacerbate the downward spiral of our economy. We can help lessen the credit crunch and increase cash flow in companies by permitting companies to carryback losses for 5 years.

Today I am honored to introduce the NOL Carryback Act with the chairman of the Senate Finance Committee, Chairman MAX BAUCUS, and a distinguished group of colleagues from the Finance Committee. This bill mirrors the Senate-passed NOL carryback provision that was passed in ARRA. The Senate-passed bill allowed carrybacks for losses incurred in 2008 and 2009, for any sized business, but it prevented companies that receive cash from the Troubled Asset Relief Program from also receiving this cash infusion.

By Ms. SNOWE (for herself and Mr. BEGICH):

S. 824. A bill to establish a Jobs Creation Coordinator in the Department of Commerce to ensure that agencies in the Department use resources in a manner that maximizes the maintenance and creation of jobs in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today in response to the devastating job losses resulting from the current economic crisis. Figures released this week show that U.S. companies shed more than 740,000 jobs in March, a 5 percent increase over the 706,000 jobs lost in February. Our country has now lost nearly 4.5 million jobs since the onset of the recession—the most since 1945. Tomorrow's release of government-compiled employment figures is certain to confirm the dismal state of the U.S. job market—a tragic reality that millions of hardworking Americans and the families they support know all too well.

As a senior member of the Senate Committee on Commerce, Science and Transportation, I believe it is essential for the Department of Commerce to respond to this dire situation by focusing its efforts on expanding employment opportunities for Americans. With its statutory mission ''to foster, promote, and develop the foreign and domestic commerce,'' the Department of Commerce has a clear mandate to defend and grow the U.S. economy through job preservation and creation.

Yet the disparate agencies that comprise the department have little or no occasion to coordinate their efforts toward maximizing its job maintaining and creating potential. While divisions such as the Economic Development Agency and the Minority Business Development Agency each have their own programs to increase employment in their respective target communities, there is the potential for even greater job creation through the coordination

of their efforts with the core functions of other department components, such as the export-promotion activities of the International Trade Administration, the economic analysis of the Economics and Statistics Administration, and the stewardship of technological innovation by the National Telecommunications & Information Administration.

That is why I am today introducing bipartisan legislation with my Commerce Committee colleague Senator Begich to establish a Job Creation Coordinator at the department. Answering directly to the Secretary of Commerce, the Coordinator would not only ensure that each agency is carrying out its primary mission in a way that maximizes U.S. employment, but also would identify and implement opportunities to link separate programs being carried out by the agencies in a way that ensures that department resources are being spent in a manner which guarantees the utmost job creation per dollar appropriated.

Specifically, the Jobs Coordinator would be responsible for making an initial assessment of the private sector jobs currently being maintained or created by Commerce Department programs; formulating an action plan for improving these figures under existing statutory authority; liaising with Congress about additional authority which would enhance the job maintaining and creating abilities of Commerce Department programs; and, overseeing the implementation of new department policies or statutory authorities intended to enhance the department's job maintenance and creation potential.

The millions of Americans who have lost their livelihoods to the economic downturn, or whose jobs are at risk amidst the turmoil, deserve the utmost effort by their government to put an end to the lay-offs and get people back to work. I urge my colleagues to join me in this vital effort by supporting this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 98—DESIGNATING EACH OF APRIL 15, 2009, AND APRIL 15, 2010, AS ''NATIONAL TEA PARTY DAY''

Mr. VITTER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 98

Whereas the taxpayers of the United States understand that the so-called ''stimulus bill'', the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115), included a laundry list of spending projects;

Whereas the taxpayers of the United States understand that the bailouts of Wall Street by the United States Government have been ineffective and a waste of taxpayer funding;

Whereas the taxpayers of the United States agree that the United States Government should stop wasteful spending, reduce the tax burden on families and businesses, and focus on policies that will lead to job creation and economic growth; and

Whereas taxpayers in the United States are expressing their opposition to high taxes and skyrocketing spending by the United States Government by organizing ''Taxed Enough Already'' parties, also known as ''TEA'' parties: Now, therefore, be it

Resolved, That the Senate designates each of April 15, 2009, and April 15, 2010, as ''National TEA Party Day''.

SENATE RESOLUTION 99—EXPRESSING THE SENSE OF THE SENATE THAT THE GOVERNMENT OF UZBEKISTAN SHOULD IMMEDIATELY ENFORCE ITS EXISTING DOMESTIC LEGISLATION AND FULFILL ITS INTERNATIONAL COMMITMENTS AIMED AT ENDING STATE-SPONSORED FORCED AND CHILD LABOR

Mr. HARKIN (for himself, Mr. SANDERS, and Mr. BINGAMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 99

Whereas the United States has a growing strategic involvement in Central Asia;

Whereas the interests of the United States in Central Asia, including the operations in Afghanistan, can only be secured by the presence in the region of viable, vigorous democracies that fully guarantee the economic and social rights of all people, including children;

Whereas the Government of Uzbekistan continues to commit serious human rights abuses, including arbitrary arrest and detention, torture in custody, and the severe restriction of freedom of speech, the press, religion, independent political activity, and nongovernmental organizations;

Whereas the Government of Uzbekistan detains thousands of people for political or religious reasons;

Whereas Uzbekistan is the third largest exporter of cotton in the world, and cotton is 1 of the largest sources of export revenue for Uzbekistan;

Whereas Uzbekistan has signed and properly deposited with the International Labour Organization (ILO) the Minimum Age Convention, convened at Geneva June 6, 1973 (International Labour Organization Convention Number 138) and the Worst Forms of Child Labour Convention, convened at Geneva June 1, 1999 (International Labour Organization Convention Number 182);

Whereas the Government of Uzbekistan issued a decree in September 2008 that ostensibly prohibited the practice of forced and child labor, but the Government of Uzbekistan sent schoolchildren to harvest cotton within weeks after issuing the decree;

Whereas the 2008 Country Reports on Human Rights Practices by the Department of State stated that large-scale compulsory mobilization of youth and students to harvest cotton continued in most rural areas of Uzbekistan and that the students and youths were poorly paid, living conditions were poor, and children were exposed to harmful chemicals and pesticides applied in the cotton fields;

Whereas research by the Environmental Justice Foundation indicates that each year hundreds of thousands of schoolchildren from Uzbekistan, some as young as 7 years old, are forced by the Government of Uzbekistan to work in the national cotton harvest for up to 3 months;

Whereas a policy briefing published by the School of Oriental and African Studies, University of London, in 2008, entitled ''Invisible to the World'', used extrapolations based on surveys in 6 areas that took place in 2006 and 2007 to conclude that approximately 2,400,000 schoolchildren from Uzbekistan between the ages of 10 and 15 are forcibly recruited into the annual cotton harvest;

Whereas the British Broadcasting Company undertook an investigation in late 2007 and found that the Government of Uzbekistan continues to rely on the state-orchestrated mass mobilization of children to bring in the cotton harvest;

Whereas, in 2008, reports of child labor in the cotton fields were received by multiple media outlets and local human rights activists from the major cotton-growing regions in Uzbekistan, including Djizzak, Namangan, Samarkand, and Ferghana, among others;

Whereas a report by the Rapid Reaction Group indicates that schoolchildren who cannot fulfill their daily picking quotas are forced to make up the difference in cash from the pockets of their own families;

Whereas the Government of Uzbekistan detained and harassed an independent journalist who accompanied a diplomat from the United States on a research trip to Syr Daria province, where the diplomat photographed children working in the cotton fields;

Whereas the children working in the cotton fields are stressed by the pressure to fulfill cotton quotas, physically abused by arduous work in the cotton fields, and subjected to poor and hazardous living conditions during the harvest period;

Whereas international brands such as Gap, H&M, Levi Strauss, Limited Brands, Target, Tesco, and Wal-Mart have banned cotton from Uzbekistan from their products and instructed their suppliers to comply with the ban;

Whereas the Government of Uzbekistan allowed a survey to be conducted by the United Nations Children's Fund (UNICEF), under the strict supervision of the Government of Uzbekistan, yet the survey was not conducted during the fall harvest season (a time when the likelihood of children working in the fields is significantly greater);

Whereas the Government of Uzbekistan refused to fully cooperate with the ILO and the International Cotton Advisory Committee to undertake an independent technical assessment of forced child labor during the fall 2008 harvest season; and

Whereas the ILO has conducted independent investigations into forced and child labor in more than 60 countries around the world, including developing and developed countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Government of Uzbekistan should—

(1) immediately enforce its existing domestic legislation and fulfill its international commitments aimed at ending state-sponsored forced and child labor;

(2) allow a comprehensive independent investigation into forced and child labor in the cotton sector during the fall 2009 harvest season by the International Labour Organization;

(3) in consultation and cooperation with the International Labour Organization, develop a credible and comprehensive action plan based on the findings of the International Labour Organization and commit the resources necessary to end forced and child labor in the cotton sector; and

(4) take concrete steps towards systemic reform that will—

(A) ensure greater freedom and better returns from their labor for cotton-producing farmers; and

(B) enable such farmers to employ adults in the cotton sector.

SENATE RESOLUTION 100—EXPRESSING THE SUPPORT OF THE SENATE FOR THE ESTABLISHMENT OF AN URBAN YOUTH SPORT INITIATIVE IN PARTNERSHIP WITH THE UNITED STATES OLYMPIC COMMITTEE

Mr. DURBIN submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 100

Whereas participation in sports and organized physical education is essential to fostering healthy attitudes and lifestyles in children;

Whereas the National Association for Sport and Physical Education reports that participation among American students in physical education has declined dramatically;

Whereas American children are experiencing obesity in growing numbers, and data continues to highlight the link between obesity and diabetes, heart disease, and other life-threatening medical conditions;

Whereas youth physical fitness through sport improves overall health, aids child development, improves self-esteem, and increases academic success in the classroom;

Whereas participation in adaptive sports improves self-worth, health, independence, and self-esteem for youth with physical and cognitive disabilities;

Whereas the rate of participation by urban youth in organized athletics is approximately one-third of the rate of suburban youth, and this is particularly true for young girls in urban areas;

Whereas both the world and United States populations are becoming increasingly urban, and if the trend of urbanization continues, by 2030 it is estimated that two-thirds of the global population will reside in urban areas;

Whereas establishing sports in urban settings remains a particular challenge because cities often lack the physical space needed for sports and efforts are often fragmented due to communication and coordination challenges;

Whereas the selection of the city of Chicago to represent the United States in its bid to host the 2016 Summer Olympic and Paralympic Games would leave a legacy of youth engagement in sports in cities across our Nation;

Whereas the city of Chicago and Chicago 2016 are committed to an initiative establishing sustainable urban sport venues and connecting sport venues with programs that address coaching challenges, resource issues, and the difficulties of parental support to run programs;

Whereas the United States Olympic Committee and its 45 member organizations are currently investing in Olympic and Paralympic sport and physical activity programs for Americans in communities throughout the United States; and

Whereas the creation of an Urban Youth Sport Initiative would increase involvement of urban youth in sport, increase the training and availability of coaches in urban areas for youth sports, and enhance the ability of urban cities to administer youth sports programs: Now, therefore, be it

Resolved, That the Senate—

(1) supports the expansion of quality urban youth sports programs to increase urban youth involvement in sport; and

(2) supports the establishment of an Urban Youth Sport Initiative in partnership with the United States Olympic Committee.

SENATE RESOLUTION 101—EXPRESSING THE SENSE OF THE SENATE ON THE TRAGIC EVENTS AT THE PINELAKE HEALTH AND REHAB CENTER IN CARTHAGE, NORTH CAROLINA ON SUNDAY, MARCH 29, 2009

Mr. BURR (for himself and Mrs. HAGAN) submitted the following resolution; which was

S. RES. 101

Resolved, That the Senate—

(1) offers its heartfelt condolences to the victims and their families, and to the staff and their families, who have been deeply affected by the tragic events that occurred at the Pinelake Health and Rehab Center in Carthage, North Carolina on March 29, 2009;

(2) honors the lives of the deceased victims—Jerry Avant, Louise DeKler, Lillian Dunn, Tessie Garner, John Goldstrom, Bessie Hedrick, Margaret Johnson, and Jesse Musser; and

(3) recognizes the heroism of Officer Justin Garner, whose decisive action and bravery preserved the safety of many, and wishes Officer Garner a complete and rapid recovery from the wound he sustained.

SENATE RESOLUTION 102—PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SCHUMER (for himself and Mr. BENNETT) submitted the following resolution; which was

S. RES. 102

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Schumer, Mrs. Murray, Mr. Udall of New Mexico, Mr. Bennett, and Mr. Chambliss.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Schumer, Mr. Dodd, Mr. Durbin, Mr. Bennett, and Mr. Cochran.

SENATE RESOLUTION 103—TO AUTHORIZE TESTIMONY AND DOCUMENT PRODUCTION IN RICHARD BOWEN V. DEPARTMENT OF THE NAVY (MSPB)

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was:

S. RES. 103

Whereas, in the case of Richard Bowen v. Department of the Navy, No. SF–0752–09–0040–I–1, pending before the Merit Systems Protection Board, a request has been made for documents from the office of Senator Jim Webb and a declaration from Jamie Lynch, a former fellow in the office of Senator Webb;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved that Jamie Lynch is authorized to testify and to produce documents in Richard Bowen v. Department of the Navy, except concerning matters for which a privilege should be asserted.

SENATE CONCURRENT RESOLUTION 17—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR THE UNVEILING OF A BUST OF SOJOURNER TRUTH

Mrs. GILLIBRAND (for herself and Mr. SPECTER) submitted the following concurrent resolution, which was referred to the Committee on Rules and Administration.

S. CON. RES. 17

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

SECTION 1. USE OF EMANCIPATION HALL FOR UNVEILING OF SOJOURNER TRUTH BUST.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on April 28, 2009, to unveil a bust of Sojourner Truth.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

AMENDMENTS SUBMITTED AND PROPOSED

SA 928. Mr. THUNE 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.

SA 929. 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 930. 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 931. Ms. LANDRIEU (for herself, Mr. BEGICH, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra.

SA 932. Mr. KYL (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 933. 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 934. Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 935. 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 936. 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 937. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 938. Mr. VITTER (for himself, Mr. GRASSLEY, and Mr. FEINGOLD) 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 939. Mr. HATCH (for himself, Ms. MIKULSKI, Mr. CARDIN, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 940. Ms. SNOWE (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra.

SA 941. Mr. GREGG 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 942. Mr. GREGG 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 943. Mr. GREGG (for himself and Mr. BARRASSO) 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 944. Mr. GREGG (for himself, Mr. ALEXANDER, and Mr. BARRASSO) 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 945. Mr. GREGG 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 946. Mr. DORGAN (for himself, Mr. JOHNSON, Mr. BINGAMAN, Mr. BEGICH, Mr. UDALL, of New Mexico, Mr. TESTER, Ms. MURKOWSKI, Mr. REID, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 947. Ms. KLOBUCHAR (for herself and Mr. HARKIN) 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 948. Ms. KLOBUCHAR (for herself and Mr. DORGAN) 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 949. Mr. REED submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 950. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 951. Mr. SCHUMER 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 952. Mrs. BOXER 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 953. Mrs. BOXER (for herself and Mr. ENSIGN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra.

SA 954. Mr. BENNETT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 955. Mr. DODD (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 956. Mr. LAUTENBERG 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 957. Mr. LAUTENBERG (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 958. Mr. CRAPO (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 13, supra.

SA 959. 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 960. 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.

SA 961. Ms. MURKOWSKI 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 962. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 963. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 964. Mr. DEMINT (for himself, Mr. BENNETT, Mr. ENZI, Mr. BROWNBACK, Mr. COBURN, and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 965. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 966. Mr. LIEBERMAN (for himself, Mr. SESSIONS, Mr. BEGICH, Mr. KYL, Ms. MURKOWSKI, Mr. INHOFE, Mr. JOHANNS, and Mr. NELSON of Nebraska) 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 967. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 968. 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 969. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 970. Mr. HATCH (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 971. Mrs. GILLIBRAND 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 972. Ms. MURKOWSKI (for herself, Mr. UDALL, of New Mexico, Mr. DORGAN, Mr. JOHNSON, and Mr. BEGICH) 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 973. Mr. ENZI 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 974. Mr. DURBIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 975. 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 976. Mr. HATCH (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 977. Mr. LAUTENBERG 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 978. Mr. HATCH (for himself, Mr. BAUCUS, and Mr. ENZI) 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 979. 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 980. Mr. KYL (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

TEXT OF AMENDMENTS

SA 928. Mr. THUNE 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. _____. LIMITATION ON BUDGET RESOLUTIONS SHOWING AN AVERAGE ANNUAL DEFICIT-TO-GROSS DOMESTIC PRODUCT RATIO OF GREATER THAT 3.5 PERCENT.

(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 average annual deficit-to-gross domestic product ratio of greater that 3.5 percent for the period of the current fiscal year through the next 5 years.

(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 and projected gross domestic product figures shall be determined on the basis of estimates provided by the Congressional Budget Office.

(f) SUNSET.—This section shall expire on September 30, 2010.

SA 929. 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 36, line 5, after ''programs'', insert '', particularly the Highway Bridge Program,''.

SA 930. 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 subtitle A of title III, add the following:

SEC. ___. POINT OF ORDER AGAINST LEGISLATION THAT REPEALS CERTAIN TAX BENEFITS THAT SUPPORT DOMESTIC ENERGY PRODUCTION.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that includes a measure that repeals the enhanced oil recovery credit, the marginal well tax credit, expensing of intangible drilling costs, the deduction for tertiary injectants, or the percentage depletion allowance for oil and natural gas properties.

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 931. Ms. LANDRIEU (for herself, Mr. BEGICH, and Ms. MURKOWSKI) 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; as follows:

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR OUTER CONTINENTAL SHELF OIL AND NATURAL GAS LEASING REVENUES.

(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 provide that 50 perecent of any revenues collected by the United States from oil and natural gas leases in the outer Continental Shelf shall be—

(1) distributed among coastal energy producing States; or

(2) allocated for—

(A) the conduct of innovative alternative energy research; and

(B) supporting parks and wildlife.

(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 932. Mr. KYL (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 10, line 20, decrease the amount by $900,000,000.

On page 10, line 21, decrease the amount by $900,000,000.

On page 12, line 21, decrease the amount by $553,000,000.

On page 12, line 22, decrease the amount by $553,000,000.

On page 27, line 23, increase the amount by $1,453,000,000.

On page 27, line 24, increase the amount by $1,453,000,000.

SA 933. 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 10, line 20, decrease the amount by $10,000,000.

On page 10, line 21, decrease the amount by $10,000,000.

On page 12, line 21, decrease the amount by $10,000,000.

On page 12, line 22, decrease the amount by $10,000,000.

On page 27, line 23, increase the amount by $20,000,000.

On page 27, line 24, increase the amount by $20,000,000.

SA 934. Mr. CORNYN 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:

At the appropriate place insert the following:

SEC.____. REQUIREMENT THAT LEGISLATION BE AVAILABLE AND SCORED 5 DAYS BEFORE A VOTE ON PASSAGE.

(a) IN GENERAL.—In the Senate, it shall not be in order, to vote on final passage on any bill, joint resolution, or conference report unless the text and a budget score from the Congressional Budget Office of the legislation, are available on a publicly accessible Congressional website five days prior to the vote on passage of the legislation.

(b) 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.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 935. 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, insert the following:

(Sec.____. POINT OF ORDER ON LEGISLATION THAT RESTRICTS THE CONSTITUTIONAL RIGHTS OF AMERICANS TO OWN A FIREARM.

(a) POINT OF ORDER—

(1) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that includes a restriction on the right of Americans to own a firearm.

(2) DEFINITION.—In this subsection the term ''Restriction on the right of Americans to own a firearm'' means any bill that restricts the right of an American to own any firearm.

(3) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, dully chosen and sworn.

(4) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 936. 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. __. RESERVE FUND TO PREVENT FUNDING FOR SANCTUARY CITIES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that would ensure that funds appropriated for the Community Oriented Policing Services Program are not used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)) by the amounts provided in that legislation for that purpose, 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 937. 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; as follows:

At the appropriate place in title II, insert the following:

SEC. __. RESERVE FUND TO REQUIRE DRUG TESTING AND TO PROVIDE DRUG TREATMENT FOR TANF RECIPIENTS.

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 a bill, joint resolution, amendment, motion, or conference report that—

(1) Would require that States operate a drug testing program as part of their Temporary Assistance for Needy Families (TANF) program;

(2) Would provide treatment programs for those who test positive for illegal drug use or are convicted of drug-related crime;

(3) Would withhold TANF assistance for two years to any recipient who, after initially testing positive and having been offered treatment, again tests positive; and

(4) Would not reduce or deny TANF assistance allocated for dependents if the dependent's caretaker tests positive for drug use or is convicted of drug-related crime; by the amounts provided in that legislation for that purpose, 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 938. Mr. VITTER (for himself, Mr. GRASSLEY, and Mr. FEINGOLD) 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 15, decrease the amount by $2,022,800.
On page 4, line 16, decrease the amount by $4,120,000.
On page 4, line 17, decrease the amount by $6,348,200.
On page 4, line 18, decrease the amount by $9,757,700.
On page 4, line 24, decrease the amount by $2,022,800
On page 4, line 25, decrease the amount by $4,120,000.
On page 5, line 1, decrease the amount by $6,348,200.
On page 5, line 2, decrease the amount by $9,757,700.
On page 5, line 8, decrease the amount by $2,022,800.
On page 5, line 9, decrease the amount by $4,120,000.
On page 5, line 10, decrease the amount by $6,348,200.
On page 5, line 11, decrease the amount by $ 9,757,700.
On page 5, line 18, decrease the amount by $2,022,800.
On page 5, line 19, decrease the amount by $6,142,800.
On page 5, line 20, decrease the amount by $12,491,000.
On page 5, line 21, decrease the amount by $22,248,700.
On page 6, line 1, decrease the amount by $2,022,800.
On page 6, line 2, decrease the amount by $6,142,800.
On page 6, line 3, decrease the amount by $12,491,000.
On page 6, line 4, decrease the amount by $22,248,700.
On page 26, line 3, decrease the amount by $2,000,000.
On page 26, line 4, decrease the amount by $2,000,000.
On page 26, line 7, decrease the amount by $4,000,000.
On page 26, line 8, decrease the amount by $4,000,000.
On page 26, line 11, decrease the amount by $6,000,000.
On page 26, line 12, decrease the amount by $6,000,000.
On page 26, line 15, decrease the amount by $9,000,000.
On page 26, line 16, decrease the amount by $9,000,000.
On page 27, line 3, decrease the amount by $22,800.
On page 27, line 4, decrease the amount by $22,800.
On page 27, line 7, decrease the amount by $120,000.
On page 27, line 8, decrease the amount by $120,000.
On page 27, line 11, decrease the amount by $348,200.
On page 27, line 12, decrease the amount by $348,200.
On page 27, line 15, decrease the amount by $757,700.
On page 27, line 16, decrease the amount by $757,700.

SA 939. Mr. HATCH (for himself, Ms. MIKULSKI, Mr. CARDIN, and Mr. KENNEDY) 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 49, between lines 3 and 4, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR THE 2012 COMPLETION OF FOOD AND DRUG ADMINISTRATION FACILITIES.

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 in order to provide sufficient funding for the General Services Administration to complete construction of the Food and Drug Administration White Oak Campus in Silver Spring, Maryland by 2012, 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 940. Ms. SNOWE (for herself 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; as follows:

At the appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY STAR FOR SMALL BUSINESS PROGRAM.

(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 set aside, from amounts made available for the Energy Star Program of the Environmental Protection Agency, at least 2 percent for the Energy Star for Small Business Program.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in that subsection 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 941. Mr. GREGG 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 COMPREHENSIVE MEDICAL LIABILITY REFORM.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) addresses the national crisis facing patients losing access to quality health care due to skyrocketing insurance premiums driven by frivolous lawsuits;

(2) encourages the national adoption of proven standards to make the medical liability system more fair, predictable, and timely;

(3) protects the ability of injured patients to get quick, unlimited compensation for their economic losses while setting reasonable limits for pain, suffering, and non-compensatory damages;

(4) promotes the reduction of frivolous lawsuits and allows doctors to practice medicine in a manner that is patient-focused and not lawsuit-driven; and

(5) maintains state flexibility;

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 942. Mr. GREGG 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 HEALTHY MOTHERS AND HEALTHY BABIES.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) addresses the national crisis facing women and children who are losing access to quality pre-natal and maternal care due to skyrocketing insurance premiums driven by frivolous lawsuits;

(2) encourages the national adoption of proven standards to make the medical liability system more fair, predictable, and timely;

(3) protects the ability of injured families to get quick, unlimited compensation for their economic losses while setting reasonable limits for pain, suffering, and non-compensatory damages;

(4) allows doctors to practice medicine in a manner that is family-focused and not lawsuit-driven; and

(5) maintains State flexibility;

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 943. Mr. GREGG (for himself and Mr. BARRASSO) 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 3, strike ''or''.

On page 31, line 7, strike the semicolon and insert the following: ''; and

(9) address the unfunded liabilities of our Federal health programs;''.

SA 944. Mr. GREGG (for himself, Mr. ALEXANDER, and Mr. BARRASSO) 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 3, strike ''or''.

On page 31, line 7, strike the semicolon and insert the following: ''; and

(9) limit excessive litigation and the practice of defensive medicine, in order to lower health care costs and to ensure patient access to quality medical care;''.

SA 945. Mr. GREGG 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 29, beginning on line 24, strike ''and make adjustments to the pay-as-you-go ledger that are deficit neutral over 11 years,''.

On page 31, strike lines 10 and 11 and insert ''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 946. Mr. DORGAN (for himself, Mr. JOHNSON, Mr. BINGAMAN, Mr. BEGICH, Mr. UDALL of New Mexico, Mr. TESTER, Ms. MURKOWSKI, Mr. REID, and Mr. WYDEN) 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 19, line 24, increase the amount by $200,000,000.

On page 19, line 25, increase the amount by $130,000,000.

On page 20, line 4, increase the amount by $40,000,000.

On page 20, line 8, increase the amount by $20,000,000.

On page 20, line 12, increase the amount by $10,000,000.

On page 27, line 23, decrease the amount by $200,000,000.

On page 27, line 24, decrease the amount by $130,000,000.

On page 28, line 3, decrease the amount by $40,000,000.

On page 28, line 7, decrease the amount by $20,000,000.

On page 28, line 11, decrease the amount by $10,000,000.

SA 947. Ms. KLOBUCHAR (for herself and Mr. HARKIN) 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 appropriate place in title II, insert the following:

SEC. 2_____. DEFICIT-NEUTRAL RESERVE FUND TO EXPEDITE RESEARCH ON VIABILITY OF USE OF HIGHER ETHANOL BLENDS AT SERVICE STATION PUMP.

(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 expedite research at the Department of Energy and the Environmental Protection Agency on the viability of the use of higher ethanol blends at the service station pump.

(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 948. Ms. KLOBUCHAR (for herself and Mr. DORGAN) 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 35, line 18, insert ''flood mitigation,'' after ''water,''.

SA 949. Mr. REED 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. _____. EXPENDITURE OF REMAINING TARP FUNDS.

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 reaffirm that the remaining Troubled Asset Relief Program funds shall be used to save homes, save small businesses, help the municipal bond market, make credit more widely available, and provide additional resources for the Special Inspector General for the Troubled Asset Relief Program, the Congressional Oversight Panel, and the Government Accountability Office for vigorous audit and evaluation of all expenditures and commitments made under the Troubled Asset Relief Program, 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 950. Mr. GRASSLEY 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 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 951. Mr. SCHUMER 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. ___. DEFICIT-NEUTRAL RESERVE FUND FOR THE BORDER FENCE.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would study the current best practices from the sections of the border fence which have already been completed and shall offer required best practices to complete fencing along the international land border, as required by section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1103 note), in the manner which is most secure, cost-effective, environmentally sound, and best protects the rights of private property owners as determined by the Secretary of Homeland Security after all the appropriate consultations have been made, 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 952. Mrs. BOXER 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 68, after line 4, insert the following:

SEC. ___. LIMITATION ON SOCIAL SECURITY LEGISLATION.

(a) POINT OF ORDER.—After a concurrent resolution on the budget in the Senate 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 divert Social Security revenues from the Social Security Trust Fund to any investments in private securities or into private accounts that bear a risk of loss for Social Security recipients.

(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.

SA 953. Mrs. BOXER (for herself and Mr. ENSIGN) 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; as follows:

At the end of Title II, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR 21st CENTURY COMMUNITY LEARNING CENTERS.

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 increase funding for the 21st Century Community Learning Centers program by up to $2.5 billion, 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 954. 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; as follows:

On page 4, line 15, decrease amount by $76,325,000,000

On page 4, line 16, decrease amount by $38,065,000,000

On page 4, line 17, decrease amount by $22,872,000,000

On page 4, line 18, decrease amount by $12,787,000,000

On page 4, line 24, decrease amount by $76,325,000,000

On page 4, line 25, decrease amount by $38,065,000,000

On page 5, line 1, decrease amount by $22,872,000,000

On page 5, line 2, decrease amount by $12,787,000,000

On page 5, line 8, decrease amount by $76,325,000,000

On page 5, line 9, decrease amount by $38,065,000,000

On page 5, line 10, decrease amount by $22,872,000,000

On page 5, line 11, decrease amount by $12,787,000,000.

On page 5, line 18, decrease amount by $76,325,000,000.

On page 5, line 19, decrease amount by $38,065,000,000.

On page 5, line 20, decrease amount by $22,872,000,000.

On page 5, line 21, decrease amount by $12,787,000,000.

On page 9, line 24, decrease amount by $960,000,000.

On page 9, line 25, decrease amount by $960,000,000.

On page 10, line 3, decrease amount by $634,000,000.

On page 10, line 4, decrease amount by $634,000,000.

On page 10, line 7, decrease amount by $277,000,000.

On page 10, line 8, decrease amount by $277,000,000.

On page 10, line 11, decrease amount by $104,000,000.

On page 10, line 12, decrease amount by $104,000,000.

On page 10, line 24, decrease amount by $162,000,000.

On page 10, line 25, decrease amount by $162,000,000.

On page 10, line 3, decrease amount by $114,000,000.

On page 10, line 4, decrease amount by $114,000,000.

On page 10, line 7, decrease amount by $50,000,000.

On page 10, line 8, decrease amount by $50,000,000.

On page 11, line 25, decrease amount by $1,095,000,000.

On page 12, line 1, decrease amount by $1,095,000,000.

On page 12, line 4, decrease amount by $750,000,000.

On page 12, line 5, decrease amount by $750,000,000.

On page 12, line 8, decrease amount by $174,000,000.

On page 12, line 9, decrease amount by $174,000,000.

On page 12, line 12, decrease amount by $63,000,000.

On page 12, line 13, decrease amount by $63,000,000.

On page 13, line 25, decrease amount by $13,760,000,000.

On page 14, line 1, decrease amount by $13,760,000,000.

On page 14, line 4, decrease amount by $11,759,000,000.

On page 14, line 5, decrease amount by $11,759,000,000.

On page 14, line 8, decrease amount by $7,728,000,000.

On page 14, line 9, decrease amount by $7,728,000,000.

On page 14, line 12, decrease amount by $5,419,000,000.

On page 14, line 13, decrease amount by $5,419,000,000.

On page 14, line 25, decrease amount by $5,685,000,000.

On page 14, line 1, decrease amount by $5,685,000,000.

On page 14, line 4, decrease amount by $4,111,000,000.

On page 14, line 4, decrease amount by $4,111,000,000.

On page 15, line 8, decrease amount by $2,286,000,000.

On page 15, line 9, decrease amount by $2,286,000,000.

On page 15, line 12, decrease amount by $468,000,000.

On page 15, line 13, decrease amount by $468,000,000.

On page 15, line 25, decrease amount by $5,584,000,000.

On page 16, line 1, decrease amount by $5,584,000,000.

On page 16, line 4, decrease amount by $4,284,000,000.

On page 16, line 5, decrease amount by $4,284,000,000.

On page 16, line 8, decrease amount by $3,047,000,000.

On page 16, line 9, decrease amount by $3,047,000,000.

On page 16, line 12, decrease amount by $531,000,000.

On page 16, line 13, decrease amount by $531,000,000.

On page 16, line 25, decrease amount by $8,785,000,000.

On page 17, line 1, decrease amount by $8,785,000,000.

On page 17, line 4, decrease amount by $7,035,000,000.

On page 17, line 5, decrease amount by $7,035,000,000.

On page 17, line 8, decrease amount by $6,052,000,000.

On page 17, line 9, decrease amount by $6,052,000,000.

On page 17, line 12, decrease amount by $5,422,000,000.

On page 17, line 13, decrease amount by $5,422,000,000.

On page 19, line 3, decrease amount by $29,963,000,000.

On page 19, line 4, decrease amount by $29,963,000,000.

On page 19, line 7, decrease amount by $4,011,000,000.
On page 19, line 8, decrease amount by $4,011,000,000.
On page 19, line 10, decrease amount by $262,000,000.
On page 19, line 11, decrease amount by $262,000,000.
On page 20, line 3, decrease amount by $6,421,000,000.
On page 20, line 4, decrease amount by $6,421,000,000.
On page 20, line 7, decrease amount by $3,157,000,000.
On page 20, line 8, decrease amount by $3,157,000,000.
On page 20, line 11, decrease amount by $842,000,000.
On page 20, line 12, decrease amount by $842,000,000.
On page 20, line 15, decrease amount by $183,000,000.
On page 20, line 16, decrease amount by $183,000,000.
On page 23, line 3, decrease amount by $133,000,080
On page 23, line 4, decrease amount by $133,000,000.
On page 23, line 7, decrease amount by $150,000,000.
On page 23, line 8, decrease amount by $150,000,000.
On page 23, line 11, decrease amount by $150,000,000.
On page 23, line 12, decrease amount by $150,000,000.
On page 24, line 3, decrease amount by $297,000,000.
On page 24, line 4, decrease amount by $297,000,000.
On page 24, line 7, decrease amount by $133,000,000.
On page 24, line 8, decrease amount by $133,000,000.
On page 25, line 3, decrease amount by $848,000,000.
On page 25, line 4, decrease amount by $848,000,000.
On page 25, line 7, decrease amount by $649,000,000.
On page 25, line 8, decrease amount by $649,000,000.
On page 25, line 11, decrease amount by $750,000,000.
On page 25, line 12, decrease amount by $750,000,000.
On page 26, line 3, decrease amount by $1,400,000,000.
On page 26, line 4, decrease amount by $1,400,000,000.
On page 26, line 7, decrease amount by $1,196,000,000.
On page 26, line 8, decrease amount by $1,196,000,000.
On page 26, line 11, decrease amount by $1,024,000,000.
On page 26, line 12, decrease amount by $1,024,000,000.
On page 26, line 15, decrease amount by $504,000,000.
On page 26, line 16, decrease amount by $504,000,000.
On page 27, line 3, decrease amount by $857,000,000.
On page 27, line 4, decrease amount by $857,000,000.
On page 27, line 7, decrease amount by $457,000,000.
On page 27, line 8, decrease amount by $457,000,000.
On page 27, line 11, decrease amount by $230,000,000.
On page 27, line 12, decrease amount by $230,000,000.
On page 27, line 15, decrease amount by $93,000,000.
On page 27, line 16, decrease amount by $93,000,000.

SA 955. Mr. DODD (for himself 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; as follows:

On page 19, line 24, increase the amount by $188,000,000.
On page 19, line 25, increase the amount by $56,000,000.
On page 20, line 4, increase the amount by $81,000,000.
On page 20, line 8, increase the amount by $34,000,000.
On page 20, line 12, increase the amount by $13,000,000.
On page 27, line 23, decrease the amount by $188,000,000.
On page 27, line 24, decrease the amount by $56,000,000.
On page 28, line 3, decrease the amount by $81,000,000.
On page 28, line 7, decrease the amount by $34,000,000.
On page 28, line 11, decrease the amount by $13,000,000.

SA 956. Mr. LAUTENBERG 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 16, line 21, increase the amount by $640,000,000.
On page 16, line 22, increase the amount by $640,000,000.
On page 16, line 25, increase the amount by $835,000,000.
On page 17, line 1, increase the amount by $835,000,000.
On page 17, line 4, increase the amount by $1,219,000,000.
On page 17, line 5, increase the amount by $1,219,000,000.
On page 17, line 8, increase the amount by $1,367,000,000.
On page 17, line 9, increase the amount by $1,367,000,000.
On page 17, line 12, increase the amount by $1,550,000,000.
On page 17, line 13, increase the amount by $1,550,000,000.
On page 27, line 23, decrease the amount by $640,000,000.
On page 27, line 24, decrease the amount by $640,000,000.
On page 28, line 2, decrease the amount by $835,000,000.
On page 28, line 3, decrease the amount by $35,000,000.
On page 28, line 6, decrease the amount by $1,219,000,000.
On page 28, line 7, decrease the amount by $1,219,000,000.
On page 28, line 10, decrease the amount by $1,367,000,000.
On page 28, line 11, decrease the amount by $1,367,000,000.
On page 28, line 14, decrease the amount by $1,550,000,000.
On page 28, line 15, decrease the amount by $1,550,000,000.

SA 957. Mr. LAUTENBERG (for himself and Mrs. GILLIBRAND) 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 35, line 18, insert ''transportation, including freight and passenger rail,'' after ''energy, water,''.

SA 958. Mr. CRAPO (for himself 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; as follows:

At the appropriate place, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND INCREASE FDIC AND NCUA BORROWING AUTHORITY.

The chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to increase the borrowing authority of the Federal Deposit Insurance Corporation and the National Credit Union Administration, provided that such legislation does not increase the deficit over the period of the total of fiscal years 2009 through 2019.

SA 959. 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:

On page 68, after line 4, insert the following:

SEC. ____. SENATE POINT OF ORDER AGAINST A BUDGET RESOLUTION CONTAINING DEBT LEVELS EXCEEDING $90,000 PER HOUSEHOLD.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that contains levels of debt held by the public that exceed $90,000 per household in any year covered by the budget resolution.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(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 of the Senate, 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.

(c) DETERMINATION OF DEBT LEVELS.—For purposes of this section, the debt level per household shall be determined by the Chairman of the Senate Committee on the Budget on the basis of estimates provided by the Congressional Budget Office.

SA 960. 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; as follows:

On page 13, line 21, increase the amount by $50,000,000.

On page 13, line 22, increase the amount by $50,000,000.

On page 27, line 23, decrease the amount by $50,000,000.

On page 27, line 24, decrease the amount by $50,000,000.

SA 961. Ms. MURKOWSKI 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 27, line 23, increase the amount by $132,000,000.

On page 27, line 24, increase the amount by $132,000,000.

SA 962. 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; as follows:

At the appropriate place, insert the following:

SEC. _____. POINT OF ORDER.

(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) weakens any authorized anti-terrorism tool or investigative method provided by the USA Patriot Act of 2001 (PL 107–56), the Intelligence Reform and Terrorism Prevention Act of 2004 (PL 108–458), the USA Patriot Improvement and Reauthorization Act of 2005 (PL 109–177), or the FISA Amendments Act of 2008 (PL 110–261); or

(2) eliminates any authorized anti-terrorism tool or investigative method provided by any of the statutes referred to in paragraph (1).

(b) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of subsection (a) 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 subsection (a).

SA 963. Mr. DEMINT 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:

At the appropriate place, insert the following:

SEC. ____. POINT OF ORDER ON LEGISLATION THAT ELIMINATES THE ABILITY OF AMERICANS TO KEEP THEIR HEALTH PLAN OR THEIR CHOICE OF DOCTOR.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that eliminates the ability of Americans to keep their health plan or their choice of doctor (as determined by the Congressional Budget Office).

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, dully chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 964. Mr. DEMINT (for himself, Mr. BENNETT, Mr. ENZI, Mr. BROWNBACK, Mr. COBURN, and 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; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVEMENTS TO BAN ON LEAD IN CHILDREN'S PRODUCTS.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution by the amounts authorized to be appropriated for the programs described in paragraphs (1) through (6) in 1 or more bills, joint resolutions, amendments, motions, or conference reports that fund consumer product safety, including any program that—

(1) delays the lead ban in section 101 of the Consumer Product Safety Improvement Act of 2008 (15 U.S.C. 1278a) by 6 months;

(2) exempts thrift stores, consignment shops, and other second hand sellers from the provisions of such section;

(3) exempts children's motorcycles and all terrain vehicles from treatment as banned hazardous substances under such section;

(4) exempts books from treatment as banned hazardous substances under such section;

(5) allows a product to comply with the lead ban in such section if every component of the product complies with the ban; or

(6) does not require products manufactured before the effective date of the ban under such section to be removed from store shelves.

(b) LIMITATION.—The authority described in subsection (a) may not be used unless the appropriations in the legislation described in paragraphs (1) through (6) of subsection (a) would not increase the deficit over—

(1) the 6-year period beginning with the first day of fiscal year 2009; or

(2) the 11-year period beginning with the first day of fiscal year 2009.

SA 965. Mr. DEMINT 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 13, decrease the amount by $10,829,000,000.

On page 4, line 14, decrease the amount by $131,000,000.

On page 4, line 15, decrease the amount by $195,000,000.

On page 4, line 16, decrease the amount by $279,000,000.

On page 4, line 17, decrease the amount by $379,000,000.

On page 4, line 18, decrease the amount by $485,000,000.

On page 4, line 22, decrease the amount by $10,829,000,000.

On page 4, line 23, decrease the amount by $131,000,000.

On page 4, line 24, decrease the amount by $195,000,000.

On page 4, line 25, decrease the amount by $279,000,000.

On page 5, line 1, decrease the amount by $379,000,000.

On page 5, line 2, decrease the amount by $485,000,000.

On page 5, line 6, decrease the amount by $10,829,000,000.

On page 5, line 7, decrease the amount by $131,000,000.

On page 5, line 8, decrease the amount by $195,000,000.

On page 5, line 9, decrease the amount by $279,000,000.

On page 5, line 10, decrease the amount by $379,000,000.

On page 5, line 11, decrease the amount by $485,000,000.

On page 5, line 16, decrease the amount by $10,829,000,000.

On page 5, line 17, decrease the amount by $10,960,000,000.

On page 5, line 18, decrease the amount by $11,155,000,000.

On page 5, line 19, decrease the amount by $11,434,000,000.

On page 5, line 20, decrease the amount by $11,813,000,000.

On page 5, line 21, decrease the amount by $12,298,000,000.

On page 5, line 24, decrease the amount by $10,829,000,000.

On page 5, line 25, decrease the amount by $10,960,000,000.

On page 6, line 1, decrease the amount by $11,155,000,000.

On page 6, line 2, decrease the amount by $11,434,000,000.

On page 6, line 3, decrease the amount by $11,813,000,000.

On page 6, line 4, decrease the amount by $12,298,000,000.

On page 15, line 17, decrease the amount by $10,800,000,000.

On page 15, line 18, decrease the amount by $10,800,000,000.

On page 26, line 20, decrease the amount by $29,000,000.

On page 26, line 21, decrease the amount by $29,000,000.

On page 26, line 24, decrease the amount by $131,000,000.

On page 26, line 25, decrease the amount by $131,000,000.

On page 27, line 3, decrease the amount by $195,000,000.

On page 27, line 4, decrease the amount by $195,000,000.

On page 27, line 7, decrease the amount by $279,000,000.

On page 27, line 8, decrease the amount by $279,000,000.

On page 27, line 11, decrease the amount by $379,000,000.

On page 27, line 12, decrease the amount by $379,000,000.

On page 27, line 15, decrease the amount by $485,000,000.

On page 27, line 16, decrease the amount by $485,000,000.

SA 966. Mr. LIEBERMAN (for himself, Mr. SESSIONS, Mr. BEGICH, Mr. KYL, Ms. MURKOWSKI, Mr. INHOFE, Mr. JOHANNS, and Mr. NELSON of Nebraska) 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 9, line 20, increase the amount by $9,446,939,000.

On page 9, line 21, increase the amount by $9,446,939,000.

On page 27, line 23, decrease the amount by $9,446,939,000.

On page 27, line 24, decrease the amount by $9,446,939,000.

SA 967. Mr. DEMINT 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:

At the appropriate place, insert the following:

SEC. _____. EARMARK POINT OF ORDER.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a bill, resolution, amendment, or conference report that includes—

(1) a congressional earmark to a private for profit entity that is not subject to the same competitive bidding requirements as other Federal contracts;

(2) a congressional earmark which has not been the subject of a public hearing in the committee of jurisdiction where the member requesting the earmark has testified on its behalf; or

(3) a congressional earmark which has not been posted on the Member sponsor's website at least 72 hours before consideration of the legislation.

(b) TRADING EARMARKS.—A Senator may not trade a congressional earmark for any political favor, including a campaign contribution.

(c) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of subsection (a) 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 subsection (a).

(d) DEFINITION.—In this section, the term ''congressional earmark'' means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

SA 968. 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, insert the following:

SEC.____. POINT OF ORDER ON LEGISLATION THAT VIOLATES THE SECOND AMENDMENT RIGHTS OF LAW-ABIDING AMERICANS.

(a) POINT OF ORDER—

(1) IN GENERAL—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that violates the Second Amendment rights of law-abiding Americans.

(2) WAIVER—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, dully chosen and sworn.

(3) APPEALS—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 969. 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 68, between lines 4 and 5, insert the following:

SEC. ____. POINT OF ORDER AGAINST FAILURE TO FULLY FUND SOUTHWEST BORDER FENCE.

(a) POINT OF ORDER.—After a concurrent resolution on the budget in the Senate is agreed to, it shall not be in order in the Senate to consider any appropriations bill that fails to provide at least $2,600,000,000 to carry out section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note).

(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) SUNSET PROVISION.—This section shall cease to be effective on the earlier of—

(1) the date on which $2,600,000,000 is appropriated to carry out section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; or

(2) the date that is 2 years after the date of enactment of this Act.

SA 970. Mr. HATCH (for himself and Mr. KENNEDY) 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 49, between lines 3 and 4, insert the following:

SEC. __. DEFICIT-NEUTRAL RESERVE FUND FOR THE NATIONAL HEALTH SERVICE CORPS.

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 the National Health Service Corps with $235,000,000 for fiscal year 2010, by the amount provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total for fiscal years 2009 through 2014 or the period of the total for fiscal years 2009 through 2019.

SA 971. Mrs. GILLIBRAND 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 15, line 21, increase the amount by $25,000,000.

On page 15, line 22, increase the amount by $25,000,000.

On page 27, line 23, decrease the amount by $25,000,000.

On page 27, line 24, decrease the amount by $25,000,000.

SA 972. Ms. MURKOWSKI (for herself, Mr. UDALL of New Mexico, Mr.

DORGAN, Mr. JOHNSON, and Mr. BEGICH) 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 19, line 24, increase the amount by $184,000,000.

On page 19, line 25, increase the amount by $184,000,000.

On page 27, line 23, decrease the amount by $184,000,000.

On page 27, line 24, decrease the amount by $184,000,000.

SA 973. Mr. ENZI 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 JOB CORPS.

It is the sense of the Senate—

(1) that, through 122 Job Corps centers operating in 48 States, as well as in the District of Columbia and the Commonwealth of Puerto Rico, the Job Corps program established under subtitle C of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2881 et seq.) helps thousands of youth each year prepare for meaningful careers and employment;

(2) that at a time of economic uncertainty, the United States should work to train and educate all of the Nation's workers; and

(3) that the functional totals in this resolution assume that, in order to be more accessible to all of the Nation's youth, the Job Corps program should receive substantial support and each State should have at least 1 Job Corps center.

SA 974. Mr. DURBIN 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:

At the appropriate place in title II, insert the following:

SEC. _____. SPECIAL RULE FOR LEGISLATION PROVIDING FOR ADDITIONAL ESTATE TAX RELIEF.

Notwithstanding the provisions of this title, the Chairman of the Senate Committee on the Budget may not revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution with respect to any bill, joint resolution, amendment, motion, or conference report that would provide for estate tax relief with an applicable exclusion amount beyond $3,500,000 ($7,000,000 for a married couple) and a graduated rate ending at less than 45 percent unless an amount is or has been provided to Americans earning less than $100,000 per year which—

(1) is equal to the aggregate amount of such additional estate tax relief, and

(2) is in addition to the aggregate amount of tax relief assumed under this resolution for such Americans.

SA 975. 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:

On page 18, line 24, increase the amount by $1,000,000.

On page 18, line 25, increase the amount by $1,000,000.

On page 27, line 23, decrease the amount by $1,000,000.

On page 27, line 24, decrease the amount by $1,000,000.

SA 976. Mr. HATCH (for himself and Mr. WYDEN) 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 32, line 10, after ''increases;'' insert ''or'' and the following:

(4) protect Medicare Advantage enrollees from premium increases and benefit reductions in their Medicare Advantage plans that would result from the estimate of the national per capita Medicare Advantage growth percentage contained in the Centers for Medicare & Medicaid Services' Advance Notice of Methodological Changes for Calender Year 2010, as proposed on February 20, 2009, that is made using the Medicare payment rates for physicians' services assumed in such Advance Notice rather than the Medicare payment rates for physicians' services assumed in the President's budget proposal for fiscal year 2010 (which accounts for additional expected Medicare payments for such services).

SA 977. Mr. LAUTENBERG 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 17, line 22, increase the amount by $213,000,000.

On page 17, line 23, increase the amount by $21,000,000.

On page 18, line 3, increase the amount by $79,000,000.

On page 18, line 7, increase the amount by $66,000,000.

On page 18, line 11, increase the amount by $47,000,000.

On page 27, line 23, decrease the amount by $213,000,000.

On page 27, line 24, decrease the amount by $21,000,000.

On page 28, line 3, decrease the amount by $79,000,000.

On page 28, line 7, decrease the amount by $66,000,000.

On page 28, line 11, derease the amount by $47,000,000.

SA 978. Mr. HATCH (for himself, Mr. BAUCUS, and Mr. ENZI) 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, strike line 7 and insert the following: ''sources of revenue; and

(9) does so through regular order, protecting the rights of the minority;''.

SA 979. 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 appropriate place insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND TO CORRECT THE FAILURE OF THE CONSUMER PRODUCT SAFETY COMMISSION TO PROPERLY IMPLEMENT THE CONSUMER PRODUCT SAFETY IMPROVEMENT ACT OF 2008.

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 correct the failure of the Consumer Product Safety Commission to exercise its authority and enforcement discretion in a manner that the Congress intended in order to—

(1) assure enforcement of the mandates of the Consumer Product Safety Improvement Act of 2008 in a comprehensive manner while providing appropriate and common sense relief to businesses and institutions and aiding such businesses and institutions with compliance on a prospective basis, and

(2) provide information and guidance to businesses and institutions that are seeking to comply with the requirements of that Act and the Consumer Product Safety Act as amended by that 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 980. Mr. KYL (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; as follows:

On page 12, line 21, decrease the amount by $10,000,000.

On page 12, line 22, decrease the amount by $10,000,000.

On page 27, line 23, increase the amount by $10,000,000.

On page 27, line 24, increase the amount by $10,000,000.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 23, 2009, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the nomination of Kristina M. Johnson, to be Under Secretary of Energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to amanda___kelly@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224–7571 or Amanda Kelly at (202) 224–6836.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, April 2, 2009, at 9 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, April 2, 2009 at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, ''Hearing on the Nomination of Regina McCarthy to be Assistant Administrator, Office of Air and Radiation, of the Environmental Protection Agency.''

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 Thursday, April 2, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, April 2, 2009, at 10 a.m. to conduct a hearing entitled ''Recovery and Reinvestment Spending: Implementing a Bold Oversight Strategy.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, April 2, 2009, at 10 a.m. in room 628 of the Dirksen 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 conduct an executive business meeting on Thursday, April 2, 2009, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate today, April 2, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADOPTION INCENTIVE PAYMENTS FOR FISCAL YEAR 2008

Mr. REID. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 735 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 735) to ensure States receive adoption incentive payments for fiscal year 2008 in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 735) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 735

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 ''Protecting Incentives for the Adoption of Children with Special Needs Act of 2009''.

SEC. 2. ELIMINATION OF RESTRICTION ON PAYMENTS FOR FISCAL YEAR 2008.

Effective as if included in the enactment of the Omnibus Appropriations Act, 2009 (Public Law 111–8), title II of division F of such Act is amended under the heading ''CHILDREN AND FAMILIES SERVICES PROGRAMS'' under the heading ''ADMINISTRATION FOR CHILDREN AND FAMILIES'', by striking ''That without regard to the fiscal year limitations set forth in section 473A of the Social Security Act, from the amounts appropriated herein, the Secretary shall pay adoption incentives for fiscal year 2008 in the same manner as such incentives were awarded in fiscal year 2008 for the previous fiscal year: *Provided further*,''.

FIFTH SUMMIT OF THE AMERICAS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 43, S. Res. 90.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (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, 19, 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. 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 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. 90) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 90

Whereas the First Summit of the Americas, held in December 1994 in Miami, Florida, resulted in a comprehensive Plan of Action, issued by the region's democracies, which included initiatives on strengthening democracy, promoting human rights, combating corruption, furthering sustainable economic development, encouraging environmental conservation, and committing to access to universal basic education and health care throughout the Americas;

Whereas 3 Summits of the Americas and 2 Special Summits of the Americas have been convened since 1994, resulting in additional initiatives on sustainable development, strengthening democratic practices and good governance, the environment, economic relations, combating HIV/AIDS and other diseases, and numerous other areas of mutual interest and shared responsibility throughout the Western Hemisphere;

Whereas on July 21, 2008, the Draft Declaration of Commitment by the Summit Implementation Review Group proposed an agenda for the Fifth Summit of the Americas

to discuss promoting human prosperity, energy security, environmental sustainability, public security, democratic governance, and the Summit's implementation and review process; and

Whereas on February 10, 2009, President Barack Obama stated that he would attend the Fifth Summit of the Americas to ''create the kind of partnership based on respect that the people of Latin America are looking for and that will be beneficial to the United States'': Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to express support for the Fifth Summit of the Americas as an effective multilateral forum, convened in the spirit of cooperation and partnership for the 34 democratically elected heads of state of the region to address shared challenges and foster collaboration throughout the Western Hemisphere;

(2) that the Fifth Summit provides the United States with an early opportunity to reinvigorate and strengthen its engagement with the countries of the Western Hemisphere, especially in—

(A) finding common solutions to the global economic crisis;

(B) promoting energy security; and

(C) combating threats to public and personal security, including threats from terrorism, international narcotics cartels, and organized criminal groups;

(3) that the United States is prepared to work with the countries of the Western Hemisphere on advancing an agenda of human prosperity, including—

(A) encouraging multilateral development institutions to invest in micro- to medium-sized enterprises;

(B) continuing the fight against HIV/AIDS, vector-borne, and noncommunicable diseases;

(C) raising the standard of living of the people in the region who currently live in poverty;

(D) eradicating child labor;

(E) recommitting to the Millennium Development Goals; and

(F) supporting investment in public health and education throughout the Western Hemisphere;

(4) that the United States should use the Fifth Summit of the Americas to strengthen cooperation by working with other nations to formulate and implement a regional energy strategy to promote—

(A) increased technology and information sharing;

(B) regulatory harmonization;

(C) integration; and

(D) renewable and alternative energy sources;

(5) to welcome civil society and nongovernmental organizations at the Fifth Summit, and to encourage their observation and active participation in the Summit's decision-making process to strengthen democratic governance, the rule of law, freedom of the press, and civil society in the Western Hemisphere; and

(6) to set achievable and measurable goals, based on areas of consensus, and to strengthen followup mechanisms to review the implementation, reporting, and progress of Summit initiatives.

TRAGIC EVENTS AT THE PINELAKE HEALTH AND REHAB CENTER

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 101.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 101) expressing the sense of the Senate on the tragic events at the Pinelake Health and Rehab Center in Carthage, North Carolina on Sunday, March 29, 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 101) was agreed to, as follows:

S. RES. 101

Resolved, That the Senate—

(1) offers its heartfelt condolences to the victims and their families, and to the staff and their families, who have been deeply affected by the tragic events that occurred at the Pinelake Health and Rehab Center in Carthage, North Carolina on March 29, 2009;

(2) honors the lives of the deceased victims—Jerry Avant, Louise DeKler, Lillian Dunn, Tessie Garner, John Goldstrom, Bessie Hedrick, Margaret Johnson, and Jesse Musser; and

(3) recognizes the heroism of Officer Justin Garner, whose decisive action and bravery preserved the safety of many, and wishes Officer Garner a complete and rapid recovery from the wound he sustained.

PROVIDING FOR SENATE MEMBERS OF THE JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 102.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 102) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 102) was agreed to, as follows:

S. RES. 102

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Schumer, Mrs. Murray, Mr. Udall of New Mexico, Mr. Bennett, and Mr. Chambliss.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Schumer, Mr. Dodd, Mr. Durbin, Mr. Bennett, and Mr. Cochran.

AUTHORIZING TESTIMONY AND DOCUMENT PRODUCTION

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 103.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 103) to authorize testimony and document production in Richard Bowen v. Department of the Navy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, this resolution concerns a request for testimony in a whistle-blower protection case against the Department of the Navy in which a civilian Navy employee is appealing an adverse employment action before the Merit Systems Protection Board. The employee is alleging that the Navy retaliated against him for protected whistle-blowing activities about alleged waste in Navy programs.

Among the whistle-blowing activities that the employee relies on is a brief meeting that representatives of a Navy contracting firm had with staff of the Virginia Senate delegation in February 2008 about their firm's work on an energy management contract that the employee managed for the Navy.

The Navy has requested that the Senate make available through written declaration staff who can testify about whether the employee's allegations were raised at the meeting in order to establish whether that meeting constituted protected whistle-blowing activities.

Senator Webb would like to cooperate with this request. Accordingly, this resolution would authorize Jamie Lynch, a former fellow with Senator Webb's office, to testify. The resolution would also authorize production of relevant documents, except where a privilege should be asserted.

Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motions to reconsider be laid upon the table, with no intervening action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 103) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 103

Whereas, in the case of Richard Bowen v. Department of the Navy, No. SF–0752–09–0040–I–1, pending before the Merit Systems Protection Board, a request has been made for documents from the office of Senator Jim Webb and a declaration from Jamie Lynch, a former fellow in the office of Senator Webb;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved that Jamie Lynch is authorized to testify and to produce documents in Richard Bowen v. Department of the Navy, except concerning matters for which a privilege should be asserted.

MEASURE READ THE FIRST TIME—H.R. 1256

Mr. REID. Mr. President, it is my understanding that H.R. 1256 has been received from the House and is now at the desk.

The PRESIDING OFFICER. The Leader is correct.

Mr. REID. I would ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, 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.

Mr. REID. Mr. President, I now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will receive its second reading on the next legislative day.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 111–2

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on April 2, 2009, by the President of the United States:

Annex VI to the Protocol on Environmental Protection to the Antarctic Treaty (Treaty Document No. 111–2).

I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith Annex VI on Liability Arising From Environmental Emergencies to the Protocol on Environmental Protection to the Antarctic Treaty (Annex VI), adopted on June 14, 2005, at the twenty-eighth Antarctic Treaty Consultative Meeting held in Stockholm, Sweden. I also transmit for the information of the Senate the report of the Department of State, which includes an Overview of Annex VI.

The Protocol on Environmental Protection to the Antarctic Treaty (the ''Protocol'') together with its Annexes I–IV, adopted at Madrid on October 4, 1991, and Annex V to the Protocol, adopted at Bonn on October 17, 1991, received the advice and consent of the Senate to ratification on October 7, 1992, and entered into force for the United States on January 14, 1998, and May 24, 2002, respectively.

In Article 16 of the Protocol, the Parties undertook to elaborate, in one or more Annexes, rules and procedures relating to liability for damage arising from activities taking place in the Antarctic Treaty area and covered by the Protocol. Annex VI sets forth rules and procedures relating to liability arising from the failure of operators in the Antarctic to respond to environmental emergencies.

I believe Annex VI to be fully in the U.S. interest. Its provisions advance the U.S. goals of protecting the environment of Antarctica, establishing incentives for Antarctic operators to act responsibly, and providing for the reimbursement of costs incurred by the United States Government when it responds to environmental emergencies caused by others.

As the report of the Department of State explains, Annex VI will require implementing legislation, which will be submitted separately to the Congress for its consideration.

I recommend that the Senate give early and favorable consideration to Annex VI and give its advice and consent to ratification.

BARACK OBAMA

THE WHITE HOUSE, *April 2, 2009.*

APPOINTMENT AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President of the Senate pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, boards, conferences or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO FILE

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding an adjournment of the Senate, the Senate committees may file reported legislation and executive calendar business on Thursday, April 16, from 10 a.m. to 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. REID. I ask unanimous consent the Senate proceed to H. Con. Res. 93.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 93) providing for conditional adjournment of the House of Representatives and conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 93) was agreed to, as follows:

H. CON. RES. 93

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, April 2, 2009, through Saturday, April 4, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, April 21, 2009, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, April 2, 2009, through Sunday, April 5, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 20, 2009, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

FRAUD ENFORCEMENT AND RECOVERY ACT OF 2009—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I now move to proceed to Calendar No. 28, S. 386. With it, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 28, S. 386, the Fraud Enforcement and Recovery Act of 2009.

Harry Reid, Patrick J. Leahy, Edward E. Kaufman, Jeff Bingaman, John D. Rockefeller, IV, Jon Tester, Bernard Sanders, Charles E. Schumer, Jack Reed, Sheldon Whitehouse, Benjamin L. Cardin, Ron Wyden, Dianne Feinstein, Patty Murray, John F. Kerry, Amy Klobuchar, Debbie Stabenow.

Mr. REID. I ask unanimous consent the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, APRIL 20, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, April 20, under the provisions of H. Con. Res. 93; 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 the motion to proceed to Calendar No. 28, S. 386, the Fraud Enforcement and Recovery Act of 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, under the previous order, there will be a series of up to four rollcall votes beginning at 5:30 p.m. on Monday.

ADJOURNMENT UNTIL MONDAY, APRIL 20, 2009, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 12:42 a.m., adjourned until Monday, April 20, 2009, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

ANDRE M. DAVIS, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE FRANCIS D. MURNAGHAN, JR., DECEASED.

GERARD E. LYNCH, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE CHESTER J. STRAUB, RETIRED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. RON J. MACLAREN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ROBIN L. GRAF

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DAVID G. RUSSELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPTAIN DOUGLAS J. ASBJORNSEN
CAPTAIN CHARLES K. CARODINE
CAPTAIN ANATOLIO B. CRUZ III
CAPTAIN JOHN E. JOLLIFFE
CAPTAIN ROBERT J. KAMENSKY

DEPARTMENT OF AGRICULTURE

KRYSTA HARDEN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE LINDA AVERY STRACHAN, RESIGNED.

DEPARTMENT OF DEFENSE

JO-ELLEN DARCY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE JOHN PAUL WOODLEY, JR.

DEPARTMENT OF ENERGY

SCOTT BLAKE HARRIS, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY, VICE DAVID R. HILL, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

TIMOTHY W. MANNING, OF NEW MEXICO, TO BE DEPUTY ADMINISTRATOR FOR NATIONAL PREPAREDNESS, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE DENNIS R. SCHRADER.

DEPARTMENT OF VETERANS AFFAIRS

JOHN U. SEPULVEDA, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (HUMAN RESOURCES), VICE MICHAEL W. HAGER.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

GREGORY D. LOOSE, OF VIRGINIA
DOROTHY L. LUTTER, OF THE DISTRICT OF COLUMBIA
WILLIAM M. ZARIT, OF FLORIDA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

BRIAN C. BRISSON, OF FLORIDA
MICHAEL L. MCGEE, OF ALABAMA
DONALD G. NAY, OF FLORIDA
GREGORY M. WONG, OF HAWAII

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

LASZLO F. SAGI, OF VIRGINIA
DAVID A. THOMANEK, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

STEVEN BRADLEY BENNETT, JR., OF VIRGINIA
ANDY D. NGUYEN, OF VIRGINIA
FATMA A. ROSE, OF ARIZONA

DEPARTMENT OF COMMERCE

JOHN F. CORONADO, OF CALIFORNIA
JAMES S. CRAMER, OF THE DISTRICT OF COLUMBIA
ROBERT W. DUNN, OF VIRGINIA
BRENT E. OMDAHL, OF TEXAS

DEPARTMENT OF STATE

ALFREDO DAVID BARELA, OF TEXAS
JEHAN SADIA JONES, OF THE DISTRICT OF COLUMBIA
CATHERINE HENDERSON SCHWEITZER, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

GREGORY HARRIS, OF WASHINGTON
AARON M. HELD, OF CALIFORNIA
FRANKLIN D. JOSEPH, OF THE DISTRICT OF COLUMBIA
DAO M. LE, OF CALIFORNIA
DINAH M. MCDOUGALL, OF TEXAS
MARK C. O'GRADY, OF MARYLAND
JANEE PIERRE-LOUIS, OF FLORIDA
ELIZABETH M. SHIEH, OF NEW YORK
WILLIAM P. THORN, JR., OF PENNSYLVANIA

DEPARTMENT OF STATE

AMY MARIE MOSER, OF MISSOURI
SADIE MARIE OKOKO, OF THE DISTRICT OF COLUMBIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

BRIAN W. CARR, OF VIRGINIA
LAWRENCE D. CORNMAN, OF MARYLAND

DEPARTMENT OF STATE

KATHRINE L. ALDERMAN, OF VIRGINIA
BOOYEON LEE ALLEN, OF CALIFORNIA
CLAY C. ALLEN, OF MASSACHUSETTS
SHANE MICHAEL ANDERSEN, OF VIRGINIA
BEATA ANGELICA, OF VIRGINIA
LA JUNE L. BARNES, OF NEW YORK
NICHOLAS G. BARNETT, OF NEW YORK
CHRISTINA I.M. BISHOP, OF VIRGINIA
JOSEPH E. BURZYNSKI, OF THE DISTRICT OF COLUMBIA
DANIEL J. CARL, OF COLORADO
ALBERT RAY CEA HENRIQUEZ, OF TEXAS
FREDERICK CHARLES, OF VIRGINIA
JOHN PAUL CHARLES, OF WASHINGTON
DONALD K. CODDING, OF OKLAHOMA
SYDNEY A. CODDING, OF OKLAHOMA
ROBERT PATRICK CONTRERAS, OF MISSOURI
CRAIGORY D. CRANK, OF MARYLAND
ERIC T. CUYLER, OF NEBRASKA
PHILLIP NELSON DE ASSIS, OF THE DISTRICT OF COLUMBIA
BROOKE HEILNER DEAN, OF MARYLAND
ANTHONY J. DIAZ, OF KENTUCKY
RYAN T. DRISCOLL, OF VIRGINIA
EDMUND FLEETWOOD DUNSTAN III, OF MARYLAND
KARYN MALIA CHOQUETTE ELIOT, OF VIRGINIA
ANDREW L. ELLIS, OF VIRGINIA
TIMOTHY F. FARRELL, OF VIRGINIA
MARISA FERGUSON, OF VIRGINIA
JOSE M. GARZA, JR., OF VIRGINIA
NOAH J. GEESAMAN, OF VIRGINIA
JENNIFER H. GIBBS, OF VIRGINIA
KIMBERLY K. GIUSTI, OF OREGON
PALOMA H. GONZÁLEZ, OF CALIFORNIA
JACOB DANIEL GRANNELL, OF THE DISTRICT OF COLUMBIA
KERRY J. GROOME, OF MARYLAND
RYAN N. GUIRLINGER, OF VIRGINIA
PRISCILLA GUZMAN, OF TEXAS
CHANSONETTE HALL, OF PENNSYLVANIA
GARTH HALL, OF THE DISTRICT OF COLUMBIA
LAURA J. HAMMOND, OF MINNESOTA
SEAN M. HANIFEN, OF VIRGINIA
NICHOLAS HARRIS, OF VIRGINIA
VIRGINIA HARRIS, OF NEW YORK
APRIL M. HAYNE, OF OHIO
CHERYL A. HIPP, OF CALIFORNIA
RYNA HOK, OF VIRGINIA
KERRY F.A. HYRE, OF NEW YORK
TIFFANY L. JACKSON, OF FLORIDA
CHRISTOPHER C. JENSEN, OF VIRGINIA
VISHAL JINDAL, OF VIRGINIA
KENNETH J. KANN, OF MARYLAND
SONIA JUNG KIM, OF GEORGIA
RICHARD CHARLES KOLKER, OF VIRGINIA
STEPHAN G. LANGLEY, OF WASHINGTON
JOHN B. LAVIN, OF MARYLAND
MICHAEL E. LEE, OF VIRGINIA
THOMAS J. LEIBY, OF PENNSYLVANIA
WENDY ANN LIGON, OF VIRGINIA
BRIDGET MARY LINES, OF TEXAS
LOREN C. LOCKE, OF GEORGIA
RYAN J. LONG, OF WASHINGTON
JAMES MICHAEL LOWELL, OF TENNESSEE
MUNIR DAWAN MADYUN, OF GEORGIA
SARA V. MARTÍ, OF FLORIDA
ANNA ARAMBULO MARTZ, OF TEXAS
JOEL SUNIL MATHEN, OF VIRGINIA
WESLEY S. MATHEWS, OF TEXAS
TRISHITA MAULA, OF NEW YORK
JAMES PATRICK MCCORMICK, OF OREGON
CHRISTOPHER H. MCHONE, OF TEXAS
ROLAND DAVID MCKAY, OF MICHIGAN
MARY KATHLEEN MCKNIGHT, OF TENNESSEE
DOERING S. MEYER, OF MINNESOTA
MORGAN DANIEL MILES, OF WASHINGTON
AARON TYRELL MITCHELL, OF MARYLAND
DOUG MORROW, OF ILLINOIS
KATHRINE M. MORTENSEN, OF NEW YORK
STEVEN MARK MOUTON, OF VIRGINIA
NATALYA A. NIKIFOROVA-SMITH, OF FLORIDA
CAROLINE CASEY NOHR, OF CALIFORNIA
FREDERICK NICHOLAS NOYES, OF TEXAS
ILENA C. PATTI, OF VIRGINIA
KARLEE MARIE PAYNE, OF VIRGINIA
CHRIS F. PIERSON, OF CONNECTICUT
SUSAN QUINTANA, OF TEXAS
ERIN ALEXIS RATTAZZI, OF CALIFORNIA
SUNIL KUMAR RAVI, OF ARIZONA
STEPHANIE LAUREN REED, OF VIRGINIA
MARK V. REEDY, OF GEORGIA
NICHOLAS B. REID, OF FLORIDA
RÉGINE RENÉ, OF LOUISIANA
ANGELICA RODAS-HUGHES, OF VIRGINIA
THOMAS S. ROOKER, OF VIRGINIA
ALISON E. ROWLES, OF MARYLAND
CHUNNONG SAEGER, OF MARYLAND
MARYUM FATIMA SAIFEE, OF TEXAS
FELIX J. SALAZAR, OF MARYLAND
JANICE T. SCHILL, OF CALIFORNIA
PHILIP SCOT SCHWADA, OF VIRGINIA
BEHRANG FARIAN SERAJ, OF CALIFORNIA
ANDREW MICHAEL SHERNUK, OF VIRGINIA
ARATI SHROFF, OF ILLINOIS
ALEXANDREA R. SHYBUT, OF VIRGINIA
CLAIRE ELIZABETH SMOLIK, OF CALIFORNIA
LAURENCE J. SOCHA, OF ILLINOIS
NITZA SOLÁ-ROTGER, OF THE DISTRICT OF COLUMBIA
CORY RAJA STELLING, OF VIRGINIA
MASAMI TANAKA, OF ILLINOIS
MEGAN J. TETRICK, OF INDIANA

SYGA THOMAS, OF CALIFORNIA
ROBBIE J. THOMPSON, OF MARYLAND
WOLFGANG TOLLE, OF VIRGINIA
DIANE K. TOMION, OF VIRGINIA
KEISHA N. TOMS, OF NEW YORK
WILLIAM RANDALL TORRANCE, OF TEXAS
CATHERINE TRUONG, OF ILLINOIS
JUSTIN W. TULL, OF CALIFORNIA
PENNY L. VASQUEZ, OF VIRGINIA
YAYOI VICKOVIC, OF VIRGINIA
BENJAMIN WALLACE, OF THE DISTRICT OF COLUMBIA
BRIANNE A. WATTS, OF VIRGINIA
OTTO HAAVERSEN WESTHASSEL, OF NEVADA
ERIC S. WEXLER, OF VIRGINIA
C. LOGAN WHEELER, OF TENNESSEE
AMANDA FAITH WHITESELL, OF VIRGINIA
HEATHER A. WIGGINS, OF VIRGINIA
DAVID WISNER, OF NEW YORK
HEATHER NICOLE WRIGHT, OF MARYLAND
CHRISTIAN S. YUN, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER COUNSELOR:

DANIEL E. HARRIS, OF MARYLAND

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

JOHN M. KOWALSKI, OF WISCONSIN

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF AGRICULTURE

DAVID LEISHMAN, OF WYOMING
ELIZABETH MELLO, OF CALIFORNIA
JEFFREY V. NAWN, OF OHIO

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

ALLYSON MCCOLLUM ALGEO, OF TENNESSEE
MARA SUNSHINE ANDERSEN, OF COLORADO
ANDREA APPELL, OF CALIFORNIA
SELIM ARITÜRK, OF THE DISTRICT OF COLUMBIA
DAVID P. ARULANANTHAM, OF CALIFORNIA
NATASHA MICHELLE BASLEY, OF CALIFORNIA
LEE ANDREW BELLAND, OF WASHINGTON
ONI KAY BLAIR, OF TEXAS
DAVID J. BOUMAN, OF WASHINGTON
KATHERINE A. CARO, OF FLORIDA
DONALD LEROY CARROLL, OF IDAHO
MARCUS EVAN LAWRENCE CARY, OF WASHINGTON
DELARAM MOKHTAR CAVEY, OF VIRGINIA
ANN MARIE CHIAPPETTA, OF CALIFORNIA
JASON CHUE, OF NEW YORK
CECELIA MASON COLEMAN, OF TEXAS
STEVEN M. CONLON, OF FLORIDA
WAYNE H. CRAWFORD, OF COLORADO
RICHARD D. DAMSTRA, OF MICHIGAN
CHRISTIAN DEITCH, OF ILLINOIS
SARA ELIZABETH DEVLIN, OF VIRGINIA
CAROLINE GRACE DOW, OF PENNSYLVANIA
ALLEN DUBOSE, OF FLORIDA
MATTHEW JOHN EASTER, OF NEW YORK
GINA BETH EL KOURY, OF NEW JERSEY
GUNTHER T. FEHR, OF NORTH CAROLINA
EMILY M. FLECKNER, OF NEW YORK
MELINDA J. FOUNTAIN, OF INDIANA
ELAINE M. FRENCH, OF NEW YORK
NORMAN GALIMBA, OF TEXAS
DAVID HARDT GAMBLE, JR., OF VIRGINIA
ADELLE FAY GILLEN, OF WASHINGTON
TIMOTHY JOHN GILLEN, OF WASHINGTON
SUZANNE GORDON GRANTHAM, OF FLORIDA
LAWRENCE GRIPPO, OF NEW JERSEY
CHRISTOPHER G. GROSSMAN, OF OKLAHOMA
KATHLEEN MARIE GUERRA, OF WASHINGTON
JASON HEUNG, OF VIRGINIA
DEREK WILLIAM HOFFMANN, OF INDIANA
JAMES E. HOGAN, OF FLORIDA
PHUONG THAO THANH HONG, OF WASHINGTON
YUEN-HAO HUANG, OF CALIFORNIA
TIMOTHY RAY JOHNSON, OF VIRGINIA
MATTHEW KEENER, OF CALIFORNIA
SHARON S. KETCHUM, OF ARIZONA
LUBNA KHAN, OF WYOMING
ANN MOONJU KIM, OF CALIFORNIA
KATHRYN ANN KISER, OF FLORIDA
ELIZABETH VIRGINIA KUHSE, OF CONNECTICUT
BENJAMIN AARON LE ROY, OF CALIFORNIA
SHELBIE CHANDELLE LEGG, OF FLORIDA
GLENN K. LEWIS, OF VIRGINIA
JORGE E. LIZARRALDE, OF TEXAS
JEREMY W. LONG, OF CALIFORNIA
DANIEL EDWARD MANGIS, OF TEXAS
SHAILA B. MANYAM, OF FLORIDA
JAMIE MARTIN, OF RHODE ISLAND
DONALD G. MAYNARD II, OF VIRGINIA
JESSICA MEGILL, OF CALIFORNIA
MAUREEN YVONNE MIMNAUGH, OF CALIFORNIA
TODD K. MIYAHIRA, OF VIRGINIA
MOHAMMED MOTIWALA, OF CALIFORNIA
BRADLEY JON NIEMANN, OF CALIFORNIA
VICTORIA STURDIVANT O'CONNELL, OF VIRGINIA
LIAM J. O'FLANAGAN, OF NEW YORK
MICHELLE YVETTE OUTLAW, OF ARIZONA
ERIN PELTON, OF MINNESOTA
CHRISTA MARIE PEROZO, OF WISCONSIN
MARK DAVID PERRY, OF VIRGINIA
ZEBA REYAZUDDIN, OF CALIFORNIA
CORRIE HEPBURN ROBB, OF CALIFORNIA
NINA J. ROBINSON, OF CALIFORNIA
RANDALL ARTHUR ROBINSON, OF FLORIDA
MELANIE B. RUBENSTEIN, OF OHIO
RYAN J. RUSSELL, OF VIRGINIA
CHARLES R. SELLERS, OF TEXAS
HEATHER STEIL, OF CALIFORNIA
WILLIAM H. SYLL, OF LOUISIANA
JOSEPH R. TRUESDALE IV, OF NEW HAMPSHIRE
JASON HOWARD ULLNER, OF FLORIDA
ROGER CROIX WEBB, OF MISSOURI
PHILIP DOUGLAS WILSON, OF TEXAS
CHAD LEE WILTON, OF ALASKA
ELISABETH F. ZENTOS, OF THE DISTRICT OF COLUMBIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

DAVID E. AVERNE, OF THE DISTRICT OF COLUMBIA
JOHN P. FAY, OF VIRGINIA
HENLEY K. JONES, OF FLORIDA
KATJA S. KRAVETSKY, OF VIRGINIA
NANCY E. LUTHER, OF THE DISTRICT OF COLUMBIA
PAUL A. TAYLOR, OF COLORADO

DEPARTMENT OF STATE

PATRICK KIMBALL ARMSTRONG, OF VIRGINIA
CHAD ASHLEY, OF VIRGINIA
AARON M. ATKIN, OF VIRGINIA
AKASH BAHL, OF CALIFORNIA
GRAHAM GLYN BARKER, OF FLORIDA
WILLIAM D. BARRY, OF CALIFORNIA
JEFFREY KIRK BENGTZEN, OF VIRGINIA
CARINA BERNAL, OF TEXAS
LINDA BLOUNT, OF VIRGINIA
KATHERINE LYNN BOESDORFER, OF VIRGINIA
ANDREW J. BRADEN, OF THE DISTRICT OF COLUMBIA
KELLY BUSBY, OF VIRGINIA
JONATHAN S. BUTRY, OF VIRGINIA
KAREN CAHILL, OF VIRGINIA
ALYSIA CAMEL, OF VIRGINIA
OLGA TERESA CARDENAS, OF VIRGINIA
JANE CARTER, OF CALIFORNIA
JORDANA CHAVIN, OF CALIFORNIA
CHERYL CIOCCI, OF VIRGINIA
SARAH CLYMER, OF MINNESOTA
CHIE N. COLE, OF VIRGINIA
SHAYNA COLLEEN CRAM, OF TEXAS
CHANDA M. CREASY, OF THE DISTRICT OF COLUMBIA
PETER JAMES DAVIS, OF VIRGINIA
AUDREY C. DAVISTER, OF VIRGINIA
CHRISTIAAN E.N. DE LUIGI, OF VIRGINIA
BARBARA R. DOENGES, OF OHIO
KENNETH C. DOLL II, OF VIRGINIA
DAWN M. DOWLING, OF VIRGINIA
KATHLEEN ETTER, OF VIRGINIA
STEPHANIE FAIN, OF TEXAS
JENNIFER M. FOLTZ, OF MICHIGAN
RUTH H. GALLANT, OF CALIFORNIA
ANDREW GALLIKER, OF VIRGINIA
ELIAS T. GATES, OF VIRGINIA
BRYON GILBERT, OF MARYLAND
WILLIAM J. GRALEY, OF VIRGINIA
ERIN TERESA GREENWELL, OF THE DISTRICT OF COLUMBIA
ASHLEY COLLEEN GROUNDS, OF VIRGINIA
VINCENT J. GUINEE III, OF VIRGINIA
STEPHANIE MARIE HACKENBURG, OF PENNSYLVANIA
KENNETH THEODORE HARMS, OF VIRGINIA
NICHOLAS RYAN HARROD, OF THE DISTRICT OF COLUMBIA
ROBIN A. HARTSELL, OF ILLINOIS
PATRICK B. HARWOOD, OF VIRGINIA
BRIAN R. HOKE, OF VIRGINIA
BRADFORD HOPEWELL, OF VIRGINIA
MARY R. HOWELL, OF FLORIDA
ETHAN R. HYCHE, OF CALIFORNIA
CHRISTIAAN K. JAMES, OF TEXAS
REBECCA A. JANES, OF THE DISTRICT OF COLUMBIA
MARY KATHERINE JANTE, OF THE DISTRICT OF COLUMBIA
DANA M. JONES-SHEPPARD, OF VIRGINIA
CHESTER L. KELLEY, OF VIRGINIA
JULI S. KIM, OF TEXAS
KELLY S. KIM, OF VIRGINIA
AMANDA H. KING, OF VIRGINIA
NEIL R. KING, OF THE DISTRICT OF COLUMBIA
DAWN KIRSCHMAN, OF SOUTH DAKOTA
JONATHAN LOREN KOEHLER, OF ILLINOIS
DARREN LABONTE, OF MARYLAND
MARTIN L. LAHM III, OF NEW YORK
MATTHEW LANDIN, OF MARYLAND
SCOTT LANG, OF ILLINOIS
BRIAN D. LARSEN, OF ILLINOIS
LISA CHRISTINE LARSON, OF MINNESOTA
PHYLLIS K. LAVALLAIS, OF TEXAS
SEAN PATRICK LINDSTONE, OF THE DISTRICT OF COLUMBIA
MARISA LEIGH MACISAAC, OF MAINE
JEFFREY T. MAICKE, OF MARYLAND
MARK W. MAJOROS, OF VIRGINIA
SARAH V. MANAKER, OF VIRGINIA
JOSEPH R. MASIH, OF VIRGINIA
ALAN DANIEL MCCARTHY, JR., OF VIRGINIA
DANIEL LAWRENCE MICHAEL, OF VIRGINIA
CHIRAG MAYUR MISTRY, OF MARYLAND
NICHOLAS F. MUTO, OF MARYLAND
VICTORIA LEIGH NIBARGER, OF KANSAS
PAUL M. NICHOLS, OF CONNECTICUT
ERIN THERESE O'CONNOR, OF TEXAS
DOUGLAS H. OSTERTAG, OF CALIFORNIA
JEFFREY L. OTTO, OF NEW YORK
MARK SEBASTIAN PALERMO, OF THE DISTRICT OF COLUMBIA
JOYCE K. PARK, OF VIRGINIA
JOHN REED PAYNE, OF TEXAS
FRANCISCO PÉREZ, OF NEW MEXICO
KIMBERLY M. PEREZ, OF TEXAS
LAURA PERRY, OF VIRGINIA
SUSAN L. POHL, OF VIRGINIA
ERIK S. PUGNER, OF CALIFORNIA
REBECCA L. PYLE, OF PENNSYLVANIA
REBECCA CAROL RAMAN, OF TENNESSEE
SCOTT E. REESE, OF VIRGINIA
ALISON M. RESER, OF VIRGINIA
KEVIN RICH, OF VIRGINIA
MEGAN JOAN ROBERTS, OF VIRGINIA
NIKKI NOEL ROMERO, OF VIRGINIA
MICHAEL RUDDY, OF MASSACHUSETTS
JACOB J. SALAZAR, OF MICHIGAN
SUMMER H. SANFORD, OF VIRGINIA
SARA A. SCARBRO, OF VIRGINIA
SARAH K. SCHORES, OF THE DISTRICT OF COLUMBIA
LUKE AARON SCHTELE, OF UTAH
PAUL SCHUBERT, OF MARYLAND
CHARLES F. SETEN, OF ILLINOIS
RICKIN D. SHAH, OF THE DISTRICT OF COLUMBIA
MARK C. SHEPPARD, OF VIRGINIA
ANNE SIPPEL, OF GEORGIA
JENNIFER T. SIREGAR, OF FLORIDA
JON J. SKIBA, OF VIRGINIA
SARAH F. SKORUPSKI, OF THE DISTRICT OF COLUMBIA
DOMINIC SO, OF CALIFORNIA
BRENT SODERBORG, OF VIRGINIA
DANIELLE EVON THOMAS, OF VIRGINIA
SHAWN TIMBROOK, OF VIRGINIA
MINA TOUMAZATOS, OF VIRGINIA
VINCENT C. TRAVERSO, OF CALIFORNIA
LLOYD R. VAN LANDINGHAM, OF VIRGINIA
BEENA VARNAN, OF TEXAS
MATTHEW VARTHALAMIS, OF THE DISTRICT OF COLUMBIA
ERIK CHRISTOPHER WAHLSTROM, OF WASHINGTON
LAURA WANNER, OF VIRGINIA
ADAM C. WATSON, OF VIRGINIA
STEPHEN WEEKS, OF FLORIDA
MATTHEW LAWRENCE WEILL, OF THE DISTRICT OF COLUMBIA
BRIAN D. WHELAN, OF VIRGINIA
LUCY AVENT WICHLACZ, OF VIRGINIA
JOSHUA B. WILCOX, OF VIRGINIA
DALE P. WURMLINGER, OF VIRGINIA
JEREMY TERRILL YOUNG, OF VIRGINIA

DISCHARGED NOMINATIONS

The Senate Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

JAMES W. MILLER, OF VIRGINIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES.

KATHLEEN A. MERRIGAN, OF MASSACHUSETTS, TO BE DEPUTY SECRETARY OF AGRICULTURE.

JOE LEONARD, JR., OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Thursday, April 2, 2009:

INTERNATIONAL BANKS

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.

DEPARTMENT OF STATE

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).

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.

MELANNE VERVEER, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR AT LARGE FOR WOMEN'S GLOBAL ISSUES.

DEPARTMENT OF DEFENSE

JAMES N. MILLER, JR., OF VIRGINIA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY.

ALEXANDER VERSHBOW, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF HOMELAND SECURITY

JANE HOLL LUTE, OF NEW YORK, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY.

OFFICE OF PERSONNEL MANAGEMENT

JOHN BERRY, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF FOUR YEARS.

SMALL BUSINESS ADMINISTRATION

KAREN GORDON MILLS, OF MAINE, TO BE ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION.

DEPARTMENT OF VETERANS AFFAIRS

W. SCOTT GOULD, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF VETERANS AFFAIRS.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF AGRICULTURE

JAMES W. MILLER, OF VIRGINIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES.

KATHLEEN A. MERRIGAN, OF MASSACHUSETTS, TO BE DEPUTY SECRETARY OF AGRICULTURE.

JOE LEONARD, JR., OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL C. GOULD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10. U.S.C., SECTION 12203:

To be brigadier general

COL. DEBRA A. SCULLARY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL ROGER A. BINDER
BRIGADIER GENERAL DAVID L. COMMONS
BRIGADIER GENERAL ANITA R. GALLENTINE
BRIGADIER GENERAL CARL M. SKINNER
BRIGADIER GENERAL HOWARD N. THOMPSON
BRIGADIER GENERAL PAUL M. VAN SICKLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COLONEL WILLIAM B. BINGER
COLONEL CATHERINE A. CHILTON
COLONEL JAMES A. FIRTH
COLONEL ROBERT M. HAIRE
COLONEL STAYCE D. HARRIS
COLONEL THOMAS P. HARWOOD III
COLONEL MARYANNE MILLER
COLONEL PAMELA K. MILLIGAN
COLONEL ROBERT K. MILLMANN, JR.
COLONEL JAMES J. MUSCATELL, JR.
COLONEL DENNIS P. PLOYER
COLONEL KEVIN E. POTTINGER
COLONEL DEREK P. RYDHOLM
COLONEL GEORGE F. WILLIAMS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. VINCENT K. BROOKS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. JAMES K. GILMAN
BRIG. GEN. PHILIP VOLPE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. WILLIAM B. GAMBLE
COL. RICHARD W. THOMAS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. PAUL W. BRIER
COL. FRANS J. COETZEE

IN THE AIR FORCE

AIR FORCE NOMINATIONS OF KATHY L. FULLERTON, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH EMIL B. KABBAN AND ENDING WITH STEPHEN H. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH BRIAN D. ANDERSON AND ENDING WITH MARGARET M. WALSH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH MARK T. ALLISON AND ENDING WITH PHILIP T. WOLD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH TINA M. BARBERMATTHEW AND ENDING WITH REGAN J. PATRICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH JAMES J. BALDOCK IV AND ENDING WITH BRENDA L. YI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH LISA L. ADAMS AND ENDING WITH RICHARD J. ZAVADIL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH ARIEL O. ACEBAL AND ENDING WITH STEVEN M. ZUBOWICZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

AIR FORCE NOMINATION OF JONATHON V. LAMMERS, TO BE LIEUTENANT COLONEL .

AIR FORCE NOMINATIONS BEGINNING WITH GARY A. FOSKEY AND ENDING WITH CONNIE L.WARR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH BRYSON D. BORG AND ENDING WITH DEXTER W. LOVE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH GEORGE B. GOSTING AND ENDING WITH JOSEPH S. PARK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD D. BAKER AND ENDING WITH GREGORY B. YORK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH JEFFREY L. ANDRUS AND ENDING WITH ROSE M. WOJCIK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH FEDERICO C. AQUINO, JR. AND ENDING WITH JUNKO YAMAMOTO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH JOSELITA M. ABELEDA AND ENDING WITH GABRIEL ZIMMERER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH THOMAS J. BAUER AND ENDING WITH STACEY E. ZAIKOSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH AMANDA J. ADAMS AND ENDING WITH DON L. ZUST, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH XAVIER A. NGUYEN AND ENDING WITH JENNIFER A. TAY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 17, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN M. BEENE II AND ENDING WITH ELIZAEBTH N. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 17, 2009.

AIR FORCE NOMINATION OF RYAN G. MCPHERSON, TO BE MAJOR.

AIR FORCE NOMINATION OF MARK J. IVEY, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH CHRISTOPHER B. BENNETT AND ENDING WITH DAVID J. WESTERN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

IN THE ARMY

ARMY NOMINATION OF PETER C. GOULD, TO BE COLONEL.

ARMY NOMINATION OF GARRETT S. YEE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH ROY L. BOURNE AND ENDING WITH STANLEY W. SHEFTALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

ARMY NOMINATION OF FRANK RODRIGUEZ, JR., TO BE COLONEL.

ARMY NOMINATION OF EDWARD E. TURSKI, TO BE COLONEL.

ARMY NOMINATION OF JOSEPH R. KRUPA, TO BE MAJOR.

ARMY NOMINATION OF KATHLEEN P. NAIMAN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JUAN G. ESTEVA AND ENDING WITH THOMAS E. STARR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH ROBERT F. DONNELLY AND ENDING WITH ANGELICA REYES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH RICHARD H. DAHLMAN AND ENDING WITH DAVID A. STILLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH JULIE S. AKIYAMA AND ENDING WITH ANDREW L. HAGEMASTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH MICHAEL L. NIPPERT AND ENDING WITH JOHN K. GOERTMILLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH MARTIN L. BADEGIAN AND ENDING WITH MARK J. HODD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH DEBRA H. BURTON AND ENDING WITH LEE D. SCHNELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH PAUL P. BRYANT AND ENDING WITH CHRISTOPHER R. WARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH ROBERT J. ABBOTT AND ENDING WITH PATRICK J. WOOLSEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH VANESSA A. BERRY AND ENDING WITH SCOTT F. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH EFREN E. RECTO AND ENDING WITH WILLIAM A. WOLKSTEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH SUZANNE D. ADKINSON AND ENDING WITH BRANDON S. WATKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

ARMY NOMINATIONS BEGINNING WITH THOMAS M. CARDEN, JR. AND ENDING WITH ANTHONY WOODS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

ARMY NOMINATION OF LAURA K. LESTER, TO BE MAJOR.

ARMY NOMINATION OF BRIGITTE BELANGER, TO BE MAJOR.

ARMY NOMINATION OF MITZI A. RIVERA, TO BE MAJOR.

ARMY NOMINATION OF CATHERINE B. EVANS, TO BE MAJOR.

ARMY NOMINATION OF VICTOR G. KELLY, TO BE MAJOR.

ARMY NOMINATION OF RYAN T. CHOATE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH RAFAEL A. CABRERA AND ENDING WITH CARL J. TADAKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 17, 2009.

ARMY NOMINATIONS BEGINNING WITH ROBERT A. BORCHERDING AND ENDING WITH MICHAEL C. WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 17, 2009.

ARMY NOMINATION OF VICTOR J. TORRES-FERNANDEZ, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JOSEPH ANGERER AND ENDING WITH MATTHEW J. YANDURA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

ARMY NOMINATIONS BEGINNING WITH TED R. BATES AND ENDING WITH PETER M. MENICUCCI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

ARMY NOMINATIONS BEGINNING WITH JOHN M. DIAZ AND ENDING WITH LAVORE L. RICHMOND, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

ARMY NOMINATIONS BEGINNING WITH LUISA SANTIAGO AND ENDING WITH YEVGENY S. VINDMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

ARMY NOMINATIONS BEGINNING WITH RANDALL W. COWELL AND ENDING WITH DANIEL M. ZERBY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

ARMY NOMINATIONS BEGINNING WITH ALBERT J. ADKINSON AND ENDING WITH WILLIAM E. WYNNS, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH DAVID G. ANTONIK AND ENDING WITH STEVEN D. PETERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

MARINE CORPS NOMINATIONS BEGINNING WITH KELLY P. ALEXANDER AND ENDING WITH ANTHONE R. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

MARINE CORPS NOMINATIONS BEGINNING WITH DEREK M. ABBEY AND ENDING WITH ROBERT B. ZWAYER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

MARINE CORPS NOMINATIONS BEGINNING WITH HARALD AAGAARD AND ENDING WITH MARK W. ZIPSIE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 2009.

IN THE NAVY

NAVY NOMINATION OF SCOTT D. SHIVER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH STEVEN A. KHALIL AND ENDING WITH DAVID B. ROSENBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

NAVY NOMINATION OF MIGUEL GONZALEZ, TO BE CAPTAIN.

NAVY NOMINATION OF DAVID M. DROMSKY, TO BE COMMANDER.

NAVY NOMINATION OF JED R. ESPIRITU, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH CHARLES C. ADKISON AND ENDING WITH TRICIA L. TEAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2009.

NAVY NOMINATIONS BEGINNING WITH GREGORY G. GALYO AND ENDING WITH OLIVER C. MINIMO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2009.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER G. CUNNINGHAM AND ENDING WITH CHRISTOPHER A. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

NAVY NOMINATIONS BEGINNING WITH JANET L. JACKSON AND ENDING WITH TODD M. SULLIVAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 2009.

EXTENSIONS OF REMARKS

CELEBRATING THE LIFE AND SERVICE OF RURAL CARRIER MANCEL PRINCE

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. LINCOLN DAVIS of Tennessee. Madam Speaker, I rise today to recognize the life and service of Mancel Prince, a rural letter carrier from Decherd, Tennessee.

For over thirty years, Mr. Prince has carried out a service that began just 5 days before Christmas in 1899, when the Post Office Department decided to experiment with extending rural free delivery across an entire county for the first time. The service proved viable, and today constituents like mine and all across rural America receive their mail from dedicated carriers like Mr. Prince.

Today Mr. Prince is 89 years old, and has more than 70 years of government service in his past. He first joined the U.S. Army in 1938 and served on active duty in World War II, where he fought for the Allies under the command of General Patton, as well as in the Korean War and the Vietnam War.

Mr. Prince retired from active duty in 1972 as a Command Sergeant Major in Field Artillery, and then joined the U.S. Postal Service. He has served on his route for nearly thirty five years, and currently serves more than 460 boxes over a span of 93.5 miles per day through parts of three counties. He is respected by co-workers and superiors alike and is praised for his work ethic. I understand, too, that he is currently the oldest active employee in the Tennessee District and to my knowledge, he has no plans to retire.

I would ask that my colleagues join me today in rising to honor a great servant of rural America, and a man who has dedicated so much of his life in service to the good of our nation.

HONORING THE TOWN OF BOURNE, MASSACHUSETTS

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. DELAHUNT. Madam Speaker, I rise today so that my colleagues in the House of Representatives can join me in commemorating the 125th Anniversary of the Town of Bourne, Massachusetts.

It was on this day in 1884 that the Town of Bourne claimed its rightful independence, a movement that marked the inception of Bourne Incorporated. The significance of the Town's foundation is reflected in historical data that depict a prolonged effort to distinguish its identity. As noted by the 1984 Bourne Centennial Celebration Committee, ineffectual attempts at separation were made in the late 1770s and early 1800s—but it was not until 1883 that a successful movement began.

In large measure, geography governed the separation. Long trips were needed to get to the town meeting and in some cases to the meetinghouse. But more importantly, the division was a profound expression of the free will of the people. This movement perfectly epitomized the meaning of the phrase "of the people, by the people, for the people." As the youngest township on Cape Cod, the Town of Bourne should be recognized for what has been its everlasting pledge to the preservation of life, liberty and the pursuit of happiness.

It is of the utmost importance that we pass on Bourne's rich history to current and future generations, and that we encourage the Town's youth to take pride in their heritage. As we reflect on the Town's 125-year existence, we must proudly recognize the pioneers who spearheaded the Town's founding and the superior achievements the Town and its citizens have realized over the years.

I congratulate all the citizens of the Town of Bourne on this auspicious day, and extend my best wishes for a successful and prosperous future.

HONORING THE LIFE OF GEORGE "HAPPY" IRBY

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. CHILDERS. Madam Speaker, I rise today to pay respect to the life of George "Happy" Irby. Happy Irby passed away on his birthday, March 27th, at the age of 94 in his hometown, Columbus, Mississippi. He was a man that lit up a room. His perpetual optimism was contagious; his name "Happy," was not just a nickname, it was a reflection of the way he lived his life.

Happy Irby worked as an activity coordinator at the Columbus Air Force Base's Officer's Club for 50 years. It is here he founded the Happy Christmas Fund, providing gifts for children in need on Christmas morning and giving fruit baskets to the elderly. He will be remembered as one of Mississippi's most avid philanthropists, which is why Mississippi State Highway 706 was renamed George "Happy" Irby Parkway.

Happy was a devoted husband, father, grandfather, great-grandfather and great-great grandfather. Happy was a proud and faithful member of Missionary Union Baptist Church, where he served as an usher.

Madam Speaker, I thank my colleagues for remembering George "Happy" Irby and his family at this time.

HONORING THE MEMORY OF THE MRS. ABBIE POWE SESSIONS

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BONNER. Madam Speaker, Monroe County—and the entire State of Alabama—recently lost a dear friend, and I rise today to honor Mrs. Abbie Powe Sessions and pay tribute to her memory.

A native of Branch in Choctaw County, "Miss Abbie" had been a resident of Hybart in Monroe County for most of her adult life. She graduated from high school in Silas and studied at both Livingston State Teachers College and Troy State Teachers College. A few years ago, she moved into a retirement community in Mobile so she could be closer to her family.

"Miss Abbie" was truly a steel magnolia. She was strong in her faith, devoted to her family and friends and a constant source of inspiration to all who knew and loved her. She was a homemaker and actively assisted her late husband, Jefferson B. Sessions Jr., in his country store and farm equipment business. Their only son, Senator JEFF SESSIONS, credits her hard work and frugality with instilling in him the value of a dollar and the importance of hard work.

Madam Speaker, I ask my colleagues to join me in remembering a friend to many throughout south Alabama. Mrs. Abbie Powe Sessions will be dearly missed by her family—her son, Senator JEFF SESSIONS and his wife Mary; her three grandchildren, Mary Abigail Sessions Reinhardt, Ruth Blackshear Sessions Walk, and Samuel Turner Sessions; her great granddaughter, Jane Ritchie Reinhardt; her sister, Mary P. Powe; and her nephew, Harry A. Powe III—as well as the countless friends she leaves behind.

Our thoughts and prayers are with them all during this difficult time.

FREE FLOW OF INFORMATION ACT OF 2009

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. CONYERS. Madam Speaker, H.R. 985, the Free Flow of Information Act of 2009, creates a qualified privilege to protect journalists from being compelled by Federal authorities to disclose confidential sources or other non-public information they have collected in the course of their reporting.

A court could still compel disclosure when the public interest justifies it—in cases of terrorism or other significant national security threats, for example, or to prevent imminent death or significant bodily harm, or in pursuit of individuals who have illegally revealed confidential private information or sensitive national security secrets.

In this way, the bill strikes a careful balance between the public's right to know and the needs of law enforcement, national security, and the fair administration of justice.

The protections of this bill have never been more crucial to a free press and an informed public. In recent years, the press has been under assault, as reporters are increasingly being subpoenaed—and in some cases imprisoned—for refusing to open their notebooks and disclose their confidential sources.

Right now, for example, a Pulitzer Prize-winning reporter for the Detroit Free Press named David Ashenfelter faces possible contempt charges for refusing to disclose sources who exposed serious prosecutorial misconduct. In the last Congress, Pulitzer Prize-winner Bill Safire and others testified on the importance of this bill. President Bush's Solicitor General Ted Olson also strongly supports press shield legislation.

H.R. 985 has been carefully tailored through the legislative process and represents a well-considered, bipartisan, consensus approach. The bill was significantly revised and amended during the proceedings of the last Congress to address concerns of Members and the Executive Branch that it strike a more sensitive balance in the areas of terrorism, national security, and other critical areas. These changes and revisions markedly strengthened the bill, and it passed the House by an overwhelming bipartisan vote of 398 to 21.

This legislation has the strong support of members on both sides of the aisle. It is also supported by more than 100 editorial boards, and a diverse group of over 50 media companies and organizations, including the Newspaper Association of America, the Associated Press, the National Association of Broadcasters, News Corp., as well as CNN and all the broadcast networks. This broad and bipartisan support only underscores the importance of this measure.

Even a bill with such strong support is still open to improvement, however, and I would like to identify one aspect of the revisions introduced during the last Congress that may have some unwelcome and unintended consequences. At that time, we appropriately revised the definition of a ''covered person'' to include the requirement that the person be ''regularly'' engaged in journalism. That limitation ensures that a person cannot claim the protections of the Act by simply putting up a Web site and claiming to be a reporter after receiving a Federal subpoena.

At the same time, however, we also added a requirement that, to be covered by the Act, a person must earn a ''substantial portion of the person's livelihood'' or ''substantial financial gain'' from reporting activities. I appreciate the effort to strike a careful balance reflected in this change, but I have some concern that, as media evolves and online reporting and citizen journalism become more and more prominent, this definition may deny credible, responsible reporters and commentators the protection of the Act, which I do not believe is Congress's intent.

Furthermore, in an era of mass layoffs in the news business, some displaced journalists may elect to continue their reporting on a part-time or freelance basis, or may simply carry on their work in the public interest on their own time even if they obtain other employment outside the professional press. To my mind, such persons should retain the protection of the Act, but the language may be ambiguous in this type of situation.

Finally, while I appreciate that the current definition of ''covered person'' will cover many responsible, established bloggers, more and more good and significant reporting is being done by small, local blogs or by true volunteers who engage in journalism on their own time, but do so with credibility, professionalism, and integrity. Not all bloggers meet these standards, of course, but many do, and I would hope they will be entitled to the protections of the Act in its final form. Indeed, given the sensationalistic quality of a good deal of modern professional ''journalism,'' it strikes me as somewhat arbitrary to exclude serious political reporters and commentators from coverage simply because of the technology they use or the price they charge.

I note that the Senate version of this legislation uses a more functional test to define a ''covered person,'' focusing on the nature and regularity of the person's activities rather than the financial compensation that they earn. Such an approach appears to strike a thoughtful balance between covering people who have the earned the right to be considered journalists, but denying coverage in situations where it is more likely to be inappropriate or exploited. I am hopeful that as this bill continues through the legislative process, we will look closely at the Senate language and consider adopting it into the final law.

I would like to commend my Judiciary Committee colleague RICK BOUCHER of Virginia, the lead sponsor of this bill, for his tireless work on this issue.

I would also like to recognize MIKE PENCE of Indiana and BOB GOODLATTE of Virginia for their efforts in strengthening the bill and ensuring that we could bring a truly bipartisan measure to the House.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 1, 2009

Ms. DELAURO. Mr. Speaker, I rise in strong support of H.R. 1256, the Family Smoking Prevention and Tobacco Control Act. This bipartisan legislation would grant the Food and Drug Administration (FDA) long-needed authority to regulate the manufacture, sale, distribution and marketing of tobacco products.

As we all know, tobacco related diseases contribute to the death of 400,000 Americans and costs the nation's health care system nearly $100 billion each year. The most tragic part of this statistic is that virtually all of these deaths are preventable. It is alarming that preventable diseases such as emphysema, heart disease and cancer all can be attributed to the use of tobacco. We must do everything we can to end preventable suffering and death due to tobacco use. And as we look towards significant, comprehensive health reform legislation, this bill is critically important to achieving our goal of a healthier nation.

The FDA has the scientific expertise and regulatory experience to understand complex tobacco products, stipulate changes and address how these changes interact with the marketing that impacts consumer behavior. The FDA is the best agency to regulate tobacco products because it is regularly engaged in evaluating the scientific and technical evidence related to the safety or lack thereof of consumer products, as well as examining issues related to access, marketing and claims made about these products.

Continuing to allow tobacco manufacturers to escape any sort of regulation when food, drug, device and other manufacturers are subject to oversight is unacceptable. Congress cannot leave tobacco products, the number one preventable cause of death, unregulated. Tobacco companies should not remain free to manipulate their products by secretly increasing nicotine levels or adding candy flavorings to entice children. We need to do what we can to reduce the harm of tobacco products and FDA is the only agency with the level of expertise required to take on this task.

Colleagues, we can all agree that the FDA faces significant challenges, is in desperate need of new, effective leadership and a commitment from this Congress to implement the necessary changes. H.R. 1256 is not in conflict with those changes. The legislation creates a new, separate center for tobacco product regulation within FDA and establishes user fees—paid for by the manufacturers and importers of the tobacco products regulated by FDA—to fully fund the agency's new work relating to tobacco products. None of the positions or funding for the new Center for Tobacco Regulation will be taken from existing FDA resources. I am pleased that the bill before us includes language that maintains the same role of the Appropriations Committee with regard to the fees in this bill that the Committee has with regard to other FDA user fees Providing the FDA with authority over tobacco products is completely consistent with FDA's core mission to protect the public health.

This bill has strong bipartisan support, and is endorsed by key groups including the American Cancer Society Cancer Action Network, the American Heart Association, the American Lung Association, the American Medical Association and Campaign for Tobacco-Free Kids and more than 1000 other health, medical, consumer, community and faith groups.

I urge my colleagues to support this bill.

PERSONAL EXPLANATION

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. POSEY. Madam Speaker, on rollcall No. 154, I would ask that the RECORD reflect that I am in favor of H. Res. 273, Recognizing the 188th anniversary of the Independence of Greece and Celebrating Greek and American Democracy. I was present and voted in favor of the resolution, but my vote was not recorded by the electronic device. I would have voted ''aye.''

TRIBUTE TO THE PIKEVILLE KENTUCKY SOCIAL SECURITY OFFICE

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to commend the staff of the Pikeville Kentucky Social Security Office for their strong, effective, and compassionate service to the people of Kentucky. Their dedication and service has earned them the prestigious Social Security's Administration's Best Level Two Office in the Atlanta Region Award.

Social Security plays an important role in the lives of more Americans than any other federal program. Whether providing a Social Security number for a newborn baby, mailing a check to a retired worker, or helping a disabled individual receive benefits, the Social Security Administration touches the lives of everyone.

The field office in Pikeville, Kentucky, is a shining example for this extensive federal agency. The Pikeville staff consistently goes beyond the call of duty to provide valuable benefits to the people of Kentucky. Because of this unwavering commitment to helping others, the Social Security Administration recognized the Pikeville Office as the Best Level Two Office in the Atlanta Region. This is the highest honor a social security office can receive.

This award would not be possible if it weren't for the committed individuals who have dedicated their lives to public service. The Pikeville office is professional, courteous, and goes above and beyond in order to ensure the highest quality of service to all those who are in need of their assistance. This award is a reflection of each and every employee's exceptional performance in delivering quality public-centered service in a timely and efficient manner.

Madam Speaker, on behalf of my colleagues and myself, I want to thank the staff at the Pikeville Social Security Office for their hard work and dedication to serving the people of Kentucky. These fine Americans are an inspiration to us all, and I salute them for their commitment to helping others.

PRIMARY CARE DENTAL ACADEMIC WORKFORCE DEVELOPMENT ACT OF 2009

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. KENNEDY. Madam Speaker, today I am introducing the Primary Care Dental Academic Workforce Development Act of 2009.

Dental decay is the most common chronic childhood disease in the U.S. and also one of the most preventable. More than one quarter of American children between the ages of 2 and 4, half of children between ages 6 and 8, and nearly 60 percent of 15 year-old children suffer from dental decay. Despite this, schools of dentistry in the United States are experiencing difficulty in recruiting and retaining the expert faculty needed to train our nation's future dentists.

A strong dental faculty is needed to recruit and train the dental students needed to provide exceptional dental care to our nation's children. Yet, the nation is currently experiencing a shortage of pediatric dental faculty. While pediatric dentists treat only about 30 percent of children, they are responsible for training all of the dentists who treat children. A critical factor in this shortage is the staggering student loan debt and income disparity compared to private practice. The average graduating dental student loan debt was $158,104 in 2006, yet faculty positions generally only provide a third of the income as a private practice which many would-be faculty simply cannot afford.

Addressing the pediatric faculty shortage is especially critical for ensuring that children receive appropriate dental care from an early age and is absolutely essential in determining the quality of their oral health throughout their life. Further, the tragic death of Deamonte Driver in 2007 highlights that poor oral health can have tragic health outcomes, including death. Such tragedies should he avoided at all costs in the future.

For these reasons, my colleague Representative MIKE SIMPSON and I are introducing the Primary Care Dental Academic Workforce Development Act of 2009. This legislation would expand authority under the current Title VII pediatric and general dentistry program to allow these training programs to utilize these grants funds to support loan repayment for up to $250,000 over five years in order to recruit and retain faculty. This authority would significantly' assist in recruitment and retention of pediatric dentistry faculty. Currently, pediatric dentistry programs may apply for Title VII funding to expand or enhance training programs, but not for faculty loan repayment.

Our nation's children deserve the best medical care that our nation has to offer. In order to provide this, we need to ensure we have the resources to train our health professionals. I am proud to introduce the Primary Care Dental Academic Workforce Development Act of 2009, and I urge your full consideration of this important legislation.

INTRODUCING THE TEACHER TAX CUT ACT AND THE PROFESSIONAL EDUCATORS TAX RELIEF ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PAUL. Madam Speaker, I am pleased to introduce two pieces of legislation that raise the pay of teachers and other educators by cutting their taxes. I am sure that all my colleagues agree that it is long past time to begin treating those who have dedicated their lives to educating America's children with the respect they deserve. Compared to other professionals, educators are under-appreciated and under-paid. This must change if America is to have the finest education system in the world!

Quality education is impossible without quality teaching. If we continue to undervalue educators, it will become harder to attract, and keep, good people in the education profession. While educators' pay is primarily a local issue, Congress can, and should, help raise educators' take home pay by reducing educators' taxes.

This is why I am introducing the Teachers Tax Cut Act. This legislation provides every teacher in America with a $3,000 tax credit. I am also introducing the Professional Educators Tax Relief Act, which extends the $3,000 tax credit to counselors, librarians, and all school personnel involved in any aspect of the K–12 academic program.

The Teacher Tax Cut Act and the Professional Educators Tax Relief Act increase the salaries of teachers and other education professionals without raising federal expenditures. By raising the take-home pay of professional educators, these bills encourage highly qualified people to enter, and remain in, education. These bills also let America's professional educators know that the American people and the Congress respect their work.

I hope all my colleagues join me in supporting our nation's teachers and other professional educators by cosponsoring the Teacher Tax Cut Act and the Professional Educators Tax Relief Act.

HONORING THE MEMORY OF EZRA ''BUD'' AND MARY CAROTHERS

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BONNER. Madam Speaker, the town of Winfield, Alabama recently lost two dear friends, and I rise today to honor Ezra Bonner ''Bud'' Carothers and Mary Lee Hill Carothers and pay tribute to their memory.

A native of Marion County, Bud was a resident of the Winfield area most of his life. He graduated from Sidney Lanier High School in Montgomery and attended the University of Alabama. He was in the U.S. Marine Corps and served in Okinawa, Iwo Jima, Philippines, Peluloe and Saipan.

Mary was also a native of Marion County. She graduated from Winfield High School and went on to attend Fairfax Hall College in Waynesboro, Virginia, as well as the University of Alabama.

Loved by their family, respected by the entire community, Bud and Mary are perhaps best known for the Winfield Quick Freeze, a meat processing facility in Winfield that the couple owned and operated for almost four decades. They were also both active members of Winfield First United Methodist Church.

Madam Speaker, I ask my colleagues to join me in remembering two dedicated community leaders known to many throughout northwest Alabama.

Ezra Bonner ''Bud'' Carothers and Mary Lee Hill Carothers will be dearly missed by their family—their sons, William Russell Carothers II and his wife Becky, and Robert Leroy ''Bubba'' Carothers and his wife Rebecca; their eight grandchildren, Melissa Carothers Beard, William Russell Carothers III, Christian Hill Carothers, Robert Leroy Carothers Jr., Brooks Reed Carothers, Ryan Lee Carothers, Julia Gardner, and Amanda Gardner; their eight great-grandchildren, Mary Kate Beard, Spencer Beard, Will Carothers, John Carothers, Nicholus Carothers, Elizabeth Carothers, Allie Carothers, and Caroline Carothers; and nieces and nephews—as well as the countless friends they have left behind.

Our thoughts and prayers are with them all during this difficult time.

RECOGNIZING DOCTOR RICHARD STRANGE AND HIS MANY CONTRIBUTIONS TO THE MUSICAL COMMUNITY

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Richard E. Strange, who is completing his 34th year with the Tempe Symphony Orchestra.

Before beginning his professional career, he earned his Doctorate of Musical Arts in Performance from Boston University, and also holds degrees from Wichita University, and the University of Colorado. He then went on to teach music classes to elementary and high school students before being drafted to serve in the Korean War. As a former teacher myself, I commend Dr. Strange's commitment to emphasizing music education as an essential component of the learning process. And as a member of the House Committee on Veterans' Affairs, I honor Dr. Strange's service to our country and his continued commitment to our nation's service members both past and present.

Richard is also well known in the band and orchestra community. For many years, he served as the guest conductor for multiple popular symphonies, such as the Texas Wind Symphony and the Carnegie Civic Symphony. Dr. Strange also devoted much time to directing prominent bands for the U.S. Marine Corps., U.S. Air Force, U.S. Army, and U.S. Coast Guard.

In addition to holding music clinics all over the world, Dr. Strange has received a myriad of awards honoring his significant contributions to the musical community. His efforts have certainly had a profound impact on me as well as musicians and audiences around the world.

Madam Speaker, please join me in recognizing Dr. Richard Strange for not only his 34 years with the Tempe Symphony Orchestra, but also for his commitment to our veterans and for the tremendous success of his entire musical career.

HONORING MR. ELMER DUCKINFIELD

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GERLACH. Madam Speaker, I rise today to honor Exton resident Elmer Duckinfield, whose tremendous volunteer spirit and constant compassion have earned him the 2009 Safe Harbor Andrew Dinniman Humanitarian Award.

Elmer first served his country in the Army and Navy and has not stopped looking out for others since that time. He is a founding volunteer and a former Board Member at Safe Harbor, which is a nonprofit shelter serving single homeless men and women in the West Chester area.

Safe Harbor is not the only nonprofit agency benefitting from Elmer's genuine charity, humility and drive to make the world a kinder place for everyone. He has eagerly helped more than 70 nonprofit agencies in southeastern Pennsylvania during the last year, logging more than 15,000 miles in his car and contributing countless hours.

Whether it is collecting bread and pastries for St. Agnes Parish, safely driving pregnant homeless women to emergency shelters or tracking down donations to replace an industrial dishwasher at Safe Harbor, Elmer always stands ready to help anyone in need.

Elmer will receive his much-deserved humanitarian award during the Safe Harbor Gala on Saturday, April 18 in the Atrium of QVC.

Madam Speaker, I ask that my colleagues join me today in honoring Elmer Duckinfield for his exemplary service and never-ending desire to improve the lives of others and the quality of life in his community through outstanding acts of kindness.

HONORING TENNESSEE'S NURSES DURING NATIONAL NURSES WEEK, MAY 6–12, 2009

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor all nurses nationwide and to celebrate National Nurses Week, which begins on May 6, 2009. The week long commemoration honors all nurses, and ends on May 12, Florence Nightingale's birthday.

This year's theme, ''Nurses: Building a Healthy America,'' addresses the important role nurses have in our society. Research has shown that when there are more registered nurses working in health care facilities, there are lower mortality rates, shorter lengths of stay, fewer complications, and lower costs.

As a member of the Congressional Nursing Caucus, I have consistently supported legislation protecting nurses' rights and funding increases for nursing education. There is much work, however, that still needs to be done.

Currently, there is a national nurse shortage. By the year 2020, it is predicted Tennessee alone will have a shortage of 9,495 registered nurses. I hope that National Nurses Week will mark the beginning of a trend in the recruitment and retention of nurses throughout our country.

Undoubtedly, we have all been positively affected by nurses at some point in our lives. Whether they have cared for a family member, a friend, or a loved one, we can all be grateful for their hard work and service to our communities.

I want to use this opportunity to thank nurses in Tennessee and across the country.

PERSONAL EXPLANATION

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. OBERSTAR. Madam Speaker, during the consideration of H.R. 1664, Pay for Performance Act, I inadvertently voted ''aye'' on the Bean Amendment (rollcall vote 180). I had intended to vote ''nay,'' and want the record to reflect that I share Chairman FRANK's concerns that this amendment, which would exempt recipients of TARP capital investments from the bill's requirements while taxpayer funds were still outstanding, is contrary to the intent of the bill.

IN HONOR OF DALE SKILLICORN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. FARR. Madam Speaker, I rise today to celebrate the life of Dale Skillicorn of Watsonville, California. Dale passed away on March 14, 2009 at the age of seventy-one, leaving behind a city better for his efforts. He was an extraordinary community leader who served as the city of Watsonville's Mayor Pro Tempore and had served as a city councilmember, representing the city's 7th District, since 2002.

Dale was born on April 4, 1937 in Watsonville, California. He graduated from Watsonville High School then attended Monterey Peninsula College and San Francisco State University. Dale spent more than twenty years in public service positions. He served on the Santa Cruz County Planning Commission for fourteen years, and then spent five years as Santa Cruz County Parks Commissioner. In 2002, Dale was elected to represent Watsonville's District 7 on the city council. He was reelected in 2006 and in 2008 was selected as the Mayor Pro Tempore by his peers on the city council. Dale brought a wealth of knowledge and a unique perspective to the city council.

Dale Skillicorn's public service career will be remembered for his dedication to green job creation and advocacy for the Pajaro Valley's agriculture industry. He played a key role in bringing the Alternative Construction and Energy Expo to the Santa Cruz County Fairgrounds. In addition, many residents in Watsonville will remember Dale through his work as a volunteer in many organizations located in the Pajaro Valley.

Madam Speaker, Dale Skillicorn touched the hearts of everyone he came into contact with, was a pillar to the city of Watsonville. He lived his life as an active member of the community, who was driven by compassion to help others. I am certain I speak for the entire House in extending our heartfelt sympathy to Dale's wife of 29 years, Jan Skillicorn; his son, Mark Skillicorn; and his two stepdaughters, Valerie Justus-Rusconi and Christina Justus-Garcia.

HONORING ROBERT FAY ROCKWELL, JR.

HON. ERIC J.J. MASSA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. MASSA. Madam Speaker, I rise today to honor Robert Fay Rockwell Jr. Bob Rockwell was born November 8th, 1911 in Bradford, PA. He attended Whittier College in California where he became friends with fellow

student, Richard M. Nixon. He moved to Corning, NY in 1933 to run the local department store (The Rockwell Company) owned by his grandfather. Soon after, he departed to serve in the 70tn Construction Battalion (the Seabees) in World War II. He was stationed in North Africa and Oakland, CA.

Upon his return to Corning, he became close friends with Frederick Carder, founder of world-famous Steuben Glass. Later he amassed the world's largest collection of Frederick Carder Steuben Glass. His liking of aesthetics wasn't limited to glass art; Bob started collecting Western Art including Remingtons and Russells in the early 1960's for display in his department store. He donated most of these two collections to what was then called The Rockwell Museum. This museum got its first home in 1976 in an old hotel in downtown Corning. During this time, he became president of both the Corning Chamber of Commerce and the Corning Rotary Club. In 1983 the Rockwell Museum of Western Art opened in Corning's refurbished old city hall building and has been popular with the great numbers of tourists who visit the area. The multimillion dollar value of Bob's donated art and glass is a testament to his generosity, but his legacy is further enhanced by his compassion and help to his fellow man.

HONORING REVEREND A.D. KING

HON. JOHN BARROW

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BARROW. Madam Speaker, I rise today to honor the life of Reverend A.D. King and to recognize his many contributions on behalf of social justice and peace around the world.

Alfred Daniel Williams King was born July 30, 1930, in Atlanta, Georgia, the youngest of the three children of Reverend Martin Luther King, Sr., and Alberta Williams King. Reverend King shared his family's passion for the ministry and social justice. He graduated from Morehouse College in Atlanta, Georgia, in 1959. That same year, he also became pastor of the Mount Vernon First Baptist Church in Newnan, Georgia.

The book of Proverbs says, ''Open your mouth, judge righteously, and defend the rights of the afflicted and needy.'' Reverend King lived his life according to this maxim. He believed that war was never the solution and that non-violent means will always overcome.

Whether it was participating in a lunch counter sit-in, strategizing the March on Selma, or organizing the demonstrations that would ultimately lead to the passage of the Civil Rights Act, Reverend King was there, active, engaged, and defending the rights of the afflicted and needy.

Like his brother Martin, Reverend A.D. King passed from this life at the much too young age of 39. His life wasn't full of years, but his years were full of life.

As we recognize the 40th anniversary of Reverend A.D. King's passing this July 21st, I hope that we can all learn from his example of righteousness and citizenship, and shape a better future for ourselves and our posterity, as he did for us.

Reverend King was survived by his wife, Naomi Barbara King, and his five children. Today I honor Reverend A.D. King, and the entire King family, for their contributions and service to America. Their example gives us all a lasting reminder of what can be achieved when we do justice, love mercy, and walk humbly with our God.

HONORING MR. WILLIE BRANDON

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor Mr. Willie Brandon, who will celebrate his 103rd birthday on June 12, 2009.

As a young boy, Willie and his sister Lizzie grew up in Readyville, Tennessee. His parents, Charles and Jimmie Brandon, were sharecroppers. At the age of 12, his father moved the family to Illinois where he worked as a janitor. To help his father support the family, Willie dropped out of school to work.

Willie credits his long life to the fact he's never quit working. For many years, he worked as a cook at the James K. Polk Hotel, City Café, Smyrna Air Force Base, Lamb's Grill, and Po Folks. He also picked and sold blackberries, cut and sold timber, and cut grass.

Willie is now the keeper of the Rutherford County courthouse, a historical place many people pass through, whether for business or to sightsee. He is the caretaker of the same steps on which, more than 150 years ago, his grandfather Jim Brewer was sold as a slave and sent to Virginia.

Willie has a daughter, Anne, and one of his proudest achievements is that she earned a college degree. Willie also has a stepson, three granddaughters, two great-granddaughters and one great-great granddaughter.

Willie's service to his community throughout his life is truly admirable. Willie, you're a great man and you have given us all someone to look up to.

TRIBUTE TO MAYOR CHARLES LONG, BOONEVILLE, KENTUCKY

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to pay tribute to one of the Bluegrass State's most impressive politicians and the longest serving Mayor in the great Commonwealth of Kentucky, Mayor of Booneville, Mr. Charles Long.

Since being elected to the office of Mayor 50 years ago, Mayor Long has set a high standard for public service and politics in Booneville. As a politician, Mayor Long has accomplished a rare political success by having never been contested in an election. The people of Booneville, Kentucky have stood behind Mayor Long and threw their support behind him for 50 consecutive years.

Understanding his legacy of public service provides insight to his longstanding political success. Mayor Long serves the county seat of the third poorest county in the United States but despite the obstacles created by poverty, Mayor Long has brought an insurmountable measure of hope to Owsley County through city water and sewer projects. One hundred percent of the city of Booneville is served by city water, as well as 98 percent of the county. Upon completion of an ongoing sewer project, half of Owsley County will also have sewer service.

Mayor Long understands the necessities of the constituents he represents. Everyday modern privileges, like water and sewer, that are so often taken for granted, are a desired commodity for people in the most rural parts of our Nation. Through hard work and determination Mayor Long has been able to meet the needs of Booneville and bring city water and sewer to an area of the country that had waited a long time for this benefit.

In addition to his success in public service, Mayor Long is also celebrating 70 years of marriage to his lovely wife, Ruth. They have raised two children and their family continues to grow with grandchildren and great-grandchildren. Mayor Long is an honest and caring family man whose work ethic is unmatched—in 50 years he still hasn't missed a day in City Hall.

Madam Speaker, I ask my colleagues to join me in honoring a dedicated public servant in my home state of Kentucky, Booneville Mayor Charles Long. We should all strive to be as dedicated to the people we serve, as Mayor Long has been for more than five decades. I congratulate Mayor Long on his tenure in office, his 70th wedding anniversary and wish him all the best in the years to come.

CHINESE DEFECTOR CONFIRMS SYSTEMATIC GOVERNMENT REPRESSION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. WOLF. Madam Speaker, I would like to bring to the attention of my colleagues the following article which appeared in the March 19 edition of The Washington Times. Li Fengzhi, a former intelligence officer at the Ministry of State Security, revealed that the agency is tasked with repressing religious and political dissent among the Chinese civilian population and bolstering the rule of the Chinese Communist Party in addition to gathering secrets from overseas. I urge my colleagues to carefully read Mr. Li's chilling account of the Communist Party's systematic repression of religious and political dissidents.

[From the Washington Times, Mar. 19, 2009]

CHINESE SPY WHO DEFECTED TELLS ALL

(By Bill Gertz Contact)

A veteran Chinese intelligence officer who defected to the United States says that his country's civilian spy service spends most of its time trying to steal secrets overseas but also works to bolster Beijing's Communist Party rule by repressing religious and political dissent internally.

''In some sense you can say that intelligence work between two countries is just like war but without the fire,'' Li Fengzhi told The Washington Times in an interview aided by an interpreter.

Mr. Li worked for years as an Ministry of State Security intelligence officer inside

China before defecting to the United States, where is he awaiting a response to his request for political asylum. He gave a rare, detailed interview to The Times on Sunday regarding the activities of the MSS, China's Communist-controlled civilian spy agency.

His prior work as a Chinese spy was confirmed to The Times by a Western government source familiar with his defection. The source spoke on the condition of anonymity because of the sensitivity of Mr. Li's case.

Mr. Li told The Times that the MSS focuses on both counterintelligence—working against foreign intelligence agencies—and the collection of secrets and technology.

The MSS, however, is unique from other nations' intelligence services in that it is patterned after the former Soviet Union's KGB political police. Its most important mission is ''to control the Chinese people to maintain the rule of the Communist Party,'' he added.

Wang Baodong, a spokesman for the Chinese Embassy in Washington, did not address Mr. Li's comments directly but repeated past Chinese government statements regarding its intelligence activities.

''Allegations of China conducting spying activities against the United States are groundless and unwarranted,'' he said Wednesday. ''China never engages itself in activities that will harm other countries' national interests.''

Mr. Wang said communist rule in China produced historic economic and social progress and that China has contributed to a more secure world. ''This is a fact no one can deny,'' Mr. Wang said.

On those who leave the party, Mr. Wang said ''there are also a handful of people who betray their faith and leave the party, whose acts as well as some people's political lies will never shadow the great feats of the party.''

Mr. Li said he left China's intelligence services to protest the agency's role in government repression of political dissidents and religious groups that are outside of the ruling communist system.

The MSS, mainly a foreign intelligence service, is ''deeply'' involved in domestic repression of nonofficial Christian churches and the outlawed Falun Gong religious group, Mr. Li said.

''The Ministry of State Security is actually not doing things for the security of the country, but rather they spend a lot of effort to control the people, the dissidents, the lower-class Chinese people, and make these people suffer and also make their life miserable,'' he said.

In the interview, he also said:

China's spy agency is focused on sending spies to infiltrate the U.S. intelligence community, and also on collecting secrets and technology from the United States. ''China spends a tremendous effort to send out spies to important countries like the U.S. to collect information,'' Mr. Li said.

China is censoring the Internet to prevent the population from knowing about what occurs outside the country.

An internal MSS manual that is kept secret from most officers outlines the primary role of the service as the promotion of Communist Party's interests.

Ongoing cooperation between the CIA and FBI and the MSS in countering international terrorism can be constructive, but U.S. agencies need to be cautious because the MSS is mainly an organ of the Chinese Communist Party, and does not directly serve the interests of the Chinese nation or people, he said.

Mr. Li said he worked in the MSS department in charge of gathering economic, political and technical information in Eastern Europe and Central Asia. Some of the work involved targeting and recruiting foreign nationals who visit China.

He was born in 1968 in northern China and was first recruited into a provincial Chinese intelligence service before being promoted to the MSS in Beijing after several years.

Two groups in China that are a main focus of the MSS are unofficial Christian churches and the outlawed Falun Gong religious group, he said.

The MSS also has targeted pro-democracy activists, like those who were involved in the mass demonstrations in Beijing's Tiananmen Square in 1989, he said.

The MSS is China's main civilian spy service that is viewed by U.S. intelligence officials as one of the world's most active in stealing secrets and running foreign spies. The military counterpart, the Second Department of the People's Liberation Army, or 2PLA, is focused on stealing foreign technology, much of it for weapons and military systems.

Together, the Chinese services are estimated to have several thousand trained operatives working around the world, most posing as diplomats, journalists, business representatives and academics. Thousands of other Chinese nationals also function as semiprofessional information gatherers.

Former FBI Special Agent I.C. Smith, a specialist in Chinese counterintelligence, confirmed that the MSS focuses its activities on penetrating U.S. intelligence and government agencies.

''The goal of every intelligence agency is to get someone inside, and in the case of Chinese, they use not just intelligence people but academics and everybody else,'' Mr. Smith said in an interview.

Mr. Li said his access to information that was banned for the general public helped him to turn against the system, including internal reports on party ideology and information on American values of freedom and democracy.

Mr. Li said that as a doctoral candidate, the MSS sent him to study at an American university, an experience that influenced in his decision to defect. In 2004, after he defected, he was declared an enemy of the state by the MSS in at least two notices sent to security offices in China.

According to U.S. counterintelligence officials, China, unlike the Soviet Union, has had only a small number of defections of intelligence officers like Mr. Li over the past 30 years.

Another spy who defected was a Chinese intelligence officer known publicly by the code-name ''Planesman,'' who gave the FBI data that led to 1985 arrest of CIA interpreter Larry Wu-Tai Chin.

Another intelligence defector was Sr. Col. Yu Jungping, a military intelligence officer once posted to the Chinese Embassy in Washington who came over in the 1990s.

Mr. Li was in Washington to participate in a conference sponsored by the Falun Gong, a Buddhist-oriented group that advocates the replacement of the Chinese communist government. Mr. Li said he announced his formal withdrawal from the Communist Party at the conference, along with that of his father, who is also in the United States.

Mr. Li said he is neither a Christian nor Falun Gong member, but that his interest in religion and fear of being persecuted by the MSS contributed to his decision to defect.

Mr. Li said he thinks there are significant numbers of pro-democracy MSS officers inside the service, including those at high levels, who do not support the party and are ''even anti-Communsit Party'' but fear taking any action.

''But I sincerely hope these people can play a special role in getting rid of the Communist Party,'' Mr. Li said.

The former intelligence officer, whose family left China with him, said it took him several years to change his views. ''After a few years of my personal experience inside the system, I really knew that the Communist Party is very bad,'' he said.

''My true ideal, actually, in this Chinese security department is really to do something for the Chinese people and the nation. But I really hated doing things just for the interest of the Communist Party and a lot of times those things that are in the interest of the Communist Party are doing harm to the Chinese people.''

TRIBUTE TO ELIZABETH EVELYN WRIGHT, FOUNDER OF VOORHEES COLLEGE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to Elizabeth Evelyn Wright, a visionary educator and an unsung American hero. Ms. Wright founded Voorhees College in Denmark, South Carolina in 1897, a remarkable accomplishment for a 25-year-old African American women during the post-Reconstruction era. Her tremendous legacy will be honored by Voorhees College on April 7, 2009 as the campus commemorates and Founders' Day and celebrates the extraordinary contributions of this amazing young woman.

When Elizabeth Evelyn Wright was born on April 3, 1872 the seventh child of John and Virginia Wright in a poverty-stricken black community in Talbotton, Georgia, it would have been hard for anyone to believe she was destined for great things. Yet her academic talents were clear as she worked on the fundamentals of reading, writing, and arithmetic in the basement of St. Phillips AME Church. Her instructors urged and encouraged her to further her education, and despite significant financial challenges, she enrolled at Tuskegee Institute in Alabama in 1888.

While at Tuskegee, Elizabeth worked in the cafeteria to pay for her tuition, and she caught the attention of its principal Booker T. Washington and his wife Olivia. They became her mentors and encouraged her to dedicate herself to the education of young African Americans as they had.

Elizabeth was forced to drop out of Tuskegee in her senior year due to illness. However, she was summoned by Mrs. Almira Steele, a white trustee at Tuskegee, and asked to teach at a school in McNeill, South Carolina. Elizabeth accepted, and in 1892, she began teaching in the Hampton County School. She spent only six months there before arson fueled by bigotry burned the school to the ground.

In 1893, Elizabeth returned to Tuskegee and completed her degree. Still committed to her mission in McNeill, she returned and opened another school for the black children in the area. Two more times, arson destroyed any hope of the school's success, but Elizabeth didn't let that destroy her dream. She encouraged the school's other teachers to join her in opening another school in Denmark.

As it was with her educational pursuits, finances were the primary obstacle for getting the school started. Undeterred Elizabeth began visiting churches to collect donations

for the new school. In a fortunate turn of events in 1897, she met Mrs. Sontag, the white owner of a two-story general store in Denmark who gave Elizabeth permission to house her school on the store's vacant second floor. On April 14, 1897, the Denmark Industrial School opened its doors to 14 students.

In one year the enrollment swelled to 270, and Elizabeth's mentors, the Washingtons, sent Martin Menafee, a Tuskegee graduate, to Denmark to help her raise money for a more permanent school. He was able to arrange a meeting with blind-philanthropist, Ralph Voorhees of Clinton, New Jersey. He and his wife Elizabeth became the primary benefactors of the school and enabled it to purchase land for a new structure on the outskirts of Denmark. To honor their generous contributions, the school was renamed Voorhees Industrial School, and in 1904, the South Carolina State Legislature voted to incorporate it.

The following year, Elizabeth Wright and her financial officer, Martin Menafee, married on the campus of their beloved school. But their life together was cut short when Elizabeth again became gravely ill. She went to a hospital in Battle Creek, Michigan to receive treatment from two of the country's best physicians—Dr. Jean Harris Whitney and one of the Kellogg brothers, Dr. John Kellogg. Despite their best efforts, Elizabeth died on December 14, 1906 at the age of 34.

Elizabeth Wright Menafee believed her mission in life was "to try and help my fellow man to help themselves and if a way was not open for them, I must open it myself." President Cleveland Sellers, his faculty and staff, and the students and alumni of Voorhees are to be commended for celebrating the life and sharing the story of Elizabeth Wright. Hers is an example for others to follow.

Madam Speaker, I ask you and our colleagues to join me in applauding the tremendous legacy of Elizabeth Wright-Menafee. Her life is a testament to President Lincoln's declaration that "it's not the years in your life that count; it's the life in your years." The accomplishments of this extraordinary woman, within such a short life are truly inspirational.

HONORING GEORGE R. BARBOSA, JR.

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to recognize George R. Barbosa, Jr. for his determination to strive for the best by winning 4th place in the State Wrestling Tournament on behalf of Klein High School.

Mr. Barbosa has shown through his hard work that anything is possible if one has the passion and determination to do so. Winning 4th place in the State Wrestling Tournament on Klein High School's behalf has made him the possessor of the best finish ever by a Klein High School male wrestler. Mr. Barbosa will continue his pursuit for greatness as he has now qualified for the National High School Wrestling Tournament.

I extend my highest regard for Mr. George R. Barbosa, Jr., a student who has chosen to become a role model for not only his sport, but also for his school. On behalf of Klein High School and the City of Houston I send my congratulations.

FAMILY SMOKING PREVENTION & TOBACCO CONTROL ACT

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 1, 2009

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of H.R. 1256, The Family Smoking Prevention & Tobacco Control Act. As an original sponsor of the legislation, I want to thank Chairman WAXMAN and Chairman TOWNS for their leadership, and for helping to bring this important piece of legislation to the floor. The bill grants the FDA authority to regulate tobacco products and authorizes the agency to restrict the advertising, promotion and sale of tobacco.

I want to also thank Ms. Sandra Landis for her efforts to bring to my attention a long standing problem that has affected a small number of federal employees since 1990. Due in part to her persistent dedication, I was able to successfully amend this bill and address that issue.

HONORING MTSU'S COACH DEAN HAYES

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor Dean Hayes, Head Coach of the Middle Tennessee State University Men's and Women's Track teams. On March 26, the Tennessee Board of Regents approved MTSU's request to name the University's state-of-the-art track and soccer stadium after Coach Dean Hayes—a timely accolade as the Blue Raiders are set to host the Sun Belt Conference Outdoor Track and Field Championships this year from May 8–10.

Recently, Coach Hayes was inducted into the 2008 Class of the U.S. Track & Field Cross Country Coaches Association Hall of Fame in Phoenix, Arizona. This is Coach Hayes' fifth hall of fame induction—he has been inducted into the Blue Raider Hall of Fame (1982), Illinois Sports Hall of Fame (1993), Tennessee Sports Hall of Fame (1994), and the Mason-Dixon Athletic Club Hall of Fame (2005).

Coach Hayes is in his 44th year at MTSU. He is credited with opening MTSU's track & field to minorities and welcoming the University's first international student-athletes. Coach Hayes has led Middle Tennessee to 29 Ohio Valley Conference titles, 14 Sun Belt Conference Championships and 18 NCAA Top 25 finishes.

He has won 15 OVC Coach of the Year and 12 SBC Coach of the Year awards, and he was named NCAA Outdoor Track & Field Coach of the Year in 1981. In 1977 and 1981, Coach Hayes was named NCAA District Coach of the Year. He also served as the President of NCAA Division I Track and Field Coaches from 1981–83.

The athletes under his care have gone on to compete in the Olympic Games, World University Games and Pan-American Games; 44 of 84 have won All-American honors; and four have become national champions.

Congratulations, Coach Hayes, on your latest success. I wish you many more. I'm glad Middle Tennessee was able to steal you away from your alma mater, Lake Forest College. Your leadership and dedication to MTSU is truly admirable.

HONORING THE 50TH ANNIVERSARY OF PING

HON. JOHN. B. SHADEGG

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. SHADEGG. Madam Speaker, I am honored to recognize today the 50th Anniversary of PING, a company that has become a legend for its contributions to the beloved game of golf.

It was on March 23rd in 1959 that Karsten Solheim, PING's founder, applied for a patent on the 1–A putter that made the famous "ping" sound heard round the world. Not long after that, PING opened their headquarters in Phoenix—where they have proudly stayed for many years.

Their Phoenix facility both manufactures and assembles PING golf clubs and over the years has provided countless jobs for Arizonans. Karsten and his wife Louise have always been mainstays of our community, as widely respected as the clubs they produce. Though Karsten sadly left us nine years ago, his legacy lives on and his story is a credit to our community and a testament to the drive and creativity of the American entrepreneur.

I congratulate PING and all its employees on this most auspicious occasion and wish them another 50 years of great success.

FAMILY EDUCATION FREEDOM ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PAUL. Madam Speaker, I rise today to introduce the Family Education Freedom Act, a bill to empower millions of working and middle-class Americans to choose a non-public education for their children, as well as making it easier for parents to actively participate in improving public schools. The Family Education Freedom Act accomplishes it goals by allowing American parents a tax credit of up to $5,000 for the expenses incurred in sending their child to private, public, parochial, other religious school, or for home schooling their children.

The Family Education Freedom Act returns the fundamental principal of a truly free economy to America's education system: what the great economist Ludwig von Mises called "consumer sovereignty". Consumer sovereignty simply means consumers decide who succeeds or fails in the market. Businesses that best satisfy consumer demand will be the most successful. Consumer sovereignty is the

means by which the free market maximizes human happiness.

Currently, consumers are less than sovereign in the education ''market.'' Funding decisions are increasingly controlled by the federal government. Because ''he who pays the piper calls the tune,'' public, and even private schools, are paying greater attention to the dictates of federal ''educrats'' while ignoring the wishes of the parents to an ever-greater degree. As such, the lack of consumer sovereignty in education is destroying parental control of education and replacing it with state control. Loss of control is a key reason why so many of America's parents express dissatisfaction with the educational system.

According to a survey conducted by Education Next/Harvard PEPG, the majority of Americans support education tax credits. This poll also found strong support for education tax credits among liberals, moderates, conservatives, low-income individuals, African-Americans, and public-school employees. This is just one of numerous studies and public opinion polls showing that Americans want Congress to get the federal bureaucracy out of the schoolroom and give parents more control over their children's education.

Today, Congress can fulfill the wishes of the American people for greater control over their children's education by simply allowing parents to keep more of their hard-earned money to spend on education rather than force them to send it to Washington to support education programs reflective only of the values and priorities of Congress and the federal bureaucracy.

The $5,000 tax credit will make a better education affordable for millions of parents. Madame Speaker, many parents who would choose to send their children to private, religious, or parochial schools are unable to afford the tuition, in large part because of the enormous tax burden imposed on the American family by Washington.

The Family Education Freedom Act also benefits parents who choose to send their children to public schools. Parents of children in public schools may use this credit to help improve their local schools by helping finance the purchase of educational tools such as computers or to ensure their local schools can offer enriching extracurricular activities such as music programs. Parents of public school students may also wish to use the credit to pay for special services, such as tutoring, for their children.

Increasing parental control of education is superior to funneling more federal tax dollars, followed by greater federal control, into the schools. A recent review of the relevant research conducted by Andrew J. Coulson of the CATO Institute shows that increasing parental controls increases academic achievement, efficiency, the orderliness of the classrooms, and the quality of school facilities. Not surprisingly, graduates of education system controlled by parents tend to achieve higher levels of education and earn more than their counterparts in bureaucratically controlled education systems.

Clearly, enactment of the Family Education Freedom Act is the best thing this Congress could do to improve public education. Furthermore, a greater reliance on parental expenditures rather than government tax dollars will help make the public schools into true community schools that reflect the wishes of parents and the interests of the students.

The Family Education Freedom Act will also aid those parents who choose to educate their children at home. Home schooling has become an increasingly popular, and successful, method of educating children. Home schooled children out-perform their public school peers by 30 to 37 percentile points across all subjects on nationally standardized achievement exams. Home schooling parents spend thousands of dollars annually, in addition to the wages forgone by the spouse who forgoes outside employment, in order to educate their children in the loving environment of the home.

Ultimately, Madam Speaker, this bill is about freedom. Parental control of child rearing, especially education, is one of the bulwarks of liberty. No Nation can remain free when the State has greater influence over the knowledge and values transmitted to children than the family.

By moving to restore the primacy of parents to education, the Family Education Freedom Act will not only improve America's education, it will restore a parent's right to choose how best to educate one's own child, a fundamental freedom that has been eroded by the increase in federal education expenditures and the corresponding decrease in the ability of parents to provide for their children's education out of their own pockets. I call on all my colleagues to join me in allowing parents to devote more of their resources to their children's education and less to feed the wasteful Washington bureaucracy by supporting the Family Education Freedom Act.

FREE LIU XIAOBO

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. WOLF. Madam Speaker, I would like to call the attention of my colleagues to the following letter written by Liu Xia, the wife of imprisoned Chinese human rights activist Liu Xiaobo. Liu Xiaobo is the leader of the Charter '08 movement which calls on the Chinese government to implement democratic reforms. His courageous leadership caused the Chinese security forces to take Mr. Liu from his home in Beijing on December 8, 2008. I call on my colleagues in the Congress and the Administration to advocate for the immediate and unconditional release of Liu Xiaobo.

APRIL 1, 2009.

Hon. FRANK WOLF,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN WOLF, Please forgive me for writing to you directly, but it is only out of the most desperate of circumstances that I do so.

As you may already know, my husband, Liu Xiaobo, was taken from our home by Chinese police on December 8th, 2008 after he and more than three hundred other Chinese citizens signed Charter 08, a manifesto modeled after the Czechoslovakian Charter 77 that appeals for comprehensive democracy and human rights in China. Xiaobo is a writer who cares for nothing more than his duty as an intellectual to speak out for the disadvantaged in society. Now, however, he cannot even protect his own rights.

One hundred fourteen days have now passed since my husband's disappearance. On two occasions (01/01/2009 and 03/20/2009) police took me to an undisclosed location where I was permitted to meet with him and share a meal together. During our conversations, which were closely monitored, my husband told me that he has been kept in solitary confinement in a closed room measuring approximately ten square meters in size. A single light bulb is his only source of light. And of the more than 60 books I had brought him, he received only a few, the rest having been confiscated by the prison officials.

In the three to four months that have passed since his abduction (I can find no other suitable words to describe his situation, as no arrest warrant or other official documents were presented to justify his detention), nearly all of the other 300 signatories have been summoned and investigated by the police. It is obvious to me that the authorities are attempting to gather evidence of my husband's ''crime,'' which will most likely be designated as ''inciting the subversion of state power.'' I fear that the government wants to carry out a sham trial and hand down a severe sentence to my husband.

This is the fourth time that my husband has been dragged away from our home in front of my eyes. When my husband was released from prison in 1990, after serving half a year in prison for his participation in the 1989, pro-democracy demonstrations at Tiananmen Square, he apologized to me because he had decided during that time that he never wants to have children. As he explained, ''I want to continue working as a writer. You may lose me again, but I do not want see a child lose its father.'' Nor do I. His words came true in 1996 when he disappeared behind bars for three more years, owing to writings of his that promoted freedom and democracy. Now, I am alone once again. I continue writing letters to him, knowing that he will never receive them, just as the letters he has sent me in the past hundred or so days have never reached my hands.

I plead with you to help my husband in regaining his freedom. He has done nothing but to give voice to the thoughts and wishes that are shared by many in my country. I will be forever in your debt if you can provide him with any assistance.

Sincerely yours,

LIU XIA.

INDUSTRIAL HEMP FARMING ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PAUL. Madam Speaker, I rise to introduce the Industrial Hemp Farming Act. The Industrial Hemp Farming Act requires the Federal Government to respect State laws allowing the growing of industrial hemp.

Eight States—Hawaii, Kentucky, Maine, Maryland, Montana, North Dakota, Vermont, and West Virginia—allow industrial hemp production or research in accord with State laws. However, Federal law is standing in the way of farmers in these States growing what may be a very profitable crop. Because of current Federal law, all hemp included in products sold in the United States must be imported instead of being grown by American farmers.

Since 1970, the Federal Controlled Substances Act's inclusion of industrial hemp in the schedule one definition of marijuana has prohibited American farmers from growing industrial hemp despite the fact that industrial

hemp has such a low content of THC (the psychoactive chemical in the related marijuana plant) that nobody can be psychologically affected by consuming hemp. Federal law concedes the safety of industrial hemp by allowing it to be legally imported for use as food.

The United States is the only industrialized nation that prohibits industrial hemp cultivation. The Congressional Research Service has noted that hemp is grown as an established agricultural commodity in over 30 nations in Europe, Asia, North America, and South America. The Industrial Hemp Farming Act will relieve this unique restriction on American farmers and allow them to grow industrial hemp in accord with State law.

Industrial hemp is a crop that was grown legally throughout the United States for most of our Nation's history. In fact, during World War II, the Federal Government actively encouraged American farmers to grow industrial hemp to help the war effort. The Department of Agriculture even produced a film "Hemp for Victory" encouraging the plant's cultivation.

In recent years, the hemp plant has been put to many popular uses in foods and in industry. Grocery stores sell hemp seeds and oil as well as food products containing oil and seeds from the hemp plant. Industrial hemp is also included in consumer products such as paper, cloths, cosmetics, and carpet. One of the more innovative recent uses of industrial hemp is in the door frames of about 1.5 million cars. Hemp has even been used in alternative automobile fuel.

It is unfortunate that the Federal Government has stood in the way of American farmers, including many who are struggling to make ends meet, competing in the global industrial hemp market. Indeed, the founders of our Nation, some of whom grew hemp, would surely find that Federal restrictions on farmers growing a safe and profitable crop on their own land are inconsistent with the constitutional guarantee of a limited, restrained Federal Government. Therefore, I urge my colleagues to stand up for American farmers and cosponsor the Industrial Hemp Farming Act.

TRIBUTE TO THE 20TH ANNIVERSARY OF ABODE SERVICES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. STARK. Madam Speaker, I rise today to pay tribute to the 20th anniversary of Abode Services, formerly known as Tri-City Homeless Coalition, based in Fremont, California.

Abode Services' roots lie in a coalition of Tri-City church congregations that mobilized support in the 1980s to help growing numbers of individuals and families who had no place to live. Former Fremont Councilmember Judy Zlatnik, a community activist and member of one of the congregations, remembers the day people came together at Fremont's Senior Center to develop a plan. The newly formed coalition implemented a plan to shelter people in churches on a rotating schedule, at first during the winter months only, but later, on a year round basis. In 1989, the coalition became known as the Tri-City Homeless Coalition of Fremont.

In the beginning, the coalition thought that it would serve as an emergency solution for homeless individuals and families seeking a safe place to get out of the cold. When it soon became apparent that the need for shelter was long-term and enduring, the agency set its sights on a permanent building. They then selected a site to build Sunrise Village, one of the first shelters in the country designed and built from the ground up as a shelter for families and single adults. In August 1993, their goal materialized when the first residents moved into Sunrise Village.

Abode Services became an early adopter of Housing First, a national movement pioneered in the 1990s that addresses the most pressing and urgent needs for homeless families and individuals with a full compliment of social services. Abode Services collaborates with more than 30 organizations to leverage program resources.

Abode Services now offers eleven housing programs linked to support services for homeless families and individuals. These programs provide an essential safety net for approximately 2,000 people annually who are homeless or at risk of becoming so, including single adults, families, emancipated foster youth, people with disabilities and seniors. Abode Services' Project HOPE Mobile Health Clinic, operated in collaboration with Tri-City Health Center, serves more than 1,000 homeless persons annually. Since 2005, Abode Services has created 325 units of permanent supportive housing for previously homeless families.

I join the community in congratulating Abode Services on this significant milestone of 20 years of exemplary leadership and service. The organization continues to fulfill its vision and mission of providing affordable housing and supportive services to individuals and families throughout Alameda.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BECERRA. Madam Speaker, on Wednesday, April 1, 2009, I was unavoidably detained and missed rollcall vote 175 on a motion to table H. Res. 312. If present, I would have voted "yea."

386TH ENGINEERING BATTALION

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. ORTIZ. Madam Speaker, I rise today to recognize the men and women of the 386th Engineering Battalion and the Christus Spohn Healthcare System.

Since December 2006, members of the 386th Engineering Battalion have been working side-by-side with their civilian counterparts in the only level three trauma center in the Corpus Christi area. During their drill weekends, these soldiers are assigned to duties inside the hospital's emergency room to work in triage, fast track or trauma.

Through this joint effort, the 386th Engineering Battalion was able to utilize these real world experiences on the battlefields of Iraq and Afghanistan.

I would like to take some time now to honor Lt. Col. John Beignano and Lt. Col. Francisco Zuniga. These gentlemen worked tirelessly with the Christus Spohn Healthcare System administrators to make this idea a reality. By participating in this important work, these soldiers are making significant contributions to the community and to their fellow soldiers. Their families and loved ones should be proud of their service to the country and the extraordinary way they have improved people's lives.

Today, I ask that my colleagues join me in commemorating the men and women of the 386th Engineering Battalion and the Christus Spohn Healthcare System.

CONGRATULATING THE UNIVERSITY OF MICHIGAN LIBRARY SYSTEM FOR ITS 125TH ANNIVERSARY AS A FEDERAL DEPOSITORY LIBRARY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. DINGELL. Madam Speaker, I rise today to offer my congratulations to the University of Michigan and its University Library System in Ann Arbor, Michigan, on the occasion of its 125th anniversary as a Federal Depository Library.

Since 1884, the University of Michigan Library has served the University of Michigan and the Southeastern Michigan community as a public space where citizens can find information about their government. As part of the Federal Library Depository Program (FLDP), the University of Michigan Library provides free access to journals, electronic resources, microfilm and more on an endless number of topics and is equipped with thoroughly trained librarians to help navigate. Throughout its history, the FLDP has striven to make our citizenry more informed and ultimately more engaged in the democratic process.

The University of Michigan Library in Ann Arbor is one of the largest university library systems in the United States. It consists of 19 libraries in 11 buildings, which combined, hold over 8 million volumes. These impressive statistics and the fine work of its employees mean this library system has consistently ranked as one of the top ten academic research libraries in North America. The fact that the University of Michigan has, for 125 years, been home to a FDLP library speaks to both its remarkable record as an educational institution and its committed role in ensuring access to our civic process.

Once again, I congratulate the University of Michigan on this tremendous achievement and I wish the library system and the entire university the very best in the future.

INTRODUCTION OF THE HOPE PLUS SCHOLARSHIP ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PAUL. Madam Speaker, I raise to introduce the Hope Plus Scholarship Act, which

expands the Hope Education Scholarship credit to cover K–12 education expenses. Under this bill, parents could use the Hope Scholarship to pay for private or religious school tuition or to offset the cost of home schooling. In addition, under the bill, all Americans could use the Hope Scholarship to make cash or in-kind donations to public schools. Thus, the Hope Scholarship could help working parents send their child to a private school, while other patents could take advantage of the Hope credit to help purchase new computers for their children's local public school.

Reducing taxes so that Americans can devote more of their own resources to education is the best way to improve America's schools, since individuals are more likely than federal bureaucrats to insist that schools be accountable for student performance. When the federal government controls the education dollar, schools will be held accountable for their compliance with bureaucratic paperwork requirements and mandates that have little to do with actual education. Federal rules and regulations also divert valuable resources away from classroom instruction.

The only way to reform America's education system is through restoring control of the education dollar to the American people so they can ensure schools provide their children a quality education. I therefore ask all of my colleagues to help improve education by returning education resources to the American people by cosponsoring the Hope Plus Scholarship Act.

RECOGNIZING THE OUTSTANDING ACHIEVEMENTS OF THE KANSAS CITY PUBLIC LIBRARY

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. CLEAVER. Madam Speaker, I proudly rise today in recognition of the outstanding achievements and cultural legacy of the Kansas City Public Library in Missouri's Fifth Congressional District, which I proudly represent. The Kansas City Public Library, having received the prestigious 2008 National Medal for Museum and Library Service presented by former First Lady Laura Bush for their "Books to Go" project, events and exhibits, represents preservation and celebration of Missouri's Fifth District's diverse history.

The Kansas City Public Library's role is to "actively provide timely, accurate and useful information; support individual of all ages pursuing a program of independent learning; and assists researchers in conducting in-depth study or investigation in specific subject areas". The library has come to serve nearly every contingent of the Fifth District population, in both urban and suburban areas, actively seeking to engage our citizens in classes, discussions, lectures and events. It allows our citizenry to explore its role as America's heartland evolving from a frontier city to a modern day metropolis with racial and cultural diversity. Through clubs, movies and exhibits, people of all ages can participate in the many opportunities that the library has to offer.

Under the wisdom and guidance of Chief Executive Crosby Kemper III and its Board of Directors with Jonathan Kemper serving as Board President, the Kansas City Public Library has emerged as a crucial cultural center in our community. Housing and preserving in multimedia and primary source, the library system has come to foster intellectual enrichment through working collaboratively with our many world-class organizations of cultural preservation and celebration, such as the Ewing Marion Kauffman Foundation, Harry S. Truman Presidential Library and Museum, and the National World War I Museum, to name a few. Our hallowed library serves as an extension of the works of these fine institutions to ensure that not a corner of our community is denied the opportunity to share in our heritage.

Mr. Crosby Kemper, a graduate of the esteemed Yale University and member of one of Kansas City's most philanthropic families, serves tirelessly as a distinguished administrator and innovator to expose our community to intellectual growth. Due to his efforts and that of the Board of Directors, the Kansas City Public Library provides events and lectures that provoke thought, information and discussion. The library has become a focal point of intellectual conversation in our community.

Perhaps most importantly, the Kansas City Public Library houses the freedom of opportunity which our nation cherishes as the cornerstone of its efficacy. Our understanding of peace and justice requires an intellectual grounding in the events of our shared history. Through history, we find our cultural underpinnings and past solutions which evolve into today's paradigm.

For these reasons and more, I am proud to have nominated the Kansas City Public Library for the National Medal for Museum and Library Service. Madam Speaker, through their efforts, they have let loose imaginations, inspired change and become a cornerstone around which our entire community gathers. A city can only be as good as its public libraries, and we all take pride that ours is among America's very best. Please join me in congratulating the Kansas City Public Library, its Board, Crosby Kemper, and the staff, volunteers and supporters that help to make our state-of-the-art Kansas City Public Library a national award winner.

HONORING MAUD F. ROBINSON

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. WOLF. Madam Speaker, I rise today to honor the service of Maud F. Robinson to the town of Vienna, Virginia. Maud will be retiring from the Vienna Town Council in June, after serving on the council since 2000.

Maud and her husband, Charles A. Robinson, Jr., moved to Vienna in 1951. Since that time, Mrs. Robinson has been involved in every aspect of life in the town. She has served as president of various local organizations, including the Vienna Women's Club, the Ayr Hill Garden Club, and Historic Vienna, Inc. She was a founding member and president of the town's library. She served as a member of Vienna's first Architectural Review Board and on the town's Business Liaison Committee. Among other honors, Mrs. Robinson was selected as Citizen of the Year in Vienna in 1993 and 2000.

Mrs. Robinson was appointed to the Vienna Town Council in 2000, to fill the term of Jane Seeman, who was elected town mayor following the death of Charles Robinson. Mr. Robinson served as town mayor for 27 years. Mrs. Robinson was reelected four times to her seat on the council, for a total of nine years.

Mrs. Robinson is a graduate of Smith College and attended the University of Virginia Law School. She served as a WAVE lieutenant, junior grade, in the United States Navy.

Maud Robinson's commitment to Vienna's citizens and business community is unparalleled. She is a woman of the highest moral integrity and is a true role model for all of Vienna's citizens. I ask my colleagues to join with me today in honoring Maud Robinson.

PERSONAL EXPLANATION

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. NADLER. Madam Speaker, on Wednesday, April 1, 2009, during consideration of the End GREED Act (H.R. 1575), my vote was recorded as "no" on final passage of the bill (rollcall No. 178). I intended to vote "aye."

HONORING STEWARTS CREEK ELEMENTARY SCHOOL TEACHER TREY DUKE

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to congratulate Trey Duke, a teacher at Stewarts Creek Elementary School, who was a 2008 recipient of the Milken Family Foundation National Educator Award. Trey was the only Tennessee educator to receive the award in 2008, and he joins 56 other teachers from the state who have been honored with the award in the past.

The Milken National Educators Award program began in 1985 and is now the largest teacher recognition program in the United States. The award honors K–12 teachers, principals and specialists with $25,000 individual awards and gives them the opportunity to participate in a national teachers conference. At the conference, award recipients engage in professional development and examine possible solutions to significant issues in education with leaders from academia, government, business and the community.

Prior to receiving the national award, Trey had only been teaching for five years. His creative teaching strategies, which include book clubs, music and PowerPoint presentations, have resulted in his fifth grade students not only meeting but exceeding proficiency goals. At the end of the year, he writes a poem detailing each student's progress and places the poem in his or her report card.

"I feel like part of my job is not just to instruct the students, but to make them excited and to make them want to come to school every day and to get them involved in what we

learn," Trey says. His commitment to his students extends beyond the classroom, as evidenced by his leadership roles at the school and system level. Trey is acting principal when Stewarts Creek Elementary School Principal Richard Zago is absent.

Congratulations, again, Trey. To impart a love of learning to children at this formative stage in their life is a gift they will carry with them and always prosper from.

HONORING ADMIRAL ROBERT E. PEARY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. MURTHA. Madam Speaker, I rise today to acknowledge a great American and extraordinary explorer, Admiral Robert Edwin Peary, and the one hundredth anniversary of his expedition to the North Pole.

Peary was born on May 6, 1856 in Cresson, Pennsylvania. He graduated from Bowdoin College and joined the United States Navy in 1881. Peary made several expeditions throughout the Arctic, including Greenland, during this lifetime.

On April 6, 1909 Peary concluded his journey to the North Pole. He was accompanied by his longtime companion Matthew Henson and four Inuit men.

Throughout his life, he received many awards, honors, and honorary degrees. In 1911 Peary retired from the Navy with the rank of Rear Admiral. He died on February 20, 1920 in Washington, DC.

Madam Speaker, at this time in history when the North Pole is so important to geopolitics, I hope that our nation will reflect on the hundredth anniversary of Admiral Peary's great accomplishment.

INTRODUCING THE MAKE COLLEGE AFFORDABLE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PAUL. Madam Speaker, I rise to help millions of Americans afford higher education by introducing the Make College Affordable Act of 2009, which makes college tuition tax deductible. Today the average cost of education at a state university is $12,796 per year, and the cost of education at a private university is $30,367 per year. These high costs have left many middle-class American families struggling to afford college for their children, who are often ineligible for financial aid. Therefore, middle-class students have no choice but to obtain student loans, and thus leave college saddled with massive debt.

Even families who plan and save well in advance for their children's education may have a difficult time because their savings are eroded by taxation and inflation. The Make College Affordable Act will help these middle-class students by allowing them, or their parents or guardians who claim them as dependents, to deduct the cost of college tuition as well as the cost of student loan repayments.

The Make College Affordable Act will also help older or nontraditional students looking to improve their job skills or prepare for a career change, by pursuing higher education. In today's economy, the average American worker can expect to change jobs, and even careers, several times during his or her working life, making it more important than ever that working Americans be able to devote their resources to continuing their educations.

Helping the American people use their own money to ensure every qualified American can receive a college education is one of the best investments this Congress can make in the future. I therefore urge my colleagues to help strengthen America by ensuring more Americans can obtain college educations by cosponsoring the Make College Affordable Act.

PERSONAL EXPLANATION

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. KENNEDY. Madam Speaker, I regret that I was unable to participate in a series of votes on the floor of the House of Representatives today.

Had I been present to vote on rollcall No. 180, a Bean (IL)/McMahon (NY) Amendment to H.R. 1664, a bill to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008, I would have voted "nay" on the question.

Had I been present to vote on rollcall No. 181, a Dahlkemper (PA) Amendment to H.R. 1664, I would have voted "aye" on the question.

Had I been present to vote on rollcall No. 182, final passage of H.R. 1664, I would have voted "aye" on the question.

THE PATRIOT CORPORATIONS OF AMERICA ACT: INVESTING IN AMERICA

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. SCHAKOWSKY. Mr. Speaker, today we find ourselves in the grips of recession. As of is morning there were 5.7 million Americans without a job and we should be doing everything in our power to save jobs—and create new ones.

Today, I am introducing the Patriot Corporations of America Act, which encourages corporations to invest in the American people and the American economy. In this time of change we should lift the spirit of patriotism and create a new corporate ethic in America—one that unites workers and their employers in the mutual goal of building a stronger, more prosperous business that will contribute to a stronger, more prosperous America.

Since the adoption of the Declaration of Independence, we have benefited from the great work and contributions of countless American patriots and Congress has always undertaken efforts to honor those men and women. The Patriot Corporations of America Act continues that tradition by rewarding companies that commit to America and American workers.

It angers Americans, and it angers me, when companies outsource jobs and relocate to avoid giving back to the country that afforded them the opportunity to succeed. Companies that continue to send American jobs abroad during these difficult times should not receive the same benefits as companies who are keeping jobs right here. It is time for the United States to reward companies that show a dedication to the American workforce.

The Patriot Corporation Act will move us along the path to recovery, while simultaneously giving a hand-up to "patriotic" companies that are struggling in the midst of a recession.

Bill Edley, a former State Representative in Illinois, and political scientist Robin Johnson of Monmouth College, introduced a new idea of turning the tables around with the Patriot Corporations of America Act. It would reward companies, like New Maryland Clothing and Tama Manufacturing, that care about our Nation, our communities, and American workers. I am honored to be introducing this commonsense concept in the form of legislation in the U.S. House of Representatives.

In exchange for preferential treatment in government contracting and a 5% tax rate reduction, Patriot Corporations would be asked to pledge their allegiance to our country by producing at least 90% of their goods and doing at least 50% of their research and development in the United States. They would limit top managements' compensation to no greater than 100 times that of their lowest-compensated full-time workers. They would show their commitment to their workers by contributing at least 5% of payroll to portable pension funds and by paying for at least 70% of the cost of health insurance plans. Finally, Patriot Corporations would simply be required to comply with existing federal regulations regarding the environment, workplace safety, consumer protections and labor relations, including maintaining neutrality in employee organizing drives.

Mr. Speaker, the Patriot Corporations for America Act would be revenue neutral. It would be paid for by closing corporate offshoring loopholes that have been exploited and, if necessary, reining in some of the new tax breaks for millionaires.

Patriot Corporations would create a new class of companies committed to uphold the dignity and prosperity of American workers as well as to selling their goods on the American market and around the world.

Patriot Corporations are an expression of the American spirit of our fore fathers and mothers when they took that brave step of declaring our independence and creating the United States of America.

I'm confident that between the Recovery Act and legislation like the Patriots Corporation Act—America will emerge stronger from this recession.

I am honored to be introducing this bill today and I encourage my colleagues to join me in saluting American businesses and workers.

TRIBUTE TO GARDNER MAYOR CAROL LEHMAN

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. MOORE of Kansas. Madam Speaker, it is my honor to rise today to honor Gardner, Kansas, Mayor Carol Lehman who is stepping down this year after serving for 20 years as mayor. Before being elected mayor, Carol served two years on the City Council. During her time as mayor, Gardner has grown and prospered, no doubt in part because of the wise and stable leadership that Carol provided. Through it all, Gardner retains all the charm of a Midwestern small town, with the advantages of being a short drive from Kansas City.

I would like to read into the record Mayor Lehman's recent farewell message to her community. In this message, I know you will see the affection and devotion she feels to Gardner, and will understand how much all of us will miss her common sense, humor, and leadership.

It doesn't seem possible I'm writing my last Mayor's message—20 years have gone by in a flash. The advancements we've made in the last 20 years are too numerous to mention, but some do stand out as milestones in our story of growth and change.

When metro dialing became available in Gardner, we weren't ''out of town'' anymore and homebuilders started making their way down 1–35. When McDonald's came, we surely thought we had arrived when every child in town could have a happy meal—in their own backyard! New subdivisions began popping up and both the City and the School District realized they had many challenges facing them. The excitement of Country Mart locating in Moonlight Plaza, as our first ''big'' grocery store was only surpassed by Price Chopper becoming a Gardner presence. The construction of TradeNet in Gardner was the first new industry we had seen in years. And finally the arrival of Wal-Mart assured more sales tax dollars would be staying in our community!

By adding the departments of Community Development, Public Safety, Finance, and Parks & Recreation to our City Administration team, a new era of professionalism was established. Some noteworthy accomplishments include: designating Hillsdale Lake as the City's water supply, building the new water treatment plant and the new wastewater treatment plant, the expansion of City Hall, donating land to Johnson County for our new library, partnering with our veterans to build Veteran's Park, forming the Economic Development Corporation with the help of local businesses, enhancing the Gardner Greenway Corridor and walking paths, creating the Downtown Enhancement District, Christmas in the Park, widening Center Street, working on future plans of the BNSF Intermodal Logistics Park and anticipating in the future revenue it will generate in our city, county and state, Gardner's fabulous Sesquicentennial Celebration, building Plum Creek Public Safety Station #2, annexing nearly 5,600 acres and experiencing the population explosion—from 4,380 in 1989 to approximately 18,000 today! Most recently, the announcement of a 1.1 million square foot warehouse building in Gardner with the promise of 200 jobs is great news for the City and its residents.

I can vividly remember an event that occurred on my birthday in June, 2005. The results of our park sales tax question came in with a resounding Yes, passing by 72%! That was a birthday present to remember! Citizens are now enjoying our fabulous Gardner Aquatics Center and beautiful Celebration Park. The passage of that ballot question emphasized to City leaders how important quality of life is to our families and it also told us that Gardner wants to enjoy leisure time closer to home.

The influx of new citizens and young families has been exhilarating—they have continued to bring, to their new ''home town'', high expectations, and an enthusiasm and brightness which will light Gardner for years to come. It has been heartwarming to see the blend of new and long time citizens in our churches, neighborhoods and civic organizations—working together to make Gardner a quality community.

In the last 20 years, there have been bumps in the road, but with each challenge we have been fortunate to have the right people in the right places to guide and advise us. With each disappointment we have learned much, pledged to do better the next time and approached the new day with optimism.

Gardner has been blessed with a succession of forward thinking City Council Members and Planning Commissioners. For many years now, the City Council has planned for the future, embraced growth and change and kept the mill levy steady, while at the same time earning the city an A2 bond rating. Together, with a visionary staff whose expertise, professionalism and creativity rates among the best, Gardner has handled our explosive growth well and we will be ready for whatever the future brings.

I cannot adequately express to you what an honor and a privilege it has been to be your Mayor, and I humbly thank you. Gardner has always been a town of wonderful people; if I am certain of one thing as the torch is passed, I know the future shines brightly for this town and its residents.

EARMARK DECLARATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GERLACH. Madam Speaker, pursuant to the Republican leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 1105, Consolidated Appropriations for Fiscal Year 2009. These earmarks are all multi-member requests and national projects/programs.

COMMERCE, JUSTICE AND SCIENCE

Delaware River Basin Commission, P.O. Box 7360, West Trenton, NJ—$235,000—Funding for the Delaware River Enhanced Flood Warning System. The funding will be used to assist the Delaware River Basin Commission, in conjunction with NOAA/NWS, USGS and the U.S. Army Corps of Engineers, with the enhancement of the basin's flood warning system. This enhancement will include the evaluation and improvement of existing precipitation and stream gage networks, development of additional NOAA flood forecast points in both non-tidal and tidal stream reaches, and merger of GIS and Doppler radar technology to improve flash flood warning capabilities for smaller watersheds.

ENERGY AND WATER

Mid-Atlantic River Commissions, Delaware River Basin Commission, P.O. Box 7360, West Trenton, NJ—$2,365,000—This funding is necessary to fulfill the federal government's obligation to provide an equitable share of funding for the commissions, as required under their compacts. This funding will enable the commissions to implement critically important water resources management projects and activities in the national interest.

LABOR HEALTH AND HUMAN SERVICES AND EDUCATION

National Writing Project Corporation, University of California, 2105 Bancroft Way, Berkeley, CA—$24,291,000—It is my understanding that the funding would be used to fund programs in teacher development, quality writing, and research to help improve student performance in writing.

Reach Out and Read National Center, 56 Roland Street, Boston, MA—$4,965,000—It is my understanding that the funding would be used for the purposes authorized in Section 5411–5414 of the Elementary and Secondary Education Act.

Center for Civic Education, 5145 Douglas Fir Road, Calabasas, CA—$25,095,000—It is my understanding that the funding would be used to support the We the People program and the Cooperative Education Exchange, the purposes of which are authorized by the Education for Democracy Act (Elementary and Secondary Education Act, Sections 2341–2346).

National Council on Economic Education, 1140 Avenue of the Americas, Suite 202, New York, NY—$5,019,000—It is my understanding that the funding would be used to support the Cooperative Education Exchange, the purposes of which are authorized by the Education for Democracy Act (Elementary and Secondary Education Act, Sections 2341–2346).

National History Day, 0119 Cecil Hall, University of Maryland, College Park, MD—$500,000—It is my understanding that the funding would be used to expand and improve National History Day, a year-long non-profit education program, focused on grades 6–12, that works with both students and teachers to improve the teaching and learning of history in schools.

Reading is Fundamental, Inc., 1825 Connecticut Avenue, N.W., Suite 400, Washington, DC—$24,803,000—It is my understanding that the funding would be used for the purposes authorized in Section 5451 of the Elementary and Secondary Education Act to support and promote programs, which include the distribution of inexpensive books to young and school-age children, that motivate children to read.

RECOGNIZING MANITOWOC MAYOR KEVIN CRAWFORD ON THE OCCASION OF HIS RETIREMENT FROM PUBLIC SERVICE

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PETRI. Madam Speaker, I am pleased to offer my congratulations to the Honorable Kevin Crawford, the longest continually-serving mayor in the history of Manitowoc, Wisconsin. First elected in 1989, Mayor Crawford is stepping down this month to pursue another career path.

Mayor Crawford's energetic and creative leadership over twenty years has helped provide the spark fueling a business and manufacturing revival in Manitowoc that has made the city one of Wisconsin's biggest economic success stories of recent years. His focus on job creation, pursuit of public-private partnerships and instinct for opportunity helped the city capitalize on its already diverse manufacturing base, skilled labor force and unique attributes as a Lake Michigan port city with a proud history as a World War II maritime industry leader.

Over the years, I have worked with Kevin Crawford on many issues of importance to Manitowoc and have come to know him as a tireless and passionate advocate for the city. It's clear to me that his optimism and hard work have not only offered an impetus for progress and growth in the city, but have contributed to the momentum to sustain it.

Last year The Wall Street Journal ran a feature story highlighting the manufacturing and exporting successes of the city and its rebound after the closing of its second-largest employer in 2003. Mayor Crawford has called manufacturing a ''core pillar of our economy,'' and has seen to it that local government takes an active role in developing what he terms ''new economy manufacturing,'' including new technology and jobs.

Indeed, in the current global recession, hits to the Manitowoc economy have been buffered by the presence of promising new energy-related companies that have taken root there in recent years.

During his tenure, Mayor Crawford negotiated the revival of car ferry passenger service between Manitowoc and Ludington, Michigan, and has worked to ensure its continued success. He was instrumental in bringing new owners and leadership to the ailing Burger Boat Company, now firmly positioned as a world leader in luxury yacht manufacturing.

As commissioner of the Manitowoc Public Utilities, Mayor Crawford has been the dedicated chief steward of this city-owned and managed electric and water utility which has grown considerably over the last two decades and affords local citizens some of the lowest utility rates in the country. Considered one of the most knowledgeable local elected officials in the area of electric energy, he has been recognized by the American Public Power Association, the Municipal Electric Utilities of Wisconsin and the Wisconsin Water Association.

Other achievements of the Crawford era in Manitowoc include the construction of a new city hall, library and public safety building, the development of a new Visitor Information Center, and major retail expansion and infrastructure improvements.

In addition, Mayor Crawford created and has fostered an active sixteen-year sister-city relationship between Manitowoc and Kamagowa, Japan. The partnership has resulted in numerous citizen exchange visits over the years and is acknowledged to be one of the most vibrant sister-city associations in the country.

His colleagues across Wisconsin have also recognized Mayor Crawford's outstanding leadership skills. He is a member of the Board of Directors of the Wisconsin Alliance of Cities and a Past President of the League of Wisconsin Municipalities as well as a member of its legislative committee.

In light of his many years of commitment to the people of Manitowoc, Wisconsin, and his impressive record of accomplishment, I am proud to recognize Mayor Kevin Crawford and extend my congratulations and appreciation to him on his retirement from public service.

INTRODUCTION OF THE LIFE SUSTAINING TREATMENT PREFERENCES ACT OF 2009

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BLUMENAUER. Madam Speaker, today I am proud to introduce the Life Sustaining Treatment Preferences Act of 2009. As we approach health care reform, there is no other area more vital for honest discussion and careful analysis than what happens at a patient's end of life.

For most of us, the majority of our lifetime health care will be administered in that last year of life. Indeed for many, it is just the last few months where we will use the most doctor care, the most medical procedures, and the most days in a hospital.

Advances in healthcare have led to an aging population facing increasingly complex end of life health care decisions. These strains make complicated, critical decision making about medical care incredibly difficult. Too often, these decisions are avoided until a crisis occurs, resulting in inadequate planning, unknown patient preferences, and families left struggling with the burden of determining their loved ones' wishes. For both families and patients, this is a time of incredible stress, confusion, and pain.

In response, health organizations in Oregon came together in the early 1990s to develop the Physicians Orders for Life Sustaining Treatment program to help seriously ill patients identify their treatment preferences using a clear, standardized template. Written as actionable medical orders and signed by a physician, these forms help communicate patient preference to health care personnel regarding intensity of medical intervention, transfers to the hospital, use of antibiotics, artificially administered nutrition, and resuscitation.

National interest in Oregon's Physicians Orders for Life Sustaining Treatment program has spread and Oregon has become the national resource for states and communities interested in developing similar programs. Last year, California and New York enacted orders for life sustaining treatment programs and over thirty other states are developing programs.

We can and should do more to support these efforts to enhance quality patient care at the end of life. The Life Sustaining Treatment Preferences Act provides coverage under Medicare for consultations regarding orders for life sustaining treatment. These discussions add quality and value to patient care, but they often require significant time, proper training, and great delicacy, which merit compensation through Medicare. Medicare currently pays for acute care services provided to beneficiaries, but it does not specifically recognize the important benefit of informed discussions between patients and their health provider about care preferences for their last months and years of life.

The Life Sustaining Treatment Preferences Act also creates a grant program to support the development and expansion of these programs, providing necessary resources to states and local communities. These programs provide valuable services to patients, their families, and health care providers through educational materials; professional training on advance care planning; coordinating and collaborating with hospitals, skilled nursing facilities, hospice programs, home health agencies, and emergency medical services to implement such orders across the continuum of care; and monitoring the success of the program.

To be effective, advance care plans must ensure that treatment preferences are elicited and presented in a way that is recognized and respected by the health care community—orders for life sustaining treatment programs do just that. These programs have a track record of promoting patient autonomy through documenting and coordinating a person's treatment preferences, enhancing the authorized transfer of patient records between facilities, clarifying treatment intentions and minimizing confusion, reducing repetitive activities in complying with the Patient Self Determination Act, and facilitating appropriate treatment by emergency personnel. Oregon is nationally recognized for our exemplary end of life care and orders for life sustaining treatment have played a critical role providing quality, patient-centered care for those in their final chapter of life.

I am proud to introduce the Life Sustaining Treatment Preferences Act of 2009, which will lay the groundwork so all seriously ill Americans have the tools to make informed medical care decisions, convey their care plans as clearly as possible, and feel confident their wishes will be known and respected by health care personnel.

INTRODUCING THE AGRICULTURE EDUCATION FREEDOM ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PAUL. Madam Speaker, I rise to introduce the Agriculture Education Freedom Act. This bill addresses a great injustice being perpetrated by the Federal Government on those youngsters who participate in programs such as 4–H or the Future Farmers of America. Under current tax law, children are forced to pay federal income tax when they sell livestock they have raised as part of an agricultural education program.

Think about this for a moment. These kids are trying to better themselves, earn some

money, save some money and what does Congress do? We pick on these kids by taxing them. It is truly amazing that with all the hand-wringing in Congress over the alleged need to further restrict liberty and grow the size of government ''for the children'' we would continue to tax young people who are trying to lead responsible lives and prepare for the future. Even if the serious social problems today's youth face could be solved by new federal bureaucracies and programs, it is still unfair to pick on those kids who are trying to do the right thing.

These children are not even old enough to vote, yet we are forcing them to pay taxes. What ever happened to no taxation without representation? No wonder young people are so cynical about government.

It is time we stopped taxing youngsters who are trying to earn money to go to college by selling livestock they have raised through their participation in programs such as 4–H or Future Farmers of America. Therefore, I call on my colleagues to join me in supporting the Agriculture Education Freedom Act.

INTRODUCTION OF A BILL TO BRING PARITY TO TSA EMPLOYEES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. THOMPSON of Mississippi. Madam Speaker, I am pleased to join Congresswoman LOWEY and Congresswoman JACKSON-LEE in introducing today a bill that will bring parity to Transportation Security Administration (TSA) employees and ensures security. This legislation would provide the same rights to all TSA employees, including the Transportation Security Officers (TSOs) (i.e., screeners), as those already enjoyed by employees at the Department of Homeland Security (DHS) and numerous front-line security agencies throughout the country, including state law enforcement agencies.

In the 110th Congress, The Committee on Homeland Security worked to give a broad range of rights to the Transportation Security Administration workforce in H.R. 1, Implementing the Recommendations of the 9/11 Commission Act of 2007. Basic workplace protections and collective bargaining rights were a key part of this effort. While the House passed these important measures and the Senate followed suit, to avoid a veto from the Bush Administration, these protections were stripped from the conference report. This bill renews and improves upon this effort by increasing the quality of the entire TSA workforce and not just a smaller part of it. This bill will increase security by improving workforce morale and employee retention, and will put workers in a position to expose security gaps and put TSA on par with other DHS components.

In 2001, when TSA was created, Congress provided discretionary authority allowing TSA to create different classes of employees, each with different rights and protections. Specifically, the 107th Congress and President Bush gave the TSA Administrator the discretionary authority to set up two different TSAs. One group of TSA employees would be given one set of rights and the other group, the TSOs (i.e., screeners), could be treated differently, with respect to conditions and benefits of employment, discipline, compensation, leave, and other basic employment rights.

Under then TSA Administrator, Admiral James Loy, the Bush Administration exercised discretionary authority to create two classes of TSA employees by denying the TSOs certain employment rights. While this discretionary authority helped quickly establish and stand-up TSA, as intended by the 107th Congress and the Bush Administration, it was, and continues to be the impetus for low employee morale and diminished transportation security.

From survey results to testimony over the past several years, we have seen that the TSA workforce is frustrated by the lack of recognition and rewards for performance and promotion practices, confused by different policies and procedures on leave, training, and other administrative matters.

On March 5, 2009, a House Homeland Security Subcommittee received testimony from employee representatives of the workforce. All of TSA operates under a separate personnel system than other DHS components. Further, the TSO workforce is not allowed to collectively bargain in contrast with the CBP workforce and others across the federal government, including state law enforcement. These discrepancies and differences lead to confusion, frustration and further erode morale.

The time for personnel experiments is now over. The employees of TSA deserve to be treated like their fellow employees in the DHS and across the Federal government—fairly and equitably. Providing basic employment protections and rights is critical to instill confidence in the workforce. The time for two classes of TSA employees is over—this bill eliminates this dichotomy.

This legislation brings parity to the TSA workforce. The bill affords the workforce the same rights and protections their colleagues across the federal government and the Department enjoy under Title 5 of the United States Code and other civil service laws such as provisions of the Federal Labor Standards Act, Equal Pay Act, Age Discrimination in Employment Act and the Rehabilitation Act, among others.

The legislation aims to transition the 60,000 plus TSA workforce in a responsible way from its current and varied personnel systems to that of Title 5. It provides the Secretary and Assistant Secretary the discretion on how and when to move to the new system, although not later than 60 days after the date of enactment. It also provides a window for the transition to allow for consultation with employee representatives and communication with the workforce. Further, it ensures that no employee will lose any pay, accrued leave or health benefit that is currently afforded to them.

To truly provide comprehensive transportation security, it must start with those who provide the security—in this case all TSA employees, including the TSOs. We must set up a system where all TSA employees are protected, otherwise we will have a system that treats colleagues differently and remains inefficient to the extent of hindering transportation security. In the end, by creating one TSA as a part of one DHS the American public truly receives national security.

We look forward to working with our colleagues to put the TSA workforce in a system that has stood the test of time and shown itself to be fair and equitable.

INTRODUCING THE EDUCATION IMPROVEMENT TAX CUT ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PAUL. Madam Speaker, I rise to introduce the Education Improvement Tax Cut Act. This act, a companion to my Family Education Freedom Act, takes a further step toward returning control over education resources to private citizens by providing a $5,000 tax credit for donations to scholarship funds to enable low-income children to attend private schools. It also encourages private citizens to devote more of their resources to helping public schools, by providing a $5,000 tax credit for cash or in-kind donations to public schools to support academic or extra curricular programs.

I need not remind my colleagues that education is one of the top priorities of the American people. After all, many members of Congress have proposed education reforms and a great deal of time is spent debating these proposals. However, most of these proposals expand federal control over education. Many proposals that claim to increase local control over education actually extend federal power by holding schools ''accountable'' to federal bureaucrats and politicians. Of course, schools should be held accountable for their results, but they should be held accountable to parents and school boards not to federal officials. Therefore, I propose we move in a different direction and embrace true federalism by returning control over the education dollar to the American people.

One of the major problems with centralized control over education funding is that spending priorities set by Washington-based Representatives, staffers, and bureaucrats do not necessarily match the needs of individual communities. In fact, it would be a miracle if spending priorities determined by the wishes of certain politically powerful representatives or the theories of Education Department functionaries match the priorities of every community in a country as large and diverse as America. Block grants do not solve this problem as they simply allow states and localities to choose the means to reach federally-determined ends.

Returning control over the education dollar for tax credits for parents and for other concerned citizens returns control over both the means and ends of education policy to local communities. People in one community may use this credit to purchase computers, while children in another community may, at last, have access to a quality music program because of community leaders who took advantage of the tax credit contained in this bill.

Children in some communities may benefit most from the opportunity to attend private, parochial, or other religious schools. One of the most encouraging trends in education has been the establishment of private scholarship programs. These scholarship funds use voluntary contributions to open the doors of quality private schools to low-income children. By providing a tax credit for donations to these programs, Congress can widen the educational opportunities and increase the quality

of education for all children. Furthermore, privately-funded scholarships raise none of the concerns of state entanglement raised by publicly-funded vouchers.

There is no doubt that Americans will always spend generously on education, the question is, "who should control the education dollar—politicians and bureaucrats or the American people?" Mr. Speaker, I urge my colleagues to join me in placing control of education back in the hands of citizens and local communities by sponsoring the Education Improvement Tax Cut Act.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

SPEECH OF

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 1, 2009

Mr. SMITH of Texas. Mr. Speaker, H.R. 1256 directs the Secretary of HHS to promulgate an interim final rule that is identical to the FDA's 1996 rule, which legal experts from across the political spectrum have stated would violate the First Amendment.

While these experts' views should carry great weight, even more persuasive is the fact that the U.S. Supreme Court also has weighed in on various provisions of the rule, finding them unconstitutional.

In Lorillard Tobacco Co. v. Reilly, the U.S. Supreme Court struck down a Massachusetts statute that was similar in many ways to the FDA's proposed rule. The statute banned outdoor ads within 1,000 feet of schools, parks and playgrounds and also restricted point-of-sale advertising for tobacco products.

The Court held that this regulation ran afoul of the test established in the Central Hudson case, which defines the protection afforded commercial speech under the First Amendment, as it was not sufficiently narrowly tailored, and would have disparate impacts from community to community.

The Court then noted that since the Massachusetts statute was based on the FDA's rule, the FDA rule would have similar constitutional problems.

As Justice Sandra Day O'Connor wrote for the Court, "the uniformly broad sweep of the geographical limitation demonstrates a lack of tailoring."

Additionally, the proposed rule in H.R. 1256 would require ads to use only black text on a white background. The U.S. Supreme Court found a similar provision unconstitutional in Zauderer v. Office of Disciplinary Counsel. In that case, dealing with advertising for legal services, the Court held that the use of colors and illustrations in ads is entitled to the same First Amendment protections given verbal commercial speech.

Justice Byron White, in his opinion for the Court, wrote that pictures and illustrations in ads cannot be banned "simply on the strength of the general argument that the visual content of advertisements may, under some circumstances, be deceptive or manipulative."

So there are numerous speech restrictions in this legislation that raise serious First Amendment concerns. This will create a swarm of lawsuits that will only divert us from trying to develop more effective approaches to tobacco use in the United States.

To include speech restrictions that a broad range of legal experts have stated are almost certain to be unconstitutional fatally taints this bill.

I know the bill is well-intentioned but I hope my colleagues will support the alternative offered by the gentleman from Indiana, Mr. BUYER.

INTRODUCTION OF A BILL TO BRING PARITY TO TSA EMPLOYEES

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, I am pleased today to join the Honorable NITA M. LOWEY and the Honorable BENNIE G. THOMPSON, in introducing a bill that will bring parity to Transportation Security Administration (TSA) employees and ensures security. This legislation would provide the same rights to all TSA employees, including the Transportation Security Officers (TSOs) (i.e., screeners), as those already enjoyed by employees at the Department of Homeland Security (DHS) and numerous front-line security agencies throughout the country, including state law enforcement agencies.

In the 110th Congress, The Committee on Homeland Security worked to give a broad range of rights to the Transportation Security Administration workforce in H.R. 1, Implementing the Recommendations of the 9/11 Commission Act of 2007. Basic workplace protections and collective bargaining rights were a key part of this effort. While the House passed these important measures and the Senate followed suit, to avoid a veto from the Bush Administration, these protections were stripped from the conference report. This bill renews and improves upon this effort by increasing the quality of the entire TSA workforce and not just a smaller part of it. This bill will increase security by improving workforce morale and employee retention, and will put workers in a position to expose security gaps and put TSA on par with other DHS components.

In 2001, when TSA was created, Congress provided discretionary authority allowing TSA to create different classes of employees, each with different rights and protections. Specifically, the 107th Congress and President Bush gave the TSA Administrator the discretionary authority to set up two different TSAs. One group of TSA employees would be given one set of rights and the other group, the TSOs (i.e., screeners), could be treated differently, with respect to conditions and benefits of employment, discipline, compensation, leave, and other basic employment rights.

Under then TSA Administrator, Admiral James Loy, the Bush Administration exercised discretionary authority to create two classes of TSA employees by denying the TSOs certain employment rights. While this discretionary authority helped quickly establish and stand-up TSA, as intended by the 107th Congress and the Bush Administration, it was, and continues to be the impetus for low employee morale and diminished transportation security.

From survey results to testimony over the past several years, we have seen that the TSA workforce is frustrated by the lack of recognition and rewards for performance and promotion practices, confused by different policies and procedures on leave, training, and other administrative matters.

On March 5, 2009, a House Homeland Security Subcommittee received testimony from employee representatives of the workforce. All of TSA operates under a separate personnel system than other DHS components. Further, the TSO workforce is not allowed to collectively bargain in contrast with the CBP workforce and others across the federal government, including state law enforcement. These discrepancies and differences lead to confusion, frustration and further erode morale.

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To truly provide comprehensive transportation security, it must start with those who provide the security—in this case all TSA employees, including the TSOs. We must set up a system where all TSA employees are protected, otherwise we will have a system that treats colleagues differently and remains inefficient to the extent of hindering transportation security. In the end, by creating one TSA as a part of a one DHS the American public truly receives national security.

We look forward to working with our colleagues to put the TSA workforce in a system that has stood the test of time and shown itself to be fair and equitable.

INTRODUCTION OF A BILL TO BRING PARITY TO TSA EMPLOYEES

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mrs. LOWEY. Madam Speaker, I am pleased to join Chairman THOMPSON and Congresswoman JACKSON-LEE in introducing today

a bill that will bring parity to Transportation Security Administration (TSA) employees and ensures security. This legislation would provide the same rights to all TSA employees, including the Transportation Security Officers (TSOs) (i.e., screeners), as those already enjoyed by employees at the Department of Homeland Security (DHS) and numerous front-line security agencies throughout the country, including state law enforcement agencies.

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We look forward to working with our colleagues to put the TSA workforce in a system that has stood the test of time and shown itself to be fair and equitable.

RECOGNIZING THE NORTHLAND HIGH SCHOOL BOYS BASKETBALL TEAM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. TIBERI. Madam Speaker, I rise today to honor and pay tribute to Northland High School in Columbus, Ohio. Northland High School is in my congressional district, and as a Northland graduate, I am proud to recognize a school that not only excels in academics but also distinguishes itself on the basketball court. The Northland High School basketball team recently won the 2009 Ohio Division I Boys Basketball Championship. In the championship game, Northland defeated Cincinnati Princeton 60 to 58.

The basketball team is an outstanding example of hard work, determination and perseverance. They had 27 wins and only one loss in the 2008–2009 season, and have earned the first boys basketball title in school history.

They are led by their top scorer, Jared Sullinger, who was recently named the Associated Press "Mr. Basketball" for Ohio, Junior James "JD" Weatherspoon, Seniors Sam Belisle, Dimonde Hale, Ricky Bennett and Javon Cornley, along with teammates Charles Edgerton, Quentin Henderson, Trey Burke, Lavante Justice, Ke'Chaun Lewis, Jordan Potts, Devon Scott, Jakyl Cornley, and Roberto Pierre.

The team is led by Head Coach J. Satch Sullinger; Assistants Frank Smith, Michael Clouse, Leigh Horston and Jerome White.

It is an honor to represent such a fine group of young people who have a strong dedication to team work and academics. I know each one of them will treasure the memories of their championship season and I commend them, and the Northland community, for this truly great achievement.

HONORING LEON FLEISHER

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. SARBANES. Madam Speaker, I rise today to honor pianist and conductor Leon Fleisher on the occasion of his 80th birthday. His musical contributions have touched the people of Maryland for many years, and the story of Leon's life is a testament to both the inspirational power of music and the indomitable nature of the human spirit. As a young man, Leon was acclaimed as a once-in-a-generation musical talent, and by his mid-twenties, Leon had become one of the world's most-respected and sought-after piano soloists, creating a number of timeless interpretations of classic works that are admired to this day.

When a rare neurological condition stripped him of the use of his right hand, he refused to allow the condition to limit his work and continued to contribute to classical music. As a conductor and director, Leon inspired and energized other musicians from such distinguished organizations as the Baltimore Symphony, the Annapolis Symphony Orchestra, the Peabody Conservatory, the Royal Conservatory of Toronto, and the Kennedy Center's Theater Chamber Players. As a teacher, Leon imparted his own knowledge, passion, and skill to many musicians who now carry the weight of his musical legacy. As a performer, Leon performed the definitive left-handed interpretations of numerous works, inspiring many composers to create new works for the previously underutilized left hand.

After years of special treatments, Leon returned to Carnegie Hall in a truly inspiring culmination of years of determined effort. The recipient of countless awards and accolades, Leon Fleisher has been a true gift to the people of the 3rd district of Maryland, and the field of classical music in general. His performances and personal story remain powerful, and on the occasion of his 80th birthday, I thank him for all he has done, and all he will continue to do, to advance both the world of music and the capacity of the human spirit.

INTRODUCTION OF THE HEALTHY WORKFORCE ACT OF 2009, WHICH WOULD AMEND THE INTERNAL REVENUE CODE OF 1986 TO PROVIDE A TAX CREDIT TO EMPLOYERS FOR THE COSTS OF IMPLEMENTING WELLNESS PROGRAMS, AND FOR OTHER PURPOSES

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BLUMENAUER. Madam Speaker, today I am proud to introduce the Healthy Workforce Act of 2009. In order to alleviate our public health crisis, we must make it easier for Americans to make small, easy choices that improve their overall health. With many Americans spending more than half of their day at work, it makes sense to encourage our places of employment to offer the information, opportunities and support they need to make healthy choices.

The Healthy Workforce Act provides companies with an up to fifty percent tax credit for implementing employee wellness programs. These programs can include, but are not limited to, health education or health risk assessments, behavioral change programs that encourage healthy lifestyles, such as classes on nutrition or smoking cessation, and to support environment changes to encourage employee participation. Programs like this have a myriad of positive benefits for personal health, employee productivity, workplace environment and the economy.

There can be no doubt that America is facing a public health crisis: 63 percent of Americans are overweight and 31 percent are obese. Even more alarming, according to the Surgeon General, obesity is responsible for 300,000 deaths per year. This crisis not only impacts the daily lives of many Americans, but the bottom line for American companies. Average employer medical costs increased 72 percent between 2000 and 2006, with some companies spending more than fifty percent of their profits on employee health care expenses. Employers are increasingly bearing the costs of diet-related chronic disease and obesity through employer-provided health care plans and indirectly through higher rates of absenteeism, decreased productivity and higher health care costs. Obesity related health conditions cost employers approximately $33 billion in health care and other indirect costs.

The Healthy Workforce Act of 2009 will make it easier for companies to encourage their employees to make healthy decisions and in turn, decrease health care costs for employers, employees, and taxpayers.

BIG GOVERNMENT INTERVENTION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. WILSON of South Carolina. Madam Speaker, yesterday, The Post and Courier, of Charleston, S.C., reviewed the intervention of government in the management of General Motors. I share the editorial opinion that dismissal of business executives is not a proper function of government personnel.

EDITORIAL

President Obama fired General Motors Chief Executive Officer Rick Wagoner over the weekend, ostensibly due to his failure to come up with a ''plan'' acceptable to the administration. If he hadn't cleaned out his desk and surrendered his key to the executive washroom, he was told there would be no more taxpayer dollars to keep GM afloat.

CEOs of other corporations taking federal bailout money surely have taken note. The stock market certainly did when the news hit.

If you are not worried by the Obama administration's audacious grab for the commanding heights of the U.S. economy—the banks, the insurance industry, the giant too-big-to-fail manufacturers—you should be. Treasury Secretary Tim Geithner even suggests that government takeover of private corporations that have not accepted federal loans would be warranted, if considered necessary to rescue the overall economy.

The question boils down to this: Would it have been better to let well-established bankruptcy law apply to GM (and other failing corporate giants) rather than suffer Washington's continued exertions on its behalf.

Or, to put it another way, would you like your next car designed in Washington rather than in Detroit?

EARMARK DECLARATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. WALDEN. Madam Speaker, consistent with the House Republican Leadership's policy on earmarks, to the best of my knowledge the requests I have detailed below (1) are not directed to an entity or program that will be named after a sitting Member of Congress; and (2) are not intended to be used by an entity to secure funds for other entities unless the use of funding is consistent with the specified purpose of the earmark. As required by earmark standards adopted by the House Republican Conference, I submit the following information on projects I requested and were included in H.R. 1105, The Omnibus Appropriations Act, FY 2009.

Account: USDA—Cooperative State Research Education and Extension Service

Project Title: Grass Seed Cropping Systems for Sustainable Agriculture (OR, ID, WA)

Legal Name and Address of Requesting Entity:

Oregon State University, College of Agricultural Sciences, 138 Strand Hall, Corvallis, OR 97731

Project Location: Idaho, Oregon, and Washington

Description of Project: H.R. 1105 appropriates $313,000 for the Grass Seed Cropping Systems for Sustainable Agriculture project in Oregon, Washington, and Idaho. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used cooperatively between research and extension faculty from the three states, scientists from the USDA's National Forage Seed Production Research Center, and USDA's Agriculture Research Service to maintain a sustainable grass seed cropping industry in the Pacific Northwest at a time when the grass seed industry faces some critical environmental and economic challenges including public pressure to phase out open-field burning.

Account: USDA—Cooperative State Research Education and Extension Service

Project Title: Northwest Multi-commodity Marketing Special Research Grant

Legal Name and Address of Requesting Entity:

Oregon State University, College of Agricultural Sciences, 138 Strand Hall, Corvallis, OR 97731

Project Location: Oregon

Description of Project: H.R. 1105 appropriates $244,000 for a special research grant program that enhances competitiveness and expands the economic value-added component in Oregon agricultural products through research and outreach in food processing, product development, business strategy, marketing, and consumer testing. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to conduct research to support food processing and food product development, investigate consumer perceptions of product quality and value, and evaluate marketing and food industry strategies.

Account: USDA—Cooperative State Research Education and Extension Service

Project Title: Organic Cropping Research for the Northwest

Legal Name and Address of Requesting Entity:

Oregon State University, College of Agricultural Sciences, 138 Strand Hall, Corvallis, OR 97731

Project Location: Oregon and Washington

Description of Project: H.R. 1105 appropriates $140,000 to Organic Cropping Research for the Northwest. Oregon State University has confirmed in their justification that the appropriated funds for this project will be help expand the research, education, and extension activities at Oregon State University with a primary focus on the development and implementation of sustainable organic farming systems for higher rainfall locations in the Cascadia bioregion in the states of Oregon and Washington. Oregon's organic agriculture industry will benefit from research directed at problems facing organic commodities and, ultimately, enhance competitiveness of Oregon's organic agriculture products. In Oregon, 357 certified organic farms generate more than $52.1 million in organic products from approximately 59,200 certified acres. Oregon's strong agricultural infrastructure and unique climate make Oregon's agriculture uniquely positioned to grow dramatically in its market share of organic dairy and meat, tree fruits, specialty seed, berry crops, and processed and fresh market vegetables.

Account: USDA—Cooperative State Research Education and Extension Service

Project Title: Potato Research (OR, ID, WA, and other states)

Legal Name and Address of Requesting Entity:

Oregon State University, College of Agricultural Sciences, 138 Strand Hall, Corvallis, OR 97731

Project Location: Oregon, Idaho, Washington, and other states

Description of Project: H.R. 1105 appropriates $1,037,000 for a research program which is operated jointly by an entity known as Tri-State, which includes: USDA-ARS, Washington State University, Oregon State University, and the University of Idaho. Oregon State

University has confirmed in their justification that the appropriated funds for this project will be split equally between the four Tri-State partners and used for research and development of new potato varieties. The Tri-State program is considered to be one of the most elite variety development programs in the world.

Account: USDA—Cooperative State Research Education and Extension Service

Project Title: Regional Barley Genome Mapping (many states)

Legal Name and Address of Requesting Entity:

Oregon State University, College of Agricultural Sciences, 138 Strand Hall, Corvallis, OR 97731

Project Location: Many states

Description of Project: H.R. 1105 appropriates $471,000 to continue funding the United States Barley Genome Project (USBGP). Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to continue the project's long-term goal of enhancing the profitability and sustainability of U.S. agriculture by achieving a complete understanding of the gene networks that determine economically important traits in barley. The rationale behind understanding gene networks is that knowledge regarding the number, location, sequence, expression, regulation, and interaction of genes will allow plant breeders to more efficiently develop barley varieties.

Account: USDA—Cooperative State Research Education and Extension Service

Project Title: Northwest Center for Small Fruit Research

Legal Name and Address of Requesting Entity: Oregon State University, College of Agricultural Sciences, 138 Strand Hall, Corvallis, OR 97731

Project Location: Idaho, Oregon, and Washington

Description of Project: H.R. 1105 appropriates $307,000 for the Northwest Center for Small Fruit Research. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to fund extension, education, and cooperative research activities on peer reviewed small fruits research project proposals that will enhance profitability and sustainability of the small fruits industry in the Pacific Northwest. This funding supports critical aspects of the center not supported by USDAARS funds.

Account: USDA—Cooperative State Research Education and Extension Service

Project Title: Solutions to Environmental and Economic Problems (STEEP) (OR, ID, WA)

Legal Name and Address of Requesting Entity: Oregon State University, College of Agricultural Sciences, 138 Strand Hall, Corvallis, OR 97731

Project Location: Oregon, Idaho, and Washington

Description of Project: H.R. 1105 appropriates $444,000 for Solutions to Environmental and Economic Problems (STEEP). Oregon State University has confirmed in their justification that the appropriated funds for this project will be used for this program which provides a base for an agricultural research and extension education partnership to address production and environmental issues in cereal cropping systems throughout the Pacific Northwest. The partnership with producers, industry, USDA–ARS, NRCS, conservation districts, and university research and extension personnel enhances programs on: conservation of soil quality; evaluation of reduced pesticide use and other alternatives for crop protection; management options that substitute for residue requirements in farm plans; and on-farm testing. General program objectives are: determining impact of farming practices on soil, water, and air quality; improving profitability of conservation farming systems; facilitating production of biofuels, increasing carbon sequestration and reducing greenhouse gases; developing crop varieties better suited to planting in conservation farming systems; identifying alternative crops for conservation farming systems in the PNW; increasing the no-till acreage in the PNW; and accelerating adoption of profitable conservation farming systems.

Account: Department of Commerce; National Oceanic and Atmospheric Administration; Operations, Research and Facilities

Legal Name of Requesting Entity: Oregon State University

Address of Requesting Entity: Oregon State University, Attn: Larry Curtis, Associate Dean, 138 Strand Hall, Corvallis, OR 97331,

Project Location: Corvallis, Oregon

Rep. Walden Statement for the Congressional Record H.R. 1105, April 2, 2009—Description of Project: H.R. 1105 appropriates $640,000 to research management actions to reduce disease (ceratomyxosis) in juvenile salmon in the Klamath River. Research will be conducted through controlled laboratory and field experiments. OSU has stated that all of the appropriated funds will go toward project coordination, laboratory and field studies, field assistance, and website development for information dissemination.

Account: Department of Justice; COPS; Law Enforcement Technology

Legal Name of Requesting Entity: City of Medford, Oregon

Address of Requesting Entity: City of Medford, Attn: Bill Hoke, Dpty. City Manager 411 West 8th Street, Medford, Oregon

Project Location: Medford, Oregon

Description of Project: H.R. 1105 appropriates $700,000 for the Jackson County, Oregon Consolidated 911 Dispatch Center. The project will consolidated Jackson County, Oregon's two existing 911/emergency dispatch centers into one facility which will improve coordination and interoperability among emergency response agencies, improve call processing times and decrease response times. The City of Medford has stated that the appropriated funds will go toward the purchase of dispatch consoles, computer equipment and software, costs associated with connectivity of current communications tower and new facility.

Account: Department of Justice; Office of Justice Programs; Byrne Discretionary Grants. Legal Name of Requesting Entity: Oregon Health and Science University Address of Requesting Entity: Oregon Health and Science University, 3181 Sam Jackson Park Rd, Portland, OR 97239

Project Location: Portland, Oregon

Description of Project: H.R. 1105 appropriates $200,000 to the Multidisciplinary Institute for Neuropsychiatric Diagnosis to develop evidence-based medical diagnosis and treatment for psychiatric disorders that may be triggered by use of methamphetamine. OHSU has stated that all of the appropriated funds will go toward salary for MD and PhD scientists, research equipment and the salary for a clinical coordinator.

Account: Department of Justice; OJP; Byrne Discretionary Grants

Legal Name of Requesting Entity: Oregon Health and Sciences University

Address of Requesting Entity: Wasco County, Oregon, Attn: Steve Conover, Wasco Co Sheriffs Dpt. 511 Washington, Ste 102, The Dalles, Oregon

Project Location: Portland, Oregon

Description of Project: H.R. 1105 appropriates $300,000 for the Wasco County, Oregon Interoperability 911 Center. The project will relocate the County's Emergency Operations Center and equip it with hardware that will provide additional data capacity and communications equipment that meets interoperability requirements of local, state and federal agencies. Wasco County, Oregon has stated that the appropriated funds will go toward relocation costs and the purchase of emergency communications equipment.

Account: EPA—STAG Water and Wastewater Infrastructure Project

Project Name: Milton-Freewater Stormwater Treatment Plant Construction Project

Legal Name and Address of Requesting Entity:

Umatilla County, Oregon Attn: Hulette M. Johnson, 216 SE 4th Street, Pendleton, OR 97801

Project Location: The City of Milton-Freewater, Oregon

Description of Project: H.R. 1105 appropriates $300,000 for the Milton-Freewater for Stormwater Treatment Plant Construction Project to be located in Milton-Freewater, Oregon. Umatilla County has confirmed in their justification that the appropriated funds for this project will be used by the City of Milton-Freewater to assist in development of storm water treatment system which will result in increased clean drinking water for the local community. Funds provided will enable the community to construct a holding pond to catch silt-laden storm and winter water run off which currently clogs the drainage system and deposits silt into drinking water wells.

Account: US Forest Service—Land Acquisition

Project Name: Columbia River Gorge Land Acquisition

Legal Name and Address of Requesting Entity: Columbia River Gorge Commission, Attn: Jill Arens, Executive Director, 1 Town & Country Square, 57 NE Wauna Avenue, White Salmon, WA 98672

Project Location: Columbia River Gorge, Oregon and Washington

Description of Project: H.R. 1105 appropriates $2 million for Columbia River Gorge Land Acquisitions in Oregon and Washington. The Columbia River Gorge Commission has confirmed in their justification that the appropriated funds for this project will be used by the U.S. Forest Service (USFS) to purchase those remaining parcels of land with signed options that were offered by landowners by March of 2004 under Section 8(o) of the National Scenic Area Act but never acquired by the USFS. The purchase of these remaining properties would finally fulfill the federal government's commitment to these individuals.

Account: Corps of Engineers Construction

Project Name: Columbia River Channel Improvements, OR and WA

Legal Name and Address of Requesting Entity: Columbia River Channel Coalition, Attn: Dave Hunt, Executive Director, PO Box 903, Clackamas, OR 97015

Project Location: Columbia River in Oregon and Washington

Description of Project: H.R. 1105 appropriates $34.451 million for the Columbia River Channel Improvements, OR and WA. The Columbia River Channel Coalition has confirmed in their justification that the appropriated funds for this project, which were also included in the President's FY 2009 budget, will be used by the Corps to complete all of the dredging and environmental features of the Columbia River deep-draft navigation channel to a new depth of 43-feet. The channel deepening is economically vital to the Nation and to the Pacific Northwest because each year, $16 billion in exports and imports are transported via the Columbia River.

Account: Corps of Engineers—Construction

Project Name: Columbia River Treaty Fishing Access Sites, OR and WA

Legal Name and Address of Requesting Entity: Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, Pendleton, OR 97801

Project Location: Celilo Village in Oregon and other sites along the Columbia River, OR and WA

Description of Project: H.R. 1105 appropriates $5.125 million for the Columbia River Treaty Fishing Access Sites, OR and WA. Confederated Tribes of the Umatilla Indian Reservation has confirmed in their justification that the appropriated funds for this project will be used to complete the Celilo Village Redevelopment Columbia River Treaty Fishing Access Site construction by the U.S. Army Corps of Engineers. The President's FY 2009 budget also included funds to complete this project. This site is likely the single most prominent Native American site along the Lewis and Clark Trail, and the present day Village denotes an important and significant way-point for Lewis and Clark among the large Native American fishing and trading community at Celilo on the banks of the Columbia River.

Account: Department of Energy—EERE

Project Name: Columbia Gorge Community College Wind Energy Workforce Training Nacelle

Legal Name and Address of Requesting Entity: Columbia Gorge Community College Attn: Dan Spatz, Chief of Institutional Advancement, 400 East Scenic Drive, The Dalles, OR 97058

Project Location: The City of The Dalles, Oregon

Description of Project: H.R. 1105 appropriates $237,875 for the Columbia Gorge Community College Wind Energy Workforce Training Nacelle. Columbia Gorge Community College has confirmed in their justification that the appropriated funds for this project will be used to acquire and place a wind turbine nacelle on its campus to provide hands-on, real-world training to complement the classroom and shop training currently offered by the community college. In 2007, Columbia Gorge Community College established the first program of its kind on the West Coast for wind turbine technician training.

Account: Department of Energy—EERE

Project Name: Geothermal Power Generation Plant (OR)

Legal Name and Address of Requesting Entity: Oregon Institute of Technology, Attn: John Lund, Director of the Geo-Heat Center 3201 Campus Drive, Klamath Falls, OR 97601

Project Location: Klamath Falls, Oregon

Description of Project: H.R. 1105 appropriates $1,522,400 for the Geothermal Power Generation Plant at Oregon Institute of Technology. Oregon Institute of Technology has confirmed in their justification that the appropriated funds for this project will be used to help construct a high-temperature geothermal power plant on the Oregon Institute of Technology campus. The plant would provide 100% of the electricity demand on campus and would be the first geothermal power plant in Oregon.

Account: Department of Energy—EERE

Project Name: Wave Energy Research and Demonstration Center (OR)

Legal Name and Address of Requesting Entity: Oregon State University, Attn: Annette von Jouanne, Electrical Engineering and Computer Science, 3027 Kelley Engineering Center, Corvallis, OR 97331

Project Location: Corvallis, Oregon and near the City of Newport, Oregon

Description of Project: H.R. 1105 appropriates $2,331,180 for the Wave Energy Research and Demonstration Center to be co-located in Corvallis, Oregon at Oregon State University and near the City of Newport, Oregon. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to establish the National Wave Energy Center, which will provide an in-water infrastructure of up to five test berths approximately two miles offshore that will be available to industry and public entities to test wave energy generation devices. Research will emphasize developing high quality wave energy generation systems that are efficient, durable in hazardous ocean conditions, reliable and easily maintained.

Account: Corps of Engineers—Investigations

Project Name: Walla Walla River Watershed OR and WA

Legal Name and Address of Requesting Entity: Confederated Tribes of the Umatilla Indian Reservation, Attn: Rick George, Manager, PO Box 638, Pendleton, OR 97801

Project Location: Walla Walla River Watershed located in Oregon and Washington

Description of Project: H.R. 1105 appropriates $295,000 for the Walla Walla River Watershed Investigations in Oregon and Washington. The Confederated Tribes of the Umatilla Indian Reservation has confirmed in their justification that the appropriated funds for this project will be used by the U.S. Army Corps of Engineers to initiate the Preconstruction Engineering and Design phase of the Walla Walla River Basin project based on the findings and recommendations of a Feasibility Report and Environmental Impact Statement.

Account: Bureau of Reclamation—Water and Related Resources

Project Name: Burnt, Malheur, Owyhee, and Powder River Basin Water Opt. Feas. Study

Legal Name and Address of Requesting Entity: Powder Basin Water and Stream Health Committee, Attn: Peggy S. Browne—Coordinator, 1995 3rd Street, Baker City, OR 97814

Project Location: Baker and Union Counties, Oregon

Description of Project: H.R. 1105 appropriates $145,000 for the Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization and Feasibility Study. Powder Basin Water and Stream Health Committee has confirmed in their justification that the appropriated funds for this project will be spent on a feasibility study for the project to address the socio-economic, cultural, and environmental criteria of specific water storage sites in the Powder Basin. Funding authorization for this project "appropriated such sums as are necessary" in the Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001 (P.L. 107–237). The project will ultimately benefit fish and aquatic ecosystems, wildlife and terrestrial ecosystems, agriculture, energy and municipalities in the Powder River Basin.

Account: Bureau of Reclamation—Water and Related Resources

Project Name: Deschutes Project (Water conservation)

Legal Name and Address of Requesting Entity: Deschutes Basin Board of Control, Attn: Steve Johnson, Chairman, 1055 SW Lake Court, Redmond, OR 97756

Project Location: Deschutes Basin, Oregon

Description of Project: H.R. 1105 appropriates $350,000 for Water Conservation in the Deschutes Project. Deschutes Basin Board of Control has confirmed in their justification that the appropriated funds for this project will be used by the Deschutes Basin Board of Control, which consists of the seven primary irrigation districts in Central Oregon, to pursue water conservation, piping, lining and efficiency projects that will improve irrigation efficiencies, and result in increased in-stream flows benefiting federally listed steelhead and bull trout in the Deschutes and Crooked Rivers and their tributaries.

Account: Bureau of Reclamation—Water and Related Resources

Project Name: Savage Rapids Dam Removal

Legal Name and Address of Requesting Entity: Grants Pass Irrigation District, Attn: Dan Shepard, Manager, 200 Fruitdale Drive, Grants Pass, OR 97527

Project Location: Savage Rapids Dam on the Rogue River in Oregon.

Description of Project: H.R. 1105 appropriates $3 million to the Bureau of Reclamation for the Savage Rapids Dam Removal project. Grants Pass Irrigation District has confirmed in their justification that the appropriated funds for this project will be used to finalize construction of the Savage Rapids Pumping Plant located in the Rogue River Basin in Oregon, authorized by P.L. 108–137.

Account: Small Business Administration

Legal Name of Requesting Entity: University of Oregon

Address of Requesting Entity: University of Oregon, 203 Johnson Hall, Eugene, OR 97403

Description of Project: The University of Oregon confirms that this funding will be used for the University of Oregon Integrative Science Complex Phase II. This funding will be used for systems (e.g. oversize freight elevator, crane system, and/or connections to adjacent buildings) to ensure delivery of major scientific equipment to all levels of the building. In order to carry out the previously stated objectives, the University of Oregon has provided the following budget and funding breakdown for the $100,000 provided for the project in H.R. 1105: to build a permanent crane system to move high tech instrumentation between laboratories (budget is based on a crane system

serving five levels)—$45,000 for a crane and hoist, $40,000 for gates/landings on 4 levels, and $15,000 for design, permits, etc.

Account: Interstate Maintenance Discretionary

Legal Name of Requesting Entity: Oregon Department of Transportation

Address of Requesting Entity: Oregon Department of Transportation, 355 Capitol Street NE, Room 135, Salem, OR 97301

Description of Project: The Oregon Department of Transportation confirms that it will use this funding to provide a separate lane for trucks to climb the Three Mile Hill section of I–84 near the City of Ontario in Malheur County, Oregon. In order to carry out the previously stated objective, the Oregon Department of Transportation has provided the following budget and funding breakdown for the $475,000 provided for the project in H.R. 1105: the $475,000 will supplement the funding currently dedicated to the project and complete the funding necessary to build the truck lane.

Account: Transportation, Community, and System Preservation

Legal Name of Requesting Entity: Deschutes County, Oregon

Address of Requesting Entity: Deschutes County, Oregon, 61150 SE 27th Street, Bend, Oregon 97702

Description of Project: Deschutes County, Oregon confirms that it will use this funding for the 19th Street Extension from Redmond to Deschutes Junction. This funding will be used to construct six miles of new road to provide improved access to the Redmond Airport, Deschutes County Fair and Expo Center, and the rapidly growing southeast side of Redmond. In order to carry out the previously stated objectives, Deschutes County has provided the following budget and funding breakdown for the $570,000 provided for the project in H.R. 1105: $570,000 for preliminary engineering and possibly right of way acquisition.

Account: Transportation, Community, and System Preservation

Legal Name of Requesting Entity: Oregon Department of Transportation

Address of Requesting Entity: Oregon Department of Transportation, 355 Capitol Street NE, Room 135, Salem, OR 97301

Description of Project: The Oregon Department of Transportation confirms that it will use this funding for Highway 140 Freight Improvements. This will realign the intersection of Kirtland and Blackwell roads in Jackson County, Oregon so through traffic does not have to stop. In order to carry out the previously stated objectives, the Oregon Department of Transportation has provided the following budget and funding breakdown for the $95,000 provided for the project in H.R. 1105: $95,000 to complete the funding necessary to build the realignment.

Account: Economic Development Initiatives

Legal Name of Requesting Entity: City of Hermiston, Oregon

Address of Requesting Entity: Attn: Mayor Robert E. Severson, City of Hermiston 180 NE 2nd Street, Hermiston, Oregon 97838

Description of Project: The City of Hermiston confirms that it will use this funding for the Northeastern Oregon Business and Economic Growth Project's Eastern Oregon Regional University Center in Hermiston, Oregon, to construct a learning center to accommodate 500 students and provide them courses in business, technology, science, nursing, and other allied health professions, education, and the liberal arts taught by faculty from Eastern Oregon University and Blue Mountain Community College. In order to carry out the previously stated objectives, the City of Hermiston has provided the following budget and funding breakdown for the $142,500 provided for the project in H.R. 1105: $142,500 will go towards construction of the learning center.

Account: Department of Education; Higher Education

Legal Name of Requesting Entity: Oregon Institute of Technology

Address of Requesting Entity: Oregon Institute of Technology, Attn: Michael Kirshner, Center for Health Professions, 3201 Campus Drive, Klamath Falls, OR 97601

Project Location: Klamath Falls, Oregon

Description of Project: H.R. 1105 appropriates $285,000 for the OIT Center for Health Professions Health Informatics Simulation Lab to purchase software and equipment to administer real-life training for clinical information management, electronic medical records storage/maintenance/use, picture archiving communication systems and laboratory information systems. Students will receive hands-on experience with sophisticated technology for careers in health professions. OIT has stated that all of the appropriated funds will go toward equipment purchase.

Account: Department of Education; Higher Education

Legal Name of Requesting Entity: Portland State University

Address of Requesting Entity: Portland State University, Attn: Dr. Lindsay Desrochers, VP of Finance and Administration, PO Box 751, Portland, OR 97201

Project Location: Portland, Oregon

Description of Project: H.R. 1105 appropriates $333,000 for the establishment of the PSU Science Research and Teaching Center that will focus on ways to improve science education at the university and K–12 level and will be a site for continuing education programs for K–12 science teachers. PSU has stated that all of the appropriated funds will go toward lab and research equipment purchase.

Account: Department of Health and Human Services; Administration on Children and Families; Social Services

Legal Name of Requesting Entity: Deschutes County, Oregon

Address of Requesting Entity: Deschutes County, Oregon, Attn: Hilary Saraceno, Director, Commission on Children and Families 1300 NW Wall St, Suite, 200, Bend, OR 97701

Project Location: Bend, Oregon

Description of Project: H.R. 1105 appropriates $238,000 to expand the reach of the Family Access Network to connect 4,250 additional children and their family members with support services including counseling, clothing and food assistance, medication, after-school programs and shelter. Deschutes County, Oregon has stated that the appropriated funds will go toward program administration and service coordinator salaries.

Account: Department of Health and Human Services; Health Resources and Services Administration; Health Facilities and Services

Legal Name of Requesting Entity: Hood River County, Oregon

Address of Requesting Entity: Hood River County, Oregon, Attn: David Meriwether, County Administrator, 601 State Street Hood River, OR 97031

Project Location: Cascade Locks, Oregon

Description of Project: H.R. 1105 appropriates $143,000 for development of an integrated health care facility to provide basic medical, public health, mental health, dental and pharmaceutical services to the community of Cascade Locks, Oregon and adjacent community of Stevenson, Washington which currently have no such services. Health care services will be delivered through collaboration between Hood River County, Oregon and three non-profit health care providers. Hood River County, Oregon has stated that all of the appropriated funds will go towards making site improvements and utility upgrades to the property where the facility will be built.

THE CHILD HEALTHCARE CRISIS RELIEF ACT

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. KENNEDY. Madam Speaker, today I am introducing the Child Healthcare Crisis Relief Act. This legislation addresses the critical mental health needs of our children, and shortage of providers available to meet those needs.

In 1999, then Surgeon General Dr. David Satcher noted the crisis faced by our Nation's children who suffer from mental illness. According to this report, one out of every five children in America suffers from a diagnosable mental disorder, yet only one-third of them receive mental healthcare treatment. Part of the reason for this alarming statistic is that mental health services specific to children are in very short supply.

That is why today Congresswoman ILEANA ROS-LEHTINEN and I are introducing the Child Healthcare Crisis Relief Act. This is a bill designed to help alleviate the scarcity of mental health services for our Nation's youth by providing incentives for mental healthcare workers to specialize in the treatment of children and adolescents.

The Child Healthcare Crisis Relief Act creates incentives to help recruit and retain child mental health professionals providing direct clinical care, and to improve, expand, or help create programs to train child mental health professionals by establishing:

Loan repayment and scholarships for child mental health and school-based service professionals to help pay back educational loans;

Grants to graduate schools to provide for internships and field placements in child mental health services;

Grants to help with pre-service and in-service training of paraprofessionals who work in clinical mental health settings for children; and

Grants to graduate schools to help develop and expand child and adolescent mental health programs.

This bill also allows for an increase in the number of Child and Adolescent Psychiatrists under the Medicare Graduate Medical Education Program and extends the board eligibility period for residents and fellows from four years to six years.

The Child Healthcare Crisis Relief Act is not only about providing incentives for health care

workers, it is also a bill about expanding treatment options for children in need. Expanding treatment options expands the opportunities for children with mental health concerns and allows them to grow and become happy and productive members of our society.

The hope and the potential for endless possibilities that we, as a people. attribute to children are diminished with each child who struggles with mental illness and who does not receive adequate treatment. I, therefore, ask my colleagues to lend their support for my Child Healthcare Crisis Relief Act.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. STARK. Mr. Speaker, I rise today in support of H.R. 1256, the ''Family Smoking Prevention and Tobacco Control Act.''

This bill will provide the FDA with the authority to restrict the marketing and sale of tobacco products, prohibit false or misleading product claims, and establish tougher tobacco product standards to better protect the public health. It also requires premarket approval of all new tobacco products and sets forth new, stronger standards for warning labels.

Although we've known about the dangers of tobacco use for decades, smoking remains alarmingly common among our Nation's youth. Every day 1,000 youths become regular, daily smokers, and almost 80 percent of new tobacco product users were underage when they started smoking.

Smoking is the leading preventable cause of death in our country and, according to the Institute of Medicine, accounts for more deaths than AIDS, alcohol, cocaine, heroin, homicide, suicide, motor vehicle crashes, and fires combined. Furthermore, the Center for Disease Control and Prevention estimates that cigarette smoking costs over $193 billion per year in health care costs and lost productivity.

We cannot allow tobacco companies to continue to engage in underhanded product design, marketing, and sales tactics directed toward our children. Stemming the tide of underage smoking will improve our public health, lower our Nation's health care spending, and cut down on preventable deaths. This bill is a significant step forward in the fight against underage smoking, and I urge all of my colleagues to join me in voting for the Family Smoking Prevention and Tobacco Control Act.

PERSONAL EXPLANATION

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. ROSS. Madam Speaker, on Tuesday, March 31, 2009, I was not present for rollcall vote 170.

Had I been present for rollcall 170, H.R. 577, the Vision Care for Kids Act of 2009, I would have voted ''yea.''

IN HONOR OF TEMPIE LYNN ARMSTRONG PATRIOT AND VETERANS' ADVOCATE

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. SESTAK. Madam Speaker, I rise today to honor an exceptional American, Ms. Tempie Lynn Armstrong, who suddenly passed from us on January 27, 2009.

Born February 22, 1967 to Paul and Sara Jane Armstrong as their youngest of 5 children, she was raised with her sisters Patricia, and Jeanie and brothers David and Paul in Wagontown, Pa. Tempie and her siblings were very close and loved each other dearly. Her relationship with Jeanie was the closest of all. There were so inseparable, they were frequently considered to be twins. Each was always there for the other through good times and bad. Their lives traveled parallel paths and their love for one another is eternal.

Tempie also had great affection for, and took enormous pride in, her nephews and nieces, Bryan, Paul Jr, Michael, Amanda and Emily. Her relationship with each was loving and unique. However, as Tempie, Jeanie, Donald and Bryan all shared the same home she had a special relationship with Bryan and was always certain that he would be grow to become a truly great man.

A 1985 graduate of Coatesville Area High School, Tempie was a very good student. While in high school, she entered into a work study program at Coatesville Veterans Administration Medical Center (VAMC). Immediately, she knew that she wanted a career in the Veterans Administration helping those extraordinary men and women in their time of need. She fulfilled that ambition and in twenty-five years of honorable service with our government, she proudly served thousands of hospitalized veterans and their families. Her colleagues would often hear Tempie cheering up Veterans by joking with them about her cats ''Phil and Lil'', and her dogs ''Bear, Maggie, and Rupert''. Her love of animals was just behind that of her family 'her Vets'.

For the past seventeen years, she served as the Administrative Support Assistant for the Coatesville VAMC Community and Congressional Affairs office. In that capacity she worked very closely with her supervisor and true friend, Andy Pahountis. The two of them fought tirelessly to meet the daily needs of our nation's Veterans. In addition to their considerable responsibilities at the medical center they also created a superior outreach program to make the public aware of the worthy mission and noble patients of Coatesville VAMC. The love and respect they had for each other was unsurpassed. Tempie was also a close friend to Andy's wife, Carole and considered part of the family by Andy's children Leah and Gregory. Together they spent countless hours at the beach along with Andy's Labrador retrievers Maddie and Lexy. Their friendship will never be forgotten and always treasured.

For the past eight years she was the hub of the Coatesville VAMC community. Her relationships with her friends and co-workers, Jack, John, Jeff, Judi, Wayne, and many others were founded on mutual respect and affection. She worked very closely with Congressional Offices in Pennsylvania, New Jersey and Delaware as well as dozens of Veteran Service Organizations. Everyone who worked with Tempie knew they could depend on her.

Madam Speaker, tragically and unexpectedly, Tempie Lynn Armstrong died recently during surgery for a cardiac condition. When she passed there was great sorrow throughout the proud Coatesville VAMC and among thousands of patients past and present. There, life without Tempie will never be the same. I ask that this chamber pause and join Veterans and their families everywhere in acknowledging the many contributions made by Tempie Armstrong to her family and friends, our Veterans and our nation. We have lost a great American.

WILLARD V. MEYER

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor Pastor Willard V. Meyer of Zion Lutheran Church in Bethalto. Pastor Meyer is retiring after 40 years of ministry. Thirty years of his ministry has been served at Zion Lutheran Church.

Pastor Meyer started his service at Zion Lutheran Chuch as the Youth Minister and later became the Senior Minister. Pastor Meyer, and his wife Stephanie, are well loved by their congregation and his service will be missed.

As the chuch is celebrating their sesquicentennial this year, Pastor Meyer was quoted in The Telegraph saying,—''Although many, significant, and profound changes have taken place at Zion over these 150 years, what has been constant and unchanging are the proclamation of the good news of salvation through faith in Jesus Christ and the ministry of sharing that love of Christ throughout the community and the world.'' Pastor Meyer's remarks could have well been said about his own ministry, constantly proclaiming the good news of Jesus Christ.

Pastor Meyer's words also bring to mind Colossians 3:23–24, ''And whatsoever ye do, do it heartily, as to the Lord, and not unto men; Knowing that of the Lord ye shall receive the reward of the inheritance: for ye serve the Lord Christ.'' For the last 40 years, this could be said of Pastor Meyer's ministry as well.

I praise God for Pastor Meyers 40 years of service to Him. I extend my best wishes to Pastor Meyer for an enjoyable retirement celebration on April 19, 2009. May God richly bless him and his family in the years to come.

IN HONOR OF THE 40TH ANNIVERSARY OF THE PSI GAMMA CHAPTER OF THE OMEGA PSI PHI FRATERNITY, INC. OF KENT STATE UNIVERSITY IN KENT, OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of the 40th Anniversary of the Psi Gamma Chapter of the

Omega Psi Phi Fraternity, Incorporated, a proud heritage reflecting four decades of leadership, service, unity, academic achievement and pride.

In March of 1968, the first young men were initiated into the Omega Psi Phi Fraternity at Kent State University. On April 1, 1969, the Psi Gamma Chapter was chartered at Kent State University. The '68 founding line, the Devine 9, built a foundation of brotherhood and social action, taking up the torch that their brothers carried before them. In 1969, the Defiant 9 were the first bloodline to form at Psi Gamma Chapter at Kent State University, living up to their name as leaders in defiance of social injustice, ignorance and racism, and champions of the Four Cardinal Principals: Manhood, Scholarship, Uplift and Perseverance.

The Omega Psi Phi Fraternity of Kent State University collectively stands on the courageous shoulders of the young men of Howard University in Washington, DC, where the first young black men united in brotherhood and in their universal goal of advancement, civil rights and opportunity for all.

Madam Speaker and Colleagues, please join me in honor and recognition of every member and leader of the Psi Gamma Chapter of the Omega Psi Phi Fraternity at Kent State University, as we join them in celebrating forty years of young black men in brotherhood, service to others and action for the cause of civil rights. The young black men of Psi Gamma Chapter, and the young black men of black fraternities across the country, were a critical influence in the changing course of race in America—and continue to serve as a force of advancement, hope and change—one young man, one chapter at a time. This brotherhood, fortified with an education and unified agenda proudly raised the torch of freedom and the hope for justice and liberty for all, paving the way for civil and human rights and changing the social landscape of our nation forever—from the Psi Gamma Chapter House of Kent State University, to the White House of Washington, DC.

HONORING MARY BARCIKOWSKI

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Mrs. Mary Barcikowski, recently awarded the 2008 Congressional Volunteer Recognition Award by the 2nd Congressional District of Maryland's Veterans Advisory Council. Mary has been selected to receive this award because of her volunteer service at the VA, based on her outstanding dedication to serving the needs of veterans within her community.

Veterans of the United States Armed Forces have dedicated themselves to protecting the lives of every American. Their service to our Nation deserves the highest level of gratitude. It is of the utmost importance that we take the time to recognize the individuals who give of their time and talents to support veterans and ensure their comfort, care, and well-being.

Mrs. Barcikowski is the Business Manager of Public and Community Relations at the Baltimore VA Rehabilitation and Extended Care Center (BRECC). Throughout her years of service as an employee of the VA, she has served as the Coordinator of Voluntary Services at the BRECC, and has been employed at Perry Point VA Medical Center. Despite obligations to her family and her ailing father, Mary has given time and money to support veterans on several occasions.

Madam Speaker, I ask that you join with me today to honor Mrs. Mary Barcikowski. Her compassion and dedication to veterans of the U.S. Armed Forces has become an inspiration to us all, and is deserving of the utmost gratitude. It is with great pride that I congratulate Mary on her exemplary service as an advocate and a volunteer.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

SPEECH OF

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 1, 2009

The House in Committee of the Whole House on the State of the Union for the 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 thruogh 2014:

Mr. KIND. Madam Chair, I rise today in support of H. Con Res. 85, the Budget Resolution for Fiscal Year 2010.

Budgets are all about priorities. This budget makes it clear that the priorities of this Congress are the priorities of the American people. During the greatest economic crisis our country has seen in a generation, the budget before us starts us on a pathway to recovery.

The resolution makes critical investments in education, health care reform, and energy independence that are necessary to restore our economy and put the country in a position to remain globally competitive. Additionally, the budget begins the tough work of returning to responsible fiscal policies.

This budget builds off of the strong commitment Congress made earlier this year in the American Recovery and Reinvestment Act (ARRA), which provided approximately $53 billion for the Department of Education, with further support for early childhood education, the tools to achieve high standards for elementary and secondary school students, and efforts to help more Americans obtain a college degree. By investing in our children, we are investing in our future and the prosperity of our country.

I remain convinced that in order to turn our country's economy around, we must transform our outdated, inefficient, and costly health care system. This budget commits to doing so. Not only does the budget resolution make critical investments in medical research and innovation, it also provides a framework for comprehensive health reform. I look forward to working with the Speaker to achieve this critical goal.

It is clear that if our country wants to remain competitive, modernizing our health care system is not our only challenge. We also must reduce our dependence on foreign oil. This addiction does not just undermine our national security, but it threatens our environment. The energy challenges our country faces are severe and have gone unaddressed for far too long. Although there were significant investments and tax incentives made in ARRA, this budget goes further by supporting more renewable energy and energy efficiency programs. Finally, the budget includes instructions on legislation that will promote energy independence over the long run.

Finally, and most importantly, this budget cuts the deficit in half in just over four years. In 2001, the previous Administration inherited record budget surpluses—$5.6 trillion projected over ten years—but squandered it all and more, leaving a record deficit of over $1 trillion for 2009 alone. The President did a very tough and honorable thing this year when he presented his budget to Congress with an honest assessment of our financial situation, marking a return to budgeting and fiscal responsibility principles that will help get our fiscal house back in order.

Serious and swift government action was absolutely needed at the beginning of the year to help put our economy on the road to recovery, but now that ARRA has passed it is equally as important to start addressing unfunded obligations we will have down the road. I have long been a proponent of a fiscal commission to examine our long term fiscal obligations and make legislative recommendations to Congress. I fully supported the bipartisan budget summit earlier this year and was happy to participate in the meetings. I know the President is as committed to this issue as I am and I look forward to working with him further on solving our long term fiscal challenges. This budget is a good step in the right direction.

The Budget Resolution before us today makes the tough decisions to get our economy and country back on track. I urge my colleagues to vote yes on this common sense responsible Budget Resolution.

EDWARD M. KENNEDY SERVE AMERICA ACT

SPEECH OF

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. TIAHRT. Mr. Speaker, Americans have a long history of volunteerism to better their communities and help their fellow citizens. Benjamin Franklin created one of the first volunteer fire departments in Philadelphia in 1736. In 1881, Clara Barton created the American Red Cross to provide assistance in response to disasters. Six years later, the first United Way was created in Denver to help plan and coordinate local charitable services. In each case, people sacrificed their time and money for a cause in which they believed. This model has not only served our nation well for over 250 years, but has also taught generations of Americans the value of sacrificial actions. The vast majority of charitable programs still operate with great success using unpaid volunteers.

After centuries, some now believe that government should take over this practice and pay people to "volunteer." In 1993, AmeriCorps was created, implementing this

backwards notion. Today's bill, H.R. 1388, the Generations Invigorating Volunteerism and Education Act, continues this failed policy of "paid volunteerism."

I oppose H.R. 1388. When the government pays "volunteers" and determines which programs will benefit, this sends the wrong message. "Paid volunteerism" cheapens the honest efforts of millions of people who volunteer at their local church, food hank, or after-school program. It teaches future generations that volunteerism should result in material reward. The basic principles of volunteerism are lost.

"Paid volunteerism" also picks winners and losers among charities—allowing the government, instead of the American people, to determine which charities hold value in our society. H.R. 1388 allows politically motivated liberal organizations, such as Planned Parenthood, Legal Services Association, and ACORN, to receive "paid volunteers" to advance their radical agenda.

Not only does H.R. 1388 distort the value of volunteerism, but it proposes spending $6 billion over five years to expand and authorize programs that have been audited and considered ineffective by the Office of Management and Budget. In a time of spiraling deficits, I believe we must look for ways to cut the deficit—not increase it with wasteful programs.

I am proud that America is the most compassionate and generous nation in the world. Our shared value of giving back to our communities has made this nation great. Encouraging volunteerism is a wonderful thing for our people and society. H.R. 1388, unfortunately, does the opposite. Therefore, I ask all my colleagues to join with me in opposing this legislation and upholding the principles of charity.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 1, 2009

Mr. HOLT. Mr. Speaker, I rise today to voice my support of H.R. 1256, the "Family Smoking Prevention And Tobacco Control Act."

I feel strongly about the dangers of cigarettes and the need for regulation by the Food and Drug Administration (FDA). The dangers of smoking are well known—about one in five deaths in the United States can be attributed to tobacco products, which adds up to 440,000 Americans killed every year. Another 50,000 people die every year from secondhand smoke. Many of these deaths are linked to the thousands of harmful chemical compounds in every cigarette, including benzene, arsenic, formaldehyde, and ammonia.

I am pleased to be an original cosponsor of the H.R. 1256. This legislation would require the regulation of tobacco products by the FDA. This legislation would also require cigarette manufacturers to print warning labels with text warnings detailing the smoking related diseases such as lung, heart, or mouth cancer. The warning labels are required to occupy 30 percent of the front and rear panels of a cigarette package, carton, or advertisement.

Unfortunately, the lack of sufficient regulatory authority means that while the FDA works to keep harmful chemicals out of everyday food products, they have no ability to do the same with cigarettes. This bill, which enjoys the support of almost 700 public health groups, faith associations, and other organizations from around the country, would ensure that consumers are adequately informed about the real risks of tobacco use and protected from misleading advertising.

I have long supported giving the FDA clear authority to regulate cigarettes and other tobacco products and I urge my colleagues to pass this legislation granting them such authority.

CONGRATULATING BOONE COUNTY ON THE OPENING OF A NEW JAIL AND LAW ENFORCEMENT FACILITY

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BOOZMAN. Madam Speaker, I rise to congratulate the citizens of Boone County, Arkansas on the opening of a new Jail and Law Enforcement Facility.

As Boone County has grown over the decades, the need for a modern jail and law enforcement facility became apparent. Ground was broken for this 27,000 square-foot building in August 2007, and less than 2 years later we have an excellent facility that will help us in the fight to keep the county safe. The people of Boone County should be proud of their new facility.

Thanks is due to my friends Sheriff Danny Hickman and Judge Mike Moore for their leadership, and to the Quorum Court and other elected officials for their hard work. Also, a local ¼ cent sales tax increase was passed to fund construction of this facility, so it is proper to acknowledge that the taxpayers are truly the ones who have enabled the construction of this facility.

We all know and understand that law enforcement is vital to keeping our homes secure, our streets safe, and communities prosperous. This new facility would not have been built without the efforts of everyone working together, and they have my congratulations.

HONORING SUSAN KERN

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Mrs. Susan Kern, recently awarded the 2008 Congressional Volunteer Recognition Award by the 2nd Congressional District of Maryland's Veterans Advisory Council. Susan has been selected to receive this award because of her volunteer service at the VA, based on her outstanding dedication to serving the needs of veterans within her community.

Veterans of the United States Armed Forces have dedicated themselves to protecting the lives of every American. Their service to our Nation deserves the highest level of gratitude. It is of the utmost importance that we take the time to recognize the individuals who give of their time and talents to support veterans and ensure their comfort, care, and well-being.

Mrs. Kern is the Program Manager for Voluntary Services at the Baltimore VA Rehabilitation and Extended Care Center. Throughout her years of service as an employee of the VA, she has consistently gone out of her way to become an advocate for veterans. She has traveled to various events to speak on behalf of veterans, and has arranged extra times for volunteers to get identification badges. Volunteers must go through a certification process including an exam in order to give of their time. Susan has gone out of her way to make sure every volunteer has the opportunity to take the exam at a convenient time. Because of her commitment, more people are able to become volunteers at the VA.

Despite having a family and many personal obligations, Mrs. Kern does most of these activities outside of work, on her own time.

Madam Speaker, I ask that you join with me today to honor Mrs. Susan Kern. Her compassion and dedication to veterans of the U.S. Armed Forces has become an inspiration to us all, and is deserving of the utmost gratitude. It is with great pride that I congratulate Mrs. Kern on her exemplary service as an advocate and a volunteer.

IN REMEMBRANCE OF VIJAYA EMANI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Vijaya Emani, a profoundly respected and well known leader throughout Northeast Ohio for her work promoting peace, her work with Cleveland's Asian-Indian American community and for working to bring Cleveland's many international communities together.

Vijaya was killed in a tragic accident on the Ohio Turnpike on January 15, 2009, at the age of 51. On that morning Vijaya was on her way to work at Kent State University when she stopped to help crash victims along an icy stretch of the turnpike. She is being honored by the Cleveland Cultural Gardens Federation on April 14 at its Annual Spring Dinner at Karlin Hall in Cleveland's Slavic Village.

Vijaya was an active member of the Asian-Indian community of Greater Cleveland and served at the President of the Federation of Indian Community Associations in Cleveland. Due to her leadership, India is now among the many international countries represented in the Cleveland Cultural Gardens in Rockefeller Park. The Cleveland Cultural Gardens is an internationally known site which serves to represent the numerous diverse ethnic groups which continue to make Cleveland and the United States into the diverse, egalitarian, and pluralistic society we enjoy. Prior to Vijaya's involvement, representation at the Cleveland Cultural Gardens was mainly European; however, following the dedication of the India Cultural Garden, we celebrated the opening of the African-American and Azerbaijani gardens and plans are now underway for Native American, Hispanic, Syrian, Philippine, and Vietnamese gardens.

The India Cultural Garden is also significant for the giant statue of Mohandas K. Gandhi for

which Vijaya worked to raise money for. She was a tireless advocate for peace, a Hindu, and a follower of the teachings of Gandhi. She was instrumental in bringing in Mahatma Gandhi's grandson Rajmohan Gandhi, to speak at One World Day at Rockefeller Park last year. Another aspect of Vijaya's quest for world peace was her participation in Toastmasters International. She appreciated Toastmasters founder Ralph Smedley's belief that if people could communicate better with one another, they could break barriers to peace. Vijaya was an active member of the Crossroads Toastmasters club in Strongsville and Toastmasters District 10 in Northern Ohio. She received the one of the highest honors last year when she received the Advanced Communicator Silver award by the Toastmasters International.

Vijaya used her communication skills to advocate peace not only among nations, but among families. She bravely broke her own silence about domestic violence, which even today is not widely discussed among immigrant families. After her own experience, she counseled other immigrant wives and girlfriends trapped in abusive relationships. She brought together fellow community activists in Cleveland's international community to form a coalition to confront domestic violence in immigrant communities.

Madam Speaker and colleagues, please join me in remembrance of one of Cleveland's great champions of peace, Vijaya Emani. She developed her skills as a communicator and community organizer to bring peace in the home and peace in the world. The Greater Cleveland community will surely miss the presence of Vijaya at community events, but the passion and commitment she brought to everything she did will never be forgotten. Our condolences go out to her daughters Sujata and Nirmala, and her extended network of family and friends around the world.

INTRODUCING THE INACTIVE ACCOUNT CLOSURE NOTIFICATION ACT

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mrs. DAVIS of California. Madam Speaker, I rise today to introduce the Inactive Account Closure Notification Act, which protects consumers from having their credit cards closed and their credit scores lowered against their will.

Under current law, credit card companies can close an inactive account without providing any prior notification to the customer.

Often, the customer does not know his or her credit card account is being closed until after the fact.

Because of the way credit scores are calculated, unilateral account closures can lower the credit scores of consumers.

In addition, because credit card companies are only closing inactive accounts that do not carry a balance and do not incur fees or finance charges, the consumers that are seeing their credit scores penalized are likely to be the most responsible borrowers.

Just the other day, I heard from a woman in my district who recently had her credit card terminated for inactivity.

She had never missed a payment on her card and had excellent credit prior to her account being closed.

Her credit card company gave her no early warning that it was planning to terminate her account.

Had she received notification that the company was planning to close her account due to inactivity, she would have been more than happy to use the card again.

She even called the company to see if it would be willing to reopen her account if she used her card, but was told no.

These stories are not unique to my home district of San Diego. Consumers all over the country are going through the same exact experience.

I request permission to enter into the RECORD an article from the Wall Street Journal from March 11 of this year detailing the havoc these account closures are wreaking on the credit scores of consumers across our nation.

The bill I am introducing today—the Inactive Account Closure Notification Act—will protect consumers by requiring credit card companies to provide customers with a 60-day notification before they can close their accounts for inactivity.

During this 60-day period, customers can use their credit cards to prevent their accounts from being closed.

If an account has been closed for inactivity, a customer will still have 30 days to contact the credit card company requesting that his or her account be reopened.

With lenders dramatically tightening their standards in the current economic climate, even a small dent in a consumer's credit score can severely impact his or her ability to take out a mortgage, start a small business, buy a car, or pay for college.

Responsible consumers deserve to have advance warning that their credit cards will be closed and their credit scores will be lowered.

Help me protect our consumers.

I urge the adoption of the Inactive Account Closure Notification Act and yield back my time.

[From the Wall Street Journal, Mar. 11, 2009]

CREDIT CARD ISSUERS: BUY SOMETHING OR ELSE!

(By Kelli B. Grant)

One of the biggest causes of the financial crisis was that Americans were borrowing (and spending) more money than they could afford to pay back.

So how are credit-card issuers reacting to consumers' attempts to live a more financially responsible lifestyle? They're threatening to cut their credit cards off if they don't spend enough.

Loretta Maxwell of Troy, Mich., thought her credit score of 790 buffered her against most of the fallout of the credit crunch. When Chase closed her $6,000-limit card in December without warning after two years of inactivity, she called to fight it. She was unsuccessful. ''If you're not using it, they entice you to do so, and then the moment you don't spend enough, they cut your limit,'' she says. (Chase says it is standard practice is to review inactive accounts. ''Inactive cards with large open credit lines present a real risk of fraudulent use and large potential liabilities for Chase,'' says spokeswoman Stephanie Jacobson.)

Maxwell's experience is far from an isolated incident. Most major issuers, including Chase, Bank of America, American Express and Citibank have been slashing credit lines and closing the accounts of those who don't spend on their card regularly. While these issuers are required to notify you in writing of an account closing, there's no requirement that they do so in advance. Even when they do give early notice, the only way a cardholder can stop their account from getting shut down is to start spending again.

In December, Discover reported that it closed three million accounts during 2008 due to inactivity, and plans to cull up to two million more. A Discover spokeswoman says the issuer is constantly reevaluating cardholder's credit and assessing whether they have the most appropriate credit line and product. Capital One is suspending accounts that have been inactive for at least a year, warning account holders they only have 60 days to redeem their rewards. ''Some of these accounts had literally never been used,'' says spokeswoman Pamela Girardo. A spokeswoman for Bank of America, meanwhile, says the bad economy prompted it to close accounts with zero balances that have been inactive for more than a year. American Express spokeswoman Lisa Gonzalez says it periodically reviews inactive accounts for cancellation. Citibank did not respond to requests for comment.

From a business perspective, cutting off certain customers is a smart financial move, says Sanjay Sakhrani, an analyst with investment bank Keefe, Bruyette & Woods. Closing rarely-used accounts lowers a card issuer's risk profile by keeping their potential liabilities (i.e., the amount of credit available they extend to cardholders) from outweighing their assets. Inactive accounts also cost the issuer money to maintain, without providing the benefit of income from interest or merchant fees, he says.

For consumers, however, closing accounts can be devastating—especially to their credit score. Your credit utilization ratio—the amount of your debt in relation to the amount of your available credit—comprises 30% of your score, says Craig Watts, a spokesman for Fair Isaac Corporation, the company that calculates and issues the FICO credit score that most lenders use. So when an account is closed, you have less credit available to you—and the ratio immediately jumps higher. A person with a solid credit score of 720 or so, whose utilization ratio jumps from 35% to 75% after one of their accounts is closed is likely to see their score drop by ''several dozen points,'' to somewhere in the 600s, he says. That's a far cry from the 760 (or higher) consumers need to get the best rates from lenders.

One thing that somewhat softens the blow is that FICO factors in closed accounts when calculating the longevity of your credit history, which accounts for 15% of your score. While lenders may make a note on your report indicating whether the account was closed by them or you, the information isn't used in the scoring formula, says Watts.

Ironically, an excellent credit score can actually serve as more of a bulls-eye than a shield, says Dennis Moroney, a research director and senior analyst for consulting firm Tower Group. He says banks figure they can limit cardholder backlash by targeting consumers with few debts and plenty of other accounts. That way, a closed account won't have as much of a detrimental effect on their creditworthiness.

Even years of loyalty and regular spending won't spare some cardholders. David Good of Houston, used to be devoted to American Express, with which he had two credit cards: an unlimited charge account and a $7,500 revolving account. Yet a solid credit score, eight years of on-time payments and fairly frequent purchases on the cards—including more than $100,000 last year alone—weren't enough to save his accounts. In December, Good received a written notice that the

issuer had closed both due to ''low activity in the past six months.'' ''I was shocked,'' he says. ''They lost my trust, totally.'' (American Express declined to comment on Good's or any other individual's accounts.)

New Yorker Veronica Eady Famira was vacationing in Germany when she discovered that her $1,500-limit Delta SkyMiles card from American Express had been shut down. ''I must have spent $300 in cellphone charges calling banks,'' she says. ''I was pretty stranded.'' Adding insult to injury, Famira had just earned a free companion ticket on the card valued at up to $400 for a domestic flight—now she can't redeem the ticket.

CONGRATULATING EUGENIA ARMBRECHT FOR BEING NAMED FIRST LADY OF MOBILE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BONNER. Madam Speaker, it is with great pride and pleasure that I rise today to honor Mrs. Eugenia Armbrecht on the occasion of her being named First Lady of Mobile. The Mobile chapters of Beta Sigma Phi, an international women's network with over 165,000 members, recently bestowed this honor on her.

Known to her many friends as ''Gigi,'' she is a tireless volunteer and has devoted her entire life to improving the lives of countless people who call Mobile and south Alabama home.

Gigi moved to Mobile from Galveston, Texas, just in time for her senior year at Murphy High School. Following graduation, she moved to Tuscaloosa where she attended the University of Alabama and received a bachelor's degree in education. She met her future husband, Conrad Armbrecht, in Tuscaloosa, and after graduation, they moved to Mobile where she began teaching first grade.

She soon developed an interest in special education and began working on her first master's degree at the University of South Alabama. Gigi also began giving much of her time as a volunteer for Mobile United, and by 1988, she was a paid employee of the organization. Ten years later, she was recruited to join AT&T, and she now serves as manager of regional and external affairs for the company.

Gigi was also honored this year as a distinguished University of South Alabama alumna and the Junior League of Mobile's Sustainer of the Year.

Madam Speaker, I would like to offer my personal congratulations to Mrs. Eugenia ''Gigi'' Armbrecht for being named this year's First Lady of Mobile; truly, no one is more deserving of this high honor. And in so doing, I would also like to recognize Gigi for her lifetime of outstanding professional and philanthropic accomplishments; she is truly a role model for our entire community.

Furthermore, I would ask my colleagues to join me in congratulating this respected and dedicated friend to many throughout south Alabama. I know Gigi's family; her husband, Conrad; their two wonderful children, Stewart and Amanda; her granddaughter and her many friends and other family join me in praising Gigi's accomplishments and extending thanks for her never-ending efforts to make south Alabama a better place to live and call home.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PASCRELL. Madam Speaker, I want to state for the record that yesterday, April 1st, I was in my district attending the funeral of my mother Roffie Pascrell, who recently passed away at the age of 95, and I therefore missed the 8 rollcall votes of the day.

Had I been present I would have voted ''yea'' on rollcall vote No. 175 on the Motion to Table the Resolution—H. Res. 312.

Had I been present I would have voted ''yea'' on rollcall vote No. 176 On Agreeing to the 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—H. Res. 305.

Had I been present I would have voted ''yea'' on rollcall vote No. 177 On Agreeing to the 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—H. Res. 306.

Had I been present I would have voted ''yea'' on rollcall vote No. 178 On Motion to Suspend the Rules and Pass, as Amended End Government Reimbursement of Excessive Executive Disbursements (End GREED) Act—H.R. 1575.

Had I been present I would have voted ''yea'' on rollcall vote No. 179 On Motion to Suspend the Rules and Agree 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—H. Res. 290.

Had I been present I would have voted ''nay'' on rollcall vote No. 180 On Agreeing to the Amendment—Bean of Illinois Amendment to H.R. 1664.

Had I been present I would have voted ''yea'' on rollcall vote No. 181 On Agreeing to the Amendment—Dahlkemper of Pennsylvania Amendment to H.R. 1664.

Lastly, had I been present I would have voted ''yea'' on rollcall vote No. 182 On Passage 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.R. 1664.

SALUTING THE SERVICE OF FRED V. KROEGER

HON. JOHN T. SALAZAR

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. SALAZAR. Madam Speaker, this evening, the Southwestern Colorado Water Conservation District will bid farewell to a most dedicated, knowledgeable and remarkable man who has served on its board for 55 years.

Fred V. Kroeger of Durango, Colorado is a devoted man—to his family, his community and water resources.

Fred was born in 1918 in Durango, Colorado and he lived there all his life. He graduated from Fort Lewis College and he made his home there with his beloved wife Eleanor. Fred and Eleanor raised their children in Durango and operated a business there—Kroeger's True Value Hardware.

But Fred's grandfather and father were tied to the rural land and the agricultural economy of the region, and Fred's commitment to the farmers and ranchers who were his neighbors continued throughout his life. That commitment was evidenced by Fred's steadfast support for the Animas-La Plata Project, which was to deliver water to the ''dry side'' so that those farmers and ranchers could thrive with a more reliable and generous water supply. To this day, Fred bemoans the loss of the irrigation features of the project, which is now nearly complete but is limited to municipal and industrial supplies.

Indeed, the first water meeting Fred attended was with the Southwestern District to discuss the Animas-La Plata Project in 1948. In addition to serving on that board, Fred served on the Animas-La Plata Water Conservancy District board for 24 years, the Colorado Water Conservation Board for 21 years and has been a member of the Colorado Water Congress for 51 years.

That organization bestowed upon Fred the prestigious Wayne Aspinall Water Leader of the Year Award, given in the name of one of my predecessors who chaired the then-House Interior Committee where many of the water projects Fred Kroeger fought for were developed.

Fred was active in his community and its civic and cultural organizations. He always carries a little pocket calendar with him, and it is jammed with meeting commitments to boards, business, family and friends.

At 91, Fred has decided to free up some of those days on the calendar, and so he decided to retire from the Southwestern District board. He richly deserves the recognition he will receive tonight from his colleagues. I offer not only my congratulations to him on his retirement, by a little regret that he will be leaving and a mountain of respect for what he has given to the water resource community.

HONORING THE MEMORY OF ELIZABETH ANN PITTROFF COPELAND

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BONNER. Madam Speaker, the city of Mobile and, indeed, the entire State of Alabama recently lost a dear friend, and I rise today to honor Elizabeth Ann Pittroff Copeland and pay tribute to her memory.

Known to her many friends as Betty, she was a lifelong resident of Mobile. She graduated from The Visitation Monastery and was a lifelong member of St. Pius X Catholic Church. She married her husband of 58 years,

Reggie Copeland Sr., just three days before he was sent to Germany with the U.S. Army in 1950.

Betty's first priority was raising her children and later her grandchildren. She was known for seamstress skills and for being a prolific note-writer. Whenever she saw something in the newspaper about someone she knew, she would clip it out and send it to them with a personal note.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout south Alabama. Elizabeth Ann Pittroff Copeland will be dearly missed by her family—her husband, Mobile City Council President Reggie Copeland Sr.; their five children, Reggie Copeland Jr., Randy Copeland and his wife Alison, Gayle Phillips and her husband Lee, Riley Copeland and his wife Penny, and Russ Copeland and his wife Leigh; their 12 grandchildren, Tre' Copeland, Ryder Copeland, Randall Copeland, Anna Copeland, Grace Copeland, Jordan Phillips, Will Phillips, Riley Phillips, Conrad Copeland, Cunningham Copeland, Madison Copeland, and Anderson Copeland; and her sister, Mary Ellen Ham and her husband Victor—as well as the countless friends she leaves behind.

Our thoughts and prayers are with them all during this difficult time.

HONORING THE SERVICE OF C. RAY BAKER

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BOOZMAN. Madam Speaker, I rise today to congratulate the service and commitment of C. Ray Baker who has devoted his life to helping make ''Life worth living in Fort Smith, Arkansas.''

Ray Baker has been a lifelong champion of Fort Smith. He's shown his love for the community through serving its citizens for the past 19 years as Mayor.

He shared his enthusiasm for the community with the generations of students he taught over his 46 years as an educator. His legacy is far reaching beyond the halls of Southside High School where he taught for 44 years.

He has received numerous awards and commendations for his years in the classroom including being named Arkansas PTA Teacher of the Year, a Milken Family National Educator, Arkansas Teacher of the Year and Daughters of the American Revolution National American History Teacher of the Year.

Teaching was only one passion, he has dedicated countless hours volunteering for civic service organizations and the energy he brings to ribbon cuttings, groundbreakings and awards ceremonies and special community events is contagious. His dedication to Fort Smith has inspired an award named after him, the ''Ray Baker Lifetime Achievement Award.''

Ray is a true American hero. He has had a tremendous impact on me because of the way he lives his life.

His energetic spirit has given us all strength, and we are fortunate to have his leadership and dedication. Fort Smith is a better place because of Ray Baker.

CELEBRATING THE ACCOMPLISHMENTS OF STONY BROOK UNIVERSITY PRESIDENT SHIRLEY STRUM KENNY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. ACKERMAN. Madam Speaker, I rise today in recognition of Stony Brook University President, Shirley Strum Kenny, on the occasion of her being recognized as a Stony Brook University ''Star'' at the Tenth Annual Stars of Stony Brook Gala. In her numerous roles in the field of education, President Kenny has demonstrated her commitment to the principle that education remains the key to breaking down our own economic barriers and to securing our nation's standing in the world. I commend President Kenny for her commitment to public education and dedication to the egalitarian notion that a higher education should be affordable and accessible to all. This commitment is in the finest traditions of Stony Brook University and the State University of New York system as a whole.

In 1994, President Kenny began her tenure as the first woman President of the University. Since that time, Stony Brook has experienced a renaissance with expansions in the opportunities it provides across the board: from Division I Athletics to major improvements to the Stony Brook University Medical Center. During her presidency, enrollment has increased from 17,500 to more than 23,000, faculty numbers are up 8 percent, and demand for a Stony Brook University education has increased exponentially. With President Kenny's leadership, Stony Brook University has undertaken major construction projects, including the Charles B. Wang Center, a Stony Brook Manhattan campus, the Simons Center for Geometry and Physics, new buildings for Life Sciences, Humanities, and Engineering, and most recently, the Stony Brook University Southampton campus.

Concerned about our nation's educational system as a whole, President Kenny has been a leader for national reform. She launched and chaired the Boyer Commission on Educating Undergraduates in the Research University, which produced a report advocating a dynamic model of education that would engage students and inspire them to conduct research consistent with the unique resources of each institution. She has served as Chair of the Association for American Colleges and Universities, and as a board member of the Carnegie Foundation for the Advancement of Teaching.

President Kenny's impact on countless numbers of students, to whom she has dedicated her life and work, is immeasurable. For her selfless dedication to her students and commitment to advancing education for all, I ask all my colleagues in the House to please join me in honoring President Shirley Strum Kenny.

HONORING CHARLES W. BETZ

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Mr. Charles W. Betz, recently awarded the 2008 Congressional Volunteer Recognition Award by the 2nd Congressional District of Maryland's Veterans Advisory Council. Charles has been selected to receive this award because of his volunteer service and based on his outstanding dedication to serving the needs of veterans within his community.

Veterans of the United States Armed Forces have dedicated themselves to protecting the lives of every American. Their service to our Nation deserves the highest level of gratitude. It is of the utmost importance that we take the time to recognize the individuals who give of their time and talents to support veterans and ensure their comfort, care, and well-being.

Mr. Betz has been a strong advocate for veterans of the Armed Forces through his office as Post Surgeon and Hospital Chairman of the VFW. Not only does he give of his time to prepare and execute visits to the Baltimore VA Rehabilitation and Extended Care Center, but he and his wife also coordinate activities for the residents. Their group sing-a-longs and Bingo games are always received with much appreciation.

Despite personal health problems, with both knee and shoulder surgeries, Mr. Betz has continued to volunteer at least 30 hours a month.

Madam Speaker, I ask that you join with me today to honor Mr. Charles W. Betz. His compassion and dedication to veterans of the U.S. Armed Forces has become an inspiration to us all, and is deserving of the utmost gratitude. It is with great pride that I congratulate Mr. Betz on his exemplary service as an advocate and a volunteer.

INTRODUCTION OF THE LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2009

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. CONYERS. Madam Speaker, I am pleased to introduce the bipartisan Local Law Enforcement Hate Crimes Prevention Act of 2009, along with Representatives KIRK, FRANK, BIGGERT, BALDWIN, ROS-LEHTINEN, NADLER, BONO MACK and POLIS. This legislation will provide assistance to state and local law enforcement agencies and amend federal law to facilitate the investigation and prosecution of violent, bias-motivated crimes. Last Congress, this legislation passed with bipartisan support by a vote of 237–180. Bipartisan majorities have also voted in favor of hate crimes legislation for the last three consecutive Congresses. With a strong statement of Presidential support, the time has finally come for the enactment of this important legislation.

The Hate Crimes Prevention Act has attracted the support of nearly 300 civil rights, education, religious, and civic organizations. Importantly, virtually every major law enforcement organization in the country has endorsed the bill—including the International Association of Chiefs of Police, the National District Attorneys Association, the National Sheriffs Association, the Police Executive Research Forum, and 31 state Attorneys General.

At a time when our nation is celebrating its diversity, bias crimes are disturbingly prevalent

and pose a significant threat to the full participation of all Americans in our democratic society. In the wake of the November Presidential election, the Southern Poverty Law Center has detailed hundreds of hate crime incidents, vandalism and threats, including the election-night assault of Alie Kamara on Staten Island by two teenagers who shouted racial epithets and ''Obama!'' as they beat him. Moreover, statistics have shown hate crimes against Latinos and Asian Americans rising steadily over the past four years as the immigration has grown more intense. In the last eight months, there have three brutal hate-related murders of Latinos in New York and Pennsylvania. While intolerance may be in retreat, its presence is still felt in many minority communities.

The FBI has the best national data on reported hate crime, though the program is voluntary. Since 1991, the FBI has documented over 118,000 hate crimes. For the year 2007, the most current data available, the FBI compiled reports from law enforcement agencies across the country identifying 7,624 bias-motivated criminal incidents that were directed against an individual because of their personal characteristics. Law enforcement agencies identified 9,535 victims arising from 9,006 separate criminal offenses. As in the past, racially motivated bias accounted for approximately half (50.8 %) of all incidents. Religious bias accounted for 1,400 incidents (18.4 %) and sexual orientation bias accounted for 1,265 incidents—(16.6 %), followed by ethnicity/national origin bias with 1,007 incidents—(13.2%). While these numbers are disturbing, it is important to note that, for a variety of reasons, hate crimes are seriously under-reported.

Despite the deep impact of hate violence on communities, current law limits federal jurisdiction over hate crimes to incidents directed against individuals on the basis of race, religion, color or national origin—but only when the victim is targeted because he/she is engaged in a federally protected activity, such as voting. Further, the statutes do not permit federal involvement in a range of cases where crimes are motivated by bias against the victim's perceived sexual orientation, gender, gender identity, or disability. The federal government must have authority to be involved in investigating and prosecuting these crimes when state authorities cannot or will not do so.

This legislation, which is identical to the version approved in the 110th Congress, will strengthen existing federal law in the same way that the Church Arson Prevention Act of 1996 helped federal prosecutors combat church arson: by addressing the unduly rigid jurisdictional requirements under federal law. The bill only applies to bias-motivated violent crimes and does not impinge public speech or writing in any way. In fact, the measure includes an explicit First Amendment free speech protection for the accused modeled on the existing Washington state hate crimes statute. This bill will only apply to criminal conduct that is already being prosecuted.

State and local authorities currently prosecute the overwhelming majority of hate crimes and will continue to do so under this legislation. The federal government will continue to defer to state and local authorities in the vast majority of cases; the Attorney General or other high ranking Justice Department official must approve any prosecutions undertaken pursuant to this law, ensuring federal restraint. However, in appropriate circumstances, the federal government will be able to provide support for local prosecutions—an intergovernmental grant program created by this legislation will make Justice Department technical, forensic or prosecutorial assistance available. The legislation also authorizes the Attorney General to make grants to state and local law enforcement agencies that have incurred extraordinary expenses associated with the investigation and prosecution of hate crimes.

Hate crime statistics do not speak for themselves. Behind each of the statistics is an individual or community targeted for violence for no other reason than race, religion, color, national origin, sexual orientation, gender, gender identity, or disability. Law enforcement authorities and civic leaders have learned that a failure to address the problem of bias crime can cause a seemingly isolated incident to fester into widespread tension that can damage the social fabric of the wider community. The Local Law Enforcement Hate Crimes Prevention Act of 2009 is a constructive and measured response to a problem that continues to plague our nation. These are crimes that shock and shame our national conscience. They should be subject to comprehensive federal law enforcement assistance and prosecution.

CONGRATULATING DR. VIC MORGAN

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. RODRIGUEZ. Madam Speaker, I wish to congratulate my friend, Dr. Vic Morgan, as he formally retires after 18 years of serving as President of Sul Ross State University.

Throughout his tenure as President, Dr. Morgan has demonstrated strong leadership and a commitment to providing a valuable academic experience for the students of Sul Ross State University. Having begun his career at SRSU as an Associate Professor of Mathematics, Dr. Morgan is the first faculty member to be promoted from within the University to its highest position.

In addition to having fulfilled his responsibilities as President, Dr. Morgan remained extremely active in professional organizations in mathematics, student affairs, and educational administration. He has exemplified community service through his selfless work with the Church of Christ, the Lions Club, the Chamber of Commerce, and numerous youth related activities and organizations.

After a decorated career at Sul Ross State University, Dr. Vic Morgan will retire having left a lasting impact on so many students and teachers whose lives he's touched. As a former educator myself, I am especially thankful for his steadfast commitment to students and educators in Texas' 23rd Congressional District. I wish to extend my sincerest wishes to Dr. Vic Morgan and his family for a healthy and much deserved retirement.

HONORING THE DOGWOOD TRAIL MAIDS FOR PARTICIPATING IN THE NATIONAL CHERRY BLOSSOM FESTIVAL

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BONNER. Madam Speaker, I rise today to pay tribute to the Dogwood Trail Maids for being selected to participate in this year's National Cherry Blossom Festival.

Held annually, the Cherry Blossom festival commemorates the 1912 gift of 3,000 cherry trees from the mayor of Tokyo to the city of Washington and honors the lasting friendship between the United States and Japan.

Today, more than a million people travel to Washington each year to see the blossoming cherry trees and attend events that signal the beginning of spring in our Nation's capital.

For 49 years, the Dogwood Trail Pageant and Scholarship Program—comprised of six high school girls from Baldwin County—complete nearly 200 hours of community service and make more than 50 appearances, including festivals, charity runs and ceremonies. The trail maids were even invited to both of Governor Bob Riley's Inaugural parades.

Madam Speaker, I ask my colleagues to join me in congratulating the Dogwood Trail Maids for their participation in the 2009 National Cherry Blossom Festival. I know Baldwin County and indeed, the State of Alabama are so proud for these young ladies to travel to Washington and participate in the organization's first Cherry Blossom parade.

HONORING GARY CHASEY FOR ''CITIZEN OF THE YEAR'' AWARD

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. HENSARLING. Madam Speaker, I rise today to recognize the exceptional service and leadership of Mr. Gary Chasey of Athens, Texas. Mr. Chasey has served his community for years in many capacities and was recently recognized as the ''Citizen of the Year'' by the Athens Chamber of Commerce.

Gary, along with his wife, Sharon, volunteers with Court Appointed Special Advocates (CASA). Through this very special and important capacity, Gary has changed the lives of dozens of children in his community. As a CASA volunteer, he looks after the interest of children who are in the court system. He has spent countless hours advocating and watching over abused and neglected children.

For several years, Gary has served as President and Vice-President for Labor of Love of Henderson County. Labor of Love is an organization that repairs homes for those in the community who cannot afford to make repairs or complete maintenance tasks. As a leader in Labor of Love, Gary has helped increase completed projects by over 90%. His financial expertise, leadership and tireless work ethic have undoubtedly benefited countless citizens.

In addition, Gary is a member of the First Presbyterian Church and is active with the

Methodist Men at First United Methodist Church.

As the Congressman for the Fifth District of Texas, I am pleased today to recognize Gary Chasey for his many years of public service and countless contributions he has made to make his community and his country a better place. Gary, on behalf of all the constituents of the Fifth District, especially those in Henderson County, I would like to extend our most sincere thanks.

RECOGNIZING THE CONTRIBUTIONS SOUTH TEXAS COLLEGE BOARD OF TRUSTEES MEMBER MANUEL BENAVIDEZ, JR.

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. CUELLAR. Madam Speaker, I rise today to recognize the late Manuel Benavidez, Jr. for his service to the people of Starr County, the State of Texas, and the education community across the country. His life was a symbol of what hard work and desire can achieve. He was a respected member of his community and of the State of Texas and we will all miss him dearly.

Mr. Benavidez was born in La Grulla, Texas in 1952. A former migrant farm worker, he graduated from Rio Grande City High School and later attended Pan American University where he received a bachelor's degree in bilingual education. Education has been a focal point in Mr. Benavidez's life, where he has not just worked to educate himself but has dedicated himself to helping others enhance their lives through study.

In 1993, he was appointed to the South Texas College Board of Trustees as the representative for Starr County. He worked tirelessly to bring the first community college to the area and through the years he has been instrumental in bringing millions of dollars to the county for STC campuses. His testimony in support of the dual enrollment program was key to getting legislation passed that has helped families across Texas save millions of dollars on the cost of college tuition. His life has revolved around the idea of bettering his community by giving the residents of Starr County an equal opportunity to accessing higher education.

Madam Speaker, please join me in honoring Manuel Benavidez, Jr. for his lifetime of dedicated service to Starr County and to the education community across the country. He was a husband, a father, and an inspiration for all of us. He will be greatly missed.

HONORING VANESSA SCOTT

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Mrs. Vanessa Scott, recently awarded the 2008 Congressional Volunteer Recognition Award by the 2nd Congressional District of Maryland's Veterans Advisory Council. Vanessa has been selected to receive this award because of her volunteer service at the VA, based on her outstanding dedication to serving the needs of veterans within her community.

Veterans of the United States Armed Forces have dedicated themselves to protecting the lives of every American. Their service to our Nation deserves the highest level of gratitude. It is important that we take the time to recognize the individuals who give of their time and talents to support veterans and ensure their comfort, care, and well-being.

Mrs. Scott has been an advocate for veterans for the past 15 years. She has worked at both Fort Howard and the Baltimore VA Rehabilitation and Extended Care Center. While raising a family, Vanessa has given of her time to the sick and lonesome men and women in those VA facilities, such as spending her evenings playing Bingo with patients. Her unwavering dedication has inspired those who serve with her to provide exceptional service and care.

Madam Speaker, I ask that you join with me today to honor Mrs. Vanessa Scott. Her compassion and commitment to veterans of the U.S. Armed Forces has become an inspiration to us all, and is deserving of the utmost gratitude. It is with great pride that I congratulate Mrs. Scott on her exemplary service as an advocate and a volunteer.

TRIBAL LAW AND ORDER ACT OF 2009

HON. STEPHANIE HERSETH SANDLIN

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. HERSETH SANDLIN. Madam Speaker, today, I am pleased to reintroduce the Tribal Law and Order Act of 2009, critical legislation to address needs of law enforcement and justice services in Indian Country. I want to thank Senator DORGAN and his colleagues and staff on the Senate Indian Affairs Committee for their tireless dedication to these issues.

The Tribal Law & Order Act would establish accountability measures for the Department of the Interior and the Department of Justice with regard to tribal law enforcement. This bill also seeks to increase local control to tribal law enforcement agencies and to authorize additional resources for tribes to address the safety and security needs of their communities.

In June 2007, the House Committee on Natural Resources held a hearing on the Lower Brule Reservation in South Dakota. Entitled, The Needs and Challenges of Tribal Law Enforcement in Indian Reservations, tribal leaders and law enforcement officials from eight tribes testified for the need to improve government-to-government consultations between tribes and the federal agencies charged with supporting their law enforcement goals. Witnesses explained the need for more resources for officers, equipment, jails, and tribal courts.

For example, the Law Enforcement Department of Cheyenne River Sioux Tribe of South Dakota serves a population spread across 19 communities with a land base of approximately 2.8 million acres. Some of these communities are located as far as 90 miles away from department headquarters. With approximately 4,500 miles of roadways on the reservation, it often takes officers a considerable amount of time to address calls, including emergencies.

At current funding levels, the Cheyenne Rivers Sioux Tribe Law Enforcement Department is unable to provide adequate police protection to all of these communities. In FY08, the tribal police force was reduced by 10 patrol officers due to budget constraints. Now, officers are logging over 4000 hours of overtime each quarter, which leads to stress and strain on the officers and their families, and ultimately, undermines retention efforts and leads to communities that are not as safe as they should be.

From my work with tribal communities in South Dakota and as a Member of the Committee on Natural Resources, I know that Cheyenne River is not an extreme case. In fact, across all Indian Country, there are less than 3,000 tribal law enforcement officers to patrol over 56 million acres of land. This figure represents less than one-half of the law enforcement presence in comparable rural communities. This disparity is unacceptable and shameful.

The Tribal Law and Order Act is an important step to addressing the complex and broken system of law and order in Indian Country. This bill would clarify the responsibilities of Federal, State, tribal, and local governments with respect to crimes committed in tribal communities; increase coordination and communication among Federal, State, tribal, and local law enforcement agencies; empower tribal governments with the authority, resources, and information necessary to effectively provide for the public's safety in tribal communities; reduce the prevalence of violent crime in tribal communities and combat violence against Indian and Alaska Native women; address and prevent drug trafficking and reduce rates of alcohol and drug addiction in Indian country; and increase and standardize the collection of criminal data and the sharing of criminal history information among Federal, State, and tribal officials responsible for responding to and investigating crimes in tribal communities.

The Senate Indian Affairs Committee has held numerous hearings and has reached out to tribes across the United States while crafting this bill, and I appreciate their efforts to address the concerns raised by tribal members and leaders. I recognize that this bill alone will not solve the problems raised by tribes in these consultations and hearings. As such, I will continue to work for increased funding for law enforcement personnel, detention facilities, equipment and training, tribal courts, and other components required for a successful justice system. I will continue to hold the Bureau of Indian Affairs accountable for upholding the trust responsibility within the realm of law enforcement. Ultimately, I believe that this bill offers important and necessary tools in our shared goal of making Indian Country a safer place to be.

Madam Speak, I urge my colleagues to join with me to pass the Tribal Law and Order Act into law.

RECOGNIZING GALILEE MISSIONARY BAPTIST CHURCH UPON THEIR 100TH ANNIVERSARY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BURGESS. Madam Speaker, I rise today to congratulate Galilee Missionary Baptist Church on its 100th anniversary.

Galilee Missionary Baptist Church was originally founded in 1909 near Sanger, Texas. In 1910, Church officials established a church for the community to worship in and a school where they could educate their children. Construction of a new church building began in the 1950s after the first building was not big enough to accommodate the growing number of members.

Galilee Church takes pride in its service as an educational facility and a place for worship for its community. Many members have served in the United States armed forces. Others happily serve their communities through various leadership and service activities, participating as Sanger Sellabration Singers, Nursing Home Carolers, community Thanksgiving program volunteers, and more. Their Women's Mission Group frequently supports the community by opening their hands and hearts to the Denton State School, Annual School supply drive, African Orphans, Operation smile, Food Pantry and Chamber of Commerce Angel Tree Program.

I am proud to recognize Galilee Missionary Baptist Church for their accomplishment of a century of service to their community. It is my privilege to represent the members of Galilee Missionary Baptist Church in the 26th district of Texas.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PASCRELL. Madam Speaker, I want to state for the record that today, April 2nd, I was returning from my district after attending the funeral of my mother Roffie Pascrell, who recently passed away at the age of 95, and I therefore missed the first 5 roll call votes of the day.

Had I been present I would have voted "yea" on rollcall vote #183 On Agreeing to the Resolution Providing for the adjournment of the House and Senate—H. Con. Res. 93.

Had I been present I would have voted "yea" on rollcall vote #184 On Agreeing to the Resolution Providing for consideration of H. Con. Res. 85—H. Res. 316.

Had I been present I would have voted "nay" on rollcall vote #185 On Agreeing to the Amendment—Buyer of Indiana Substitute Amendment to H.R. 1256.

Had I been present I would have voted "nay" on rollcall vote #186 On Motion to Recommit with Instructions the Family Smoking Prevention and Tobacco Control Act—H.R. 1256.

Lastly, had I been present I would have voted "yea" on rollcall vote No. 187 On Passage of the Family Smoking Prevention and Tobacco Control Act—H.R. 1256.

INTRODUCTION OF THE REAGAN NATIONAL AIRPORT FAIRNESS ACT OF 2009

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. MITCHELL. Madam Speaker, today I introduced, with my colleagues JEFF FLAKE and DEAN HELLER, the Reagan National Airport Fairness Act of 2009.

This legislation would allow more nonstop access to Reagan National Airport for passengers from Phoenix, Las Vegas and cities throughout the west.

Currently, that access is limited by a so-called Perimeter Rule that unfairly limits nonstop flights from cities located more than 1,250 miles away.

Flights from cities within 1,250 miles of Washington, D.C., by contrast, are not subject to this limitation.

Originally designed to encourage passengers to use Dulles Airport when it was first built, the Perimeter Rule has long since outlived its intended purpose. Dulles Airport is now one of our nation's busiest.

Congress has already recognized the need to relax these flight restrictions, and now a small number of nonstop flights from western cities are allowed limited access to Reagan National Airport.

In addition, H.R. 915, the Federal Aviation Administration Reauthorization Act, would increase the number of nonstop flights allowed.

This would be another important step forward.

However, in the interest of fairness and free market competition, I believe we must go further.

The legislation we introduced today would allow more flights from more western airports into Reagan National Airport.

It's the right thing to do, and I encourage my colleagues to support it.

HONORING BARBARA SWANN

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Mrs. Barbara Swann, recently awarded the 2008 Congressional Volunteer Recognition Award by the 2nd Congressional District of Maryland's Veterans Advisory Council. Barbara has been selected to receive this award because of her volunteer service at the VA, based on her outstanding dedication to serving the needs of veterans within her community.

Veterans of the U.S. Armed Forces have dedicated themselves to protecting the lives of every American. Their service to our Nation deserves the highest level of gratitude. It is of the utmost importance that we take the time to recognize the individuals who give of their time and talents to support veterans and ensure their comfort, care, and well-being.

Mrs. Swann currently serves as the Coordinator of Volunteer Services for the Baltimore Rehabilitation and Extended Care Center. She has been instrumental in an effort to collect non-perishables and other items to send to Marines in Afghanistan. While raising a family, Barbara has worked early mornings and late evenings, giving of her personal time to veterans. She has recruited volunteers and made it a point to ensure their proper training, medical examinations, and understanding of HIPPA leave.

Madam Speaker, I ask that you join with me today to honor Mrs. Barbara Swann. Her compassion and dedication to veterans of the U.S. Armed Forces has become an inspiration to us all, and is deserving of the utmost gratitude. It is with great pride that I congratulate Mrs. Swann on her exemplary service as an advocate and a volunteer.

HONORING LABOR OF LOVE OF HENDERSON COUNTY

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. HENSARLING. Madam Speaker, I rise today to recognize the outstanding service that Labor of Love provides the communities in Henderson County, Texas.

The Athens Samaritans was formed as a precursor to Labor of Love in 1986 when members of the First Christian Church of Athens went to Amarillo to help with a Habitat for Humanity project. Members became energized about founding their own organization locally that would help with housing for the disadvantaged. The group decided to focus on repairing existing homes and thus organized the Labor of Love in 1987.

Since that time, the First Presbyterian Church, First United Methodist Church and First Baptist Church joined the effort and helped expand the organization. Labor of Love now has 12 project managers who recruit workers from dozens of volunteers.

In 2008 alone, Labor of Love completed 231 projects in Henderson County. The organization's efforts are supported with resources from the Henderson County United Way, the Cain Foundation and the Murchison Foundation, as well as other foundations, churches, businesses and individuals. Labor of Love also sponsors paint projects for groups such as the Boy Scouts, Young Life, 4-H, church groups and businesses.

This organization provides an invaluable service to those in the community who truly need assistance. Over the years, hundreds of individuals and families have been blessed by the men and women of Labor of Love.

As the Congressman for the Fifth District of Texas, I am pleased today to recognize the Labor of Love for their contributions to Henderson County. To all the men and women who give of their time and efforts so generously, on behalf of all the constituents of the Fifth District, I would like to extend our most sincere gratitude.

CONGRATULATING MARTHA HERNANDEZ FOR 45 YEARS OF COMMITMENT TO FIREMAN'S FUND

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. WOOLSEY. Madam Speaker, in an age in which the average job tenure is 5 years, it is increasingly rare fo someone to be with the same company for 20 years, and extraordinary that someone would be with one organization for 45 years and still engaging in the workplace with the same enthusiasm and professionalism that they had throughout their career.

Such is the case with Martha Hernandez, who joined the Fireman's Fund Insurance Company in San Francisco in May 1964 and continues to be with them today, moving with the company to Novato, California, in my Congressional District.

Martha came to Fireman's Fund as a 14-year-old girl having moved from Mexico City with her parents and brother Rubin to the United States where they settled in Pacifica, California. Her first job at the Fund was manually coding policies that would then go to a key punch operator, high tech for the time, but now the technological equivalent of the horse and buggy age. Over time, Martha's work continued to expand and she became an underwriting technician where she developed an excellent reputation for her attention to detail.

For Martha, the people at Fireman's Fund are a part of her family, and apparently it is a two way street. She left the company for a grand total of two weeks in 1984 when there was a reduction in force, but came back when her friends and colleagues helped find another job for her. As far as everyone is concerned, she never left Fireman's Fund just as no one can ever escape a loving home.

Martha is very involved in her church and is a devoted aunt to her four nephews and one niece and a two-year-old great niece. Over the years, she has made her own unique contributions to the Christmas holiday festivities at Fireman's Fund by bringing in her three types of homemade tamales that have reduced the enthusiasm her colleagues have for the ones they usually get in restaurants.

Martha continues to work at Fireman's Fund in their Resolution Services division, and commutes everyday from her home in San Francisco to Novato in her red and white Mini Cooper.

Madam Speaker, most of the news we read regarding work life is directed at people who are in top management who might be making the big decisions. However, our economy is really dependent upon the people who keep things going, processing the information, and making certain that goods and services are provided for. Martha Hernandez is a person who has helped our country to flourish, and it gives me tremendous pleasure to recognize her contribution to Fireman's Fund and to the well-being of the Bay Area.

TRIBUTE TO BURT BLUMERT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. PAUL. Madam Speaker, Burton Samuel Blumert passed away on Monday March 30, following a long battle with cancer. Burt was a true hero of the freedom movement and my close friend, advisor, and business partner.

As the founder and manager of Camino Coins in Burlingame, CA, Burt was one of the nation's leading dealers in gold and silver coins. A student of Ludwig von Mises and the Austrian school of economics, Burt understood the important role precious metals played in protecting ordinary citizens from the damage wrought by fiat money and inflation. Thus, he regarded his work as a coin dealer not just as a business, but as an opportunity to help people by providing with some protection from the Federal Reserve's inflation tax.

After I stepped down from Congress in 1984, I partnered with Burt in the coin business, a partnership which lasted until I returned to Congress in 1996. Our partnership was based on nothing more than our words. As anyone who ever dealt with Burt could testify, that was all that was needed, because Burt's word was truly his bond. I am unaware of anyone who dealt with Burt who questioned his integrity or his commitment to his customers.

As well-known and respected as he was for his leadership in the coin business, Burt was best known as a promoter of libertarian ideas. Burt was a long time friend and patron of Murray Rothbard, one of Mises' top American students and a pioneer in economics, political theory, history, and much else. Burt helped Murray establish the Center for Libertarian Studies, and served as its president from 1975 until his death.

Burt also played a key role in the flourishing of the Ludwig von Mises Institute, which, as its name suggests, is the leading center for the promotion and development of Austrian economics and libertarian political theory in the nation. Burt served as a founding board member of the Institute and the chaired the Institute's board after the original chair, Mrs. Margit von Mises, passed away in 1993. He also published The Rothbard-Rockwell Report, a well-read libertarian newsletter written by Murray Rothbard and Mises Institute President Lew Rockwell.

Burt played a major role in making the ideas of liberty a force on the internet by serving as the publisher of Lewrockwell.com, as well supporting the development of Mises.org. Burt also played an instrumental role in the development of Antiwar.com. Burt also served as chairman of my first run for the presidency, and important counselor in the second.

In addition to his work with these organizations, Burt was a friend, mentor, and patron to numerous libertarian scholars and activists. He was incredibly generous with both his time and his resources. Talking to Burt was always a treat, because he had one of the best senses of humor I have ever known, and it seemed like he was always in a good mood. Events that would send his friends into fits of depression, rage, or both would be used by Burt as fodder for a series of jokes and wisecracks. Even in the last days of his battle with cancer he remained upbeat. One of Burt's friends called him shortly after learning about Burt's cancer, but instead of consoling Burt, this friend ending up having his sprits lifted by Burt's humor.

It is somewhat of a comfort to myself, and I am sure to Burt's other friends, to know that he lived long enough to see so many of his efforts bear fruit. Today, the Mises Institute teaches sound economies and the principles of liberty to thousands of students every year while Mises.org is one of the leading economics websites in the world. Lewrockwell.com is one of the top providers of political, economic, and cultural commentary on the web, while Antiwar.com is the leading source of information for scholars, journalists, and activists looking for material to combat the propaganda of the war party.

As I travel across the country, I am astounded at the number of young people I met who are interested in the cause of individual liberty, peace, and sound money. Many of them got their introduction to these ideas through one of the many organizations nurtured by Burt Blumert.

Madam Speaker, perhaps the highest compliment one can pay to a departed friend is to say that they left the world better than they found it. That is certainly true in the case of Burt Blumert. While I am saddened that I will never again benefit from Burt's good humor and wise counsel, I am comforted by knowing that I was blessed by his friendship and the thought that the vibrant and growing freedom movement will serve as a living monument to Burt for years to come. I therefore join friends of liberty around the world in mourning Burt's passing, and saluting all he accomplished during his lifetime.

IN RECOGNITION OF PRINCETON'S BOYS BASKETBALL TEAM

HON. BRAD ELLSWORTH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. ELLSWORTH. Madam Speaker, I rise today to congratulate the Princeton Community High School Boys Basketball Team for winning its first 3A State Championship. The victory capped a perfect 29–0 season for the Tigers and earned them their first state title in school history.

The Tigers defeated the Rochester Zebras by a score of 81–79 in a thrilling double overtime victory at Conseco Fieldhouse in Indianapolis. I was able to attend the game and it was one of the best I've seen, with 16 lead changes and a last second pair of free throws to put Princeton over the top.

As Tigers' coach Tom Weeks said, ''That's what Indiana high school basketball is about. It doesn't get any better than what we saw tonight.''

These young men are shining examples of the idea that success in life comes to those who are willing to set goals and work hard to achieve them. They are an inspiration to me and everyone in the Princeton, Indiana, community who have followed them throughout the years.

Go Tigers!

RECOGNIZING PAUL K. HARRAL FOR HIS CONTRIBUTIONS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BURGESS. Madam Speaker, I rise today to recognize Paul K. Harral for his service to the Fort Worth community throughout his career with the Fort Worth Star Telegram. After providing his expertise for nearly a quarter-century in almost every news department of the Star Telegram, Harral will retire at the end of April.

Media is Harral's passion. Before joining the Star-Telegram family in 1986, Harral served the United Press International, Baptist Medical Center and Florida City Magazines Inc. In the Star-Telegram, his goal has always been to present the issues that are important to his community and keep citizens informed. Over the years, Harral served as Senior Editor of Metro news, Ombudsman, Editor of the editorial pages, Editor of zoning operations, and supervised the online department. Under his tenure in 1995, the Texas Associated Press Managing Editors (APME) recognized the weekend and daily commentary sections as best in the state.

Madam Speaker, I am proud to recognize Paul K. Harral for his years of service to Fort Worth. His devotion serves as an example to those who had the privilege of working with him. Even though he is retiring, his contribution will be forever appreciated by the Fort Worth community. It is an honor to represent him as a member of the 26th district of Texas.

TRIBUTE TO KEITH CLARKE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Corona, California are exceptional. Corona has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Keith Clarke is one of these individuals. On April 16, 2009, Keith will retire as the Director of the Building Department for the City of Corona.

Keith graduated from Pacifica High School in 1973 and obtained his Associates Degree in Engineering from Cypress Junior College in 1976. He attended the University of California at Los Angeles and then attended California State University at Long Beach from 1977 to 1979.

After attending college, Keith became a General Contractor and contracted a variety of projects which included masonry structures, patio covers and room additions. From 1981 to 1982, Keith worked as a Deputy Concrete and Masonry Inspector for Southern California Testing Labs where he performed inspections on masonry and concrete structures in order to insure compliance with approved plans and structural specifications. In 1982, Keith came to the City of Corona and he began as a Building Inspector. He quickly rose up the ranks: he became a Senior Building Inspector in 1984, an Assistant Building Official in 1986, a Building Official/Director in 1989, the Acting Director of Parks and Community Services in 2005 and the Building Official/Director from October 2005 to March 31, 2009.

Keith is a member of several organizations, including: the International Association of Plumbing and Mechanical Officials, the International Conference of Building Officials (ICBO), the International Association of Electrical Inspectors, the International Fire Code Institute, Building Officials and Code Administrators, the Citrus Belt Chapter of ICBO, and California Building Officials. He also serves or has served on the California Building Officials (CALBO) Board of Directors, the CALBO State Contractors License Board, the United States Navy League, the CALBO State Historical Code Committee, the ICC Citrus Belt Chapter, the Toastmasters International, and the Rolling Thunder Motorcycle Club and as a Calbo CTI Instructor.

Keith has received several awards over the years including: Building Inspector of the Year; Citrus Belt Chapter ICBO 1986; Building Official of the Year; Citrus Belt Chapter ICBO 1988; Toastmasters, Best Table Topics Speech Contest 1997; California Building Officials, Building Department of the Year, 2003; California Building Officials, Building Official of the Year, 2004; and California Building Officials, Hall of Fame Award, 2009.

Keith's tireless passion for community service has contributed immensely to the betterment of the community of Corona, California. I am proud to call Keith a fellow community member, American and friend. I know that many community members are grateful for his service and salute him and his 27 years of service to the City of Corona.

HONORING ROBERT AYERS GOULD, SR.

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. HENSARLING. Madam Speaker, today I would like to honor Mr. Robert Ayers Gould, Sr., for his exceptional leadership and outstanding public service.

After graduating from Athens High School in 1957, Bob joined the United States Navy where he served aboard the USS *Coral Sea*. Following an Honorable Discharge, he returned to Athens where he opened the Gould Insurance Agency in 1962, which he has owned and operated for over forty years.

Bob Gould served on the City Council of Athens for twelve years before his retirement in 2007, where he oversaw many projects benefiting his community. Among his many civic activities, Bob has been the Director and Vice-President of the Athens Chamber of Commerce, Co-Founder of the Texas High School Basketball Hall of Fame, and the Charter Director for the Henderson County YMCA. He has also received many awards from his community, including the Roadhand Award from the Texas Highway Commission and the Athens Citizen of the Year Award in 1984.

In addition to faithfully serving his community, Bob is a husband to Mrs. Peggy Lorene Lubben Gould and father of four children: Robert Jr., Joseph, Patricia, and Mary.

I want to recognize Bob for his service and commitment to his community. Due to Bob's leadership in the city and throughout the business community, Athens remains a strong, supportive, and vibrant community.

Madam Speaker, on behalf of the 5th District of Texas, it is my pleasure to recognize my good friend Mr. Robert Ayers Gould, Sr. for being an invaluable public servant and community leader.

INTRODUCTION OF THE PRIVATE PROPERTY PROTECTION ACT OF 2009

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. WATERS. Madam Speaker, I am pleased today to reintroduce the Private Property Protection Act of 2009. I am also pleased to be joined again by Rep. JIM SENSENBRENNER, the Chairman Emeritus of the Judiciary, and the lead Republican on this bipartisan bill. This bill is successor to H.R. 3053, from the 110th Congress and we are joined today by 24 original copsonsors.

The Fifth Amendment to the Constitution provides in part that ''nor shall private property be taken for public use, without just compensation.''

On June 23, 2005, a majority of the Supreme Court chose to close its eyes to the Constitution and our Nation's rich history of protecting private property rights. The Supreme Court's 5–4 decision in Kelo vs. City of New London, held that ''economic development'' can be a ''public use'' under the Fifth Amendment's Takings Clause justifying the government's taking of private property. The Court held that the creation of a more lucrative tax base can justify the government's taking of private property from one small homeowner and giving it to a large corporation for a private research facility.

The Kelo decision interpreted government taking for ''public use'' to mean no more than ''public purpose.'' Put simply, this decision meant that government would have an almost unlimited ability to seize private property—homes, churches, synagogues, and thriving businesses—and hand it over to private companies so long as they convince the local land authority that the project will yield economic benefit for a community that has been arbitrarily deemed ''distressed.'' Private companies and developers all over the country went into a frenzy to file project site plans when Kelo was decided. They knew that they would be able to make huge amounts of money so long as they produced public benefit—this was a ridiculous over-expansion of the Fifth Amendment to the U.S. Constitution.

As the dissent in Kelo pointed out, ''To reason, as the Court does, that the incidental public benefits resulting from the subsequent ordinary use of private property render economic development takings 'for public use' is to wash out any distinction between private and public use of property—and thereby effectively to delete the words 'for public use' from the Takings Clause of the Fifth Amendment.'' The dissent made clear that, as a result of the

majority's decision, ''Any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms. As for the victims, the government now has license to transfer property from those with fewer resources to those with more. The Founders cannot have intended this perverse result.''

The bottom line is that local and Federal governments must take every landowner as a special case because the people who own the properties that are subject to economic redevelopment play just as big a role as the projected revenues that the local jurisdiction hopes to bring in with a new development. Just because you are poor does not mean that your right to private property is worth any less than that of a wealthy developer.

The Private Property Rights Protection Act of 2009 will restore the property rights of all Americans that the Supreme Court changed with the Kelo decision. This legislation would prevent the Federal Government or any authority of the Federal Government from using economic development as a justification for exercising its power of eminent domain. This bill would also discourage States and localities from abusing their eminent domain power by denying States or localities that commit such abuse all Federal economic development funds for a period of two years. This bill is substantially similar to H.R. 4128, legislation that passed the House in the 109th Congress by an overwhelmingly vote of 376–38, nearly a 10–1 margin, but unfortunately, was never enacted.

I am looking forward to working with my colleagues on both sides of the aisle to protect the private property rights of every American and hope they will join me in sponsoring the Private Property Rights Protection Act of 2009.

COMMEMORATING THE 30TH ANNIVERSARY OF THE ENACTMENT OF THE TAIWAN RELATIONS ACT

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. WU. Madam Speaker, I rise to commemorate the 30th anniversary of the enactment of the Taiwan Relations Act.

For 60 years, the United States and Taiwan have fostered a close relationship that has been of mutual political, economic, cultural, and strategic benefit. When the United States shifted diplomatic relations from the Republic of China (Taiwan) to the People's Republic of China in January 1979, Congress moved quickly to pass the Taiwan Relations Act to ensure that the United States would have continued commercial, cultural, and other relations with Taiwan. With President Carter's signature on April 10, 1979, this important and lasting piece of legislation became law and codified the basis for relations between the United States and Taiwan. This year will mark the 30th anniversary of the enactment of the Taiwan Relations Act.

Over these past 30 years, Taiwan has seen remarkable changes, from rapid economic growth to significant political transformation. During the late 1980s and early 1990s, Taiwan witnessed a peaceful transition of political power from a one-party state under martial law to a full-fledged democracy and a multiparty political system. In March of last year, the people of Taiwan participated in Taiwan's fourth direct and democratic presidential election. The smooth and peaceful transition from one administration to another is a testament to Taiwan's continued dedication to the principles of democracy, human rights, and the rule of law.

The Taiwan Relations Act has also been instrumental in maintaining peace, security, and stability across the Taiwan Strait. When the Taiwan Relations Act was signed into law, it affirmed that the United States' decision to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means. The Act also states that ''the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.'' I believe that, in accordance with the Taiwan Relations Act, the United States should continue to support the legitimate defense needs of Taiwan.

It is my hope that the United States, Taiwan, and the People's Republic of China can continue to work together to promote enduring peace, stability, and prosperity in the Asia-Pacific region, especially across the Taiwan Strait. Let us recognize the past 30 years of the Taiwan Relations Act and maintain and strengthen U.S.-Taiwan relations for many years to come.

HONORABLE JOHN LAWRENCE MADURO

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. CHRISTENSEN. Madam Speaker, one of the legends of the U.S. Virgin Islands, the Honorable John Lawrence Maduro will be laid to rest next week. Many will rise to speak in his honor for he was one of the founding fathers of the political system in the territory and as a consequence someone who influenced our community in the social and economic aspects as well.

Born on St. Thomas, Maduro was a graduate of Charlotte Amalie High School, New York University and George Washington University School of Law. He served in World War II in the North African and European theaters and achieved the rank of Master Sergeant and later Second Lieutenant in the U.S. Army Reserves.

We were proud to honor him and all living WWII Veterans in the Virgin Islands two years ago, and he was always very proud of his service

When he returned to the Virgin Islands in the 1950s, he became active in politics and in the process became one of the titans of the Legislature, serving for twenty-two years. He presided over the body twice and during his tenure, worked with his colleagues to achieve political rights for the territory that included the right to elect its own governor and delegate to congress, the right of the Legislature to apportion its seat in accordance to the vote rule, the right to fix the compensation of its members and the rights to override gubernatorial vetoes.

Maduro presented a weekly political radio broadcast that kept his constituency informed about legislative issues and also was an active partner in the law firm of Birch, deJongh and Farrelly.

It has been said of John L. Maduro that ''he was determined to create a Virgin Islands that would offer unlimited opportunities to its citizens in all areas of social, political and economic endeavor and a Virgin Islands where pride in one's heritage and homeland would be everlasting.''

Madame Speaker, John L. Maduro and Elmo D. Roebuck, who I spoke of earlier this week are part of a generation of leaders who put their intellect, their discipline and their foresight to the use of the people of the Virgin Islands. They were leaders who we were proud to follow, who rose to the challenge of shepherding the territory through the rapid changes of 20th century modernization and they gave our generation and the generations to follow a territory that is still poised to be a regional leader and a positive example of democratic government.

Madam Speaker, we will miss Johnny Maduro. The people of the Virgin Islands will not forget his example as we work to create for this century, a free and prosperous Virgin Islands.

IRAN'S MISSION FOR NUCLEAR PROLIFERATION

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to draw attention to Iran's mission for nuclear proliferation. If Iran were to acquire nuclear weapons, the repercussions would be detrimental to our global security. A nuclear Iran would not only pose a threat to the United States and our allies, but would also destabilize an already volatile Middle East region.

Under the guise of energy production, Iran is today actively seeking to acquire nuclear weapon technology. This fact is supported by United Nations inspectors who have found that certain aspects of the Iranian nuclear program are useful only for developing nuclear weapons.

Recently, Iran has further developed its nuclear weapons production capability. In December, Iran constructed a domed containment center adjacent to a heavy water reactor in Arak. This structure makes it impossible to monitor the reactor by satellite. In the past three months, Iran has installed nearly 1,500 centrifuges. As a result, it could take only 2 to 3 months for Iran to enrich uranium to weapons grade. Furthermore, Iran has recently acquired 2,200 pounds of low enriched uranium—enough for one first-generation nuclear bomb.

A nuclear Iran would significantly impact the surrounding region. The repercussions would be felt not only by Middle Eastern countries, but also by countries around the world. The possible outcomes could range from a Middle

Eastern nuclear arms race to the sale of nuclear technology to terrorist organizations such as Hezbollah and Hamas.

It is widely accepted that Iran is one of the largest sponsors of terrorism; this reality has been published in the Central Intelligence Agency's World Factbook analysis of Iran. The United States, the United Nations, and the European Union have all placed economic sanctions on Iran due to Iran's sponsorship of terrorism. Hezbollah, a terrorist organization formulated and supported by Iran, is responsible for numerous terrorist attacks; the most infamous of these attacks occurred in Beirut on October 23, 1983 when Hezbollah detonated a bomb inside a U.S. Marine Barracks and killed nearly 300 servicemen.

It is imperative that we in Congress do everything we can to prevent Iran from obtaining nuclear weapons. I am pleased by the recent steps taken by my Congressional colleagues to ensure that this event never takes place. Specifically, I was encouraged that the Financial Services Subcommittee on International Monetary Policy and Trade held a hearing about H.R. 1327, the Iran Sanctions Enabling Act, on March 12. Afterward, I urged Chairman BARNEY FRANK to schedule a markup of H.R. 1327 sometime before the April recess.

In closing, I urge my fellow Members to support taking the necessary steps to limit Iran's access to nuclear weapons. We must convince Iran to turn away from its current, dangerous course of action.

HONORING THE 100TH ANNIVERSARY OF ADMIRAL ROBERT E. PEARY AND MATTHEW HENSON'S ARRIVAL AT THE NORTH POLE

HON. MICHAEL M. McMAHON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. MCMAHON. Madam Speaker, I rise today to honor the 100th anniversary of Admiral Robert E. Peary and Matthew Henson becoming the first documented explorers to reach the North Pole on April 6, 1909.

Admiral Peary and Matthew Henson through careful planning, foresight, and extreme fortitude reached the North Pole through great danger and peril to themselves. Where many men had failed and perished, these two men succeeded.

Completing their mission took over eighteen years and was delayed, hampered, and restarted many times. Through all the failures and hardships these two brave men would not allow adversity or disappointment to keep them from their goal.

Their path to the North Pole was long and arduous, but through ingenuity and with help from the Native Inuit, they managed to plant the American flag at the North Pole and survive the trip back.

Peary and Henson had made previous trips north before their ultimate success. They suffered through the arctic cold and they even needed to turn back because of the rough weather.

Despite not reaching the North Pole on these previous attempts, they had voyaged further north than any men in recorded history.

While pursuing his dream of reaching the North Pole, Peary was on leave from the United States Navy where he was a civil engineer. Upon successful completion of his eighth and final expedition, he was promoted to the rank of Rear Admiral.

Matthew Henson's contributions to the success of the exploration remained obscured and ignored for many years. His eventual induction into the Explorer's Club and acknowledgement by President Eisenhower can be recognized again by celebrating this important anniversary.

Admiral Robert Peary and Matthew Henson achieved their dreams and proved to America and the rest of the world that we can accomplish anything if we put our minds, hearts, and souls into it. Their drive and hard work still shine as an example to us all.

I am proud today to honor Admiral Robert Peary and Matthew Henson.

WORLD AUTISM AWARENESS DAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. RANGEL. Madam Speaker, I rise today to recognize World Autism Awareness Day that is held on April 2. This special day is held to educate people about this birth disorder that is the fastest growing serious developmental disability in the U.S. The cause of autism has not been determined so there is a great need for funding to research its cause.

It is important to understand this disorder since 1 in 150 individuals are diagnosed with autism. It occurs in all racial, ethnic, and social groups and is four times more likely to strike boys than girls. Autism impairs a person's ability to communicate and relate to others. It is also associated with rigid routines and repetitive behaviors, such as obsessively arranging objects or following very specific routines. Autism usually is detected by parents who notice unusual behaviors or developmental problems in children as young as 6 months. There are several services available to help autistic people live their own independent lives and to participate and contribute to their communities. Although this is a developmental disability, people with autism still achieve and accomplish many things in life. Several autistic people attend college and hold a variety of jobs from those that require enormous amounts of concentration but limited intense interaction with others, such as computer programming or graphic design, or more repetitive jobs, such as filing.

More still needs to be done to help those that have autism and to find the cause. Through broader awareness this can be accomplished.

IN HONOR OF THE 2008 SACRAMENTO RIVER CATS

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. MATSUI. Madam Speaker, as the Sacramento River Cats 2009 home opener approaches, I rise in tribute of their 2008 season in which they defended their title as Pacific Coast League and the Triple-A Champions. After marching through the Pacific Coast League playoffs, the River Cats defeated the Scranton/Wilkes-Barre Yankees to win the Bricktown Showdown for the second consecutive year. As the River Cats prepare for the 2009 season, I ask all of my colleagues to join with me in recognizing their remarkable 2008 accomplishments.

The River Cats were consistent all year and finished atop the Pacific Coast League Southern Division at the end of the regular season with 83 wins and only 61 losses. Their opening playoff series matched them up with the Salt Lake City Bee's. The River Cats made quick work of the Bee's, defeating them in four games by scoring a total of 39 runs.

The second round pitted the River Cats against the Texas Rangers AAA affiliate, the Oklahoma City Red Hawks. The River Cats prevailed, 3 games to 1, led by post-season MVP Chris Denorfia who went 17–35, with 12 runs scored and four homers in the post-season. By defeating the Red Hawks, the 2008 River Cats won their second straight Pacific Coast League title and their fourth in the last six years.

After claiming the Pacific Coast League title in Oklahoma City, they stayed in Oklahoma City for one more game, the Bricktown Showdown, an annual match up to declare the AAA champion. Led by six different pitchers, the River Cats stifled the Scranton/Wilkes-Barre Yankees offense en route to a 4–1 victory. The game and championship season concluded in dramatic fashion when River Cats infielder Brooks Conrad turned a line drive double-play on an outstanding diving catch.

For another year, the leadership of Art Savage, the River Cats President and CEO, the entire front office, Manger Todd Steverson, and the players on the field played a vital role in the team's success. On and off the field, the River Cats organization once again was the envy of the entire Pacific Coast League. Their success and professionalism was reciprocated by the Sacramento fans, as the River Cats led the Pacific Coast League in attendance for an astounding 9th year in a row.

Madam Speaker, as the River Cats prepare for another successful season, I am honored to pay tribute to the many hard-working men and women of the River Cats organization who brought so much joy and pride to the people of Sacramento. Their successes are truly remarkable. I ask all my colleagues to join me in celebrating the River Cats 2008 championship season.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 1, 2009

Mr. ETHERIDGE. Mr. Speaker, I rise today in support of H.R. 1256, The Family Smoking Prevention and Tobacco Control Act. This legislation is good for our children. It keeps tobacco out of our children's hands and restricts advertising directed at young people. This legislation also works to ensure the quality and relative safety of tobacco products, in spite of their known dangers to human health.

As a Member of this body who represents a tobacco growing area, I worked to ensure that this is balanced legislation. This is not a perfect bill, but it does represent an approach that considers the impact on those whose livelihoods depend on farming tobacco. North Carolina is the largest tobacco producing state in the Nation and my district is in the top three of overall production. We cannot simply ignore the economic impact that this crop represents to our state, and in this legislation we have not done so.

Tobacco remains a legal product, but we need to protect our Nation's children from its effects. H.R. 1256 puts in place uniform marketing standards and controls, as well as ensuring that the marketing is straightforward, and that the ingredients are properly disclosed.

While this bill will go a long way in protecting our Nation's children from tobacco, it allows our Nation's tobacco farmers to continue their way of life. As the Chairman has assured me in our colloquy on the House floor, this legislation will keep FDA off the farm.

I urge my colleague's to protect our Nation's children and support our Nation's farmers. I urge my colleagues to vote yes on H.R. 1256.

IN HONOR OF HULET HORNBECK

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. GEORGE MILLER of California. Madam Speaker, I rise today to commend to my colleagues an article in the Martinez News Gazette, my hometown paper, that beautifully captures the wonderful contributions that Hulet Hornbeck has made to the environment and open space in our portion of the East Bay of San Francisco.

The article is entitled, "Life, Love and the Great Outdoors," dated February 28–March 1, 2009.

I have known Hulet for many, many years and I have always admired him as a great leader and an avid defender of the environment. He understood many years ago just how important it is to protect open space for generations to come. He has been a leader in our community in acquiring lands for public use and creating magnificent recreational and open space opportunities for young and old alike.

We owe a debt of gratitude to Hulet for his lifelong work and I am proud to be able to rise today to publicly thank Hulet for his vision and for his tireless efforts on behalf of our community.

[From the Martinez News-Gazette, Feb. 28–March 1, 2009]

LIFE, LOVE AND THE GREAT OUTDOORS

HULET HORNBECK WAS INSTRUMENTAL IN EXPANDING EAST BAY REGIONAL PARKS, THE LARGEST PARK AGENCY IN THE NATION

(By Greta Mart)

At his serene, wooded home in Muir Oaks, Hulet Hornbeck looks out at the horse pastures and wildflower-blanketed hills and savors the sound of silence.

"It's the sound of wind, of birds, or simply the trees rustling, I love it," Hornbeck said, standing on his wooden deck that hugs his one-story house, in which comforting silence permeates. Inside a fire burns quietly in a large stone hearth; non-fiction books are stacked three feet high and four feet deep on the grand piano, oriental rugs dot the hardwood floor, and 50 years of treasures, travel mementos and memories decorate the walls.

In October he will turn 90. A lifetime of adventure, good works and good luck has kept him spry, handsome and spirited. He is one more Martinez resident—one you might see at the store or on Main Street—who holds in his heart an extraordinary character, and if you enjoy the plentiful open space and parkland around the area, you would understand how important his efforts are to you today.

On Thursday he regaled this reporter with an abridged life story.

Born in New Jersey in 1919, Hornbeck spent his first decade in Detroit, until his father abandoned the family at the start of the Great Depression. His mother moved him and his younger sister back to New Jersey to be closer to her two sisters, who provided "some degree of comfort," said Hornbeck.

There, in a suburb of Newark, he shared a bed with a cousin and his sister went to a friend's house while his mother went to work in a factory. During his teenage years, Hornbeck's mother worked her way up the socioeconomic ladder, segueing into sales and earning enough to move the family into a four-story walkup in Bloomfield.

"I liked it, because we could finally live together, and I got good exercise going up and down the stairs," said Hornbeck. "My mother was quite liberal with me, never telling me that I couldn't do something. If I said I wanted to sleep on the roof, she said okay, but tie a rope around your ankle so you don't sleepwalk off."

FALLING IN LOVE WITH THE GREAT OUTDOORS

He was befriended by a local Boy Scout troupe leader, and soon was accompanying groups on camping trips in the Ramapo Mountains. Hornbeck's mother and aunts liked to hike, and with little money and no car, hiking was a frequent form of entertaining excursions for the family. There was still a great deal of open space and nature in New Jersey in the 1930s, said Hornbeck, before the freeways and industrialization obliterated the landscape.

When his mother purchased a used car, the family took its first vacation, down to Cape May in the southern tip of New Jersey. There they stayed in a boardinghouse, and Hornbeck, at age 17, was so impressed with this new environment he asked his mother if he could stay on there for the summer. She told him to go to the hotel across the street and ask for a job.

"I asked the guy if I could wash dishes, and he made me a bus boy. At that time there weren't a lot of restaurants and such, the hotel fed three meals a day to a lot of people, it was a big dinning hall with the girl waitresses lined up against one wall and the boys on the other," Hornbeck. "There was a separate smaller dinning room, where a big family would sit for meals, curtained off from the main hall. They had their own waitresses and bus boys. My boss told me it was the Ambassador to Great Britain and his family."

The U.S. Ambassador to England at the time was Joseph Kennedy and the children Hornbeck watched meal after meal were Robert, Teddy, Rosemary and the four youngest siblings of JFK. JFK wasn't there, as he was already in his 20s at that point and was studying at Harvard.

"I remember saying to my coworkers, you watch, those kids are going to be something else," said Hornbeck.

A small inheritance from a Unitarian Universalist minister, a suitor of his mother's, then sent Hornbeck to prep school at the Newark Academy.

"He had asked my mother to marry him, but then he died, so for $50 a month, I got a whole different viewpoint and knowledge for two years," said Hornbeck. "It opened my eyes. After that I hitchhiked to Maine with a friend and we slept in the woods. I got cleaned up in a gas station and went to the registrar of the University of Maine and asked if I could attend. He was impressed that we had come all that way and he said, you're in, just like that."

His time in Maine was spent studying Forestry and luxuriating in the great outdoors, spending school breaks in the White Mountains of New Hampshire.

WORLD WAR II

But the looming clouds of war were gathering and Hornbeck, after his sophomore year, told his friends and family there would be a war in Europe, and he was going to join the military.

"I told them I wanted to be trained by the time it started, and that I wanted to fight in the air, not ground," said Hornbeck. "I joined the Army Air Corps, and was sent to cadet school. They saw pretty quickly that I didn't have good eye/hand coordination, and that I liked mathematics, so they made me a navigator."

Pan American Airlines operated one of the few aerial navigation schools at the time, in Coral Gables, Florida, and Hornbeck studied there until November of 1941, when the Air Corps shipped half of his class to Salt Lake City. There his platoon was, introduced to the brand-new B 17 "Flying Fortress" bombers they would soon be flying in the Pacific Theater.

On December 6, Hornbeck was at Hamilton Field in San Francisco, ready to ship out to the Philippians, with a stop in Honolulu, the next day.

"I was still in my blue cadet's uniform, and right before take-off we heard, 'you can't go,' something has happened," said Hornbeck. "Well, we took off that night I steered us all the way to Hawaii using the compass and drift meter, getting a fix on the stars, and suddenly we were right off of Diamond Head [on the island of Oahu]."

Soon he was part of the famed Reconnaissance Squadrons that plied the South Pacific for the next three years, serving as the eyes of General McCarthy and Fleet Admiral Nimitz, and using his navigation skills to locate the Japanese naval fleet in the vast ocean waters.

After the war Hornbeck returned to the States to earn a law degree at Rutger's University courtesy of the G.I. Bill.

"While we were in the South Pacific, I asked a buddy, where's a good Western town to go live when this is over. He said Boise, Idaho," said Hornbeck. "Sure enough, I got myself to Boise and met Mary-Lynn." The two were married for 50 years until Mary-Lynn's death twelve years ago.

MOVING TO MARTINEZ

The pair first lived in New York City, and soon Hornbeck requested a transfer to San Francisco. They rented a house in Pleasant Hill, until Mary-Lynn found their home in Muir Oaks.

"She said, you don't even have to come look at it, it was built for you," said Hornbeck.

Mary-Lynn attended DVC, and then U.C. Berkeley, while raising their two children, Jane and Lawrence, and teaching fourth grade at John Muir Elementary for 20 years.

"It took her several years to get her degree, because she only went to classes at night or on the weekends, she never attended a full semester. When she was finally finished, she said I'm too embarrassed to go get

my diploma, so I went to get it for her,'' said Hornbeck.

Meanwhile, Hornbeck was working at a large insurance firm in San Francisco, but it was ''not what I was cut out to do,'' and on the side he had started a group of nature enthusiasts called the Contra Costa Park Council.

BRUSH WITH DEATH

In 1965, a doctor's visit revealed melanoma tumor. The doctor gave him five years to live and encouraged him to start pursuing his dreams.

''I went to Bill Mott of the East Bay Regional Park District, and said, I want to work for you,'' Hornbeck said. ''Timing is so significant.''

According to the East Bay Regional Parks District's history section of its Web site, ''In 1962, William Penn Mott, Jr. became the District's next General Manager. Mott's first order of business at the Park District was to reorganize and plan for the future. He brought new life to every aspect of the District's operation by restructuring, and bringing in talented professionals like Richard Trudeau, Chief of Public Information and Hulet Hornbeck, Chief of Land Acquisition who both would serve as leaders in the park and trail movement during the next 40-years. Mott's enthusiastic vision of a grand system of hilltop and shoreline parks would require additional stable funding, and he moved quickly to increase District revenues. The Forward 1964–1969 Plan was developed by Mott and his staff in 1963 to identify the Park projects that were needed to serve all East Bay residents, even those outside of the District's boundary. In 1962, residents in Contra Costa County had turned down a funding measure for county parks; so park supporters began pushing for annexation to the Regional Park District. In 1964, voters in West and Central Contra Costa County approved annexation to the District, and Kennedy Grove and Briones were soon developed and opened as the first Regional Parks entirely within Contra Costa County.''

Hornbeck said the District didn't have a single square acre of parkland when he started, but by the time he retired in 1985, 64,000 acres were purchased and incorporated into the park system, including much of Briones and the Franklin Hills.

''Now it's over 100,000 acres, and thanks to the recent passage of Measure WW, it will keep growing. As a special district, we had the power of eminent domain, but we never used it as a threat, and we always paid fair market value,'' said Hornbeck. ''We had the support of all the key developers in the area, who knew the value of balancing people with open space, and we always worked with justice and integrity. The public supported us.''

Hornbeck said Senator John Nejedly was instrumental in securing legislation that expanded the District's ability to create a trail system.

The Hulet Hornbeck trail in the Carquinez Strait Regional Shoreline was dedicated in 2005.

''Hulet is credited with overseeing the acquisition of 49,000 acres of parkland, expanding the District's land holdings from eight parks (13,000 acres) to 46 parks (62,000 acres) thus securing the unique position that the East Bay Regional Park District still enjoys today as being the largest regional park agency in the nation,'' according to the nonprofit American Trails organization.

IMPROVING FEDERAL FINANCING FOR WATER INFRASTRUCTURE IN THE TERRITORIES

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. BORDALLO. Madam Speaker, today I have introduced two bills to increase the percentage of clean water state revolving loan funds and drinking water state revolving loan funds annually reserved for American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, and the Virgin Islands under the Federal Water Pollution Control Act and the Safe Drinking Water Act respectively. The effect of these bills would be, if enacted, to increase by approximately 50% the amounts of federal funding awarded by the United States Environmental Protection Agency (USEPA) annually under these state revolving loan funds to each of the governments of these territories to help them finance critical water and wastewater infrastructure projects.

I am joined by my colleagues from the territories, Mr. FALEOMAVAEGA of American Samoa, Mrs. CHRISTENSEN of the Virgin Islands, and Mr. SABLAN of the Northern Mariana Islands, in introducing these two bills. H.R. 1889 would amend the Federal Water Pollution Control Act with respect to the Clean Water State Revolving Fund and H.R. 1890 would amend the Safe Drinking Water Act with respect to the Drinking Water State Revolving Fund. These bills help ensure that all Americans, including our constituents, enjoy access to clean and safe drinking water.

Specifically, H.R. 1889 and H.R. 1890 would require the reservation of one half of a percent of amounts made available each fiscal year for grants to the states and territories under both revolving funds. Currently, the four territories are limited by statute to a third of a percent of total funding, meaning that they actually receive less on a per capita basis than a number of states. This inequity persists in spite of the fact that the territories have some of the most severe needs for federal assistance for clean water and drinking water infrastructure projects. With respect to the Pacific territories, the USEPA generally estimates that over 25% of the population lacks access to sanitary drinking water. That figure is a mere 0.6% nationwide. Furthermore, federal courts have ruled that the territories' water and wastewater systems are in non-compliance with federal laws and regulations and have ordered a wide range of improvements and upgrades. However, the territorial governments are currently challenged in financing these court-ordered projects as a result of budget shortfalls and declining revenues associated with the economic downturn. As a result, the territorial governments remain, in certain cases, unable to comply with the court mandates without risking bankruptcy. In sum, the very regions of the United States that have the direst need for assistance in financing water and wastewater infrastructure are limited by federal law to a diminutive fraction of a percent of total funding. In contrast, each state is guaranteed under the Federal Water Pollution Control Act and the Safe Drinking Water Act to receive each fiscal year no less than a full one percent of total funding irrespective of need or population.

Madam Speaker, raising the cap on funding made available to assist the territories from a third of a percent to one-half a percent would be a significant step toward fulfilling critical needs for new infrastructure in the territories. A one-half of a percent funding level is consistent with funding set-asides for the territories under other laws enacted by Congress governing formula grant programs. Finally, because the states are each guaranteed a minimum level of funding as opposed to the ceiling set on the territories, these bills will not significantly impact funding made available to help finance projects in the rest of the United States.

In effect, raising the cap from a third of a percent to a half a percent involves less than five one-thousandths of one percent of the federal budget. It would, however, have a tangible and measurable impact on the health and quality of life for hundreds of thousands of American citizens and nationals residing in the territories. Madam Speaker, I urge a thorough review of this issue and these bills by the committees of jurisdiction.

THE INTRODUCTION OF THE PAKISTAN ENDURING ASSISTANCE AND COOPERATION ENHANCEMENT ACT OF 2009

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. BERMAN. Madam Speaker, I rise this evening to talk about the Pakistan Enduring Assistance and Cooperation Enhancement Act—or PEACE Act—a bill I introduced today with a distinguished group of original cosponsors, including Mr. KIRK, Mr. ACKERMAN, Mr. ROYCE, Ms. JACKSON-LEE, Mr. SHERMAN, and Mr. WEXLER. The fundamental purpose of this legislation is to strengthen the U.S. relationship with Pakistan—a country that is central to our national security and to-global stability,

The timing of this bill could not be more crucial. We stand at a pivotal moment in our relations with Pakistan and in our campaign to bring stability and security to Afghanistan. Several days ago, the Obama Administration unveiled its new strategy for those countries, the main focus of which is to enhance our ability to disrupt, dismantle, and defeat al Qaeda in its safe havens in Pakistan. The PEACE Act is written with that critical goal in mind. But it also reflects our deep appreciation of the fact that it is in our national interest to create a long-term strategic partnership with Pakistan; one that speaks to the needs of the average citizens of Pakistan—those who live in rural areas, without access to adequate education or healthcare, and who have suffered at the hands of a frequently dysfunctional and corrupt judicial system and police force.

By tripling U.S. assistance for democratic, economic and social development, our bill lays the foundation for a creating a stronger, more stable Pakistan. It places a particular emphasis on strengthening Pakistan's fragile democratic institutions—including the parliament and judicial system—enhancing economic development by increasing local capacity, and improving Pakistan's education system and vocational training.

To help ensure that American assistance is spent appropriately, our legislation requires increased auditing, monitoring and evaluation, and includes rigorous reporting requirements. U.S. taxpayers—and the Pakistani people—should know that our assistance is making a real difference, and not being squandered.

For many years, the U.S. relationship with Pakistan has been characterized by fits and starts. Now that Pakistan has returned to an elected civilian democracy, it is important to emphasize our long-term commitment to the Pakistani people. To achieve that goal, our bill establishes a Pakistan Freedom and Prosperity Fund, a permanent fund in the U.S. Treasury that serves as a conduit for all social and economic development assistance. At the same time, we must take a hard look at what we want from Pakistan. We clearly want them to be a partner and a friend. In that spirit, we also expect them to take action against those who threaten Pakistani and American security interests. Our bill clarifies these expectations.

Achieving stability in Pakistan, however, will require more than economic assistance—it will also require us to provide Pakistan the tools it needs to protect its people, secure its borders and augment its ongoing counterterrorism operations. To that end, our bill authorizes increased Foreign Military Financing (FMF), while requiring that the vast majority of such assistance be used for counterterrorism and counterinsurgency purposes. It also authorizes increased assistance for International Military Education and Training (IMET), which will enhance cooperation between the U.S. and Pakistani militaries.

Finally, our bill requires that military assistance may only be provided to Pakistan if the President determines that the Government of Pakistan is continuing to cooperate with the United States in preventing proliferation of weapons of mass destruction and has both demonstrated a sustained commitment to combating terrorist groups and has made progress towards that end.

Madam Speaker, we cannot succeed in defeating al Qaeda by ourselves. We need a robust, long-term relationship with our strategic partners to prevail against those who threaten our national security. The PEACE Act will help us establish just such a relationship with Pakistan.

EDWARD M. KENNEDY SERVE AMERICA ACT

SPEECH OF

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 31, 2009

Mr. REYES. Mr. Speaker, today I rise in support of H.R. 1388, the Generations Invigorating Volunteerism Education (GIVE) Act of 2009, also known as the Edward M. Kennedy Serve America Act.

The GIVE Act is designed to support and encourage community service across the country in fields such as education and healthcare. This Act empowers more Americans to take an active role in their communities through public service. Civic participation has the power to not only build confidence in the individual but simultaneously prepare our nation for the future.

The GIVE Act creates 175,000 new service opportunities, increasing the number of participants in programs such as Ameri-Corps and establishes new service programs such as the Clean Energy Corps, Education Corps, Healthy Futures Corps, and a Veterans Service Corps. One goal of the Act will be to strengthen and coordinate disaster relief efforts through the National Civilian Community Corps (NCCC) to provide relief for communities that have suffered natural disasters and emergencies.

Despite the economic challenges that our country currently faces, it is particularly encouraging that young Americans are serving in record numbers. Volunteerism among college students is especially high, with the percentage of college students who volunteer each year exceeding 30%. The GIVE Act will not only support existing volunteers but will also give younger students the opportunity to serve even before they enter college. The Summer of Service and Campus of Service Programs focus on encouraging middle and high school students to participate in volunteer activities and also assist college students with an interest in public service careers. These programs will place the prospect of a college education within the reach of many students by offering monetary assistance for college. Specifically, it increases the full-time education award that servicemembers can receive to $5,350.

It is important to acknowledge that students are not the only ones taking the initiative to rebuild our country. Currently, Senior Corps consists of roughly 475,000 volunteers who collectively contribute 116 million hours of service each year. The GIVE Act will increase these figures by creating Silver Scholarships and Encore Fellowships to offer all Americans over the age of 55 the chance to transition into service after retirement.

I believe that service is key to building character and instilling values in our young people. Even before taking office, President Obama consistently called on all Americans to serve, and I believe his life exemplifies the power of public service. I am proud that Congress has answered his call for service through this legislation.

HONORING THE LIFE AND PUBLIC SERVICE OF SPEAKER CARLOS P. TAITANO

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Ms. BORDALLO. Madam Speaker, I rise today to honor the life and public service of the Honorable Carlos Pangelinan Taitano, a distinguished resident of Guam who passed away on March 25, 2009. Carlos served our nation and the people of Guam as an officer in the United States Army, a community leader, businessman, attorney, Assemblyman in the Guam Congress, Senator in the 3rd Guam Legislature and Speaker of the 8th Guam Legislature.

Born on March 14, 1917 to Jose San Nicolas and Dolores P. Taitano of Hagatña, Carlos attended elementary and middle school on Guam. He subsequently moved to Hawaii to attend high school. After his high school graduation from McKinley High School in Hawaii, Carlos enrolled in the University of Hawaii where he earned a Bachelor of Science degree in Chemistry in 1941. After graduation from the University of Hawaii, he was hired by the Honolulu Police Department as an Assistant Chemist. At the onset of World War II Carlos joined the United States Army and was commissioned as an officer. He participated in the campaign to liberate the Philippines. After the war, he was assigned to Fort Ruger, Hawaii and Fort Meade, Maryland. It was during the latter posting in Maryland that he married Marian Agueda Johnston.

Carlos and Marian returned to Guam in 1947, and in 1948 he was elected to the Guam Congress as an Assemblyman. Carlos was an advocate for United States citizenship for the Chamorro people who had endured a brutal enemy occupation. He famously organized a walkout by the Guam Congress on March 5, 1949 to call attention to Guam's quest for a civilian government to replace the post-war Naval government. He fed news of the walkout to the national media, and coverage of this event in national newspapers helped to raise awareness about the plight of the Chamorro people. This event gave momentum to Congressional efforts to pass the Organic Act of Guam in 1950 which granted United States citizenship to the Chamorros on Guam and established a civilian government. He was the only Chamorro in attendance at the White House signing ceremony of the Organic Act of Guam on August 1, 1950 by President Harry S. Truman.

Carlos was accepted to the law program at Georgetown University in Washington, D.C. where he graduated with a Juris Doctor degree in 1953. While at Georgetown University, Carlos participated in activities with the Guam community in the National Capital area and was instrumental in founding the Guam Territorial Society to promote Guam and our Chamorro culture.

In 1953 Carlos returned to Guam and helped to establish the Territorial Party of Guam, which later became the Republican Party of Guam. He was elected to the 3rd Guam Legislature in 1954. After serving one term in the Legislature, Carlos returned to his business interests which included the Micronesian Village, a gift shop featuring Micronesian and Chamorro arts and crafts. In the mid-1960s Carlos became the President and General Manager of Guam's Coca-Cola Bottling Company, a position he held for six years.

Carlos reentered public service in 1965 and was elected to the 8th Guam Legislature. He was selected by his colleagues to serve as Speaker, an honor that recognized his many contributions to Guam's political development. Under his leadership, the 8th Guam Legislature urged the United States Congress to expand self-governance for the people of Guam by amending the Organic Act to authorize the direct election of the Governor of Guam and to provide a Delegate to Congress. Carlos' vision for self-governance was passed by the 90th Congress in 1968 for the elected Governor and by the 92nd Congress in 1972 for the Delegate to Congress.

Carlos contributed his time and resources to civic organizations and government boards throughout his life to help improve our community. His civic contributions included notable service as the first president of the Guam Bar Association, past president of the Rotary Club of Guam, past chairman of the Guam Memorial Hospital Authority Board of Trustees, and

past president of the Reserve Officers Association of Guam.

Throughout his life, Carlos promoted the preservation and celebration of the Chamorro culture. He was among the first authors of plays and pageants depicting Chamorro epic tales, and he wrote essays calling attention to the need to do more to promote the Chamorro language and culture. He encouraged cultural groups to perform chants and dances that depicted Chamorro culture in the pre-contact era. He helped to found Pa'a Taotao Tano', an organization of cultural performers and their supporters who are dedicated to preserving a more authentic portrayal of Chamorro culture in song and dance. He promoted indigenous culture and pride at a time when Guam was undergoing many social and economic changes, and his voice reminded us then as now of the importance of the Chamorro culture to our people and to our nation.

The people of Guam will always remember Speaker Carlos Pangelinan Taitano as a visionary leader who was proud of his Chamorro heritage. He served our nation and our island as a soldier and statesman and his contributions will always be appreciated and remembered. I join the people of Guam in extending our sympathy to Marian Taitano and to their children, Linda, Carl and Tyrone and their extended family. Speaker Carlos P. Taitano was a leader and public servant who inspired us in many ways and we honor his contributions to our island community and to our nation.

WORLD AUTISM AWARENESS DAY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 2, 2009

Mr. REICHERT. Madam Speaker, I rise today in honor of the second annual World Autism Awareness Day. As the Founder and Co-Chair of the Congressional Children's Health Care Caucus, I recognize the debilitating force that is autism and I am proud to recognize Worldwide Autism Awareness Day in order to bring attention to this life-altering and, too often, unrecognized disorder.

I am proud to consistently support medical research on autism and its causes. I have worked with many members of this body and many other individuals and groups to increase funding to the National Institutes of Health (NIH) in order to more fully understand the root causes and best prevention practices to minimize its debilitating effects.

But we must continue to work. Evidence shows that one in every 150 American children is affected by an Autism Spectrum Disorder (ASD). Last year at this time, there was no medical detection or cure for autism. This year, there has been progress to uncover more about the root causes of ASD related disorders and why they may occur more often than expected among people who have certain other medical conditions.

Families need hope, and we must make a commitment to help them find the missing pieces to the puzzle. I urge all of my colleagues to continue supporting NIH funding so that—as groups like Autism Speaks and Families for Early Autism Treatment know—we can continue to fight against the fastest-growing developmental disability in the world.

Daily Digest

HIGHLIGHTS

Senate agreed to S. Con. Res. 13, Budget Resolution.

Senate agreed to H. Con. Res. 93, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S4331–S4403

Measures Introduced: Forty-eight bills and six resolutions were introduced, as follows: S. 781–828, S. Res. 98–103, and S. Con. Res. 17. **Pages S4309–11**

Measures Reported:

S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, with an amendment in the nature of a substitute.

S. 515, to amend title 35, United States Code, to provide for patent reform, with amendments.

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 amendments. **Page S4309**

Measures Passed:

Budget Resolution: By 55 yeas to 43 nays (Vote No. 154), Senate agreed to 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 amended, after taking action on the following amendments proposed thereto: **Pages S4233–93**

Adopted:

By 96 yeas to 2 nays (Vote No. 130), Dodd/Shelby Modified Amendment No. 913, to provide for enhanced oversight of the Board of Governors of the Federal Reserve System concerning the use of emergency economic assistance. **Pages S4249–50, S4277**

By 59 yeas to 39 nays (Vote No. 131), Sanders Modified Amendment No. 875, to require information from the Board of Governors of the Federal Reserve System about the use of emergency economic assistance. **Pages S4245–46, S425053, S4277–78**

Conrad (for Bennett/Hatch) Amendment No. 759, to prohibit changing current tax laws for charitable contribution tax deductions to pay for modernizing the health care system. **Page S4254**

Conrad (for Bennet/Roberts) Amendment No. 799, to establish a deficit-neutral reserve fund to 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. **Page S4254**

Conrad (for Casey/Stabenow) Amendment No. 755, to establish a deficit-neutral reserve fund to provide for accelerated carbon capture and storage and advanced clean coal power generation research, development, demonstration, and deployment. **Page S4254**

Conrad (for Brown) Amendment No. 808, to provide for legislation that removes Social Security numbers from Medicare cards and to pay for such legislation by reducing waste, fraud, and abuse in other federal programs. **Page S4254**

By 56 yeas to 42 nays (Vote No. 133), Reed Amendment No. 949, to provide for the expenditure of the remaining Troubled Asset Relief Program funds for the benefit of consumers. **Pages S4254–55**

Conrad (for Coburn) Amendment No. 892, to end bonuses awarded to contractors and government executives responsible for over budget projects and programs that fail to meet basic performance requirements. **Page S4256**

Conrad (for Coburn) Amendment No. 893, to support President Obama in his effort to go line by line through the Federal Budget in order to help him eliminate wasteful, inefficient, and duplicative programs. **Pages S4256–57**

By 65 yeas to 33 nays (Vote No. 135), Graham Amendment No. 910, to protect middle-income taxpayers from a national energy tax. **Page S4257**

Conrad (for Menendez) Amendment No. 921, to establish a deficit-neutral reserve fund for the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA), and other related programs. **Page S4258**

Conrad (for Coburn) Amendment No. 895, to provide a deficit-neutral reserve fund to end abusive no-bid contracts by requiring all Federal contracts over $25,000 to be competitively bid. **Page S4258**

Conrad (for Murray) Amendment No. 880, to create a deficit-neutral reserve fund for legislation to enable States to establish or expand quality programs of early childhood home visitation. **Pages S4258–59**

Conrad (for Barrasso) Amendment No. 788, to fund the account Hazardous Fuel Reduction on Federal Lands (within Function 300) at the level authorized in the Healthy Forests Restoration Act of 2003. **Pages S4259, S4261**

Hutchison Amendment No. 866, to provide a point of order against legislation that has the effect of imposing a greater tax liability on taxpayers who are married than if such taxpayers had filed individual tax returns. **Pages S4259–60**

Brownback Modified Amendment No. 840, to provide funds for a Commission on Budgetary Accountability and Review of Federal Agencies. **Page S4260**

By 89 yeas to 9 nays (Vote No. 137), Boxer/Ensign Modified Amendment No. 953, to add a deficit-neutral reserve fund for the 21st Century Community Learning Centers afterschool program. **Pages S4260, S4261**

Snowe Amendment No. 773, to provide for a deficit-neutral reserve fund to provide for the extension of the top individual tax rates for small businesses after 2010. **Page S4261**

Conrad (for Boxer) Amendment No. 816, to provide access to affordable, quality child care for middle class families by making improvements in the employer-provided child care credit and the dependent care tax credit. **Pages S4261–62**

Conrad (for Bennett) Amendment No. 885, to establish a deficit-neutral reserve fund to cover the full cost of pension obligations for employees of laboratories and environmental cleanup sites under the jurisdiction of the Department of Energy. **Pages S4261–62**

Conrad (for Dodd) Amendment No. 872, to add a deficit-neutral reserve fund for provisions of critical resources to firefighters and fire departments. **Pages S4261–63**

Conrad (for Collins/Bingaman) Amendment No. 827, to modify the provision relating to the deficit-neutral reserve fund for clean energy legislation to include industrial energy efficiency programs. **Pages S4261–62**

Conrad (for Carper) Amendment No. 764, to establish a deficit-reduction reserve fund for the elimination and recovery of improper payments. **Pages S4261–62**

Conrad (for Pryor) Amendment No. 795, to modify a deficit neutral reserve fund to ensure improvement of infrastructure related to flood control. **Pages S4261–62**

Conrad (for Bunning) Amendment No. 817, to provide a deficit-neutral reserve fund for the repeal of the 1993 increase in the income tax and social security benefits. **Pages S4261–62**

Conrad (for Dorgan) Amendment No. 837, to increase funding for organ transplantation and organ donation activities at the Health Resources and Services Administration by $10 million in FY 2010. **Pages S4261–62**

Conrad (for Bunning) Amendment No. 818, to provide for a deficit-neutral reserve fund to provide for legislation to increase the amount of capital losses allowed to individuals. **Pages S4261–62**

Conrad (for Landrieu/Grassley) Amendment No. 874, to provide a deficit-neutral reserve fund for foster care financing reform. **Pages S4261–64**

Conrad (for Roberts) Amendment No. 839, to fully fund the small business child care grant program under section 8303 of the Small Business and Work Opportunity Act of 2007. **Pages S4261–63**

Conrad (for Reed/Collins) Amendment No. 877, to ensure that the deficit-neutral reserve fund for higher education may be used for Leveraging Educational Assistance Partnership programs. **Pages S4261–63**

Conrad (for Burr) Amendment No. 797, to develop biodefense medical countermeasures by fully funding the Biomedical Advanced Research and Development Authority (BARDA) in a fiscally responsible manner. **Pages S4261–63**

Conrad (for Pryor) Amendment No. 802, to provide a deficit-neutral reserve fund for the Veterans Health Administration to ensure that the supply of appropriately prepared health care professionals is available to meet the needs of the Veterans Health Administration. **Pages S4261–63**

Conrad (for Enzi/Barrasso) Amendment No. 826, to establish a deficit-neutral reserve fund to repeal certain deductions from mineral revenue payments made to States. **Pages S4261–63**

Reid Amendment No. 730, to establish a deficit-neutral reserve fund to permanently extend the deduction for state and local sales taxes. **Page S4264**

By 94 yeas to 3 nays (Vote No. 138), Thune Amendment No. 803, to protect charitable giving by ensuring that organizations that provide important religious, educational, cultural, health care, and environmental services are not negatively impacted

by changes to the Federal income tax deduction for charitable donations. **Page S4264**

Enzi Amendment No. 824, to protect taxpayers and businesses from the impact of tax increases imposed while the domestic economy is in crisis.

Pages S4264–65

Inhofe Amendment No. 742, to provide for advance appropriations for medical care for veterans through the Department of Veterans Affairs.

Page S4266

Coburn Amendment No. 894, to provide a deficit-neutral reserve fund to set performance standards to identify failing Government programs. **Page S4267**

By 73 yeas to 25 nays (Vote No. 141), Stabenow Amendment No. 879, to modify the authorization for climate change legislation. **Page S4267**

By 54 yeas to 44 nays (Vote No. 142), Bond Amendment No. 926, to protect workers from significant job loss by providing a point of order against climate change or similar legislation that raises Federal revenues to such an extent that it causes significant job loss in manufacturing-or coal-dependent U.S. regions such as the Midwest, Great Plains or South. **Pages S4268–69**

Conrad (for Klobuchar) Amendment No. 889, to establish a deficit-neutral reserve fund to expedite research at the Department of Energy and the Environmental Protection Agency on the viability of the use of higher ethanol blends at the service station pump. **Page S4270**

Conrad (for Dorgan/Snowe) Amendment No. 881, to provide for the use of the deficit-neutral reserve fund for tax relief to extend and expand the charitable IRA rollover. **Pages S4270, S4272**

Conrad (for Dodd/Hatch) Amendment No. 955, to increase funding for the Maternal and Child Health Block Grant within the Health Resources and Services Administration by $188 million in FY 2010. **Page S4271**

Conrad (for Brown) Amendment No. 809, to modify the deficit-neutral reserve fund for Clean Energy to create jobs and strengthen American manufacturing competiveness by establishing clean renewable energy manufacturing supply chains. **Page S4271**

Conrad (for Begich) Amendment No. 912, to include in deficit-neutral reserve fund for America's veterans and wounded servicemembers funding authority for retirement benefits for members of the Alaska Territorial Guard who served during and after World War II. **Page S4271**

Conrad (for Pryor) Amendment No. 794, to establish deficit-neutral reserve funds to enhance and coordinate drug control efforts among Federal, State, and local law enforcement agencies through the expansion of the High Intensity Drug Trafficking Areas program and increased drug interdiction funding at the Department of Homeland Security.

Page S4271

Conrad (for Lincoln/Snowe) Amendment No. 876, to ensure that health coverage is affordable to small businesses and individuals who are self-employed.

Pages S4271–72

Conrad (for Lincoln) Amendment No. 899, to provide for a deficit-neutral reserve fund to promote individual savings and financial security.

Pages S4271–72

Conrad (for Collins/Lincoln) Amendment No. 883, to ensure that the deficit-neutral reserve fund for higher education may be used for Federal TRIO programs and Gaining Early Awareness and Readiness for Undergraduate Programs. **Page S4271**

Conrad (for Hatch/Kennedy) Amendment No. 970, to establish a deficit-neutral reserve fund to support the National Health Service Corps.

Page S4271

Conrad (for Enzi/Barrasso) Amendment No. 820, to establish a deficit-neutral reserve fund to improve the animal health and disease program. **Page S4271**

Conrad (for Klobuchar) Amendment No. 887, to establish a deficit-neutral reserve fund to promote payment policies under the Medicare program that reward quality and efficient care and address geographic variations in spending. **Page S4271**

Conrad (for McCaskill) Amendment No. 917, to expand the matters covered by the deficit-neutral reserve fund for defense acquisition and contracting reform. **Page S4271**

Conrad (for Dorgan) Amendment No. 838, to ensure full funding for Adam Walsh Act programs, with an offset. **Page S4271**

Conrad (for Tester) Amendment No. 916, to increase funding for veterans beneficiary travel reimbursement mileage rate, with an offset.

Pages S4271–72

Conrad (for Lautenberg) Amendment No. 957, to include funding for freight and passenger rail in the deficit-neutral reserve fund for investments in America's infrastructure. **Pages S4272–73**

Wicker Amendment No. 798, to ensure that law abiding Amtrak passengers are allowed to securely transport firearms in their checked baggage.

Page S4274

Lieberman/Cornyn Amendment No. 904, to add a deficit-neutral reserve fund to reduce the strain on United States military personnel by providing for an increase in the end strength for active duty personnel of the United States Army. **Pages S4274–75**

Udall (CO) Amendment No. 746, to establish a deficit-neutral reserve fund for wildland fire management activities. **Page S4275**

By 51 yeas to 48 nays (Vote No. 146), Lincoln Amendment No. 873, to create a deficit-neutral reserve fund for estate tax relief. **Pages S4275–77**

By 56 yeas to 43 nays (Vote No. 147), Durbin Modified Amendment No. 974, to provide that no additional estate tax relief beyond that which is already assumed in this resolution, which protects over 99.7 percent of estates from the estate tax, shall be allowed under any deficit-neutral reserve fund unless an equal amount of aggregate tax relief is also provided to Americans earning less than $100,000 per year. **Page S4278**

Conrad (for Burr) Amendment No. 777, to provide that legislation that would provide authority to the Secretary of Veterans Affairs to recover from a private health insurer of a disabled veteran amounts paid for treatment of such disability is subject to a point of order in the Senate. **Pages S4278–79**

Conrad (for Hatch) Amendment No. 962, to ensure the continued safety of Americans against terrorist attack by Al Qaeda and other terrorist organizations by providing a point of order against any legislation that would weaken or eliminate critical terror fighting tools. **Page S4279**

Conrad (for Dorgan) Amendment No. 946, to increase the budget authority for the Indian Health Service by an additional $200 million to obtain a total of $600 million increase over the FY 2009 enacted level. **Pages S4279–80**

Conrad (for Begich) Amendment No. 901, to express the sense of the Senate regarding the funding level for the Denali Commission. **Page S4281**

Conrad (for Begich) Amendment No. 903, to modify the deficit-neutral reserve fund to invest in clean energy and preserve the environment to provide for additional funding for the conduct of arctic oil spill research. **Pages S4281**

Conrad (for Klobuchar) Amendment No. 886, to create a deficit-neutral reserve fund to improve the safety of the food supply in the United States. **Page S4281**

Conrad (for Alexander) Amendment No. 792, to modify the Deficit-Neutral Reserve Fund for Higher Education, to maximize higher education access and affordability by ensuring that institutions of higher education and their students are able to continue to participate in a competitive student loan program, in order to maintain a comprehensive choice of student loan products and services. **Pages S4281–82**

Conrad (for Crapo/Corker) Amendment No. 958, to provide for a deficit-neutral reserve fund to increase the borrowing authority of the Federal Deposit Insurance Corporation and the National Credit Union Administration. **Page S4281**

Conrad (for Hatch/Wyden) Amendment No. 976, to establish a deficit-neutral reserve fund to address our Nation's long-term fiscal problems. **Page S4281**

Conrad (for Hutchison) Amendment No. 867, to reduce U.S. dependence on foreign energy sources, minimize future gasoline price increases, and reduce the federal budget deficit through expanded oil and gas production on the Outer Continental Shelf. **Page S4281**

Conrad (for Enzi) Amendment No. 819, to reinstate the 60-vote point of order under section 425(a)(2) of the Congressional Budget Act of 1974 for legislation that creates unfunded mandates on States and local governments. **Page S4281**

Conrad (for Barrasso/Crapo) Amendment No. 960, to increase amounts made available for the conduct of reviews under the National Environmental Policy Act of 1969. **Page S4281**

Conrad (for Barrasso) Amendment No. 890, to provide funding to enable certain individuals and entities to comply with the Endangered Species Act of 1973. **Page S4282**

Conrad (for Crapo) Amendment No. 733, to establish a deficit-neutral reserve fund for the innovative loan guarantee program of the Department of Energy. **Page S4282**

Conrad (for Crapo) Amendment No. 734, to establish a deficit-neutral reserve fund for nuclear research and development. **Page S4282**

Conrad (for Hatch) Amendment No. 939, to establish a deficit-neutral reserve fund for the 2012 completion of Food and Drug Administration facilities. **Page S4282**

Conrad (for Dodd/Hatch) Amendment No. 878, to increase funding for the Maternal and Child Health Block Grant within the Health Resources and Services Administration by $188,000,000 in fiscal year 2010. **Page S4282**

Conrad (for Murkowski) Amendment No. 841, to increase funding for the National Health Service Corps. **Page S4282**

Conrad (for Barrasso) Modified Amendment No. 890, to provide funding for voluntary efforts to conserve endangered species and to enable certain individuals and entities to comply with the Endangered Species Act of 1973. **Page S4284**

Conrad (for Kyl/Lieberman) Modified Amendment No. 980, to deny funding for federal government expenditures to companies that are obtaining at least $1,000,000 in revenue from the sale of goods or services to or investment in Iran's energy sector, including, but not limited to: the exploration, development or exploitation of Iran's natural gas or crude oil fields; the import of refined petroleum products, including but not limited to liquefied natural gas

and petroleum bi-products into Iran; the enhancement or maintenance of Iran's oil refineries; and assistance in the import and or export of energy products to or from Iran, including the provision of shipment, insurance, and reinsurance services. **Page S4284**

Conrad (for Coburn) Amendment No. 830, to provide for legislation that allows for a temporary suspension of the 10 percent tax penalty in order for struggling families to make an early withdrawal from their qualified retirement accounts to pay their monthly mortgage payments. **Page S4284**

Conrad (for Barrasso) Amendment No. 765, to provide that the authorized climate change legislation decrease greenhouse gas emissions without regulating carbon dioxide, nitrogen oxide, water vapor, or methane emissions from biological processes associated with livestock production. **Page S4284**

Conrad (for Snowe/Landrieu) Amendment No. 940, to establish a deficit-neutral reserve fund to require a certain portion of funding for the Energy Star Program of the Environmental Protection Agency to be allocated to the Energy Star for Small Business Program. **Pages S4284–85**

Conrad (for Thune/Lincoln) Modified Amendment No. 870, to provide for a total of $99,000,000 in COPS Hot Spots funding, as authorized in the Combat Meth Act. **Pages S4284, S4287**

Conrad (for Brown) Amendment No. 810, to modify the deficit-neutral reserve fund for economic stabilization and growth to promote new employment opportunities that are critical to economic recovery by supporting workforce strategies that help workers seeking specialized training for emerging industries. **Pages S4284–85**

DeMint Amendment No. 963, to provide for a point of order against any legislation that eliminates the ability of Americans to keep their health plan or their choice of doctor. **Page S4286**

Vitter Amendment No. 751, to protect the more than 6 million Americans employed by the domestic oil and gas industry and to ensure low-cost energy for America's consumers, businesses, and families. **Page S4288**

Rejected:

By 37 yeas to 60 nays (Vote No. 128), Ensign Amendment No. 805, to require certain higher-income beneficiaries enrolled in the Medicare prescription drug benefit to pay higher premiums, as is currently required for physicians' services and outpatient services, and as proposed in the budget of the United States Government most recently submitted by the President. **Pages S4233, S4247–49**

By 38 yeas to 60 nays (Vote No. 129), McCain Modified Amendment No. 882, in the nature of a substitute. **Pages S4233–45, S4249**

By 43 yeas to 55 nays (Vote No. 132), Johanns motion to commit the resolution to the Committee on the Budget, with instructions. **Pages S4253–54**

By 28 yeas to 70 nays (Vote No. 134), Vitter Amendment No. 787, to end $272 billion in spending on bailouts under TARP and reduce record deficits and levels of debt. **Pages S4255–56**

By 37 yeas to 60 nays (Vote No. 136), Landrieu/Begich Modified Amendment No. 931, to establish a deficit-neutral fund for outer Continental Shelf oil and natural gas leasing revenues. **Pages S4246–47, S4257–58**

By 40 yeas to 58 nays (Vote No. 139), Grassley Amendment No. 950, to ensure that millions of middle-income families do not face an alternative minimum tax increase in 2013 and 2014 and that the budget resolution reflects that result. **Pages S4265–66**

By 31 yeas to 67 nays (Vote No. 140), Sanders Amendment No. 811, to provide for a deficit-neutral reserve fund to establish a national usury law. **Pages S4266–67**

By 42 yeas to 56 nays (Vote No. 143), Bennett Modified Amendment No. 954, to save the American taxpayer over $150,000,000,000 by adjusting spending levels beyond fiscal year 2010 to compensate for spending from the stimulus bill in the corresponding fiscal years. **Pages S4269–70**

By 31 yeas to 66 nays (Vote No. 148), DeMint Amendment No. 965, to prevent taxpayer-funded bailouts for auto manufacturers. **Pages S4280–81**

By 39 yeas to 58 nays (Vote No. 151), DeMint Amendment No. 964, to establish a deficit-neutral reserve fund to protect small and home businesses from the burdensome and impractical requirements of the Consumer Product Safety Improvement Act of 2008. **Pages S4286–87**

By 41 yeas to 56 nays (Vote No. 152), Coburn Amendment No. 828, to protect the freedom of conscience for patients and the right of health care providers to serve patients without violating their moral and religious convictions. **Pages S4287–88**

By 18 yeas to 79 nays (Vote No. 153), Vitter Amendment No. 937, to require States to implement drug testing programs for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program, which would encourage healthy, drug-free families instead of encouraging dependent behavior or on-going drug abuse. **Pages S4288–91**

During consideration of this measure today, Senate also took the following action:

By 46 yeas to 52 nays (Vote No. 144), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305 of the Congressional Budget Act

of 1974 with respect to consideration of Cornyn Amendment No. 934, to increase transparency by requiring five days of public review of legislation before passage by the Senate. Subsequently, a point of order that the amendment was not germane to the provisions of the Budget Resolution was sustained, and the amendment thus fell. **Page S4273**

By 63 yeas to 35 nays (Vote No. 145), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to the motion to waive section 305 of the Congressional Budget Act of 1974 with respect to consideration of Wicker Amendment No. 798, to ensure that law abiding Amtrak passengers are allowed to securely transport firearms in their checked baggage. Thus, the point of order raised was rendered moot. **Page S4274**

By 28 yeas to 69 nays (Vote No. 149), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305 of the Congressional Budget Act of 1974 with respect to consideration of DeMint Amendment No. 967, to implement President Obama's earmark reforms. Subsequently, a point of order that the amendment was not germane to the provisions of the Budget Resolution was sustained, and the amendment thus fell. **Pages S4283–84**

By 36 yeas to 61 nays (Vote No. 150), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305 of the Congressional Budget Act of 1974 with respect to consideration of Sessions Amendment No. 969, to provide for a point of order against any appropriations bill that fails to fully fund the construction of the Southwest border fence. Subsequently, a point of order that the amendment was not germane to the provisions of the Budget Resolution was sustained, and the amendment thus fell. **Pages S4285–86**

Fostering Connections to Success and Increasing Adoptions Act: Committee on Finance was discharged from further consideration of S. 735, to ensure States receive adoption payments for fiscal year 2008 in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008, and the bill was then passed. **Page S4397**

Fifth Summit of the Americas: Senate agreed to 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. **Pages S4397–98**

Tragic Events at Pinelake Health and Rehab Center: Senate agreed to S. Res. 101, expressing the sense of the Senate on the tragic events at the Pinelake Health and Rehab Center in Carthage, North Carolina on Sunday, March 29, 2009. **Page S4398**

Joint Committee on Printing and Joint Committee of Congress on the Library: Senate agreed to S. Res. 102, providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library. **Page S4398**

Authorizing Testimony and Document Production: Senate agreed to S. Res. 103, to authorize testimony and document production in Richard Bowen v. Department of the Navy (MSPB). **Pages S4398–99**

Adjournment Resolution: Senate agreed to H. Con. Res. 93, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S4399**

Measures Considered:

Fraud Enforcement and Recovery Act—Cloture Agreement: Senate began consideration of the motion to proceed to consideration of S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds. **Page S4399**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, April 21, 2009. **Page S4399**

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill at 2:00 p.m., on Monday, April 20, 2009. **Page S4400**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S4399**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding an adjournment of the Senate, that Senate committees be authorized to file legislative and executive calendar business on Thursday, April 16, 2009 from 10:00 a.m. until 12:00 noon. **Page S4399**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Annex VI to the Protocol on Environmental Protection to the Antarctic Treaty (Treaty Doc. No. 111–2).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S4399**

West-Breuer-Varney Nominations—Agreement: A unanimous-consent agreement was reached providing that at 5:30 p.m., on Monday, April 20, 2009, Senate begin consideration of the nominations of Tony West, of California, to be an Assistant Attorney General, Lanny A. Breuer, of the District of Columbia, to be an Assistant Attorney General, and Christine Anne Varney, of the District of Columbia, to be an Assistant Attorney General, and vote on confirmation of the nominations; provided that prior to each vote, there be 2 minutes of debate, equally divided and controlled in the usual form; provided further, that each vote following the first be 10 minutes in duration. **Page S4400**

Hill Nomination—Cloture Agreement: Senate began consideration of the nomination of Christopher R. Hill, of Rhode Island, to be Ambassador to the Republic of Iraq. **Page S4301**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, April 2, 2009, a vote on cloture will occur on Monday, April 20, 2009, following the disposition of the nominations specified in a previous order for Monday, April 20, 2009, and that there be 20 minutes of debate, equally divided and controlled between the two Leaders, or their designees. **Page S4301**

Nominations Confirmed: Senate confirmed the following nominations:

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.

Jane Holl Lute, of New York, to be Deputy Secretary of Homeland Security.

Karen Gordon Mills, of Maine, to be Administrator of the Small Business Administration.

John Berry, of the District of Columbia, to be Director of the Office of Personnel Management for a term of four years.

James N. Miller, Jr., of Virginia, to be Deputy Under Secretary of Defense for Policy.

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).

Karl Winfrid Eikenberry, of Florida, to be Ambassador to the Islamic Republic of Afghanistan.

Melanne Verveer, of the District of Columbia, to be Ambassador at Large for Women's Global Issues.

W. Scott Gould, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

Alexander Vershbow, of the District of Columbia, to be an Assistant Secretary of Defense.

Rose Eilene Gottemoeller, of Virginia, to be an Assistant Secretary of State (Verification and Compliance).

James W. Miller, of Virginia, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

(Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Kathleen A. Merrigan, of Massachusetts, to be Deputy Secretary of Agriculture.

(Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Joe Leonard, Jr., of the District of Columbia, to be an Assistant Secretary of Agriculture.

(Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

22 Air Force nominations in the rank of general.

5 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S4401–03**

Nominations Received: Senate received the following nominations:

Andre M. Davis, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

Gerard E. Lynch, of New York, to be United States Circuit Judge for the Second Circuit.

Krysta Harden, of Virginia, to be an Assistant Secretary of Agriculture.

Jo-Ellen Darcy, of Maryland, to be an Assistant Secretary of the Army.

Scott Blake Harris, of Virginia, to be General Counsel of the Department of Energy.

Timothy W. Manning, of New Mexico, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security.

John U. Sepulveda, of Virginia, to be an Assistant Secretary of Veterans Affairs (Human Resources).

8 Navy nominations in the rank of admiral.

Routine lists in the Foreign Service.

Pages S4400–01

Messages from the House: **Page S4308**

Measures Read the First Time: **Page S4308**

Executive Communications: **Pages S4308–09**

Petitions and Memorials: **Page S4309**

Executive Reports of Committees: **Page S4309**

Additional Cosponsors: **Pages S4311–15**

Statements on Introduced Bills/Resolutions: **Pages S4315–87**

Additional Statements: **Pages S4306–08**

Amendments Submitted: **Pages S4387–97**

Notices of Hearings/Meetings: **Page S4397**

Authorities for Committees to Meet: **Page S4397**

Record Votes: Twenty-seven record votes were taken today. (Total—154) **Pages S4248–51, S4253, S4255–58, S4261, S4264–68, S4270, S4273–74, S4277–78, S4281, S4283–84, S4286–89, S4293**

Adjournment: Senate convened at 10 a.m. on Thursday, April 2, 2009 and adjourned, pursuant to the provisions of H. Con. Res. 93, at 12:42 a.m. on Friday, April 3, 2009, until 2 p.m. on Monday, April 20, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4400.)

Committee Meetings

(Committees not listed did not meet)

FHA ROLE IN ADDRESSING HOUSING CRISIS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a hearing to examine the role of the Federal Housing Administration (FHA) in addressing the housing crisis, after receiving testimony from Shaun Donovan, Secretary, Kenneth M. Donohue, Inspector General, both of the Department of Housing and Urban Development; J. Lennox Scott, John L. Scott Real Estate, Bellevue, Washington, on behalf of the National Association of REALTORS; and Mia Vermillion, Lakewood, Washington.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, with an amendment.

NOMINATION

Committee on Environment and Public Works: Committee concluded a hearing to examine the nomination of Regina McCarthy, of Massachusetts, to be an Assistant Administrator, Office of Air and Radiation, of the Environmental Protection Agency, after the nominee, who was introduced by Senator Dodd, testified and answered questions in her own behalf.

NOMINATION

Committee on Finance: 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.

RECOVERY AND REINVESTMENT SPENDING

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine recovery and reinvestment spending, after receiving testimony from Robert Nabors II, Deputy Director, Office of Management and Budget; and Earl E. Devaney, Chairman, Recovery Accountability and Transparency Board.

TRIBAL BILLS

Committee on Indian Affairs: Committee concluded a hearing to examine S. 313, to resolve water rights claims of the White Mountain Apache Tribe in the State of Arizona, S. 443, to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, S. 633, to establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and H.R. 326, to direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Tribe of Arizona, after receiving testimony from Ronnie Lupe, White Mountain Apache Tribe, Whiteriver, Arizona; Jonette Reyes, Hoh Indian Tribe, Forks, Washington; Paul Soto, Cocopah Indian Tribe, Somerton, Arizona; and

Linda D. Taylor, College of Menominee Nation, Keshena, Wisconsin.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S. 515, to amend title 35, United States Code, to provide for patent reform, with amendments.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nomination of W. Scott Gould, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 114 public bills, H.R. 1865–1978; 1 private bill, H.R. 1979; and 22 resolutions, H. Con. Res. 93–99; and H. Res. 319–333 were introduced. **PagesH4518–24**

Additional Cosponsors: **PagesH4524–26**

Report Filed: A report was filed today as follows:

Report of the Committee on Standards of Official Conduct (H. Rept. 111–74). **Page H4518**

Chaplain: The prayer was offered by the Guest Chaplain, Rev. Bruce Frank, Biltmore Baptist Church, Arden, NC. **Page H4399**

Adjournment Resolution: The House agreed to H. Con. Res. 93, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, by a yea-and-nay vote of 244 yeas to 177 nays, Roll No. 183. **Pages H4410–11**

Family Smoking Prevention and Tobacco Control Act: The House passed H.R. 1256, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, by a recorded vote of 298 ayes to 112 noes, Roll No. 187. **Pages H4412–15**

Rejected the Rogers (MI) motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 169 ayes to 256 noes, Roll No. 186. **Page H4414**

Rejected:

Buyer amendment in the nature of a substitute (printed in part B of H. Rept. 111–72) that was debated on Wednesday, April 1st that sought to create a Tobacco Harm Reduction Center under the Department of HHS to regulate all tobacco products and establishes a regulatory scheme to provide for tobacco prevention, education, and cessation programs (by a recorded vote of 142 ayes to 284 noes, Roll No. 185). **Pages H4412–13**

Pursuant to section 2 of the rule, in the engrossment of H.R. 1256, the Clerk shall add the text of H.R. 1804, as passed by the House, as new matter at the end of H.R. 1256; conform the title of H.R. 1256 to reflect the addition of H.R. 1804; assign appropriate designations to provisions within the engrossment; and conform provisions for short titles within the engrossment. Upon the addition of the text of H.R. 1804 to the engrossment of H.R. 1256, H.R. 1804 shall be laid on the table.

H. Res. 307, the rule providing for consideration of the bill, was agreed to on Wednesday, April 1st.

Setting forth the congressional budget for the U.S. Government for fiscal year 2010 and including the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014: The House agreed to H. Con. Res. 85, to set forth the congressional budget for the U.S. Government for fiscal year 2010 and including the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014, by a yea-and-nay vote of 233 yeas to 196 nays, Roll No. 192. Consideration of the resolution began on Wednesday, April 1st. **Pages H4401–10, H4411–12, H4415–87**

Rejected:

Woolsey amendment in the nature of a substitute (No. 1 printed in H. Rept. 111–73) that sought to provide $991 billion for non-military discretionary spending in FY10, $469 billion above the President request; provide $479 billion as sufficient defense spending level; and reduce the deficit by 58 percent by FY2012. Savings would come from eliminating Cold War era weapons systems, targeting waste, fraud, and abuse at the Pentagon, military redeployment and military contractors out of Iraq, repeal of Bush tax cuts for those making more than $250,000 a year, crackdown on corporate welfare and reinstating a quarter-cent tax (0.25%) on all stock transactions. Spending increases would include health care

for all Americans, cutting poverty in half in 10 years, additional economic stimulus, increased foreign assistance, combating global warming and establishing energy independence, providing comprehensive education, and providing health care to veterans as an entitlement (by a recorded vote of 84 ayes to 348 noes, Roll No. 188); **Pages H4437–46**

Jordan amendment in the nature of a substitute (No. 2 printed in H. Rept. 111–73) that sought to set spending levels, revenue levels, and deficit levels at lower amounts than what is projected by the CBO baseline or what is proposed in the President's budget request. The substitute would provide defense funding at the President's level and for non-defense discretionary spending, the substitute provides a hard freeze to non-defense discretionary spending, plus a 1 percent reduction to prior year spending levels, and also assumes other savings from reductions to lower-priority spending (by a recorded vote of 111 ayes to 322 noes, Roll No. 189); **Pages H4446–60**

Lee (CA) amendment in the nature of a substitute (No. 3 printed in H. Rept. 111–73) that sought to build upon the investments made by the President's budget and the Majority's budget. However, the budget would build on these investments by immediately repealing the 2001 and 2003 Bush-era tax cuts that benefit the wealthiest Americans. The budget also would add a 0.565 percent surtax on adjustable gross income exceeding $500,000 for individuals ($1 million for joint filers). The budget would shift those savings and additional revenue towards Education, Health Care, Job Training, International Aid, Justice, Transportation, and Veterans, while still producing a 5 year deficit that is $67 billion smaller than the Majority's budget (by a recorded vote of 113 ayes to 318 noes with 1 voting "present", Roll No. 190); and **Pages H4460–69**

Ryan (WI) amendment in the nature of a substitute (No. 4 printed in H. Rept. 111–73) that sought to spend $4.8 trillion less than the President's budget over 10 years; set spending levels which are 20.7 percent of GDP; freeze non-defense/non-veterans spending; borrow $3.6 trillion less than the President's budget over 10 years; seek to hold debt to 65 percent of GDP; and put forward a long-term budget to bring debt under control. The substitute also sought to permanently extend 2001 and 2003 tax relief; permanently fix the Alternative Minimum Tax; create 2.1 million more jobs than the Democrats' budget; suspend capital gains taxes through 2010; and reduce the corporate tax rate to 25 percent from the current 35 percent. The amendment also sought to provide $5 billion over the President's budget for Defense; $540 million over the President's budget for Veterans; to save $50 billion annually for war or unmet defense needs; and provide for health and retirement security by reforming programs to ensure they provide benefits for future beneficiaries (by a recorded vote of 137 ayes to 293 noes, Roll No. 191). **Pages H4469–87**

H. Res. 316, the rule providing for further consideration of the resolution, was agreed to by a yea-and-nay vote of 242 yeas to 182 nays, Roll No. 184, after agreeing to order the previous question without objection. **Pages H4401–02, H4411–12**

Quorum Calls—Votes: Three yea-and-nay votes and seven recorded votes developed during the proceedings of today and appear on pages H4411, H4411–12, H4412–13, H4414, H4414–15, H4446, H4459–60, H4469, H4486–87, H4487. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 11:02 p.m., the House stands adjourned until 10 a.m. on Monday, April 6, 2009 unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 93, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Committee Meetings

FEDERAL FOOD SAFETY SYSTEMS

Committee on Agriculture: Held a hearing to review Federal food safety systems. Testimony was heard from public witnesses.

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies continued appropriation hearings. Testimony was heard from Members of Congress, and public witnesses.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Missile Defense Agency Overview. Testimony was heard from LTG Patrick O'Reilly, USA, Director, Missile Defense Agency, Department of Defense.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Immigration Enforcement and Citizenship Verification. Testimony was heard from the following officials of the Department of Homeland Security: Michael Aytes, Acting Deputy Director, Citizenship and Immigration Services; David Venturella, Executive Director, Secure Communities, Immigration and Customs Enforcement; and Marcy Forman, Director, Office of Investigations, Immigration and Customs Enforcement.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Minerals Management Service Oversight. Testimony was heard from the following officials of the Department of the Interior: Mary Kendall, Acting Inspector General; and Walter Cruickshank, Deputy Director, Minerals Management Service; and Frank Rusco, Director, Natural Resources and Environment, GAO.

NEW STRATEGY FOR AFGHANISTAN AND PAKISTAN

Committee on Armed Services: Held a hearing on the New Strategy for Afghanistan and Pakistan and developments in U.S. Central Command and Special Operations Command. Testimony was heard from the following officials of the Department of Defense: Michele Flournoy, Under Secretary, Policy; GEN David H. Petraeus, USA, Commander, U.S. Central Command; and ADM Eric Olson, USN, Commander, U.S. Special Operations Command.

POW/MIA RECOVERY IMPROVEMENTS

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on improving recovery and full accounting of POW/MIA personnel from all past conflicts. Testimony was heard from the following officials of the Department of Defense: Charles A. Ray, Deputy Assistant Secretary, POW/Missing Personnel Affairs; and RADM Donna L. Crisp, USN, Commander, Joint POW/MIA Accounting Command; and public witnesses.

NEW AGE OF IRREGULAR WARFARE

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on Terrorism and the New Age of Irregular Warfare: Challenges and Opportunities. Testimony was heard from public witnesses.

AMERICAN RECOVERY AND REINVESTMENT

Committee on Energy and Commerce: Subcommittee on Communications, Technology, and the Internet held a hearing on Oversight of the American Recovery and Reinvestment Act: Broadband. Testimony was heard from David Villano, Assistant Administrator, Telecommunications Program, Rural Development, USDA; Scott Deutchman, Acting Senior Legal Advisor, FCC; Mark Seifert, Senior Policy Advisor, National Telecommunications and Information Administration; Department of Commerce; Rachelle Chong, Commissioner, California Public Utilities Commission; and public witnesses.

MAKING HEALTH CARE WORK FOR AMERICAN FAMILIES

Committee on Energy and Commerce: Subcommittee on Health held a hearing on Making Health Care Work for American Families: Saving Money, Saving Lives. Testimony was heard from public witnesses.

CREDIT CARD HOLDERS' BILL OF RIGHTS ACT; PAYDAY LOAN REFORM ACT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit approved for full Committee action, as amended, H.R. 617, Credit Cardholders' Bill of Rights Act of 2009.

The Subcommittee also held a hearing on H.R. 1214, Payday Loan Reform Act of 2009. Testimony was heard from public witnesses.

SOUTH PACIFIC TUNA TREATY

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, and the Global Environment held a hearing on the South Pacific Tuna Treaty: Next Steps for Renewal. Testimony was heard from William Gibbons-Fly, Director, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State.

U.S. STRATEGY FOR AFGHANISTAN

Committee on Foreign Affairs: Subcommittee on Middle East and South Asia held a hearing on U.S. Strategy for Afghanistan: Achieving Peace and Stability in the Graveyard of Empires. Testimony was heard from public witnesses.

EXPORT CONTROLS AND SATELLITE TECHNOLOGY

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation and Trade held a hearing on Export Controls and Satellite Technology. Testimony was heard from public witnesses.

HOMELAND SECURITY POLICYMAKING

Committee on Homeland Security: Held a hearing entitled ''Homeland Security Policymaking: HSC at a Crossroads and Presidential Study Directive.'' Testimony was heard from the following former Homeland Security and Counterrorism Advisors to the President: Kenneth L. Wainstein; and Frances Fragos Townsend; and public witnesses.

CONSUMER DEBT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on Consumer Debt: Are Credit Cards Bankrupting Americans? Testimony was heard from public witnesses.

STATE AND LOCAL ENFORCEMENT OF FEDERAL IMMIGRATION LAWS

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law, and the Subcommittee on Constitution, Civil Rights and Civil Liberties held a joint hearing on the Public Safety and Civil Rights Implications of State and Local Enforcement of Federal Immigration Laws. Testimony was heard from public witnesses.

PUBLIC LANDS SERVICES CORPS ACT

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing

on H.R. 1612, Public Lands Services Corps Act of 2009. Testimony was heard from Will Shafroth, Deputy Assistant Secretary, Fish, Wildlife and Parks, Department of the Interior; Hank Kashdan, Associate Chief, U.S. Forest Service, USDA; and public witnesses.

MISCELLANEOUS MEASURES; COLLAPSE AND FEDERAL RESCUE OF AIG

Committee on Oversight and Government Reform: Ordered reported the following measures: H. Res. 214, Recognizing the efforts of the countless volunteers who helped the Commonwealth of Kentucky recover from the ice storm of January 2009; H. Res. 254, amended, Recognizing the designation of March 2009 as Irish American Heritage Month and honoring the significance of Irish Americans in the history and progress of the United States; H.R. 1516, To designate the facility of the U.S. Postal Service located at 37926 Church Street in Dade City, FL, as the "Sergeant Marcus Mathes Post Office;" H.R. 1595, To designate the facility of the U.S. Postal Service located at 3245 Latta Road in Rochester, NY, as the "Brian K. Schramm Post Office Building;" and a resolution Honoring the Life and Achievements of John Hope Franklin.

The Committee also held a hearing on the Collapse and Federal Rescue of AIG and What it Means for the U.S. Economy. Testimony was heard from Maurice R. Greenberg, former CEO, American International Group (AIG).

MODERNIZING THE SBA'S ENTREPRENEURIAL DEVELOPMENT PROGRAMS

Committee on Small Business: Subcommittee on Rural Development, Entrepreneurship and Trade held a hearing on Legislative Initiatives to Modernize the SBA's Entrepreneurial Development Programs. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following measures: H.R. 1665, Coast Guard Acquisition Reform Act of 2009; H.R. 1746, Pre-Disaster Mitigation Act of 2009; H.R. 1747, Great Lakes Icebreaker Replacement Act; H.R. 1178, as amended, To direct the Comptroller General of the United States to conduct a study on the use of Civil Air Patrol personnel and resources to support homeland security missions; H. Res. 313, Supporting the goals and ideals of National Public Works Week; and H. Res. 269, Supporting the goals of Motorcycle Safety Awareness Month.

VOCATIONAL REHABILITATION AND EMPLOYMENT PROGRAMS

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on Vocational Rehabilitation and Employment Programs. Testimony was heard from John McWilliam, Deputy Assistant Secretary, Veterans' Employment and Training Service, Department of Labor; Ruth Fanning, Director, Office of Vocational Rehabilitation and Employment, Veterans Benefits Administration, Department of Veterans Affairs; representatives of veterans organizations; and a public witness.

SIGNALS INTELLIGENCE BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to hold a briefing on Signals Intelligence. The Committee was briefed by departmental witnesses.

GLOBAL DEPLOYMENT BRIEFING

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence met in executive session to hold a briefing on Global Deployment. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

WESTERN BALKANS

Commission on Security and Cooperation in Europe. Commission concluded a hearing to examine the Western Balkans, focusing on challenges for United States and European engagement, after receiving testimony from Paddy Ashdown, former High Representative to Bosnia-Herzegovina, London, United Kingdom; Ivo Banac, Croatian Helsinki Committee for Human Rights, New Haven, Connecticut; Ivana Howard, National Endowment for Democracy, Sarajevo, Bosnia and Herzegovina; and James Lyon, Democratization Policy Council, Belgrade, Serbia.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 3, 2009

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on Disaster Capacity in the National Capital Region: Experiences, Capbilities, and Weaknesses, 10 a.m., 2167 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment situation for March 2009, 9:30 a.m., SD–106.

Next Meeting of the SENATE
2 p.m., Monday, April 20

Senate Chamber

Program for Monday: Senate will resume consideration of the motion to proceed to consideration of S. 386, Fraud Enforcement and Recovery Act.

Next Meeting of the HOUSE OF REPRESENTATIVES
2 p.m., Tuesday, April 21

House Chamber

Monday Program for: To be announced.

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